

RESORT VILLAGE OF TURTLE VIEW

BYLAW NO. 41-2024

**A BYLAW TO REGULATE TRAFFIC
IN THE MUNICIPALITY OF THE RESORT VILLAGE OF TURTLE VIEW**

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**A BYLAW TO REGULATE TRAFFIC
IN THE MUNICIPALITY OF THE RESORT VILLAGE OF TURTLE VIEW**

The Council of the Municipality of the Resort Village of Turtle View, in the Province of Saskatchewan, enacts as follows:

SECTION I: SHORT TITLE, APPLICATION AND INTERPRETATION

1. SHORT TITLE

1.1 This Bylaw may be cited as "The Traffic Bylaw".

2. APPLICATION

2.1 All of the provisions and enactments set forth in this Bylaw shall relate to and be in full force and effect within the limits of the Municipality.

2.2 The headings throughout this Bylaw are for convenience only and are not intended to be used to construe the intent of this Bylaw or any part hereof, or to modify, amplify, or aid in the interpretation or meaning of the provisions of this Bylaw.

2.3 If a court of competent jurisdiction should declare any section or subsection of this Bylaw to be invalid, such section or subsection shall not be construed as having persuaded the Council to pass the remainder of the Bylaw, and it is hereby declared that the remainder of this Bylaw shall be valid and remain in force.

2.4 In the prosecution of an alleged contravention of any of the provisions of this Bylaw, the onus of proof that the action giving rise to the charge was previously authorized shall lie upon the person charged.

3. INTERPRETATION

3.1 In this Bylaw, unless the context otherwise requires, the expression(s):

- (a) "ACT" shall mean *The Traffic Safety Act, SS 2004, Chap. T-18.1* and amendments thereto, or any other Act enacted in its stead;
- (b) "CHIEF ADMINISTRATIVE OFFICER" shall mean the Administrator of the Municipality;
- (c) "BICYCLE" shall mean any muscular propelled, chain-driven wheeled device in, on, or by which a person or persons may be transported or drawn and shall include:
 - (i) any device adapted from a bicycle by the addition of one (1) or more wheels;
 - (ii) a motorized bicycle that is propelled by a combined muscular and electrical-assisted power, fitted with pedals that are operable to propel it, weighing no

more than 35 kilograms and does not have sufficient electrical power to attain a speed greater than 34 km/h on level ground within a distance of two km from a standing start which a person may ride, regardless of the number of wheels it may have;

- (d) "COUNCIL" shall mean the Council of the Municipality;
- (e) "CONTRACTOR" shall mean a person who contracts, sub-contracts, constructs, alters, maintains, repairs or removes buildings or structures, installs heating, plumbing or other fixtures, painting and/or allied trades including journeyman or jobber and shall include those businesses or persons engaged, under contract, in any municipal works;
- (f) "CONTRACTOR VEHICLE" shall mean trucks, vans, utility/cargo/construction/flatbed trailers or other such vehicles owned, leased, used and/or operated by contractors while carrying out work associated with the contractors business;
- (g) "DRIVER" (passengers excluded) includes the rider of a bicycle, motorcycle and also the operator of any vehicle;
- (h) "INTERSECTION" shall mean the area where two or more roadways meet or cross each other but does not include a lane intersection;
- (i) "LANE" shall mean a public roadway intended primarily to give access to the rear of real property;
- (j) "MUNICIPALITY" shall mean the Municipal Corporation of the Resort Village of Turtle View, in the Province of Saskatchewan;
- (k) "MUNICIPAL ENFORCEMENT OFFICER" shall mean the Municipal or Bylaw Enforcement Officer appointed or designated by Council for the Municipality;
- (l) "OPERATOR" shall mean a person who drives, operates, or is in charge of a vehicle on a public roadway;
- (m) "OWNER" shall mean the registered owner of a vehicle and includes:
 - (i) a lessee of a motor vehicle; or
 - (ii) a person who is in possession of a motor vehicle under a contract by which that person may become the owner of the motor vehicle on full compliance with the terms of the contract;
- (n) "PARKING" shall mean the standing of a vehicle whether occupied or not, upon a roadway, otherwise than temporarily in obedience to traffic regulations or traffic signs or signals;
- (o) "PARKING AREA" shall mean a portion of a roadway or an area indicated by signs or markings or parking meters as a place to park;

- (p) "PEDESTRIAN" shall mean a person traveling on foot or confined to a wheelchair, whether powered by human power or by motor, and shall include a baby carriage;
- (q) "PERSON" shall mean a corporation or partnership as well as a man, woman or child;
- (r) "POLICE OFFICER" shall have the same meaning as "peace officer" as defined in the Act, and shall mean:
 - (i) a member of a police service in Saskatchewan;
 - (ii) a person or class of persons designated by the Lieutenant Governor Council as traffic officers; or
 - (iii) any person appointed pursuant to The Police Act, 1990 as a special constable for the enforcement of this Act;
- (s) "PUBLIC PLACE" shall mean any place, building or conveyance to which the public has access by right or by invitation, expressed or implied and for greater certainty but not to restrict the meaning thereof, shall include public parks, municipal reserves and meeting halls.
- (t) "RECREATIONAL VEHICLE" shall mean a self-propelled or towed vehicular type unit, primarily designed as temporary living quarters for recreational, camping or travel use and which is used solely as a family or personal conveyance and in no way used for commercial purpose. Without limiting the foregoing, recreational vehicles include:
 - (i) Travel trailer;
 - (ii) Tent trailer;
 - (iii) Truck camper;
 - (iv) Motor home;
 - (v) Park model trailer;
 - (vi) Fifth-wheel travel trailer;
- (u) "RESIDENT ONLY PARKING" shall mean the resident of said property, including guests and contractors, are the only allowable vehicles to park on the private property;
- (v) "ROAD MAINTENANCE EQUIPMENT" includes sanding trucks, snow blowers, street sweeper, de-icers, asphalt sprayers, patching equipment and other similar equipment operated by an employee or agent of the Municipality while actually engaged in road maintenance;
- (w) "ROADWAY" shall mean a road, parkway, driveway, square or place designated and intended for or used by the general public for the passage of vehicles, but does not include any area whether privately owned that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area,

and does not include a provincial highway within the municipalities as designated pursuant to the provisions of *The Highways and Transportation Act*, RSS 1978, c H-3, or any other Act enacted in its stead;

- (x) "SCHOOL BUS" shall mean a motor vehicle designed for the conveyance of school children and other people. For the purpose of this Bylaw where the term "Truck" is used, it shall be deemed to include "School Bus";
- (y) "SPEED ZONE" shall mean any portion of a roadway within the Municipality as designated herein, and identified by a sign erected and maintained at each end thereof, indicating the maximum speed applicable thereto;
- (z) "STOP" shall mean:
 - (i) when required, a complete cessation from movement; and
 - (ii) when prohibited, any stopping, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control signal;
 - (aa) "STREET OR AVENUE" shall mean any street or public roadway within the Municipality therein as designated pursuant to the provisions of the Act;
 - (bb) "TRAFFIC" shall mean pedestrians, vehicles, buses, and other conveyances either singly or together while using any roadways;
 - (cc) "TRAFFIC SIGN" shall mean any sign, signal (other than traffic signals), marking or other device placed, painted, or erected for the guidance, regulation, warning, direction, or prohibition of traffic;
 - (dd) "VEHICLE" means a device in, on or by which a person or thing is or may be transported or drawn on a roadway

4. **DEFINITION**

4.1 Other words and expressions used in this Bylaw shall have the same meaning as given them in the Act.

5. **GENDER**

5.1 Except where the context otherwise requires, all references in the masculine gender shall also be deemed to include the feminine gender.

6. **VALIDITY**

6.1 If any section, clause or provision of this Bylaw is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid.

SECTION II: PARKING

7. PARKING ON PRIVATE PROPERTY

7.1 No operator of a vehicle shall park said vehicle in any private parking place, private parking entrance/driveway or on any private property of which he is not the owner, occupant, licensee, or permittee except with the consent of the said owner, occupant, licensee or permittee.

8. PARKING ON PUBLIC PARKING LOTS

8.1 Parking on public parking lots shall be limited to use only by patrons of the attached public facility or at the discretion of the Municipality.

9. UNATTENDED VEHICLE ON JACKS

9.1 No person shall leave a vehicle unattended on a jack or jacks with one or more wheels removed for more than three (3) hours on any roadway or on unoccupied Municipal property without the vehicle being sufficiently blocked to stop the vehicle from falling onto the ground.

10. INOPERATIVE VEHICLE (UNATTENDED VEHICLE)

10.1 No person shall stand or park a vehicle or recreational vehicle on any roadway or public property for the purpose of vehicle repairs, with the exception of emergency repairs limited to three (3) hours.

11. UNREGISTERED VEHICLES

11.1 No motor vehicle, which requires a license plate, shall be parked on a roadway unless it displays license plates valid for the current year.

12. RECREATIONAL VEHICLE PARKING

12.1 No operator of a Recreational Trailer, whether attached or unattached to any towing vehicle, shall park said vehicle(s) on any roadway or alley for a period beyond twelve (12) hours.

13. WARNING NOTICE

13.1 In order to determine the time which a vehicle or recreational vehicle has been parked in a location where parking is restricted to a specific time, any Police Officer, Municipal Enforcement Officer, or person authorized by this Bylaw may place a Warning Notice as specified in Schedule "C" on the parked or stopped vehicle or recreational vehicle.

SECTION III: RULES FOR OPERATION AND CONDITION OF VEHICLE

14. STOP SIGNS

14.1 At a junction where two or more traffic directions are controlled by stop signs, the driver who arrives and stops first continues first. If two or more drivers in different directions

stop simultaneously at a junction controlled by stop signs, the driver on the left must yield the right-of-way to the driver on the far right.

- 14.2 At any three or four-way stop, the first vehicle to come to a complete stop has the right-of-way.

15. YIELD SIGNS

- 15.1 At any intersection where a yield sign is present, driver facing the sign must yield the right of way to any other motorist approaching the intersection.

16. MISCELLANEOUS SIGNS

- 16.1 No person shall, except where authorized in writing by the Municipality or when duly authorized by law, erect upon or adjacent to any roadway, municipal reserves, park, or playground; any sign, marker, signal or light or any advertising sign or device.
- 16.2 No person shall deface, damage, destroy or remove any sign or marker erected pursuant to this Bylaw.
- 16.3 All signs, that are authorized by the Municipality, shall be removed with-in 48 hours following the event being advertised.
- 16.4 Any political and/or election signage shall only be placed on private property and with the permission of the property owner.

17. TRAFFIC OBSTRUCTION

- 17.1 No vehicle operator shall drive, stop or park a vehicle upon any roadway in such a manner as to block, obstruct, impede, or hinder traffic thereon. Where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided he promptly takes measures to clear the faulty vehicle from the roadway.

18. MAXIMUM SPEED

- 18.1 No person shall drive any vehicle at a speed greater than 30 km/hr unless otherwise posted by designated signage.
- 18.2 No person shall drive any vehicle at a speed greater than 20 km/hr in playground areas and other designated roadways as defined with posted 20km/hr speed signs.

19. BACKING-UP OF VEHICLES

- 19.1 Prior to driving a vehicle in reverse, the operator must ensure it is safe to do so.
- 19.2 No person shall drive a vehicle in reverse around the corner of any roadway.

20. FOLLOWING EMERGENCY VEHICLES

- 20.1 When any emergency vehicle, including a fire truck, has emergency lights and/or sirens engaged, no vehicle shall follow at a distance of less than sixty (60m) metres.

20.2 No person driving or operating a vehicle shall cause the said vehicle to pass over or interfere with a fire hose.

21. **DRIVING ON PLAYGROUNDS AND PARKS**

21.1 No person shall drive a vehicle upon or across a public playground, park, or green space without written permission of a Municipal Enforcement Officer or designate.

22. **UNNECESSARY NOISE, THROWING GRAVEL**

22.1 No person shall drive a vehicle or recreational vehicle on any roadway or parking lot in such a manner as to cause the tires to make excessive, unusual or unnecessary noise.

22.2 No person driving a vehicle or recreational vehicle on any roadway or parking lot shall accelerate the vehicle to such an extent so as to cause the tires to slide, spin or throw gravel or other substances.

23. **TWO-WAY SINGLE LANE ROADWAYS**

23.1 All roadways, unless otherwise signed, are deemed to be two-way single lane roadways.

SECTION IV: VEHICLE WEIGHTS AND REGULATIONS

24. **DAMAGE TO ROADWAYS**

24.1 No person shall use a vehicle on a roadway if the vehicle would cause damage to the roadway surface.

25. **MAXIMUM WEIGHT RESTRICTIONS**

25.1 A vehicle, or a vehicle with a trailer attached, including its load, that exceeds the maximum gross of 12,000 kilograms (26,450 pounds) shall not exceed the speed of 60 km/hr at any time.

25.2 A vehicle, or a vehicle with a trailer attached, including its load, shall not exceed a maximum gross weight exceeding the posted weight restrictions on a roadway at any time unless a permit has been obtained from the Municipal office.

25.3 Movement of any pre-assembled building or structure that requires a development permit will also require an Overweight Permit as set forth in Schedule "D".

25.4 Overweight Permit as set forth in Schedule "D", shall be obtained and approved prior to travelling on any roads not designated as Heavy Vehicles Routes with the following criteria:

(a) One permit, including the permit fee shall be obtained per destination address on a per project basis.

(b) Prior to approval of permit the valid time period will be defined with the applicant for the project.

- (c) Prior to the expiry of the approved permit, an application may be made for an extension of the permit, and at no additional charge. Requests following expiry of permit will be required to submit a new permit application and permit fee.

26. EXEMPTIONS TO VEHICLE WEIGHTS

26.1 The maximum gross vehicle weights shall not apply to:

- (a) motor vehicles designed specifically to convey garbage;
- (b) motor vehicles designed specifically to convey sewage;
- (c) buses used for public transportation; or
- (d) emergency vehicles.

27. COVERING OF LOAD

27.1 No person shall operate any vehicle transporting waste, refuse or debris of any kind, along or over any roadway unless the load is covered with appropriate materials to sufficiently cover all waste, refuse or debris and securely fastened in order to prevent any material from being ejected or blown onto roadways during transportation.

28. SPILLING MATERIAL

28.1 Should any material being transported be spilled on roadways, it shall immediately be removed by the responsible party. The area shall be left in as clean and usable state as prior to the incident. The Municipality may recover any costs, from the responsible party, if personnel or designates of the Municipality are required to complete the necessary cleanup.

28.2 If the material described in subsection (a) is a dangerous good as described under *The Dangerous Goods Transportation Act*, then the spill response procedure contained in the *The Dangerous Goods Transportation Act* must be strictly followed.

SECTION V: BICYCLES

29. RIGHT HAND SIDE

29.1 Every person riding a bicycle shall ride as close as possible to the right hand curb, but this shall not apply when the rider is approaching an intersection and indicates his intention to turn from a direct line by giving a visible signal.

30. RULES OF THE ROAD

30.1 Every person riding a bicycle on a roadway in the Municipality shall conform to The Traffic Safety Act.

SECTION VI: ROADWAY CLOSURE

31. CLOSING ROADWAYS

- 31.1 The Municipality may close any roadway for the purpose of carrying out road, sewer line or water line construction, repair or improvement or any other work where the Municipality believes it is necessary to close the roadway to the public.
- 31.2 Where the Municipality has closed a roadway, no person shall enter or attempt to enter the roadway without authorization from the Municipality.
- 31.3 The Municipality may temporarily close any roadway where, in its opinion, an emergency exists which requires that the roadway be closed.

SECTION VII: HEDGES, TREES AND OBSTRUCTIONS

32. DANGEROUS TO TRAFFIC

- 32.1 The Municipal Enforcement Officer or designate may order that any hedge, shrub or tree or other obstruction be removed, trimmed, or cut down, for the safety of pedestrians or drivers on a roadway, where a visual obstruction is present.

33. DAMAGE TO ROADWAYS

- 33.1 No person shall willfully excavate or trench any roadway without written approval from the Municipality.
- 33.2 No person shall operate a vehicle on a roadway if the vehicle would tear, gouge, scar, or otherwise cause damage to the roadway.

34. OBSTRUCTION OF ROADWAY

- 34.1 No person shall place any electrical cord, lumber, tree branch or any other material across any roadway in such a manner that it obstructs or provides an unsafe situation for pedestrian or vehicular traffic.

SECTION VIII: TRAFFIC SIGNS AND SIGNALS

35. STOP SIGNAGE

- 35.1 All stop signs shall be erected and maintained at a distance of approximately three (3) to six (6) metres from a roadway intersection at a 90-degree angle to the traffic approaching the intersection.

36. YIELD SIGNAGE

- 36.1 All yield signs shall be erected and maintained at a distance of approximately three (3) to six (6) metres from a roadway intersection at a 90-degree angle to the traffic approaching the intersection.

37. **NO PARKING**

37.1 The Municipality shall maintain and/or erect any signage or curb markings to indicate "No Parking" areas. Such signs or curb markings shall be visible from that part of the roadway to which the restriction applies.

38. **GENERAL SIGNS**

38.1 The Municipality may maintain and/or erect any signage as it may deem relevant for warning, guidance, directions or information purposes. General signage as referred to in the Traffic Bylaw is exempt from conditions and/or specifications set forth in the Municipality Zoning Bylaw.

38.2 All signage on roads with a right-of-way of 100 feet of greater shall be erected no less than 4.5 metres (15 feet) from the driving surface of the road.

SECTION IX: ENFORCEMENT AND PENALTIES

39. **EMERGENCY TRAFFIC**

39.1 A Police Officer is hereby authorized to direct traffic in conformity with this Bylaw and the Act.

39.2 Notwithstanding any other provisions of this Bylaw, a Police Officer, a person designated by a Police Officer, a firefighter or Municipal Enforcement Officer are hereby authorized to direct or prohibit traffic on any public roadway in any manner they deem necessary to expedite traffic, safeguard pedestrians, prevent accidents or meet any unforeseen conditions, whether or not in conformity with this Bylaw or the Act, in the event of a fire, traffic accident, or other emergency.

39.3 Every person shall comply with any traffic signal or direction of a Police Officer, person designated by a Police Officer, a firefighter or Municipal Enforcement Officer given pursuant to this section.

40. **ALL TO COMPLY**

40.1 Any Police Officer responsible for policing the Municipality, the Municipal Enforcement Officer or any other person specifically appointed by the Municipality are hereby designated to enforce all Sections of this Bylaw.

41. **OWNER OF VEHICLE**

41.1 If the offending driver can not be identified, the Owner of a vehicle shall be liable for violation of any of the provisions of this Bylaw in connection with the operation of a vehicle, unless such owner proves to the satisfaction of a Provincial Magistrate or Justice of the Peace trying the case, that at the time of the offence the vehicle was not being operated by him/her nor by any person with his/her consent express or implied.

42. **PLACING TICKETS**

42.1 No person, other than a Police Officer, Municipal Enforcement Officer, or person authorized by this Bylaw may place a Notice of Violation (Schedule B) or warning ticket (Schedule C) on any vehicle.

42.2 No person, other than the owner or operator of the vehicle, shall remove a Notice of Violation or a Warning Ticket from any vehicle.

43. **CANCELLATION OF TICKETS**

43.1 The Council of the Municipality may only cancel a Notice of Violation where, in their opinion, that Notice of Violation was issued improperly or in error.

44. **REMOVAL OF OBSTRUCTION, ENCUMBRANCE OR ENCROACHMENT**

44.1 Where an obstruction, encumbrance or encroachment is created or left on any roadway, any Police Officer or other person authorized by the Municipality may remove or dispose of that obstruction, encumbrance or encroachment at the cost of the person responsible.

45. **ADDITIONAL PENALTIES**

45.1 The owner, driver or operator of a vehicle that is unlawfully placed, parked or kept on any street, parking place or other public place where the length of time parking is allowed is controlled is subject to an additional violation tag each time the allowed time has elapsed.

46. **PROSECUTION FOR DAMAGES**

46.1 Nothing in this Bylaw shall be construed to curtail or abridge the right of the Resort Village to prosecute an action for damages by reason of damage suffered to any municipal property resulting from the contravention of any of the provisions of this Bylaw.

47. **FALSE STATEMENT**

47.1 No person shall in any verbal information, report or document for purposes of this Bylaw, make a statement false in any material particular.

48. **EXCEPTIONS**

48.1 Municipality employees are exempt from this Bylaw while in the execution of their duties.

49. **PENALTIES**

49.1 Any person convicted of a breach of the provisions of this bylaw shall forfeit and pay the ticket, summary or notice of violation as set out in Schedule "A".

50. **PAYMENT OF FINES**

50.1 Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a ticket, summary, or notice may be served on such person by a Police Officer, Municipal Enforcement Officer, or any person duly authorized by Council. Such person served with a ticket or notice may pay same at the Resort Village of Turtle

View Municipality Administration Office between the hours of 9:00 a.m. and 5:00 p.m., excepting Wednesdays, Saturdays, Sundays, and public holidays, provided that payment must be made within a period of ten (10) days from the service of the said ticket or notice. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.

50.2 Service of such ticket or notice may be made personally or by attaching the ticket, summary or notice to the vehicle in respect of which an offense has been committed or by mailing such ticket, summary or notice addressed to the registered owner of the vehicle.

50.3 If the person given such ticket, summary or notice fails to pay the specified ticket, summary or notice within ten (10) days of issue date of ticket, summary or notice, the dollar amount doubles as set out in Schedule "A".

51. REPEAL PREVIOUS TRAFFIC BYLAW

51.1 Bylaw #2-2020, A Bylaw to Regulate Traffic Bylaw is hereby repealed.

52. SEVERABILITY

52.1 In the event that any provision of this Bylaw is found to be null or void or contrary to law by any court of competent jurisdiction, then such provision shall be severed from this Bylaw and the remainder of this Bylaw shall continue to be of full force and effect.

53. ENACTMENT

53.1 This Bylaw shall take effect and come into force upon the date of passage of the Bylaw following third reading and it being adopted.


Read a first time this 20th day of March, A.D. 2024


Read a second time this 22nd day of April, A.D. 2024

Read a third time and adopted this 22nd of April, A.D. 2024


MAYOR




ADMINISTRATOR

Certified a true copy of the original which has not been altered in any way.
Dated at Turtle View, Saskatchewan this 23rd day of April, 2024

Administrator