

## TRAFFIC BYLAW

HAMLET OF \_\_\_\_\_  
BYLAW NUMBER \_\_\_\_\_

A bylaw of the Hamlet of \_\_\_\_\_ in the Northwest Territories pursuant to section 88 of the *Hamlets Act*, S.N.W.T 2003, C. 22 (the "*Hamlets Act*") and Part XII of the *Motor Vehicles Act*, R.S.N.W.T. 1988, c. M-16 (the "*Motor Vehicles Act*").

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF \_\_\_\_\_, at a duly assembled meeting, enacts as follows:

### TITLE

1. This Bylaw may be cited as the "Traffic Bylaw".

### INTERPRETATION

1. In this Bylaw, words shall have the same meaning as in the *Motor Vehicles Act* except as otherwise defined below.
2. In this Bylaw:
  - (a) "Council" means the council of the Hamlet;
  - (b) "Hamlet" means the Hamlet of \_\_\_\_\_;
  - (c) "Highway" means a highway as defined in the *Motor Vehicles Act*, that is within the Hamlet's jurisdiction ;
  - (d) "Large Vehicle" means a commercial vehicle, trailer or commercial vehicle with a trailer attached that has a gross weight of \_\_\_\_\_ kilograms or more, with or without load, or exceeds \_\_\_ meters in overall length;
  - (e) "Paved Roadway" means a roadway that is covered by asphalt or chip seal;
  - (f) "Peace Officer" means a member of the Royal Canadian Mounted Police or a bylaw officer duly appointed by the Hamlet;
  - (g) "Senior Administrative Officer" means the Senior Administrative Officer of the Hamlet;

(h) “Unpaved Roadway” means a roadway that is not covered by asphalt or chip seal, which includes, without limiting the generality of the foregoing, a roadway covered by gravel or dirt alone; and

(i) “Zoning Bylaw” means [insert citation for Hamlet’s zoning bylaw].

### **OBEDIENCE TO TRAFFIC REGULATIONS**

3. Every driver and pedestrian shall obey all directions and commands of a Peace Officer.

4. Every driver and pedestrian shall obey all traffic control devices, unless the driver or pedestrian is directed otherwise by a Peace Officer under section 3.

### **PARKING**

5. A person who parks a vehicle on a roadway must park the vehicle:

(a) on a two-way roadway, on the right-hand side of the roadway, and

(b) on a one-way roadway, on the right-hand or left hand side of the roadway,

within 30 centimeters of the curb or edge of the roadway.

6. No person shall park a vehicle:

(a) on a sidewalk;

(b) within 3 meters of an intersection;

(c) within a crosswalk or within six (6) meters of a crosswalk;

(d) within 3 meters of a fire hydrant;

(e) in front of, or within 1 meter of the entrance to, a public or private driveway;

(f) on any roadway in such a manner as to traffic the passage of vehicles on that roadway;

(g) in such a position as will prevent the convenient removal of any other vehicle previously parked,

(h) in front of any marked emergency exit; or

- (i) at any place where a traffic control device prohibits stopping or parking, during the times stopping or parking is so prohibited.
7. No person shall park a Large Vehicle on any Highway that is located within a portion of the Hamlet that is identified as a residential zone in the Hamlet's Zoning Bylaw, except during a period of time that the Large Vehicle is being used to make a delivery or provide a service at the location at which it is parked.

### **SPEED LIMITS**

8. The maximum speed that a vehicle may be operated within the Hamlet is:
- (a) the maximum speed limit set out by a traffic control device; or
  - (b) 50 kilometers per hour if there is no maximum speed limit set out by a traffic control device.
9. Where a traffic control device sets out a maximum speed limit, the speed limit applies to that part of the Highway between the traffic control device and the point where another traffic control device indicates a greater or lesser speed or that the speed limit has ceased to apply.

### **TRAFFIC CONTROL DEVICES**

10. The Senior Administrative Officer is directed to provide for the placement of traffic control devices at such locations as are necessary to establish the following maximum speed limits:
- (a) subject to subsection (c), a maximum speed limit of 45 kilometers per hour on Paved Roadways;
  - (b) a maximum speed limit of 30 kilometers per hour on Unpaved Roadways; and
  - (c) a maximum speed limit of 30 kilometers per hour within 50 meters of a school, playground or health care facility.
11. The Senior Administrative Officer is authorized to prescribe the location and placement of traffic control devices, in addition to the traffic control devices contemplated by section 10, in accordance with any direction that Council may provide, from time to time.
12. Without limiting the Senior Administrative Officer's authority under section 11, the Senior Administrative Officer is hereby authorized to provide for the placement of temporary traffic control devices that prohibit parking on a

Highway or portion of Highway in the event of fires, emergencies, parades, and assemblies.

13. The Senior Administrative Officer is directed to keep a record of the locations of all traffic control devices in the Hamlet and to make the record available for public inspection during the normal business hours of the Hamlet.

14. No person shall, without the prior written authorization of the Hamlet:

- (a) erect, place or display; or
- (b) alter, conceal, deface, damage, move or remove

any traffic control device, or make any attempt to do the same.

### **ENFORCEMENT**

15. A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine in the amount set out in Schedule "A".

16. Pursuant to the *Summary Conviction Procedures Act*, a Peace Officer may issue a Ticket to a Person who contravenes or fails to comply with any provision of this Bylaw.

17. A Peace Officer may indicate, on a Ticket, the specified penalty that may be paid to the Hamlet, prior to the date specified in the Ticket, in place of appearing in answer to the summons, which specified penalties are the fine amounts set out in Schedule "A" to this Bylaw.

### **LIABILITY OF OWNER**

18. If a vehicle is involved in an offence under this Bylaw, the owner of that vehicle is guilty of an offence.

19. Section 18 does not apply if the owner of the vehicle satisfies the court that, at the time that the vehicle was involved in an offence:

- (a) in the case of a vehicle that was in motion,
  - (i) the owner of the vehicle was not driving the vehicle, and
  - (ii) no other person was driving the vehicle with the owner's expressed or implied consent,

and

- (b) in the case of a vehicle or that was parked,
  - (i) the owner did not park the vehicle, and
  - (ii) no other person parked the vehicle with the owner's expressed or implied consent.

**SEVERABILITY**

20. Each provision of this Bylaw is independent of all other provisions. If a Court of competent jurisdiction declares any provision invalid for any reason, all other provisions of this Bylaw shall remain valid and enforceable, and the Bylaw shall be interpreted as such.

Read a first time this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a second time this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a third time this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed, certified by the senior administrative officer and sealed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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Mayor

I hereby certify that this bylaw has been made in accordance with the requirements of the *Hamlets Act* and the bylaws of the Hamlet

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Senior Administrative Officer

**[SEAL]**

**SCHEDULE "A"**

**Fines/Penalties for Offences**

1) Sections 5 to 7 – Failure to comply with parking provisions

First Offence	\$ _____
Additional Offences	\$ _____

2) Section 8 – Exceeding maximum speed limit

First Offence	\$ _____
Additional Offences	\$ _____

3) Section 14 – Unauthorized placement or interference with traffic control device

First Offence	\$ _____
Additional Offences	\$ _____