

**BY-LAW NO 1035-2021**  
**OF**  
**THE RURAL MUNICIPALITY OF GRAHAMDALE**

A BY-LAW TO REGULATE TRAFFIC AND PARKING WITHIN THE R.M. OF GRAHAMDALE

WHEREAS a municipality has the direction, control and management of municipal roads with its boundaries;

AND WHEREAS Section 90(1) of *The Highway Traffic Act* provides for a traffic authority to make rules or By-Laws to regulate and control vehicular and other traffic and the parking thereof within its jurisdiction;

AND WHEREAS Section 90(2) of *The Highway Traffic Act* provides for the council of the municipality to impose penalties for a violation any such rule by By-Law;

AND WHEREAS Section 236(1)(b)(ii) of *The Municipal Act* states:

236(1) Without limiting the generality of clause 232(1)(o) (enforcement of By-Laws), and subject to subsection (3), a By-Law passed under that clause may include provisions:

(b) remedying contraventions of By-Laws, including:

(ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge, or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the By-Law;

AND WHEREAS Section 236(3) of *The Municipal Act* states

A contravention of a By-Law:

(a) designated under clause 3(2)(a) of *The Municipal By-Law Enforcement Act*; or

(b) respecting the parking, standing or stopping of vehicles;

May not be enforced under The Provincial Offences Act.

AND WHEREAS The R.M. of Grahamdale has passed a By-Law under *The Municipal By-Law Enforcement Act* to provide for an administrative penalty scheme for parking and general By-Law enforcement, referred to as the "Enforcement By-Law";

AND WHEREAS it is deemed necessary and expedient to pass a By-Law to regulate and control vehicular and other traffic and the parking thereof within the R.M. of Grahamdale.

NOW THEREFORE THE COUNCIL OF THE RM OF GRAHAMDALE ENACTS AS FOLLOWS:

**1. Definitions**

"By-Law Enforcement Officer" shall mean a person appointed or designated under *The Municipal Act* to enforce the By-Laws of the R.M. of Grahamdale and includes a designated employee or officer under *The Planning Act*.

"Designated parking space" means a space designated by signs or pavement markings as being for the sole use of motor vehicles displaying a permit and that is located:

On a municipal roadway;

In a public parking lot or facility; or

In a private parking lot or facility to which the public has access.

“Diagonal Parking” or “Parking in a Diagonal Manner” means to park a vehicle so as to form, as near as possible, a forty-five-degree angle with the curb of the street.

“Double Parked” mean to park a vehicle adjacent to a vehicle that is parallel parked.

“Loiter” means to remain in an area for no obvious reason.

“Motor vehicle” means a motor vehicle as defined in *The Highway Traffic Act*.

“Owner” means the registered owner of a property or their designate.

“Park or Parking” means to stand a vehicle whether occupied or not, except: When it is caused to stand temporarily for the purpose of, and while actually engaged in, loading or unloading; or in obedience to a peace officer or a traffic control device.

“Parallel Parking” or “Parking in a Parallel manner” means to park a vehicle heading in the direction of traffic with the curbside wheels not more than forty-six centimetres (eighteen inches) from the curb or if there is no curb, it shall be, as far as possible, off the travelled portion of the street, and in such a way so as not to block the street for other vehicular traffic.

“Persons” shall mean any individual, corporation or group.

“Public Works Department” shall mean all works and operating department staff of the R.M. of Grahamdale which perform work upon a public street or land within the Municipality.

“Sidewalk” means a footpath, whether or not paved or improved, that is intended primarily for the use of pedestrians and that either: forms part of that portion of a highway that lies between the curb line or if there is none, the lateral boundary line, of the roadway; and the adjacent property lines; or the straight production of the adjacent property lines to the curb line or if there is none, to the lateral boundary line, or an intersecting highway; or although not part of a highway, is a publicly maintained right-of-way, set aside for pedestrian traffic only and for the purpose of giving access to property adjacent thereto.

“Special event” shall mean a parade, procession, block party, or such other event held on a public street, land or thoroughfare which will require closure to public traffic.

“Street” shall mean a municipal road for public use and includes a road allowance (including the shoulder), street, lane, thoroughfare, walkway, bridge, and underpass but does not include a departmental road as defined in *The Highway Traffic Act*.

“Vehicle” means a device, in upon, or by which a person or thing is or may be transported or drawn upon a highway but does not include: a device designed to be moved by human power or used exclusively upon stationary rails or tracks; and a motorized mobility aid.

## **2. Temporary Street Barricades & Closures**

2.1 Persons wishing to have a special event on any street or streets in the R.M. of Grahamdale, shall make application with the R.M. of Grahamdale Chief Administrative Officer (CAO) or designate, who shall review the application and may approve or reject the application or impose conditions. The application shall include the nature of the parade, procession, or special event, the route intended to be taken, the date and length, and the person or persons responsible for the event. The CAO or designate is hereby empowered to barricade or cause to be barricaded or erect a sign or remove a sign on any street or portion thereof deemed

necessary for this event. If the event requires public awareness through the press or other means this shall be done at the expense of the applicant.

2.2 No person shall park on a public street or land at such time or manner to obstruct the performance of scheduled or emergency maintenance work on the public street or land. The R.M of Grahamdale Public Works Department may post, close or detour any such streets it deems necessary in order to perform maintenance and/or construction work as necessary from time to time.

### **3. General Parking Restrictions**

3.1 No person shall park a vehicle where a sign or painted curb, placed and/or authorized by the R.M. of Grahamdale prohibits parking, and where a sign has been erected prohibiting the parking of vehicles during certain hours or days. As set out in Schedule "B" of this By-Law.

3.2 No person shall park a vehicle on a street in such a manner that it obstructs the entrance to a lane or to a driveway or an approach leading into a private premise or public pathway.

3.3 No person shall park a vehicle on a street or in a municipal parking lot in such a manner that it obstructs the movement of traffic or poses a hazard to the public.

3.4 No person shall stand or park a vehicle within three meters of an intersection.

3.5 No person shall park a vehicle within two meters of a crosswalk.

3.6 No person shall park a vehicle within one hundred meters of the scene of a fire or emergency except firefighting equipment or other emergency vehicles required in the firefighting operations.

3.7 No person shall park a truck with a gross vehicle weight rating of 6,805 kg (15,000 lbs) or more, nor semi-trailers of any type, on any street within the R.M. of Grahamdale, except when a truck or trailer is parked on a street during the course of loading and unloading or vehicle is doing work. Such loading and unloading shall be done as quickly as possible and in such a way so as not to block the street for other vehicular traffic.

3.8 The weight restriction in Clause 3.7 shall not apply to Emergency Vehicles.

3.9 No person shall park utility trailer, recreational trailer, motorhome, or conversion van or bus converted into a motorhome, either connected or disconnected to any other vehicle, on any street within the R.M. of Grahamdale, except when it is parked on a street during the course of loading, unloading or doing work. Such loading and unloading shall be done as quickly as possible and in such a way so as not to block the street for other vehicular traffic.

3.10 No person shall park a semi-trailer unit, or part thereof (either tractor or trailer, either connected or separately), or other heavy vehicle on any R.M. of Grahamdale owned parking lots, except during the course of loading and unloading, doing work, or where designated by the R.M. of Grahamdale. Loading and unloading shall be done as quickly as possible and in such a way so as not to block the street for other vehicular traffic.

3.11 No person shall stop, stand or park a motor vehicle in a designated parking space for physically disabled persons, or in a manner that makes a designated parking space inaccessible, unless the vehicle displays a permit in accordance with *The Highway Traffic Act* and the regulations under the *Act*.

3.12 When parallel parking, no person shall park a vehicle, on any roadway other than parallel with the curb, headed in the direction of vehicular traffic in the adjacent traffic lane with the curb-side wheels of the vehicle within forty-five centimeters of the curb.

#### **4. Seasonal Parking Fees**

4.1 Between the Friday of the Victoria Day long weekend in May and the Monday of the Labour Day long weekend in September, vehicles using Municipal parking lots within the Steep Rock area shall be required to purchase and display a daily parking permit in their windshield.

4.2 The cost of any parking permit shall be set by Council through the Fees and Charges By-Law.

4.3 Different parking permits may be issued to ratepayers of the Municipality and to visitors to the Municipality and different permit fees may apply.

4.4 Failure to display the required parking permit shall be an offence under this By-Law. The registered owner of the vehicle is liable for payment of a penalty notice of \$60.00.

#### **5. General Traffic Regulations**

5.1 No person shall drive any vehicle upon or across any sidewalk, except for the purpose of crossing at an intersection or to enter upon a premise.

5.2 Wherever a "Stop" sign has been duly erected at an intersection or level railway crossing, the driver shall bring that vehicle to a complete stop before traversing the intersection or railroad crossing, and shall not proceed until it is safe to do so.

5.3 No person shall use an engine retarder braking system on any motor vehicle being operated within the Hamlets of Mulvihill, Camper Moosehorn, Grahamdale, Hilbre, Faulkner, Steep Rock, St. Martin or Gypsumville.

#### **6. Speed Limits**

6.1 At all times of the year, the maximum speed limit on highways under the jurisdiction of the Rural Municipality of Grahamdale is as prescribed in the "Schedule A" that is attached and forms part of this by-law.

#### **7. Offences and Penalties**

7.1 A penalty notice issued for a traffic or parking offense under this By-Law shall be the responsibility of the registered owner of the vehicle that has been parked or operated contrary to this By-Law.

7.2 A penalty notice must be in a form set out in the Municipal Bylaw Enforcement Act and the R.M. of Grahamdale Enforcement By-Law.

7.3 Unless otherwise stated in this By-Law, any person or vehicle which contravenes any part of this By-Law may be liable for payment of a penalty notice in the amount of \$60.00.

## 8. Severability

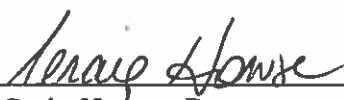
8.1 Should any provision of this Bylaw be invalid, then the invalid provision shall be severed and the remaining Bylaw shall be maintained.

## 9. Repeal

9.1 By-Law 1015-2019 is hereby repealed.

DONE AND PASSED as a by-law of the Rural Municipality of Grahamdale, in Council duly assembled, at Moosehorn, in Manitoba, this 25<sup>th</sup> day of March, 2021.

THE RURAL MUNICIPALITY OF GRAHAMDALE

  
\_\_\_\_\_  
Craig Howse, Reeve

  
\_\_\_\_\_  
Shelly Schwitek, Chief Administrative Officer

Read a first time this 11<sup>th</sup> day of March, 2021.

Read a second time this 11<sup>th</sup> day of March, 2021.

Read a third time this 25<sup>th</sup> day of March, 2021.

**SCHEDULE A of the  
TRAFFIC AND PARKING BY-LAW  
Rural Municipality of Grahamdale  
By-Law 1035-2021**

**SPEED LIMITS:**

<b>Road Name</b>	<b>Location From</b>	<b>Location To</b>	<b>Speed Limit</b>
<b>Lafarge Road, Steep Rock</b>	<b>North Drive, Steep Rock</b>	<b>Lakeshore Road, Steep Rock</b>	<b>30 km/h</b>
<b>Little Steep Rock Road, Steep Rock</b>	<b>Lakeshore Road, Steep Rock</b>	<b>Lakeshore Road, Steep Rock</b>	<b>30 km/h</b>
<b>Cottage Road South and North, Steep Rock</b>	<b>Crossen Road, Steep Rock</b>	<b>Kyler Road, Steep Rock</b>	<b>30 km/h</b>
<b>Kyler Beach Road, Steep Rock</b>	<b>Kyler Road, Steep Rock</b>		<b>30 km/h</b>
<b>Lakeshore Road, Steep Rock</b>	<b>HWY PR 239</b>	<b>Kyler Road, Steep Rock</b>	<b>50 km/h</b>
<b>Kyler Road, Steep Rock</b>	<b>Lakeshore Road Steep Rock</b>	<b>Kyler Beach Road and Cottage Road, Steep Rock</b>	<b>50 km/h</b>
<b>Crossen Road Steep Rock</b>	<b>West from Kyler Road Steep Rock</b>	<b>Lake Manitoba</b>	<b>50 km/h</b>
<b>North Drive, Steep Rock</b>	<b>Railway Avenue, Steep Rock</b>	<b>Lafarge Road, Steep Rock</b>	<b>30 km/h</b>
<b>Birch Lake Road, Mulvihill</b>	<b>PR Hwy 6</b>	<b>East to Whites Road, Mulvihill</b>	<b>50 km/h</b>
<b>Spearhill Road</b>	<b>South End of Cemetery located on NW 15-27-7W</b>	<b>North end of SE 22-27-7W</b>	<b>50 km/h</b>

**SCHEDULE B of the  
TRAFFIC AND PARKING BY-LAW  
Rural Municipality of Grahamdale  
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**NO PARKING SIGNS:**

<b>Road Name</b>	<b>Location From</b>	<b>Location To</b>	<b>Conditions</b>
Lakeshore Drive, Steep Rock	Limestone Drive, Steep Rock	North Drive + Railway Avenue, Steep Rock	No parking at any time.
Limestone Drive, Steep Rock	Oak Crescent, Steep Rock	End of Road	No parking at any time.
North Drive, Steep Rock	Railway Avenue	North West Drive	No parking at any time.
Railway Ave./Quarry Lane, Steep Rock	Lakeview Drive	Lakeshore Drive	No parking at any time.

**DISABLED PERSONS PARKING SIGNS:**

<b>Location</b>	<b>Conditions</b>
Country Lane West, Steep Rock	No parking without a valid disability parking permit as described by <i>The Highway Traffic Act</i> .
Lakeview Drive, Steep Rock	No parking without a valid disability parking permit as described by <i>The Highway Traffic Act</i> .