

**A BYLAW REQUIRING SECURING OF LOADS TRANSPORTING MATERIALS
And
TO COMPEL THE REMOVAL OF DIRT, STONES, FILTH, RUBBISH OR SNOW
FROM HIGHWAYS AND PUBLIC PLACES.**

Whereas pursuant to clauses 8(1)(f) and (g) of *The Municipalities Act*, a council of a rural municipality is authorized to make bylaws, subject to *The Highway Traffic Act*, relating to the use of vehicles and the regulation of pedestrians and in relation to streets and roads; and

Whereas it is necessary and advisable to enact a bylaw to regular streets and roads and to provide for the safe operation and travel of all vehicles with the rural municipality;

NOW THEREFORE the Council of the Rural Municipality of Lumsden No. 189, in the Province of Saskatchewan, enacts as follows:

Title

1. This Bylaw may be referred to as the ***Tarping and Protection of Right of Safe Passage Bylaw***.

Definitions

2. In this bylaw:
 - a) "**highway**" means a road allowance, road, street or public highway as defined in *The Highways and Transportation Act, 1997*, that is under the direction, control and management of the municipality, and includes the shoulder of the roadway, bridge, culvert, drain or other public improvement erected upon or in connection with such public highway;
 - b) "**motor vehicle**" means a motor vehicle as defined in section 2 of *The Traffic Safety Act*;
 - c) "**park**" means the standing of a vehicle, whether occupied or not, on a highway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading, or in obedience to traffic regulations, traffic signs or signals, or the direction of a traffic officer or constable;
 - d) "**Vehicle**" includes a vehicle, trailer, semi-trailer or motor vehicle as defined in *The Traffic Safety Act*.

Parking prohibited

3. No person shall park a vehicle on any highway.

Signs

4. No person shall deface, injure, destroy or remove any sign or marker erected by the municipality for the purposes of this Bylaw.

Tarp required

5. No person shall transport any materials of any kind in an open box of a vehicle unless the box is covered with a securely fastened cover to prevent materials from blowing out or otherwise escaping from the box.

Encumbrances of highway and public places

6. Unless authorized by council, no person shall:
 - a) Dig holes in any highway or road allowance or remove any earth, gravel or asphalt from any highway, road allowance or property owned by the municipality; or
 - b) Place or deposit any earth, snow or ice, stones, rubbish, sewage, dead animals, junked or abandoned vehicles or any other object or substance that may in any way hinder either the maintenance of or the public's right of passage over a highway or other public place in the municipality.
7. A person designated by council may remove and dispose of any object, substance, structure or other encumbrance that is placed, deposited or erected contrary to this section.
8. A person who is in contravention of this section is required to remove the encumbrance within 48 hours of being notified of the contravention, if it has not already been removed pursuant to subsection (7), failing which a person designated by the council may remove and dispose of it.
9. Where a person is in contravention of this section and a person designated by council has removed the encumbrance pursuant to subsections (7) or (8), the municipality may charge the expense of doing so to that person.

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Snow ridges and snow fences

10. The RM of Lumsden is hereby authorized to enter upon land adjoining any road allowance or other public highway for the purpose of making snow ridges or erecting snow fences as a measure to prevent the blocking of roads by snow drifts.
11. The person or persons designate by council to perform the work mentioned in subsection 10 shall have the right of entry on private property for such purpose only.
12. Any person who obstructs or interferes with an agent or servant of the municipality engaged in carrying out the provisions of this section, or who destroys, pulls down, alters or interferes with any works carried out of thing done under the authority of this section, shall be liable on summary conviction to the penalties prescribed in the General Penalty Bylaw.

Certain vehicles prohibited

13. No person shall operate or move upon or over a paved road any vehicle or equipment having metal cleats, metal tracks, tire chains or any other metal device attached to or forming part of the wheels. This does not apply to vehicles with studded winter tires.

Certain bylaws repealed

14. The following bylaws are repealed: 51/74 and 13-2016

Effective Date

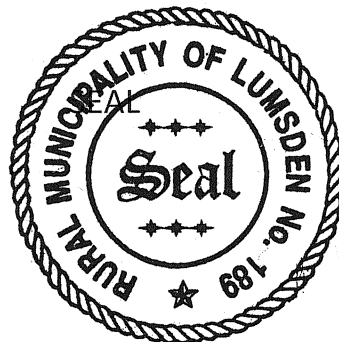
15. This bylaw shall come into force and take effect on the date of approval.

READINGS

Read a first time this 21st day of April, 2022.


Read a second time this 5th day of May, 2022.

Read a third time this 5th day of May, 2022.





Reeve



Chief Administrative Officer