

TOWN OF CARMAN

BY-LAW NO. 01/1842

Being a by-law of the Town of Carman providing for the regulation of traffic within the Town of Carman.

WHEREAS the Council of the Town of Carman deems it necessary and expedient to pass a by-law regulating and controlling traffic within the said Town, pursuant to the provisions of the *Municipal Act* and the *Highway Traffic Act*, and amendments thereto:

NOW THEREFORE the Council of the Town of Carman, in Council assembled, enacts as follows:

INTERPRETATIONS

1) Unless otherwise expressly provided or unless the context otherwise requires, words and expressions in this By-law have the same meaning as the same words and expressions in the *Highway Traffic Act* of the Province of Manitoba;

2) Where used in this by-law:

- (a) "Administrator" means the Administrator of the Town of Carman or such person as may be authorized by the said Administrator to exercise some or all of the powers vested in him/her by this by-law;
- (b) "Council" means the Council of the Town of Carman or such Committee as Council may delegate as Traffic Authority;
- (c) "Crosswalk" means that portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface, or, where no such markings exist, that portion of a roadway within the prolongation directly (not diagonally) across such roadway, of the lateral boundary lines of a sidewalk on an intersecting street;
- (d) "Curb" means the lateral boundaries of a roadway whether marked with curbstones or not;
- (e) "Decal" means the International Symbol of access Identification Sticker issued by the Province of Manitoba to identify vehicles owned and operated by physically handicapped persons;
- (f) "Decal Vehicle" means a vehicle displaying a Decal affixed to the rear license plate of the vehicle or to a Placard, which is visible through the windshield of the vehicle;
- (g) "Designated Route" means a highway within the Town of Carman, the traffic on which is not inhibited by traffic signs except where the said "designated route" intersects with each other and all entrances to which is controlled by traffic signals;
- (h) "Driver" includes the rider and driver of a horse, the rider of a bicycle and the operator of a motor vehicle and the said person who is in actual physical control of a vehicle and includes any body corporate in respect of vehicles driven by its officers, employees, or agents in the course of their employment and the expressions "drive" and "driving" have a corresponding meaning;
- (i) "Emergency Vehicle" means police, fire and ambulance vehicles;
- (j) "Highway, Street or Roadway" mean public thoroughfare within the Town of Carman. Every highway shall be deemed to include all space between the property lines on either side, and

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whenever the expression "highway", "street", or "lane" is used in this by-law, it shall mean a highway, street or lane within the Town of Carman. Whenever in this by-law, any highway that is referred to by name or number as a street or avenue such street or avenue so named or numbered shall mean the street or avenue within the Town of Carman commonly bearing such name or number;

- (k) "Intersection" or "Street Intersection" means that area within the sidelines, real or projected, of two or more streets or of a street and a lane, which meet at an angle or across each other. In the case of the intersection of two through streets, each street shall be regarded as intersecting each other. Streets in this case mean the traveled portion between curb lines or ditch lines;
- (l) "Lane" means a highway twenty (20.0) feet or less in width;
- (m) "Parade" means any parade or procession of pedestrians excepting members of Her Majesty's Armed Forces, numbering more than thirty (30) standing, marching, or walking anywhere on a street, or any group of vehicles except a funeral procession or vehicles of Her Majesty's Armed Forces, numbering ten (10) or more stopped or moving anywhere on a street;
- (n) "Parking" means causing or allowing a vehicle to stand on a highway. For the purpose of any provision of this by-law restricting parking to any period of time unless a vehicle is moved at least through the nearest intersection it shall be deemed to have remained stationary. The provisions of this by-law with respect to parking shall not apply to vehicles in charge of civic employees while in use in connection with work being done on any highway. Parking means stationary or permitted to remain stationary as the context may require.
- (o) "Pedestrian" means any person on foot.
- (p) "Placard" means a sign displaying the International Symbol of Access for physically handicapped persons, stating "Disabled Person's Parking Placard" and issued by, or by persons designated in writing by The Canadian Paraplegic Association; or The Society for Manitobans with Disabilities; or The Community Therapy Services of Manitoba; or The Manitoba League of the Physically Handicapped to identify vehicles used regularly for the conveyance of physically handicapped persons.
- (q) "Placard Vehicle" means a vehicle displaying a placard that is visible through the windshield of the vehicle; or out-of-Province plates issued by any Province or Territory of Canada or State of the United States of America for the purpose of identifying that vehicle as being operated by or for the use of physically handicapped persons.
- (r) "Semi Trailer" means a trailer so constructed that its weight and the weight of its load is carried partly upon an axle of the truck tractor towing it, and partly upon an axle of the trailer.
- (t) "Trailer" means a vehicle designed for carrying persons or chattels, and for being towed by a motor vehicle, and includes a farm trailer but does not include an implement of husbandry that is temporarily towed, propelled, or moved upon a highway.
- (u) "Truck" means a motor vehicle or semi trailer truck, that is not a delivery car and that is constructed or adopted to carry goods, wares, and merchandise, freight or commodities, but not passengers or luggage.

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- (v) "Truck tractor" means a motor vehicle designed and used primarily for towing other vehicles, and not so constructed as to carry a load other than the driver thereof and a part of the weight of any vehicle so towed including the load thereon.
- (w) "Traffic" includes pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any highway.
- (x) "Traffic Sign" means a sign, marking or device (other than a traffic light signal) placed or erected by police authority or by a municipal department having jurisdiction, for the purpose of guiding, directing, warning or regulating traffic.
- (y) "Traffic Light Signal" means any device whether manually, electrically or mechanically operated by which traffic is regulated.
- (z) "Vehicle" means a device in, upon or by which a person or property may be conveyed upon a highway, including a bicycle or pushcart.

3. Every horse and every person driving, loading or riding the same, shall be subject to all of the provisions of this by-law insofar as the same can be made applicable thereto.

4. Unless otherwise specified or unless the context otherwise requires, the provisions of this by-law shall apply to persons, horses, and vehicles only while upon a highway.

PROOF OF SCHEDULES

5. The schedules to this by-law are part of the by-law and shall be identified as such.

GENERAL REGULATIONS

6. No driver of a vehicle shall permit the vehicle to occupy a street so as to interfere with or interrupt the passage of other vehicles and/or pedestrians.

7. No driver of a vehicle shall cross from one side of the highway to the other or turn around in the highway, except at an intersection.

8. No person shall stop a vehicle at a crosswalk so as to interfere with passing pedestrians.

9. No person shall bring any vehicle to a stop and permit it to remain standing abreast of another vehicle on a highway nor shall two or more vehicles travel abreast on any highway except while one of them is engaged in lawfully passing the other.

10. All slow moving traffic, moving at not more than ten (10) kilometers per hour and including bicycles at any rate of speed, shall keep as near the right hand curb as possible.

11. No person shall deliver any fuel from a vehicle in such a manner as to interfere with pedestrian traffic or cause annoyance to the general public.

12. Wherever access can be had to a lane, all deliveries or collections of commodities or garbage shall be made therein.

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13. No animal or vehicle shall be driven or backed or allowed to stand on any sidewalk but may be driven over a crossing.
14. On an avenue or street divided longitudinally by a parkway, walk, sunken way or viaduct, vehicles shall keep to the right of such division.
15. No person shall drive a vehicle that is so covered or so constructed as to prevent the driver thereof from having a sufficient view of the traffic on either side.
16. The driver of a bicycle or motorcycle shall not permit to be carried thereon more persons than the vehicle was originally designed to carry.
17. Drivers of vehicles must at all times comply with any direction, by voice or hand, of any members of the Police Force, as to stopping, starting, approaching or departing from any place, the manner of taking up or setting down passengers or loading or unloading goods.
18. No bicycle shall be equipped with nor shall any person use upon a bicycle any siren horn or any device producing a sound that resembles that produced by a siren horn.

PARADES

19. On all occasions of parades or processions, those in charge thereof, whether they be societies, corporations, or persons, shall not less than forty-eight (48) hours prior to such parade or procession, notify the Chief Constable in writing of the nature of said procession or parade, the route intended to be taken, the length of time that it is expected that such parade or procession will require to pass a given point, so that he may make the necessary arrangements for the proper policing of the streets and before holding the parade or procession they shall obtain a permit therefor from the Chief Constable. The Chief Constable is hereby empowered to barricade or obstruct whatever streets he deems necessary during the passage of such parade or procession or to divert the traffic to whatever street he deems advisable, due notices of which must be given to the press at the expense of the applicant or applicants. During such parade or procession, all pedestrians not taking part therein shall be restricted to the use of the sidewalk.
20. Unless so directed by a police officer, no person other than the driver of an ambulance traveling in an emergency or a police department vehicle or a fire department vehicle shall drive through a parade.

TURNING AT INTERSECTIONS

21. The driver of a vehicle turning to the right at an intersection shall approach and turn as closely as practicable to the right hand side of the highway.
22. Except as otherwise directed by a traffic sign or police officer, the driver of a vehicle when approaching an intersection and intending to turn to the left shall keep as close as practicable to, and to the right of, the center line of the highway, but on making the left turn shall pass to the left of, and as closely as possible to the center of the intersection. For the purposes of this section, the center of the intersection shall mean the meeting point of the medial lines of the highways intersecting each other, unless otherwise indicated by the traffic standard.
23. Where two intersecting highways form an angle greater or less than a right angle, a vehicle shall bear sharply across to the proper side of the highway along which it is to proceed.

RIGHT OF WAY

24. The driver of any vehicle not mentioned in this section shall yield the right of way to vehicles of the police and fire departments, public service emergency repair vehicles, Her Majesty's mail, ambulance and emergency vehicles.

25. The driver of any vehicle shall not drive between the vehicle comprising an authorized parade or funeral procession, while they are in motion, provided that the said vehicles are conspicuously so designated. The driver of every vehicle in a funeral procession indicated as such by the headlamps or by flags, of all motor vehicles therein being lighted upon approaching a traffic control signal showing a red traffic control light, or a stop sign, shall cause the vehicle to slow down or stop as may be necessary for safety, but may then proceed cautiously past the traffic control signal or stop sign, the driver or each of the other vehicles in the procession shall have the right-of-way over all other vehicles upon the highway at the intersection or place where the signal or stop sign is situated.

26. The driver of a vehicle entering a street from a lane or entering any highway from a garage or private driveway shall proceed slowly with the vehicle under control and shall give proper warning by signaling device to passing vehicles or pedestrians. Every driver so entering a highway shall yield the right of way to all vehicles thereon.

INSTALLATION AND MAINTENANCE OF TRAFFIC CONTROL DEVICES

27. The Town of Carman Manager of Public Works shall place and maintain or cause to be placed and maintained all traffic control devices authorized by Council at locations set forth in this by-law and schedules including its subsections, attached thereto and amendments thereto.

TRAFFIC CONTROL SIGNALS

28. The installation and operation of traffic control signals is hereby authorized at the locations set forth in Schedule "A" hereto.

ONE-WAY STREETS

29. One-way streets may be established in the Town of Carman and are set forth in "Schedule "B" hereto.

STOP AND YIELD SIGNS

30. The installation and maintenance of "stop" signs is hereby authorized at the locations set forth in Schedule "C" hereto.

31. The installation and maintenance of "yield" signs is hereby authorized at the locations set forth in Schedule "D" hereto.

RIGHT HAND/LEFT HAND TURNS

32. No person shall drive a vehicle so as to make a turn to the left at the intersections set forth in Schedule "E" hereto OR to make a turn to the right at the intersections set forth in Schedule "F" hereto.

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DRIVER'S WARNING SIGNALS

33. When approaching a crosswalk, intersection or curb, or when a pedestrian is in the street ahead, the driver of a vehicle shall slow down and give timely warning.

34. All drivers of vehicles before backing shall give ample warning of their intention to do so and while backing must take all proper precautions so as not to injure any person, beast or property.

GENERAL PARKING REGULATIONS

35. No person shall stand, stop or park a vehicle in areas so designated by appropriate signs erected by the Town of Carman, prohibiting standing, stopping and/or parking.

36. No vehicle shall be parked in a lane, but this provision shall not apply to any vehicle standing temporarily for the purpose of and while engaged in loading or unloading.

37. Excepting while complying with the direction of a police officer, no person shall park any vehicle or permit any vehicle of which he is the owner or driver to stand at the curb within twenty (20) feet of an intersection, or within ten (10) feet of a hydrant.

38. No vehicle shall be parked in a street so as to obstruct the entrance to a lane or to a driveway or approach leading into private premises.

39. No vehicle shall stop with its left side to the curb, except on a one-way street in which parking is permitted on both sides.

40. No person shall park a vehicle, displayed for sale, on a highway. No vehicle that is not in running condition or under repair, shall occupy a street.

41. No person being the operator or owner of any garage or machine shop or repair shop or paint shop shall park or permit to be parked on a highway within the Town of Carman, any vehicle which has been delivered into or left in his custody or care for the purpose of storage or for sale or for the purpose or purposes of having same examined, repaired, adjusted, or painted.

42. No vehicle shall stand backed up to the curb except when actually loading or unloading, and no vehicle shall stand so backed up that it interferes with or interrupts the passage of other vehicles.

43. No person shall park any vehicle other than diagonally along the streets or portions of streets described in Schedule "G".

44. With the exception of those streets or portions of streets referred to in subsection #43 and Schedule "G" hereof, no persons shall park any vehicle on any street in the Town of Carman, other than parallel with the curb and headed in the direction of traffic with the right-hand wheels of the vehicle within one (1.0) foot of the curb or boulevard or grass strip, whichever may border the roadway on the side of the street whereon the vehicle be parked and with a clear space of three (3.0) feet both in front and behind the vehicle so parked.

45. No person shall park any vehicle in the "No Parking, Loading Zone", except temporarily for the purpose of and while engaged in loading or unloading. The said areas marked on Schedule "H" hereto attached.

46. No person shall park any vehicle on the streets or portions of streets described in Schedule "I" hereto attached.

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47. Except when otherwise directed by a police officer, no person shall park or leave unattended, any vehicle on any street or portion of a street in the Town of Carman between the hours of from 3:00 a.m. and 7:00 a.m. from November 1st to March 31st to accommodate snow removal.

48. There shall be no parking in the business section from 6:00 a.m. to 8:00 a.m. on First Street SW from Centre Avenue West to First Avenue SW; on First Avenue SW from First Street SW to Main Street South and Main Street South from Centre Avenue North to 2nd Avenue SW.

49. That there be designated parking for 66 feet immediately in front of the Memorial Hall, located at 12-2nd Avenue SW, allowing a maximum of 15-minute parking.

PARKING FOR HANDICAPPED PERSONS

50. The following designated areas, as outlined and listed on "Schedule "J" hereto attached shall be for "Handicapped Drivers Only" and signs shall be so posted.

51. No persons shall park a vehicle other than a Decal or a Placard Vehicle in a Reserved Handicapped Parking place outlined in Schedule "J".

52. The owner of a vehicle shall be responsible for the actions of the driver thereof and shall be liable for any violation of any provision of this Part by the driver of the vehicle.

TRUCK PARKING

53. No person shall park any truck tractor, trailer or semi trailer on any highway, except to stop temporarily for the purpose of, and while actually engaged in loading or unloading.

54. No person shall park any truck tractor, trailer or semi trailer on any highway except on designated routes, as outlined in Schedule "K" hereto attached and the period of time such vehicle may be parked on these designated route shall be to a maximum of one hundred and twenty (120) consecutive minutes.

PARKING EXCEPTIONS

55. The Town Engineer or any persons so designated by him or under his supervision and direction are hereby given authority notwithstanding any traffic rules under this by-law to conduct and carry out snow removal and/or cleaning of streets and when such measures are being carried out no person shall rely on or be governed by the ordinary rules in the area of such measures.

56. The provisions of this by-law prohibiting or regulating stopping and parking shall not apply to police vehicles; vehicles of or employed by the Town of Carman while in use in connection with work or necessity being done in or near a highway requiring them to stop or be parked in contravention of any such provisions; and vehicles of the Government of Manitoba, the Government of Canada, or a public utility if such vehicles have the owner's name painted thereon and are actually engaged in work of necessity on or near a highway requiring them to stop or be parked in contravention of such provision.

TEMPORARY TRAFFIC SIGNS

57. The Town Engineer is authorized to place and maintain or cause to be placed, and maintained, temporary control devices for the purpose of prohibiting or regulating traffic where highway construction, repair, painting, snow removal, street cleaning or any emergency occurs.

58. Unless otherwise directed by a Peace Officer, no person shall drive a vehicle or bus on any portion of a street or lane roped, barricaded or otherwise indicated as prohibited by the proper authority, as being closed to traffic for the time being.

AUTHORITY TO MOVE VEHICLES UNDER CERTAIN CONDITIONS

59. Where any vehicle is standing or parked:

- a) In contravention of the provisions of this by-law;
- b) In a position that causes it to interfere with the movements of persons or machinery engaged in any of the operations of Town of Carman works, such as street sweeping, snow removal and other works hereof;
- c) In a position that causes it to interfere with the movements or operating of emergency equipment, the Town Public Works Manager or any person appointed by him, any member of the Royal Canadian Mounted Police, the Fire Chief of the Town of Carman, or any Town Constable under contract to the Town of Carman, may move the said vehicle or cause it to be moved, or may require the driver or person in charge of the vehicle to move it to a position determined by the aforesaid party or parties, or may authorize the removal and detention of the violating vehicle and store it in a suitable place.

60. The costs and charges incurred in moving and/or storing any vehicle that is impounded pursuant to the provisions of this by-law shall be considered a lien on the vehicle that may be enforced under the Garage Keepers Act by the person who moved and/or stored the vehicle at the request of the Peace Officer.

DESIGNATED ROUTES

61. The Designated Routes within the Town of Carman are set out in Schedule "K" hereto attached.

62. All trucks, truck tractors or combinations of either one of them with a trailer or trailers within the Town of Carman shall be operated only over and along the streets or sections of streets set forth as Designated Routes in Schedule "K" hereto, but any truck or truck tractor or combination of either one of them with a trailer or trailers may operate upon any street where necessary to the conduct of business at a destination point, provided that Designated Routes are used until reaching the intersection nearest the destination point. Upon leaving the destination point, a truck or truck tractor or combination of either one of them with a trailer or trailers shall return by the shortest routing to a Designation Route.

RIGHT-OF-WAY

63. Excepting as provided in the next succeeding section hereof, all traffic proceeding along any through street shall have the right-of-way over traffic entering or crossing it with the exception of vehicles specifically given right-of-way under the *Highway Traffic Act*.

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64. Every vehicle excepting an ambulance, police or fire department vehicle giving clearly audible signal by bell, siren or exhaust whistle, and excepting the vehicles in a funeral procession indicated as such by lighted head lamps, shall come to a full stop immediately before passing any stop sign erected on any highway and immediately before crossing or entering:

- a) Any through highway, or
- b) Any protected intersection,

and for the purpose of this section, the expression "protected intersection" shall mean any intersection where a "stop sign" is erected at or adjacent to the entrance thereof.

65. The driver of any ambulance or police vehicle traveling in an emergency or fire department vehicle replying to an alarm of fire upon approaching a stop sign or a stop signal or red traffic light signal at an intersection, shall slow down as necessary for safety but if giving clearly audible warning by siren, bell or exhaust whistle may proceed cautiously past such sign.

66. The vehicles in a funeral procession, if indicated as such by lighted head lamps upon approaching a stop sign or stop signal or red traffic light signal, shall slow down as may be necessary for safety, but may proceed cautiously past such sign. After passing such stop sign, vehicles shall have the right-of-way over all other vehicles upon the highway at such intersections.

STREET REPAIRS/WORK

67. No person shall drive any vehicle through, over or upon any street or portion of street which has been closed off for the purpose of making repairs thereon, or during the course of a fire and which has been roped off or barricaded or whereon any sign has been erected indicating by words or writing thereon that the said street is closed.

68. No person shall drive any vehicle over or upon any fire hose laid on, along or across any highway.

SPEED LIMIT

69. The speed limit for the Town of Carman shall be 50 kilometers per hour, except as follows:

- a) 30 kilometers per hour along Kings Park Road from the CN Right-of-Way on the north to PR 245 on the south.
- b) 30 kilometers per hour along First Avenue NW between Fourth Street NW and Eighth Street NW.

PAINTED CROSSWALKS AND ILLUMINATED PEDESTRIAN CORRIDORS

70. The driver of any vehicle shall yield the right of way to pedestrians on painted crosswalks as outlined in Schedule "L" and attached hereto.

71. The driver of any vehicle shall yield the right of way to pedestrians on illuminated pedestrian corridors as outlined in Schedule "M" and attached hereto.

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EXCEPTIONS TO PROVISIONS OF BY-LAW

72. The provisions of this by-law, relating to stopping, standing, or parking, shall not apply to:

- a) Vehicles owned and operated by the Royal Canadian Mounted Police and the Armed Forces.
- b) Vehicles of, or employed by, the Town of Carman, while in use in connection with work being done on or near a highway.
- c) Vehicles of Her Majesty's mail, or of the Government of Canada or of the Province of Manitoba, and of any public utility, if such vehicles have the owner's name painted thereon and are actually engaged in works of necessity on or near a highway requiring them to stop or be parked in contravention of any such provisions.

LIABILITY OF OWNERS TO CONVICTION

73. Where an offence, consisting of a violation of any provision of this by-law

- (a) is committed by means of, or with respect to any vehicle; or
- (b) occurs by reason of, or with respect to, the ownership, use or operation of any vehicle;

the owner of the vehicle may be charged with commission of the offence and, if the Judge or Justice before whom the charge is tried, is satisfied that the offence was committed, the owner is guilty of the offence and is liable, on summary conviction, to the penalty herein provided for the offence unless, the owner satisfies the Judge or Justice that at the time of the violation, the vehicle was in the possession of a person other than the owner without the consent of the owner.

PENALTY

74. Every person found guilty of a breach of any provisions of this by-law, unless a penalty or fine is specifically provided therefore, shall be liable to a fine not exceeding \$1,000.00 in the case of an individual, or not exceeding \$5,000.00 in the case of a corporation, in addition to costs.

LIABILITY OF DRIVER

75. Nothing in Section 72 relieves the driver of the vehicle from any liability to conviction of the offence to which he may be subject.

VOLUNTARY PAYMENT OF FINES

76. Notwithstanding Section 74 and 77, in the event of a contravention of the provisions of Sections 35 to 49 inclusive hereinbefore:

- (a) Any member of the Royal Canadian Mounted Police, or any Town Constable under contract to the Town of Carman, or other such person as may be appointed to enforce this by-law, with respect to stopping, standing, or parking of a vehicle or the movement of pedestrian traffic may issue a written notice, hereinafter referred to as a By-Law Violation Ticket, alleging the driver, owner or other such person has contravened any provision of this by-law.

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(b) The By-Law Violation Ticket may be left in a conspicuous manner on a vehicle when the driver or owner is not within, or immediately nearby the vehicle, or handed to the owners or operator if the said person is present at the time and shall set out the Number Plate, and any information which may be necessary for a thorough understanding of the circumstances of the alleged contravention.

(c) Any person receiving a By-Law Violation Ticket may, within twenty (20) days of the Time that a By-Law Violation Ticket is attached or placed upon the vehicle or handed to the owner, between such hours and at such place or places as may be noted on the said Ticket, report with the By-law Violation Ticket and pay to the Town of Carman Chief Administrative Officer or other person assigned to such duty, the penalty on the basis as set out below:

- i) If the fine is paid within the first Ten (10) day period, the penalty shall be the amount of \$15.00;
- ii) If the fine is paid within the Eleventh (11) to Twentieth (20) day period, the fine shall be in the amount of \$30.00;

(d) On voluntary payment for such contravention, the employee of the Town of Carman authorized by resolution of Council to receive the sum mentioned in subsections c) i) and c) ii), shall issue a receipt therefor and shall keep a record setting out the number of the ticket and the amount paid. Subsection (i) above shall deemed to have been complied with in any case where the By-law Violation Ticket, together with full payment of the said penalty, is received by the Chief Administrative Officer within the time limited as aforesaid through the mail; provided however, that where the payment consists of a cheque or other negotiable instrument, it is deemed to have been received only when the cheque or instrument is honoured by the bank or financial institution upon which it is drawn.

(e) Upon payment by a person as provided in subsection c) thereof, the person shall not be liable to prosecution for the contravention in respect to which the payment is made.

(f) Failure to voluntarily pay the penalty within the prescribed time provided in subsection c) hereof, will result in the issuing authority appearing before a Justice having jurisdiction, and thereby seeking conviction and penalty prescribed in Section 76 of this By-Law.

75. Notwithstanding Section 74 and 76 hereinbefore, in the event of a contravention of the provisions of any of the provisions set out in any Section of this by-law, excluding the sections of the by-law dealt with in Section 74, hereinbefore:

(a) Any member of the Royal Canadian Mounted Police, or any Town Constable under contract to the Town of Carman, or other such person as may be appointed to enforce this by-law, with respect to stopping, standing, or parking of a vehicle or the movement of pedestrian traffic may issue a written notice, hereinafter referred to as a By-Law Violation Ticket, alleging the driver, owner or other such person has contravened any provision of this by-law.

(b) The By-Law Violation Ticket may be left in a conspicuous manner on a vehicle when the driver or owner is not within, or immediately nearby the vehicle, or handed to the owners or operator if the said person is present at the time and shall set out the Number Plate, and any information which may be necessary for a thorough understanding of the circumstances of the alleged contravention.

(c) Any person receiving a By-Law Violation Ticket may, within twenty (20) days of the Time that a By-law Violation Ticket is attached or placed upon the vehicle or handed to the owner, between such hours and at such place or places as may be noted on the said Ticket, report with the By-law Violation Ticket and pay to

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the Town of Carman Chief Administrative Officer or other person assigned to such duty, the penalty on the basis as set out below:

- ii) If the fine is paid within the first Ten (10) day period, the penalty shall be the amount of \$30.00;
- ii) If the fine is paid within the Eleventh (11) to Twentieth (20) day period, the fine shall be in the amount of \$60.00;

(d) On voluntary payment for such contravention, the employee of the Town of Carman authorized by resolution of Council to receive the sum mentioned in subsections c) i) and c) ii), shall issue a receipt therefore and shall keep a record setting out the number of the ticket and the amount paid. Subsection (i) above shall deemed to have been complied with in any case where the By-law Violation Ticket, together with full payment of the said penalty, is received by the Chief Administrative Officer within the time limited as aforesaid through the mail; provided however, that where the payment consists of a cheque or other negotiable instrument, it is deemed to have been received only when the cheque or instrument is honored by the bank or financial institution upon which it is drawn.

(e) Upon payment by a person as provided in subsection 74 (c) and 75 (c) thereof, the person shall not be liable to prosecution for the contravention in respect to which the payment is made.

(f) Failure to voluntarily pay the penalty within the prescribed time provided in subsection (c) of Sections 74 and 75 hereof, or if the person concerned pays with a cheque or other negotiable instrument that is not honored as set out in clause (d) of Section 74 and 75, they shall be liable for prosecution as set out hereafter in respect thereof.

(g) All monies paid under this by-law shall be deposited with the Town of Carman Chief Administrative Officer into the Town of Carman policing fine revenues.

76. The Council of the Town of Carman, or such person as it may delegate from time to time, may in their respective sole discretion, as the case may be, determine that the circumstances surrounding the issuing of a By-law Violation Ticket justify its cancellation. In such event, the council or such delegate, as the case may be shall have the authority to cancel such By-law Violation Ticket without the imposition of any penalty referred to in this by-law, or otherwise.


REPEAL

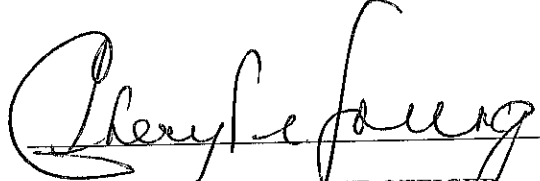
77. By-law No. 89/1621 and all other existing by-laws of the Town of Carman relating to traffic control and regulations are, hereby, repealed.

This by-law shall come into force and take effect immediately upon the passing thereof.

DONE AND PASSED in Council, duly assembled, this 11th day of October, A. D. 2001.

TOWN OF CARMAN


MAYOR


CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE "A" TO BY-LAW NO. 01/1842

TRAFFIC CONTROL SIGNALS LOCATIONS:

- At the Junction of Highway No. 3 and Highway No. 13 and P.T.H. No. 245

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SCHEDULE "B" TO BY-LAW NO. 01/1842

ONE-WAY STREET LOCATIONS:

- 1st Street S.W. from Centre Avenue to First Avenue S.W. shall be restricted to one-way flow in the southerly direction only.
- 1st Avenue S.W. from First Street S.W. to Main Street South shall be restricted to one-way flow in the easterly direction only.
- Kings Park Road or Kelly Hand Drive where it intersects with Kings Park Road or Ed Belfour Drive, north through the park to where the two roads meet, shall be restricted to one-way flow in the northerly direction only.
- Kings Park Road or Ed Belfour Drive where it intersects with Kings Park Road or Kelly Hand Drive, south through the park to where the two roads meet, shall be restricted to one-way flow in the southerly direction only.
- Kings Park Campground is restricted to one-way flow starting on the southeast entrance and proceeding west following the road around the circle of the campground.
- 3rd Street SW from 2nd Avenue SW to 3rd Avenue SW shall be restricted to one-way flow in the southerly direction only.

TOWN OF CARMAN

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SCHEDULE "C" TO BY-LAW NO. 01/1842

LOCATION OF STOP SIGNS

- In the Town of Carman at all entrances from the streets and avenues to Provincial Trunk Highway (PTH) 3, and PTH 13, and Provincial Road (PR) 245, and the North Boundary Road between the Town of Carman and the RM of Dufferin.
- At the entrances to First Street NW where it intersects with Centre Avenue West, and First, Second and Third Avenues NW.
- At the entrances to First, Second, Third and Fourth Avenues NW, where they intersect with Second, Third, Fourth and Fifth Streets NW.
- At the entrances to Second, Third and Fourth Avenues NW, where they intersect with Sixth and Seventh Streets NW.
- At the entrances to Eighth Street NW where it intersects with First, Second, Third and Fourth Avenues NW.
- At the entrances to the Boundary Road between the Town of Carman and the RM of Dufferin, where it intersects with Eighth Street NW.
- At the entrances to First Street NW where it intersects with Lynwood Place and Bishop Bay.
- At the entrances to First Street SW where it intersects with Centre Avenue West, and First, Second, Third, Fifth and Sixth Avenues SW, and on First Street SW, at the northwest and southeast corners of Third Avenue SW.
- At the entrances to Second Street SW where it intersects with Centre Avenue west, Second and Sixth Avenues SW.
- At the entrances to Third Street SW where it intersects with Centre Avenue West, Public Lanes in Block 24 and Block 25, of Plan 32, and Sixth Avenue SW.
- At the entrances to Fourth Street SW where it intersects with Sixth Avenue SW.
- At the entrance to the west leg of Kings Park Road where it intersects with the cut-off from the east leg immediately north of the swimming pool.
- At the entrance to Main Street where it intersects with Centre Avenue East.
- At the entrances to Second and Third Avenues SE where they intersect with First Street SW.
- At the entrances to Second Street SE where it intersects with Second and Third Avenues SE.
- At the entrance to Second Avenue SE where it intersects with Third Street SE.

TOWN OF CARMAN

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LOCATION OF STOP SIGNS CONTINUED

- On Fifth Avenue NE at Main Street North.
- On the northwest and southeast corners of Third Street SW at Sixth Avenue SW.
- On First Street SW at the northwest and southeast corners of Third Avenue SW.
- A 4-way stop at the intersection of 3rd Avenue SW and 2nd Street SW.
- On First Street NW at the northwest corner of Centre Avenue West.
- On Third Avenue NW at the northeast and southwest corners of Third Street NW and at the northeast and southwest corners of Fifth Street NW.
- On Fourth Avenue NW at the northeast and southwest corners of Fifth Street NW and at the southeast and northwest corners of Eighth Street NW.
- At the back lane at True Value V & S going east to enter First Street SW (one-way street).
- At the entrance to O'Brien Oaks at Second Street SE.
- At the entrance to Laycock Drive at Third Street SE.
- On First Avenue SE at Third Street SE.
- At the entrance to PR 245, where it intersects with Kings Park Road.
- On Second Street NE at Third Avenue NE.
- On 3rd Street SW at the northwest corner at 3rd Avenue SW (amended Resolution #37 January 24, 2002)
- In Sunnyside Subdivision, at the southwest, northwest and northeast corners of 3rd Street SE and 6th Avenue SE.
- In Sunnyside Subdivision at the northwest corners of 6th Avenue SE and 5th Avenue SE and 4th Street SE
- In Sunnyside Subdivision at the entrance to Clarke Bay.

TOWN OF CARMAN

BY-LAW NO. 01/1842

LOCATION OF STOP SIGNS CONTINUED

- On Fifth Avenue NE at Main Street North.
- On the northwest and southeast corners of Third Street SW at Sixth Avenue SW.
- On First Street SW at the northwest and southeast corners of Third Avenue SW.
- On First Street NW at the northwest corner of Centre Avenue West.
- On Third Avenue NW at the northeast and southwest corners of Third Street NW and at the northeast and southwest corners of Fifth Street NW.
- On Fourth Avenue NW at the northeast and southwest corners of Fifth Street NW and at the southeast and northwest corners of Eighth Street NW.
- At the back lane at True Value V & S going east to enter First Street SW (one-way street).
- At the entrance to O'Brien Oaks at Second Street SE.
- At the entrance to Laycock Drive at Third Street SE.
- On First Avenue SE at Third Street SE.
- At the entrance to PR 245, where it intersects with Kings Park Road.
- On Second Street NE at Third Avenue NE.
- On 3rd Street SW at the northwest corner at 3rd Avenue SW (amended Resolution #37 January 24, 2002)
- In Sunnyside Subdivision, at the southeast and northwest corners of 3rd Street SE and 5th Avenue SE.
- In Sunnyside Subdivision, at the southwest, northwest and northeast corners of 3rd Street SE and 6th Avenue SE.
- In Sunnyside Subdivision at the northwest corners of 6th Avenue SE and 5th Avenue SE and 4th Street SE
- In Sunnyside Subdivision at the entrance to Clarke Bay.

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "D" TO BY-LAW NO. 01/1842

LOCATION OF YIELD SIGNS

- Main Street South (Highway No. 3) turning east onto Fourth Avenue S.E. (Highway No. 3)
- First Street S.E. at Centre Avenue East

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "E" TO BY-LAW NO. 01/1842

LOCATION OF LEFT HAND TURNS

-NONE

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "F" TO BY-LAW NO. 01/1842

LOCATION OF RIGHT HAND TURNS

- East entrance/exit from the Kings Park Campground

TOWN OF CARMAN

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SCHEDULE "H" TO BY-LAW NO. 01/1842

NO PARKING LOADING ZONE

- On First Avenue N.W. at Parkview Manor, one sign on each side of the main sidewalk or entrance stating "No Parking, Loading Zone".
- No Parking, Loading Zone is authorized on the north side of 5th Avenue S.E. at Rainbow Residence.
- No Stopping Area is designated on the south side of 4th Avenue S.W. (P.T.H. 245) at the crosswalk at the Carman Elementary School.
- A No Parking zone is authorized in front of the Carman Dufferin Fire Hall on Main Street South.
- On 5th Street N.W. at Evergreen Place.

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "I" TO BY-LAW NO. 01/1842

NO PARKING AREAS

- No person shall park any vehicle on the east side of Kings Park Road (Ed Belfour Drive) from the point where the road changes from one-way traffic to traffic both ways northerly past the grandstand to where the diagonal parking starts in front of the concession stands.
- No person shall park any vehicle on Second Avenue S.E., south side, closer than 100 feet of the intersection with Main Street South.
- No person shall park any vehicle of Fifth Avenue S.W., south side, from Main Street South to First Street S.W.
- No person shall park any vehicle on Third Avenue N.W., south side from Eighth Street N.W. to Main Street N.
- No person shall park any vehicle on Second Avenue N.W., south side, from Eighth Street N.W. to Main Street N.
- No person shall park any vehicle on First Avenue N.W., south side, from Eighth Street N.W. to Main Street N.
- No person shall park on First Street S.W., east and west sides, adjacent to the Town of Carman walkway.
- No person shall park on First Avenue N.W., north side, from 1st Street N.W. to Second Street N.W.
- No person shall park on Fourth Avenue N.W., south side from the back lane east of First Street N.W. to Main Street N.
- Main Street North from the Central Manitoba Railway Inc. line, east and west side, north to the Town of Carman boundary.
- No person shall park on Fifth Avenue S.E., south side between Main Street and First Street S.E.
- No person shall park on Main Street South (Highway No. 3), west side, from Fourth Avenue S.W. to Fifth Avenue S.W.
- No person shall park on Third Street S.E., west side, between Fourth Avenue S.E. and Second Avenue S.E.
- No person shall park on Fourth Avenue S.W. (P.T.H. 245) at the Boyne Towers.
- No person shall park on 3rd Street SW from 2nd Avenue to 3rd Avenue SW.

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "J" TO BY-LAW NO. 01/1842

03/02/27

DESIGNATED AREAS HANDICAPPED PARKING

- Kings Park Road at Carman arena, first parking spot adjacent to the front door.
- 1st Street SW, west side, the most northerly parking spot.
- West side of Carman Motor Inn
- Main Street South, west side, the parking spot immediately south of pedestrian crosswalk.
- Main Street South, east side, the parking spot immediately north of pedestrian crosswalk.

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "K" TO BY-LAW NO. 01/1842

DESIGNATED ROUTES

- Main Street North.
- Main Street South.
- Fourth Avenue SE.
- Fourth Avenue SW
- Centre Avenue West from Main Street North to Eighth Street NW.
- Third Avenue NE
- Fourth Avenue NE
- Second Street NE

TOWN OF CARMAN

BY-LAW NO. 01/1842

SCHEDULE "L" TO BY-LAW NO. 01/1842

PAINTED CROSSWALKS

- Across PTH 3 East (Fourth Avenue SE) at the west end of the Carman Collegiate parking lot and Third Street SE.
- Across PTH 13 (Main Street South) at Second Avenue SE.
- In Kings Park between the Kinsmen Pool and the parking lot.

TOWN OF CARMAN

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SCHEDULE "M" TO BY-LAW NO. 01/1842

ILLUMINATED PEDESTRIAN CORRIDORS

- Across PTH 3 South (Main Street) at Fifth Avenue South.
- Across PTH 13 (Main Street) in the vicinity of the Carman Post Office.
- Across PTH 13 (Main Street) at Third Avenue South.
- Across PR 245 (4th Avenue SW) at Second Street SW (Carman Elementary School).