

**TOWN OF BIGGAR, SASKATCHEWAN**

**BYLAW NO. 17-790**

**A BYLAW RESPECTING THE REGULATION OF RECREATIONAL AND ASSOCIATED VEHICLES ON THE PUBLIC ROADS AND HIGHWAYS WITHIN THE MUNICIPALITY**

---

THE COUNCIL of the Town of Biggar in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as “The RV Regulation Bylaw”.

PURPOSE

2. The purpose of this Bylaw is:
  - a. to ensure that Recreational and Associated Vehicles are parked, stored and/or kept in a manner that does not pose a threat or risk to members of the public travelling on the streets and public highways within the municipality by providing unobstructed sight lines to observe pedestrian and vehicular traffic;
  - b. to ensure that Recreational and Associated Vehicles do not adversely affect the aesthetics of neighbourhoods within the municipality or reduce the use and enjoyment of property by residents of the municipality;
  - c. to ensure that Recreational and Associated Vehicles do not reduce or eliminate adequate parking for members of the public on the streets and highways located within the municipality; and,
  - d. to ensure that Recreational and Associated Vehicles do not obstruct, impede or reduce the flow of traffic within the municipality.

DEFINITIONS

3. In this Bylaw:
  - a. “Bylaw” shall mean a Bylaw duly enacted by the Town of Biggar, Saskatchewan;
  - b. “Council” shall mean the Council of the Town of Biggar, Saskatchewan;
  - c. “municipal inspector” shall mean an employee or agent of the Town appointed by the Council of the Town of Biggar to act as a municipal inspector for the purposes of investigating complaints of non-compliance with respect to this Bylaw and shall be empowered to issue notices of contravention and/or tickets with respect to this Bylaw. A peace officer shall be deemed to be a municipal inspector for the purposes of this Bylaw for all purposes whatsoever;
  - d. “Municipality” shall mean the Town of Biggar, Saskatchewan;
  - e. “Owner” shall mean:
    - i. a person, whether a legal entity or not, named in the Certificate of Registration issued pursuant to *The Traffic Safety Act* or any other Act of the Legislature which is responsible for the issuance and regulation of motor vehicle registrations for the Province of Saskatchewan; or,
    - ii. a person, whether a legal entity or not, who is entitled to possession of, or property in, any vehicle for which no current Certificate of Registration exists; or,
    - iii. any person, whether a legal entity or not, who is in possession of a motor vehicle under a contract by which he may become the owner of the motor vehicle in full compliance with the terms of the contract.

- f. "Parking" and "Parked" shall mean the standing of a vehicle, whether occupied or not, on a public highway otherwise than momentarily for the purpose of and while actually engaged in loading or unloading of passengers or goods or in obedience to traffic regulations, signs or signals. A Recreational Vehicle shall be deemed to be parked for a continuous period of time if it remains or substantially remains within five (5.0) metres of the same general vicinity as when it is was previously observed;
- g. "Public Highway" shall mean a street, lane, or other road designated and intended for or used by the general public for the passage of vehicles.
- h. "Recreational Vehicle" or "RV" 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 a commercial purpose, and further includes all trailers and towing devices that are duly and properly issued registrations pursuant to *The Traffic Safety Act* or any other Act of the Legislature which is responsible for the issuance and regulation of such registrations for the Province of Saskatchewan. Without limiting the foregoing, Recreational Vehicle includes:
  - i. a travel trailer;
  - ii. a cabin trailer;
  - iii. a tent trailer;
  - iv. a truck camper;
  - v. a motorhome;
  - vi. a park trailer;
  - vii. a fifth-wheel travel trailer;
  - viii. a vehicle or machine capable of self-propelled locomotion whose weight exceeds a Manufacturer's Gross Vehicle Weight of 4,400 kilograms but does not include agricultural implements or machinery; and
  - ix. a watercraft (such as such as boats, ships, kayaks, canoes, sea-doo's) and/or a trailer which is designed or used for the purposes of carrying, conveying or transporting watercraft;
- i. "Street" shall mean that portion of a public highway lying between curbs where constructed and intended primarily for use by vehicles or, where no curb exists, that portion of a public highway intended for use by vehicles; and,
- j. "Town" shall mean the Town of Biggar, Saskatchewan.

#### RESOLUTION OF CONFLICT OF INTERPRETATIONS

- 4. Should there be a conflict between the provisions of this Bylaw and the provisions of another Town Bylaw, the provisions of this Bylaw shall prevail where the subject matter pertains to the control, regulation and/or removal of Recreational Vehicles from the streets and public highways within the municipality except where otherwise so stated.

#### RULES WITH RESPECT TO RECREATIONAL VEHICLES

- 5. A person shall be permitted to park a Recreational Vehicle on private residential property provided that the owner or operator of the Recreational Vehicle has obtained the permission of the party on whose lands the Recreational Vehicle is parked subject to the following requirements:
  - a. the Recreational Vehicle shall be set back onto the private property no less than one half (0.5) metre from the sidewalk, or where there is no sidewalk, then two (2.0) metres from the curb or boundaries of the property;
  - b. the Recreational Vehicle shall have blocked one front tire and one back tire, both located on the same side of the Recreational Vehicle, with devices sufficient to prevent unattended movement of the Recreational Vehicle; and,
  - c. no more than two (2) Recreational Vehicles shall be parked on the same parcel of land.

6. No more than one (1) Recreational Vehicle owned by the same owner shall have displayed signs in, on or around it indicating that it is for sale, for trade or for lease while parked on streets or public highways within the Town. Where more than one person resides at the same residence in the Town, only one (1) Recreational Vehicle per household may display such signage.
7. No more than one (1) Recreational Vehicle (excluding watercraft) and not more than one (1) watercraft owned by the same household may be parked or stored on a street in residential areas from May 1<sup>st</sup> to September 30<sup>th</sup> of each year and must be parked in a location completely adjoining the Recreational Vehicle's owner or operator's place of residence.
8. No Recreational Vehicle which is parked or stored on private property or a street or a public highway within the municipal limits of the Town shall be occupied.
9. During the lawful period in which a Recreational Vehicle is parked on a street or public highway in the Town, it shall comply with *The Biggar Traffic Bylaw* and in particular, the parking distance restrictions identified in Section 42 of *The Biggar Traffic Bylaw* to ensure safe sightlines between vehicles, pedestrians and traffic.
10. Where a Recreational Vehicle is parked on a street or public highway, the owner of a Recreational Vehicle shall block one front tire and one back tire, both located on the same side of the Recreational Vehicle, with devices sufficient to prevent unattended movement of the Recreational Vehicle and such devices shall be removed from the street or public highway upon the removal of the Recreational Vehicle.
11. No owner or operator of a Recreational Vehicle shall park the Recreational Vehicle on any street or public highway pursuant to this section in such a manner as to constitute a hazard to other persons, including pedestrians, cyclists and vehicular traffic, using the street or public highway.
12. The use of steps, pull outs or slide outs or connections for utility services such as extension cords or water or sewage service connectors that extend across, over, towards or through a street, highway, roadway, alley, or sidewalk is strictly prohibited.
13. Any Recreational Vehicle parked on a street or public highway shall display and hold a current plate and be duly and properly licenced.
14. An owner or operator of the Recreational Vehicle shall promptly produce evidence of his or her registration upon request by a municipal inspector or peace officer.
15. The Town may request any owner to move or relocate a Recreational Vehicle to permit it to conduct maintenance (such as street cleaning) or to undertake public works projects or for public safety purposes and any party who receives such notice shall move or relocate the Recreational Vehicle in compliance with the notice by the date and time specified in the notice which shall not be less than 24 hours from the date when the notice is issued save and except in emergency circumstances.

#### ENFORCEMENT, NOTICES AND SUMMARY OFFENCE PROCEEDINGS

16. The Town may appoint a municipal inspector to investigate complaints or non-compliance with respect to this Bylaw and he or she shall be empowered to issue notices of contravention and/or summary offence tickets with respect to this Bylaw.

17. Upon determining that an infraction or contravention under this Bylaw has occurred, the municipal inspector, in his or her discretion, may:

- a. issue a Notice of Violation to an owner or operator of a Recreational Vehicle indicating the alleged complaint or non-compliance with this Bylaw and shall have the authority to compel compliance by the owner or operator with this Bylaw within seven (7) days from the date of the alleged non-compliance, failing which, the offence shall be deemed to be a continuing offence as and from the eight (8<sup>th</sup>) day indicated in the Notice of Violation and the penalties applicable to continuing offences shall then be applicable and the Notice of Violation shall be deemed to be a summary offence ticket under *The Summary Offence Procedures Act*;
- b. issue a Notice of Compliance under Paragraph 15 of this Bylaw to move or relocate the Recreational Vehicle to another location;
- c. issue a summary offence ticket under *The Summary Offence Procedures Act* to the owner or operator; and/or
- d. impound and remove the offending Recreational Vehicle from any property located within the municipality and dispose of it in accordance with the provisions of *The Biggar Traffic Bylaw*.

18. A ticket issued under *The Summary Offence Procedures Act* shall indicate:

- a. the amount of the fine due as a result of the contravention;
- b. whether a voluntary payment option at the administrative offices of the Town is available;
- c. where a voluntary payment option is available, the Town shall accept a reduction of the fine amount by the sum of Twenty-five dollars (CDN\$25.00) if so paid by the owner or operator within ten (10) days from the date that the summary offence ticket is issued; and,
- d. where a summary offence ticket remains unpaid by the owner or operator of the Recreational Vehicle for a period of thirty (30) or more days from the date that the summary offence ticket is issued, a summons shall be issued within the time frames indicated in *The Summary Offence Procedures Act* compelling the owner or operator to attend the nearest Provincial Court for Saskatchewan judicial court location on a set date and time to respond to the ticket.

19. Upon payment of a summary offence ticket at the municipal offices of the Town prior to trial, the Town Administrator, or an agent designated by the Town Administrator, shall cancel the summons issued to the owner or operator and advise the Provincial Court for Saskatchewan of the resolution of matter without the need of a trial.

20. The Town Administrator or an agent designated by the Town Administrator may cancel, withdraw, stay, amend, change or replace any summary offence ticket in circumstances where that summary offence ticket was issued improperly or in error or where there is insufficient evidence to proceed on the allegation or where there is no reasonable likelihood of conviction.

#### OFFENCES AND PENALTIES

21. No person shall:

- a. fail to comply with a provision, notice or order made pursuant to this Bylaw;
- b. obstruct or interfere with any peace officer, municipal inspector or any person acting under the authority of this Bylaw and with the permission and direction of the Town; or,
- c. fail to comply with any other provision of this Bylaw.

22. Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine in accordance with Schedule “A” to this Bylaw.

COMING INTO FORCE

23. This Bylaw shall take effect as and from the 7<sup>th</sup> day of June, 2017.

READINGS

24. Read a first time this 6<sup>th</sup> day of June, 2017.

Read a second time this 6<sup>th</sup> day of June, 2017.

Read a third time this 6<sup>th</sup> day of June, 2017.

---

Mayor

(SEAL)

---

Chief Administrative Officer

SCHEDULE "A"

Fines and Penalties

1. In the case of a continuing offence:
  - a. to a fine of not more than CDN\$500.00 per day in the case of a corporation; or,
  - b. to a fine of not more than CDN\$250.00 per day in the case of an individual.
2. In the case of a contravention that occurs within the municipal limits of the Town of Biggar:
  - a. to a fine of CDN\$225.00 on failing to hold and display a valid licence and registration on a Recreational Vehicle while parked on a street or public highway; and,
  - b. to a fine of CDN\$150.00 on all other offences.