



THE RURAL MUNICIPALITY OF MACDONALD

BY-LAW NO. 1/23

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF MACDONALD to provide for the regulation of parking of vehicles within the Municipality.

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

AND WHEREAS Sections 232(1) of *The Municipal Act* provides in parts as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;

AND WHEREAS Sections 236(1)(b)(ii) of *The Municipal Act* provides in parts as follows:

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 90(1),(2) & (3) of *The Highway Traffic Act* in parts as follows:

90(1) A traffic authority may classify vehicles according to dimensions, design, weight, kind of weight carried or otherwise, for any class or all classes of vehicles and may make rules or by-laws supplementary to, or in addition to, but not contrary to, any provision of this Act, *The Drivers and Vehicles Act* or the regulations under either Act and applicable on highways over which the traffic authority has jurisdiction or within any area over which the traffic authority has jurisdiction, with respect to

- (a) parking, stopping, and standing of vehicles and bicycles;

and may impose penalties for a violation of any such rule or by-law.

90(2) Where the traffic authority imposing a penalty under subsection (1) is a municipality, the council of the municipality shall impose the penalty by by-law.

90(3) Notwithstanding subsection (1), the council of an urban municipality may make rules or by-laws as provided in subsection (1) applicable to any part of a provincial highway within the municipality; but no such rule has effect unless approved in writing by the minister or the minister's delegate, and the notice of approval is attached to and forms part of the rule or by-law.

AND WHEREAS the Council of the Rural Municipality of Macdonald deems it necessary and in the best interest of the Municipality to regulate parking of vehicles on municipal right-of-ways in the Municipality;

NOW THEREFORE, the Council of the Rural Municipality of Macdonald, in Council assembled, enacts as follows:

Title

1. This By-Law may be referred to as the "Parking By-Law".

Definitions

2. 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 Municipal Act and the Highway Traffic Act.
3. Wherever the singular or masculine are used throughout this By-Law, the same shall be construed as meaning the plural or feminine or neutral, where the context so requires.
4. "Designated parking spaces" means a space designated by traffic control devices or pavement markings as being for the sole use of motor vehicles displaying a permit and that is located:
 - a) On a highway;
 - b) In a public parking lot; or
 - c) In a private parking lot or facility to which the public has access.
5. "Municipal Road" means a municipal road as defined in the Municipal Act and includes a road and road allowance maintained by the Municipality.

Parking Restrictions/Regulations

6. No person may park or stop a vehicle for a continuous period of more than one hour between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, both inclusive on Provincial Road No. 330 (Rue Principale) between First Avenue and Fourth Avenue. The prohibited portion of Provincial Road No. 330 (Rue Principale) is shown on Schedule "A".
7. No person may park or stop a vehicle for a continuous period of more than fifteen minutes (15) between the hours of 8:00 a.m. and 5:00 p.m. Monday through Saturday, both inclusive on the east side of Provincial Road No. 330 (Rue Principale) starting 6.0 metres north of Third Avenue continuing 22.3 metres northerly.
8. No person may park or stop a vehicle on a municipal road listed in Schedule "B":
 - a) where a traffic control device or painted curb prohibits parking or stopping, or
 - b) where a traffic control device prohibits parking or stopping during certain hours or days.

9. No person may park or stop a vehicle on a street in such a manner that obstructs the entrance to a lane or to a driveway or an approach leading into a private premise or public pathway.
10. No person may park a vehicle within an intersection or within 3 metres of an intersection.
11. No person may park a vehicle within 3 metres from the point on the curb or edge of the roadway immediately opposite a fire hydrant.
12. No person may park a vehicle on a crosswalk or within 3 metres of the approach side of a crosswalk.
13. No person may park a vehicle within 9 metres of the approach side of a stop sign.
14. No person may park or stop a vehicle upon or over a sidewalk or in front of a public pathway which will obstruct the use of the sidewalk/pathway.
15. No person may park or stop a 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 that Act.

Exemption to Parking Restrictions/Regulations

16. Despite the prohibitions set out in section 6-14, the parking and stopping restrictions/regulations do not apply to the following:
 - a) Emergency vehicles;
 - b) A vehicle owned and operated by Canada Post Corporation, the Government of Canada, the Province of Manitoba, or a public utility, provided such truck has the owner's name visibly displayed on it and it is actively engaged in works requiring the truck to drive, stop or be parked on a municipal road;
 - c) A vehicle owned and operated, or a truck contracted and employed by the Municipality while in use in connection with work being done on or near a municipal road.

Loading Restrictions/Regulations

17. No person may park or stop a vehicle in a portion of a municipal road which the public is ordinarily permitted to use for the passage of vehicles (but does not include an area designed or intended and primarily used for the parking of vehicles) except for the purpose of loading and unloading. Such loading and unloading shall be done in as quickly as possible. At no time may a person allow a vehicle to completely block the municipal road and the person shall make provision for one vehicle to be able to pass at all times.
18. No person may park or stop a vehicle backed up to the curb except when actually loading or unloading.
19. No person may park or stop a vehicle where the vehicle interferes with the passage of other vehicles.

Snow Regulations

20. No person may park or stop a vehicle on a municipal road between the hours of midnight and 6:00 a.m. of any day where such parking and stopping has been declared by the Municipality to be prohibited. The Municipality's Chief Administrative Officer is authorized to declare a snow removal parking prohibition.

21. Where a prohibition under section 19 is declared, the prohibition becomes effective 24 hours after the declaration is made. The Municipality shall issue a media announcement of the declaration and shall post the announcement on the Municipality's website.
22. A person may park or stop on a municipal road after snow removal operations have been completed.

Traffic Control Devices

23. Where a traffic control device is placed or maintained to prohibit the stopping or parking of vehicles at any time or during the hours stated on the sign on the street or any portion thereof, no person may stop or park a vehicle or cause or permit a vehicle to remain stationary on the street or portion thereof to which the device relates, in contravention of the device.
24. Where a traffic control device is placed or maintained to limit the period of time during which vehicles may be parked or stopped on a street or any portion thereof, no person may stop or park a vehicle or cause or permit a vehicle to remain stationary on the street or portion thereof to which the device relates for a period longer than authorized by the device.

Temporary Street Barricades & Closures

25. No person may park or stop on a municipal road at such time or manner to obstruct the performance of scheduled or emergency maintenance work on the road. The Municipality may post, close or detour any such municipal roads as it deems necessary in order to perform maintenance and/or construction work as necessary from time to time.

Enforcement

26. The Municipality in enforcing this By-law, may authorize the charging of fees and costs for violations and authorize vehicles to be towed and impounded.
27. The Municipality's By-Law Enforcement Officer has all powers, duties, discretion and functions of a designated officer set out in the Municipal Act, the Highway Traffic Act and the Municipal By-law Enforcement Act in enforcing this By-law and is authorized to:
 - a) enforce contraventions through offences,
 - b) take remedial action where required,
 - c) seize and impound vehicles, and
 - d) tow vehicles.
28. The owner of a vehicle involved in a violation of this By-law is responsible for the Municipality's enforcement costs. Where a vehicle is towed and impounded, the owner must pay the towing and impoundment costs and fees to obtain possession of their vehicle.

Penalties

29. A person who contravenes this By-Law is guilty of an offence and is liable for a penalty of not more than \$1000.00.

Severability

30. If any provision of this By-Law is held to be invalid by any court of competent jurisdiction, the remaining provisions of the By-Law shall not be invalidated.

Transitional

31. This by-law comes into force and effect immediately upon the passing thereof.

32. By-Law No. 8/22 and 20/22 are hereby repealed.

DONE AND PASSED by the Council of the Rural Municipality of Macdonald, in Council duly assembled, at Sanford, Manitoba this 14th day of February A.D., 2023.

THE RURAL MUNICIPALITY OF MACDONALD

Original Signed by

"B. Erb"

Brad Erb
Reeve

"D. Hrehirchuk"

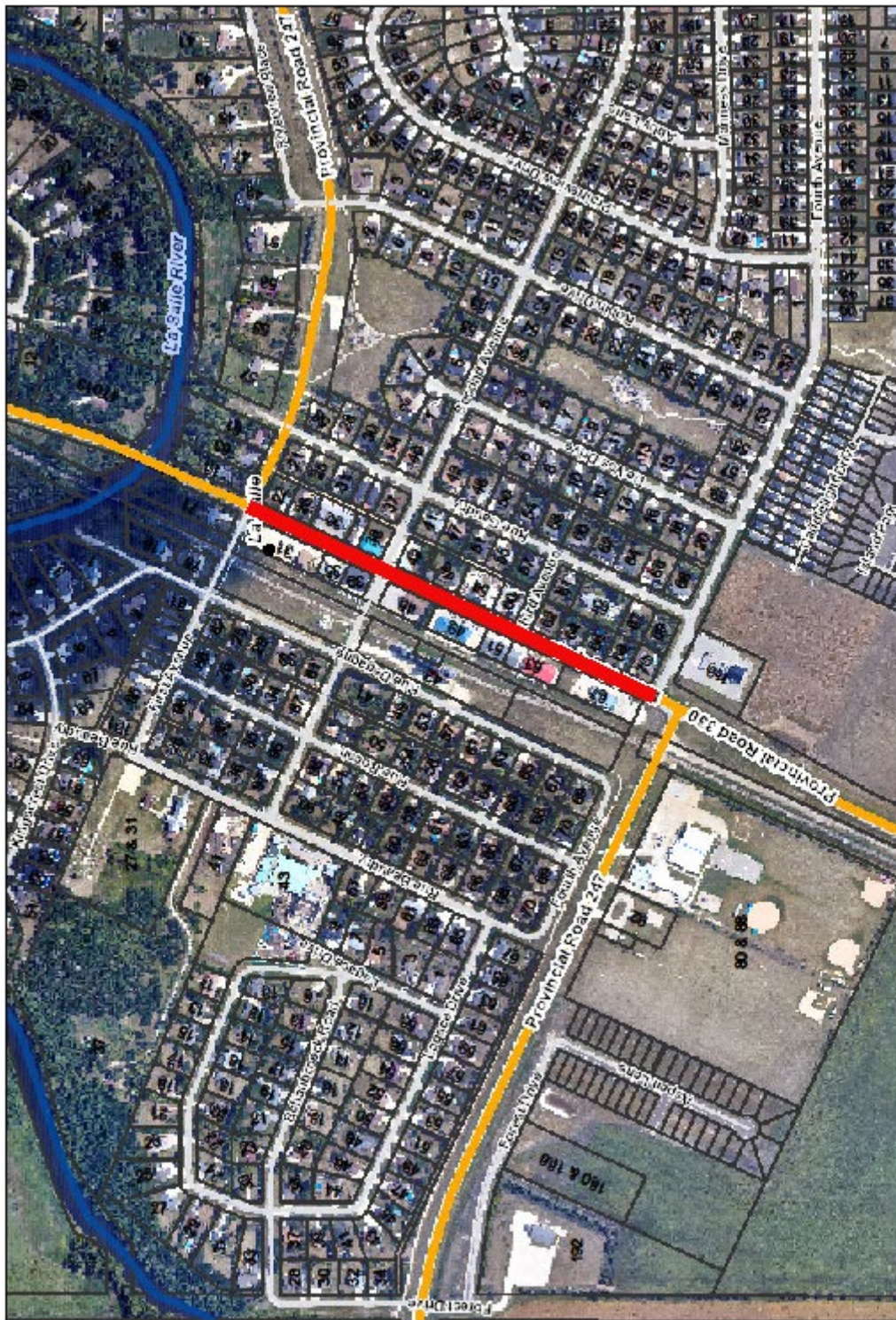
Daryl Hrehirchuk, CMMA
Chief Administrative Officer

Read a First time this 24th day of January A.D., 2023

Read a Second time this 14th day of February A.D., 2023

Read a Third time this 14th day of February A.D., 2023

By-Law No. 1/23 - Schedule A



ArcGIS Web Map
Rural Municipality of Macdonald
Date: 11/18/2021



By-Law No. 1/23 - Schedule B

Street Name	Town Located	Street Name	Town Located
Abby Lane	La Salle	Allison Street	Oak Bluff
Alison Avenue	La Salle	Anne's Drive	Oak Bluff
Aspen Lane	La Salle	Benson Boulevard	Oak Bluff
Augusta Cove	La Salle	Big Sky Drive	Oak Bluff
Benjamin Blvd	La Salle	Blacksmith Road	Oak Bluff
Bridgman Place	La Salle	Bridlewood Way	Oak Bluff
Burns Bay	La Salle	Bryce Boulevard	Oak Bluff
Country Vista Drive	La Salle	Bur Oak Blvd	Oak Bluff
De Vos Cres	La Salle	Carlington Crescent	Oak Bluff
De Vos Drive	La Salle	Casselman Crescent	Oak Bluff
Ella Drive	La Salle	Clerihew Crescent	Oak Bluff
First Avenue	La Salle	Dovetail Cres	Oak Bluff
Forest Drive	La Salle	Emmert Cove	Oak Bluff
Fourth Avenue	La Salle	Erb Blvd	Oak Bluff
Kara Cove	La Salle	Erb Farm Road	Oak Bluff
Katie Cove	La Salle	Fieldstone Crescent	Oak Bluff
Kendall Crescent	La Salle	Goodridge Close	Oak Bluff
Kingscrest Drive	La Salle	Horizon Drive	Oak Bluff
Kingsway Crescent	La Salle	Karen's Crescent	Oak Bluff
Kingswood Crescent	La Salle	Longview Lane	Oak Bluff
Kingswood Drive	La Salle	Macdonald Road	Oak Bluff
Lagace Drive	La Salle	Morgan Lane	Oak Bluff
Magarrell Bay	La Salle	Oak Bend Street	Oak Bluff
Manness Drive	La Salle	Oakridge Boulevard	Oak Bluff
McQueen Drive	La Salle	Oakland Road	Oak Bluff
Medinah Drive	La Salle	Oakridge Cove	Oak Bluff
Nathan Drive	La Salle	Orchard Gate	Oak Bluff
Noah Crescent	La Salle	Park Avenue	Oak Bluff
Penner Way	La Salle	Parkside Drive	Oak Bluff
Pinehurst Way	La Salle	Percheron Place	Oak Bluff
Penny Lane	La Salle	Prairie Grass Lane	Oak Bluff
Pitura Place	La Salle	PTH #3	Oak Bluff
Prairie View Drive	La Salle	Shoreline Drive	Oak Bluff
Reinsch Road	La Salle	Stone Hearth Lane	Oak Bluff
River Heights Drive	La Salle	Thompson Court	Oak Bluff
River Ridge Road	La Salle	Wheelwright Way	Oak Bluff
River Wood Drive	La Salle		
Riverview Place	La Salle		
Robin Drive	La Salle		
Rue Beaudry	La Salle		
Rue Degagne	La Salle		
Rue Gaudry	La Salle		
Rue Rocan	La Salle		
Schaubroeck Road	La Salle		
Second Avenue	La Salle		
Tanglewood Drive	La Salle		
Third Avenue	La Salle		
Vouriot Road	La Salle		
Waterview Drive	La Salle		
Woodbridge Drive	La Salle		