

MUNICIPALITY OF RHINELAND

BY-LAW NO. 2019-17

A by-law providing for the regulation of traffic and parking of vehicles in the Municipality of Rhineland.

WHEREAS a municipality has the direction, control and management of municipal roads within 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 of any such rule by By-law;

AND WHEREAS Section 90 (3) of The Highway Traffic Act provides for the council of a Municipality to make rules or By-laws applicable to any part of a provincial highway within the Municipality.

AND WHEREAS Section 236 (1) (b) (ii) of The Municipal Act C.C.S.M. c. M225 states, 236 (1) Without limiting the generality of clause 232 (1) (a) (enforcement of By-laws), 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 3(2)(a) of the Municipal By-law Enforcement Act C.C.S.M.0 M245 states a municipality may require administration penalties to be paid if the municipality designates the By-law contraventions that may be dealt with by a penalty notice.

AND WHEREAS the Council of the Municipality of Rhineland, deems it necessary and in the best interests of the municipality to restrict the parking of vehicles and trailers on streets in the Municipality of Rhineland;

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 Municipality of Rhineland;

THEREFORE, BE IT AND IT IS ENACTED AS FOLLOWS:

Article 1 - Definitions

"By-Law Enforcement Officer" shall mean a person appointed or designated under The Municipal Act to enforce the By-laws of the Municipality of Rhineland and includes a designated employee or officer under the Planning Act.

"Police" shall mean the Altona Police or R.C.M.P.

"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:

- (1) on a highway,
- (2) in a public parking lot or facility, or
- (3) in a private parking lot or facility to which the public has access

"Motor vehicle" means a motor vehicle as defined in The Highway Traffic Act.

"Park" when prohibited, means to stand a vehicle whether occupied or not, except
(a) when it is caused to stand temporarily for the purpose of, and while actually engaged in, loading or unloading, or

(b) in obedience to a peace officer or a traffic control device, and
"parking" has a corresponding meaning;

"Permit" means a valid physically disabled person's parking permit issued under Section 124.3 of The Highway Traffic Act.

"Persons" shall mean any individual, firm, company, association, society, corporation or group.

"Public Works Department" shall mean all works and operating department staff of the Municipality of Rhineland which perform work upon a public street or lane 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

- (a) 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
 - (i) the adjacent property lines, or
 - (ii) the straight production of the adjacent property lines to the curb line or if there is none, to the lateral boundary line, of an intersecting highway, or

- (b) 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, lane 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 Highways and Transportation 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) a device designed to be moved by human power or used exclusively upon stationary rails or tracks, and
- (b) a motorized mobility aid

Article 2 - Temporary Street Barricades & Closures

Section 2.1

Persons wishing to have a special event on any street or streets in the Municipality of Rhineland, shall make application with the Municipality of Rhineland designated Community development officer who shall review the application and may approve or reject the application (with conditions) and so advise the applicant. 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 person responsible for the event. The Community Development Officer 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.

Section 2.2

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

Article 3 - Traffic & Parking Restrictions

Section 3.1

No person shall park a vehicle where a sign or painted curb, placed and/or authorized by the Municipality of Rhineland, prohibits parking, and where a sign has been erected prohibiting the parking of vehicles during certain hours or days.

Section 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.

Section 3.3

No person shall stand or park a vehicle within three (3) meters of an intersection.

Section 3.4

No person shall park a vehicle within three (3) meters from the point of the curb or edge of the roadway immediately opposite of a fire hydrant.

Section 3.5

No person shall park a vehicle within 100 meters of the scene of a fire or emergency except firefighting equipment or other emergency vehicles required in the firefighting operations.

Section 3.6

No truck with a gross vehicle weight rating of 6,804 kg (15,000 lbs) or more, nor semi-trailers of any type, shall park on any street within the local urban district of Rosenfeld, as defined in Regulation No. 174/99 under the Act, and the local urban districts of Gretna and Plum Coulee, as defined in Regulation No. 135/2014 under the Municipal Amalgamations Act, notwithstanding that a truck or trailer may park on a street during the course of loading and unloading. Such loading and unloading shall be done as quickly as possible and shall not block the street for other vehicular traffic.

Section 3.7

The parking of un-laden semi-trucks with a GVW of 15,000 lbs or greater shall be permitted on residential driveways.

Section 3.8

All trucks with a GVW of 15,000 lbs or greater on property within the local urban district of Rosenfeld, as defined in Regulation No. 174/99 under the Act, and the local urban districts of Gretna and Plum Coulee, as defined in Regulation No. 135/2014 under the Municipal Amalgamations Act, shall only be operated over and along the streets or sections of streets set forth as truck Routes on Schedule "B" attached hereto, but any truck may operate upon any street where necessary to conduct business at a destination point. Upon leaving the destination point, the truck shall return by the shortest routing to a Truck Route.

- a) All streets and sections of streets set forth as Truck routes in schedule "B" attached hereto shall be further identified as Truck routes by appropriate Truck Route signs.

Section 3.9

No person shall park a vehicle in a single location on a street for forty-eight (48) consecutive hours or more.

Section 3.10

No person shall park a vehicle upon or over a sidewalk or in front of a public pathway which will obstruct the use of the sidewalk/pathway by pedestrians.

Section 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 that Act.

Article 4 - Traffic & Parking Regulations

Section 4.1

Parallel parking of vehicles is required on all streets where parking is permitted in the Municipality of Rhineland, except locations identified in the By-law where diagonal parking is required. Parallel parked vehicles shall be headed in the direction of traffic with the curbside wheels within 450 mm of the curb or if there is no curb, it shall be off the travelled portion of the streets, so that the vehicle will not interfere with the movement of other vehicles. On an uncurbed paved street, the vehicle shall be parked off of the paved portion of the road where possible.

Section 4.2

Traffic control and parking regulations may be posted as per Schedule "A" and can henceforth be amended from time to time.

Section 4.3

Where the authority having jurisdiction has erected a "Stop" sign 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.

Section 4.4

Unless otherwise posted the operation of engine retardant brakes shall be prohibited within the local urban district of Rosenfeld, as defined in Regulation No. 174/99 under the Act, and the local urban districts of Gretna and Plum Coulee, as defined in Regulation No. 135/2014 under the Municipal Amalgamations Act, or within the Municipality of Rhineland.

Section 4.5

No person shall park a vehicle on a street at any time between the hours of nine (9:00) P.M. and seven (7:00) A.M. of any day commencing from 1st October to the 30th of April during snow removal or street cleaning or maintenance operations.

Section 4.6

The CAO or their delegate or Traffic Authority may remove or cause to be removed from a street, a vehicle that is stopped or parked in a position that causes it to interfere with removal of snow from the street or maintenance of the street.

Article 5 - Loading Restrictions/Regulations

Section 5.1

No person shall park in a street, except for the purpose of loading and unloading. Such loading and unloading shall be done in as expeditious manner as possible. At no time shall the vehicle being loaded or unloaded completely block the lane, Provision for one vehicle to pass shall be made at all times.

Section 5.2

No vehicle shall stand backed up to the curb except when actually loading or unloading. In no event shall a vehicle be so parked as to interfere with the passage of other vehicles.

Article 6—Street Safety Regulation

Section 6.1

No person shall deposit snow from private properties onto public roads, streets, lanes and ditches.

Article 7 - Enforcement

Section 7.1

The By-law Enforcement Officer or Police are hereby authorized to enforce the following traffic regulations on private and public parking lots upon request by the Owner and all Municipal Parking Lots where the required signage is in place, namely:

- Physically Handi-capped Parking Only
- No Parking, Fire Lane
- Emergency Vehicles Only
- No Parking, Loading Area
- No Parking, Entrance Only or Exit Only
- No Parking

Section 7.2

The By-law Enforcement Officer or Police may order a vehicle be towed away when such a vehicle is parked in a No Parking Zone or is in violation of the time limit in any restricted parking zone, the costs or fees of which are the responsibility of the registered owner.

Section 7.3

The By-law Enforcement Officer or Police may issue a penalty notice to any person who has allegedly contravened any of the provisions of this By-law.

Section 7.4

A penalty notice must be in a form set out in Schedule "C" to the Municipal Enforcement By-Law No. 2019-15 and shall be delivered to the affected person in accordance with that by-law. The penalty notice must be issued to a named person unless it is issued for a by-law contravention respecting the parking of a vehicle, in which case the notice must set out the vehicle's license plate or, if none, the vehicle identification number.

Section 7.5

In the event that a violation under this By-law is also a violation under the Highway Traffic Act, the Police may issue a penalty notice under the provisions of this By-law or a "Summons" under the Highway Traffic Act, at their discretion.

Article 8 - Penalties

Section 8.1

Any person guilty of a breach of this By-law shall pay the administrative penalty outlined in Schedule "A" of the Municipal By-law Enforcement By-law No. 2019-15 or request a review by a screening officer in accordance with Part II of said By-Law.

Section 8.2

That the amount of the administrative penalties set out in Schedule "A" to the Municipal By-law Enforcement By-law No. 2019-15 may be amended from time to time.

Section 8.3

Every person in breach of any provision of this By-Law, unless a penalty or fine is specifically provided in Schedule B, shall be liable on summary conviction, to a fine not exceeding one thousand (\$1,000.00) Dollars, and or imprisonment of 12 months in addition to costs.

Article 9 - Other

Section 9.1

Gretna By-law No. 800-2013 is herewith repealed.

Plum Coulee By-law 481-8, 675-04 and all amendments are herewith repealed. (624-96) (685-05) (688-05)

Traffic Signs By-Law 2016-04 is hereby repealed.

Section 9.2

If any provision of this By-law is determined to be unenforceable or invalid, the remaining provisions of this By-law will continue to be valid and enforceable.

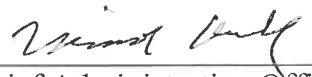
Section 9.3

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

Done and Passed by the Council of the Municipality of Rhineland, at Altona in Manitoba, this 25th day of September, 2019.



Reeve



Chief Administrative Officer

Read a first time this 11th day of September, 2019 A.D.

Read a second time this 25th day of September, 2019 A.D.

Read a third time this 25th day of September, 2019 A.D.

SCHEDULE "A"
BY-LAW No. 2019-17
PARKING SCHEDULE

Truck Routes

1. Hespeler Avenue - Gretna
2. 7th Street - Gretna
3. 9th street from Hespeler avenue, south to the Publics works yard - Gretna
4. Smith street from Highway 30, north to the elevator – Gretna
5. Peters street from Government road allowance #1 to Main Avenue – Plum Coulee
6. Centre Street from Government Road allowance #1 to Railway Avenue – Plum Coulee
7. Railway Avenue entire length – Plum Coulee
8. Main Avenue entire length – Plum Coulee
9. Eastview Drive entire length – Plum Coulee
10. Government Road – Plum Coulee

No Heavy Trucks

Russell Street entire length – Plum Coulee
Elm Street entire length – Plum Coulee
Rhine Street entire length – Plum Coulee
Hiebert Street entire length – Plum Coulee
Maple Drive entire length – Plum Coulee
Arena Road entire length – Plum Coulee
Bach Street entire length – Plum Coulee
Centre street from Railway Avenue South – Plum Coulee
River Avenue entire length – Plum Coulee
McGavin Street entire length – Plum Coulee
Bartsch Boulevard entire length – Plum Coulee
Redekop Place entire length – Plum Coulee

No Heavy Truck Parking

The parking of Heavy trucks and or trailers shall be prohibited from all streets on property within the local urban district of Rosenfeld, as defined in Regulation No. 174/99 under the Act, and the local urban districts of Gretna and Plum Coulee, as defined in Regulation No. 135/2014 under the Municipal Amalgamations Act.

Parallel Parking

On all streets within the Municipality of Rhineland, except:

Government Road #1 between Elm Street and Peters Street in the LUD of Plum Coulee

On the West side of 7th street from Hespeler to Montcalm Avenue in the LUD of Gretna

Diagonal Parking

On the North side of Main Avenue from Rhine Street to Russell Street in the LUD of Plum Coulee

On the North side of North Railway Street in the LUD of Plum Coulee

On the West Side of 7th Street from Hespeler to Montcalm Avenue in the LUD of Gretna

On the North side of Main Avenue, from Rhine Street to Russell Street in the LUD of Plum Coulee

No Parking of Trucks Over ½ Ton

Along the North and South side of North Railway Street from PR 306 to the west end of North Railway Street in the LUD of Plum Coulee.

Along the North side of Main Avenue from PR 306 to the west end of Main Avenue in the LUD of Plum Coulee

5 Minute Parking Limit

On the west side of Peters Street adjacent to the Canada Post Office in the LUD of Plum Coulee

4 Hour Parking Limit

Railway Avenue on south side from PR 306 to Centre Street in the LUD of Plum Coulee

No Parking Loading Zone

None

No Parking:

No person shall park any vehicle, of whatever kind at any time:

No Parking (Loading Zone) 8 am – 9 am and 3 pm -4 pm on 9th Street adjacent to Gretna Public School – Gretna

No Parking (Loading Zone) 8 am – 9 am and 3 pm -5 pm on West side of Mary street in front of Mennonite College Institute Gretna – Gretna

No Parking 8 am -5 pm Monday to Friday on East side of Mary Street between Klassen Avenue and Schellenberg Avenue – Gretna

No Parking any time on East side of 9th Street between Berlin Avenue and Hanover Avenue – Gretna

No Parking any time on the east side of 7th street between Hespler and Montcalm (Hwy 30)

Along the lanes running north of, and parallel to Main Avenue, between Rhine Street and Russell Street in the LUD of Plum Coulee

Main avenue on the south side from Rhine Street to PR. #306 – Plum Coulee

Main Avenue North from Rhine Street to Hwy 306 in the LUD of Plum Coulee

Russell Street (on east side – entire length) - Plum Coulee

Elm Street (on east side – entire length) - Plum Coulee

Peters Street on east side – entire length - Plum Coulee

Centre Street from Main avenue north on east side – entire length - Plum Coulee

Centre Street from Railway Avenue south on west side entire length - Plum Coulee

Arena Road both sides entire length - Plum Coulee

Hiebert Street on east side entire length from Maple drive south to Main Avenue - Plum Coulee

Hiebert Street from Maple drive North both sides entire length - Plum Coulee

Maple Drive on south side entire length - Plum Coulee

Bach Street on the west and east side entire length - Plum Coulee

Railway Avenue on north side entire length - Plum Coulee

Railway Avenue on the south side from Centre Street South to rail crossing at Main Avenue in the LUD of Plum Coulee

River Avenue on north side entire length - Plum Coulee

McGavin Street on east side entire length - Plum Coulee

West Main Avenue on the south side

Sunset Bay on the east side from West Main Avenue, North to Sunset Bay Cul De Sac - Plum Coulee

Bartsch Boulevard on the east side entire length - Plum Coulee

Redekop Place on the east side the entire length - Plum Coulee

Eastview Drive on the North side entire length - Plum Coulee

Highway Avenue North and South sides entire length in the LUD of Plum Coulee

One Way

None

2 Way Stop Intersections

Centre Street and Railway Avenue intersection – Plum Coulee

Centre Street and Main Avenue Intersection – Plum Coulee

PTH 306 and Road 13NW – Plum Coulee

3 Way Stop Intersections

None

Hespeler Avenue and 7th Street -Gretna

4 Way Stop Intersections

Hespeler Avenue and 9th Street in the LUD of Gretna

No U Turns

None

Speed Limit Signs

On North Railway Street - Plum Coulee
On Park Road – Plum Coulee
Government Road #1
Hespeler Avenue

50 km per hour speed limit

On all streets within the local urban district of Rosenfeld, as defined in Regulation No. 174/99 under the Act, and the local urban districts of Gretna and Plum Coulee, as defined in Regulation No. 135/2014 under the Municipal Amalgamations Act, (excepting school zones 30km/hr)

90 km per hour speed limit

On all municipal gravel roads unless otherwise posted.

School Zones

As per By-Law 2015-18 Plum Coulee and Gretna School Zones or its amendments
As per By-Law 2018-09 Rosenfeld School Zones or its amendments

Temporary Dead-end signs

As posted

Load restrictions

As posted on the authority of a resolution of council when deemed necessary

Pedestrian Crossings

As per By-Law 2016-04 Traffic Signs By-Law or any of its amendments.

Children Playing Signs

As per By-Law 2016-04 Traffic Signs By-Law or any of its amendments.

Dead End Signs

As per By-Law 2016-04 Traffic Signs By-Law or any of its amendments.

Playground Signs

As per By-Law 2016-04 Traffic Signs By-Law or any of its amendments.

Yield Signs

As per By-Law 2016-04 Traffic Signs By-Law or any of its amendments.

Stop Signs

As per By-Law 2016-04 Traffic Signs By-Law or any of its amendments.

Bicycles on Sidewalks

Not permitted within the local urban district of Rosenfeld, as defined in Regulation No. 174/99 under the Act, and the local urban districts of Gretna and Plum Coulee, as defined in Regulation No. 135/2014 under the Municipal Amalgamations Act.

SCHEDULE "B"
BY-LAW No. 2019-17
TRUCK ROUTES

Plum Coulee



Gretna Truck Routes

