

MUNICIPALITY OF GRASSLAND
BY-LAW No. 2024-02

BEING A BY-LAW of the Municipality of Grassland concerning the regulation of parking.

WHEREAS section 231 the Municipal Act (TMA) provides authority for Council to pass by-laws with respect to governing the municipality in the manner Council considers appropriate, within the jurisdiction given to it under this and other acts;

AND WHEREAS subsection 231 (1) of the TMA permits Council to pass by-law respecting people, activities and things in, on or near a public place or a place open to the public, including municipal roads;

AND WHEREAS section 287 of TMA states a municipality has the direction, control and management of municipal roads within its boundaries;

AND WHEREAS the Highway Traffic Act provides authority to Council to make certain rules and pass by-laws respecting parking on municipal roads;

NOW THEREFORE be it enacted as a by-law of the Municipality of Grassland as follows:

1. LIST OF SCHEDULES

Attached to a forming part of this By-Law are the following schedules:

Schedule 1A	Location of Diagonal Parking Only Areas
Schedule 1B	Location of Limited Parking Restrictions
Schedule 1C	Location of Accessible Parking
Schedule 1D	Fee Schedule

2. INTERPRETATION

The words and expressions used in this By-Law have the same meaning as those same words and expressions have as set out in the Highway Traffic Act (Manitoba) and in TMA as the case may be, unless provided for otherwise in this By-Law.

3. PARALLEL / ANGLE PARKING

- 3.1. No person shall park a vehicle on a road other than parallel with the curb, facing in the direction of vehicle traffic movement on that side of the road, with the curbside wheels of the vehicle being within eighteen inches of the curb, and a clear space of at least three feet in front of and behind the vehicle.
- 3.2. Where angle (diagonal) parking is permitted under this By-Law, vehicles shall stop, stand, or park at an angle of approximately thirty degrees to the curb, with the right front wheel touching or within one foot of the curb, and with a clear space of at least three feet on either side of the vehicle.

4. PROHIBITIONS ON PARKING

- 4.1. No person shall park a vehicle on a road in violation of a traffic control device, including a temporary traffic control device, placed, and maintained under this By-law.
- 4.2. No person shall park a vehicle:
- 4.2.1. On a road that is barricaded or otherwise shown as being closed to vehicle access;
- 4.2.2. That interferes with the passage of vehicles along the road;
- 4.2.3. That interferes with access to a private approach;
- 4.2.4. That is not in running condition or that is under repair. If a vehicle breaks down such that it is no longer in operating condition, the owner or operator shall take immediate action to have the vehicle removed from the roadway;
- 4.2.5. Abreast of another vehicle on the road, unless the person is complying with a traffic control device, or the direction of an officer of the law;
- 4.2.6. Within twenty (20) feet in all directions of an intersection

5. Accessible Parking

- 5.1. Designated parking spaces for accessible parking shall be designated by signs or pavement markings;
- 5.2. No person shall park a vehicle in an accessible parking space or in a manner that makes the accessible parking space inaccessible unless a permit is displayed in the vehicle and is used in accordance with the Highway Traffic Act;
- 5.3. On the roadways or portions of the roadways set forth in Schedule 1C, a person authorized by this section to stop or park a vehicle in a designated parking space may do so for a maximum of twelve (12) hours.

6. PARKING RESTRICTIONS FOR MAINTENANCE AND SNOW REMOVAL

- 6.1. No person shall park a vehicle on any portion of the roadway in the area set out in Schedule 1B (Section B) between the hours of 20:00 and 7:00 from November 1 up to and including March 31 in each year.
- 6.2. No person shall park a vehicle on any portion of the roadway when traffic control devices have been placed indicating that maintenance operations are underway or are to be commenced on the day that the devices have been placed.

7. PARKING EXEMPTIONS

- 7.1. This By-Law does not apply to:
- 7.1.1. Police or By-Law enforcement officers
 - 7.1.2. Municipal vehicles or vehicles employed by the Municipality while in use in connection with works being done in or near a roadway requiring them to park in violation of this By-Law;
 - 7.1.3. Vehicles of the Government of Manitoba, The Government of Canada, or a public utility if such vehicles are engaged in work on or near a roadway requiring them to park in violation of this By-Law.

8. ADMINISTRATION AND ENFORCEMENT

- 8.1. The position of Municipal Enforcement Officer under the Municipality's Enforcement By-law No 05-2022 is a designated officer for the purposes of the administration and enforcement of this By-law. The Municipal Enforcement Officer shall have all the powers provided to a designated officer under TMA, including the power to:
- Make or place a mark on the vehicle
 - Issue a parking ticket or offense notice
 - Move a vehicle to another location not in violation of this By-law
 - Tow or remove a vehicle
 - Enforce a violation through an offense
- 8.2. A Municipal Enforcement Officer may remove, tow and impound a vehicle found in violation of this By-Law. The vehicle shall be taken to a location designated by the Municipality.
- 8.3. The owner of the vehicle towed, removed or impounded under this By-law may apply to the Municipal Enforcement officer for return of the vehicle. If the owner applies for the return of the vehicle, the Municipal Enforcement Officer shall release the vehicle to the owner upon payment by the owner of the removal and impoundment fees set out in Schedule 1D
- 8.4. If the owner has not paid for the return of the vehicle within thirty (30) days from the date of the impoundment, the Municipal Enforcement Officer shall notify the owner that the Municipality may dispose of the vehicle by a certain date. If outstanding fees are not paid by a certain date, the Municipal Enforcement Officer may dispose of the vehicle. If the vehicle is sold, the Municipal Enforcement Officer shall apply any proceeds of the sale against the outstanding fees and return any balance to the owner.

9. OFFENCE

- 9.1. A person who fails to comply with a provision of this By-law is guilty of an offence and is liable to a fine as outlined in Schedule 1D of not more than \$1000.00.
- 9.2. A person who is convicted of failing to comply with a provision of this By-law, in addition to a fine or penalty imposed under subsection 9.1, is liable to any costs associated with or resulting from enforcing this By-law. Such costs are an amount owing to the Municipality and may be collected in any manner in which a tax may be collected or enforced under TMA.

10. VOLUNTARY PAYMENT

10.1. In the event of a violation under this By-law:

- A Municipal Enforcement Officer may issue a Parking Ticket, in a form approved by the Municipality alleging a violation of this By-law
 - The parking ticket shall set out the license plate number of the vehicle, information describing the violation, and the amount provided for in Schedule 1D of this By-law. The parking ticket shall be attached to the vehicle or handed to the owners or operator should they be present.
 - The owner or operator of the vehicle may pay the amount set out on the parking ticket either in person at the Municipal Office or mailing the amount in full, to the Municipality.
- 10.2. Upon payment as set out in section 10.1, there shall be no further prosecution of action taken by the Municipality for the contravention in respect of which the payment has been made.

11. PARKING PROVISION NOT EXCLUSIVE

11.1. The provisions of this By-law shall not relieve a person from complying with the provisions prohibiting, restricting, or limiting the stopping, standing, or parking of a vehicle set out under the Highway Traffic Act.

All of the attached Schedules may be amended by resolution.

By-Law No 783-87 is hereby repealed and any amendments thereto.

DONE AND PASSED as a By-Law of The Municipality of Grassland at Hartney in the Province of Manitoba, this day of , 2024.


REEVE


CHIEF ADMINISTRATIVE OFFICER

Read a first time this 27 day of February, 2024
Read a second time this 12th day of March 2024
Read a third time this 12th day of March 2024

Municipality of Grassland Parking By-Law

SCHEDULE 1A

Location of Diagonal Parking Only Areas

HARTNEY

- 1. East side of East Railway Street from Queen Street to River Avenue
- 2. East side of Spencer Street from Elm Street to 250’ north of the intersection (across from 404 Spencer Street)
- 3. South side of Poplar Ave from East Railway Street to Spencer Street

MINTO

- 4. South side of South Railway Street in front of the Minto Arena only

Municipality of Grassland Parking By-Law

SCHEDULE 1B

Location of Limited Parking Restrictions

A) Limited parking Monday to Friday

Except weekends and Statutory holidays, no vehicles shall be parked for more than twelve (12) hours on any of the following roadways:

HARTNEY:

- 1. East Railway Street from Queen Street to River Ave
- 2. Poplar Street from East Railway Street to Spencer Ave
- 3. Airdrie Street from Garden Street to Joslyn Street
- 4. Garden Street from River Avenue to Queen Street

B) No parking during the winter months

For the purpose of snow removal, no vehicle shall be parked between the hours of 20:00 and 7:00 from November 1 up to and including March 31 in each year on the following roadways:

HARTNEY:

- 1. All streets and avenues

C) Restricted No Parking Zone

No parking at any time during any period.

ELGIN:

- 1. In front of 151 Main Street (Elgin Fire Hall)
- 2. * water hook up at the rink – need location*

HARTNEY:

- 1. In front of 218 West Railway (Hartney Fire Hall)

MINTO:

- 1. In front of 100 Johnston Street (Minto Fire Hall)

Municipality of Grassland Parking By-Law

SCHEDULE 1C

Accessible Parking

ELGIN:

- 1. Two parking stalls on the west end of 155 Main Street (off of 4th Street)
- 2. Two parking stalls on south side of 127 Main Street

HARTNEY

- 1. Two parking stalls on south end of 119 East Railway Street in parking lot
- 2. One parking stall on south of 201 East Railway in parking lot (off of Poplar Street)
- 3. Two parking stalls on south side of 209 Airdrie Street
- 4. Two parking stalls on south side of 105 George Street in parking lot
- 5. Four parking stalls on west side of 51 Garden Street in parking lot
- 6. Two parking stalls on west side of Spencer Street 50’ and 150’ feet from Poplar Street intersection (in front of 200 Spencer Street and 204 Spencer Street respectively).

Municipality of Grassland Parking By-Law

SCHEDULE 1D

FEE SCHEDULE

Parking in accessible stall

This violation applies to any vehicle stopped in a designated accessible stall without displaying a valid permit from the Society for Manitobans with Disabilities. All accessible parking stalls are clearly marked and may not be used as loading zones for any length of time without the appropriate permits. Any vehicle in violation of this shall be fined the following:

- \$150.00 if paid within 10 days.
- \$300.00 if paid after 10 days.

Parking violations

All other parking violations as outlined in this by-law are subject to the following fines:

- \$35.00 if paid within 10 days.
- \$70.00 if paid after 10 days.