

THE RURAL MUNICIPALITY OF HEART'S HILL No. 352

BYLAW NO. 5/24

**A BYLAW TO REGULATE MOVEMENT AND ACTIVITIES
ON MUNICIPAL ROADS**

The Council of the Rural Municipality of Heart's Hill No. 352, (the Municipality) in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw may be referred to as the "Road Usage Bylaw"

Definition

2. In this Bylaw:
 - a. "Council" means the Council of the Rural Municipality of Heart's Hill No. 352;
 - b. "Designated Officer" means an employee or agent of the Municipality appointed by Council to act as a municipal inspector for the purposes of this Bylaw or, in the absence of a designation by the Council, the Administrator;
 - c. "Municipality" means the Rural Municipality of Heart's Hill No. 352;
 - d. "Municipal Road" means a street or road under the direction, control and management of Council by virtue of Section 12 of *The Municipalities Act*. This includes any land that is part of the original road allowance or the subject of a registered road plan.

Encumbering of Roads

3. No person shall place or leave on or within any Municipal Road any earth, stones, rubbish, fences or other objects, without the express permission of Council.

Excavation, Plowing and Grading of Roads

4. No person shall make any excavations on or within any Municipal Road, without the express permission of Council.
5. No person shall operate equipment on a Municipal Road with the purpose of snow plowing, snow removal, or grading, without the express permission of Council.

Movement on Roads

6. No person shall operate a vehicle or equipment on a Municipal Road if the vehicle is equipped with track lugs, without the express permission of Council.

Permits

7. Notwithstanding sections 3 through 6 of this Bylaw, Council may, if satisfied that (i) it will not compromise the safety, health or welfare of people or (ii) it will not damage the Municipal Road or other property, give permission to a person to do the same.

Enforcement of Bylaw

8. The administration and enforcement of this Bylaw is hereby delegated to the Designated Officer.

Order to Remedy

9. If a Designated Officer finds that a person has contravened one of sections 3 through 6 of this Bylaw, the Designated Officer may, by written order, require the person to remedy the contravention.

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10. The written order shall state:

- a. what is to be done to remedy the contravention;
- b. the time within which the person must comply with the direction; and
- c. that if the person does not comply with the direction within the time specified, the Municipality may do what is required to be done at the expense of the person the Order was issued to.

Service of Order

11. Orders given under this Bylaw shall be served in accordance with section 390 of *The Municipalities Act*.

Municipality Remediating a Contravention

12. In the event an order issued pursuant to section 11 of this Bylaw is not complied with within the time specified, the Municipality may take whatever actions or measures necessary to remedy the contravention.

13. In an emergency the Municipality may take whatever actions or measures necessary to eliminate the emergency, in accordance with section 367 of *The Municipalities Act*.

Recovery of Unpaid Expenses and Costs

14. Any expenses incurred by the Municipality in remediating a contravention of sections 3 through 6 of this Bylaw may be recovered by civil action for debt in a court of competent jurisdiction, in accordance with section 368 of *The Municipalities Act*.

15. The Municipality may add any costs incurred in remediating a contravention of sections 3 through 6 of this Bylaw to the tax roll of which the person who caused the contravention is the assessed person, in accordance with section 369 of *The Municipalities Act*.

16. The Municipality may add any costs incurred in eliminating an emergency to the tax roll of any property in the Municipality in respect of which the person who caused the emergency is the assessed person, in accordance with section 369 of *The Municipalities Act*.

Offences and Penalties

17. No person shall:

- a. fail to comply with an order made pursuant to this Bylaw;
- b. obstruct or interfere with any Designated Officer or any other person acting under the authority of this Bylaw; or
- c. fail to comply with any other provisions of this Bylaw.

18. Every person who contravenes any provision of this Bylaw is subject to the penalties provided in the Municipality's "General Penalty Bylaw".

Repeal of Former Bylaw

19. Bylaw No.7/97 is hereby repealed.





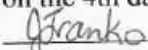
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 Administrator

Read a third time and adopted this 4th day of April, 2024.

Certified a true copy of Bylaw No. 5/24 adopted by Resolution of Council on the 4th day of April, 2024.



 Janelle Franko, Administrator

