

THE RURAL MUNICIPALITY OF OAKVIEW
BY-LAW NO. 2024-7

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF OAKVIEW TO ESTABLISH NO
PARKING ZONES WITHIN THE LUD OF RAPID CITY AND THE LUD OF OAK RIVER.**

WHEREAS Section 90 of *The Highway Traffic Act* provides that the traffic authority may make rules or by-laws with respect to parking, stopping and standing of vehicles; and

WHEREAS the Rural Municipality of Oakview is the traffic authority for certain highways within its boundaries; and

WHEREAS it is deemed to be in the best interest of the municipality to restrict the parking, stopping and standing of vehicles within the back lanes;

NOW THEREFORE the Council of the Rural Municipality of Oakview, in regular session assembled, hereby enacts as follows:

1. TITLE

This by-law shall be referred to as **"The Rural Municipality of Oakview Parking By-Law"**.

2. DEFINITIONS

"Back Lane" means a highway situated wholly within the limits of the LUD's of Rapid City and Oak River and has been designed, constructed and intended to provide access to and service at the rear of places of residence or business and includes alleys;

"Designated Officer" means an employee of Commissionaires Manitoba or other official appointed by Council, from time to time, to enforce this By-Law, or, in the absence of such an appointment, the Chief Administrative Officer of the RM of Oakview and any employee of the R.M. of Oakview to whom he or she has delegated an authority or duly granted or imposed under this By-Law or a member of the Royal Canadian Mounted Police;

"Highway" means any place or way, including any structure forming part thereof, which or any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles, with or without fee or charge therefor, and includes all the space between the boundary lines thereof; but does not include any area designed or intended, and primarily used, for the parking of vehicles and the necessary passageways thereon;

"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;

"Traffic Authority" means

(a) in the case of highways within municipalities, except those on privately-owned land, the municipality within the limits of which the highway is situated,

(b) in the case of a highway in a local government district, or part thereof, that has been designated in an order made under section 321, that local government district.

3. CAUSING OR PERMITTING OFFENCE

Any person who contravenes, fails to comply with, or permits a contravention or failure to comply with any provision of this By-Law is guilty of an offence.

4. CONTROL OF TRAFFIC BY ENFORCEMENT OFFICERS AND OTHERS

An Enforcement Officer may require the driver of the vehicle to move the vehicle.

5. PROHIBITIONS OF STOPPING, STANDING OR PARKING

Except where specifically required by other provisions of this by-law or where permitted by Traffic Control Devices or Traffic Control Signals or except where necessary to avoid conflict with traffic or to comply with the directions of the Designated Officer, no person shall stop, stand or park a vehicle:

- a. In a back lane within the boundaries of the LUD of Rapid City and LUD of Oak River;
- b. Within three meters of a fire hydrant.

6. UNLAWFULLY PARKED VEHICLES

Moving of Vehicle Unlawfully Parked

Where a Designated Officer has reasonable and probable grounds for believing that a vehicle is standing, or is parked

- a. in violation of any of the provisions of this by-law;
- b. it shall be the duty of the Designated Officer to keep a record of each Vehicle removed in accordance with this by-law. The record shall include a description of the Vehicle, its license plate number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and last operator, if known, its final disposition, and the parking violation involved.

Costs of Towing Or Moving And Storage

The cost and charges incurred in towing or moving and storing a vehicle, under Section 16 is a lien on the vehicle that may be enforced under The Garage Keepers Act by the person who moved or stored the vehicle at the request of the Designated Officer.

7. PARKING EXEMPTIONS

The cost and charges incurred in towing or moving and storing a vehicle, under Section 16 is a lien on the vehicle that may be enforced under The Garage Keepers Act by the person who moved or stored the vehicle at the request of the Designated Officer.

- a. vehicles used by the RCMP and any other Law Enforcement agency;
- b. vehicles of or employed by The Rural Municipality of Oakview while in use in connection with work of necessity being done in or near a highway requiring them to stop or be parked in contravention of any such provisions; and
- c. vehicles of the Government of Manitoba, the Government of Canada, or a public utility if such vehicles have the owner’s name painted thereon and are actually engaged in work of necessity on or near a highway requiring them to stop or be parked in contravention of any such provisions.

DONE AND PASSED by Council of the RM of Oakview in regular session assembled this 24th day of September, A.D. 2024.

RURAL MUNICIPALITY OF OAKVIEW

Reeve

Chief Administrative Officer

Read a first time this 27th day of August, A.D. 2024.
Read a second time this 24th day of September, A.D. 2024.
Read a third time this 24th day of September, A.D. 2024.