

RURAL MUNICIPALITY OF OAKVIEW

PARKING BY-LAW NO. 2025-8

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF OAKVIEW TO PROVIDE FOR THE REGULATION OF TRAFFIC AND PARKING OF VEHICLES, TRAILERS AND RECREATIONAL VEHICLES IN THE COMMUNITIES OF OAK RIVER, RAPID CITY, CARDALE AND BASSWOOD.

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 or 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)(o) of *The Municipal Act* states:

236(1) without limiting the generality of clause 232(1)(o) (enforcement of By-laws), a By- law passed under that clause may include provisions:

- (b) remedying contraventions of By-law, 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, relate, 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 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 R.M. of Oakview deems it necessary and in the best interests of the municipality to restrict the parking of vehicles and trailers on streets in the communities of Oak River, Rapid City, Cardale and Basswood;

THEREFORE the Council of the R.M. of Oakview, in the open session duly assembled, enacts as follows:

1.0 TITLE

This by-law may be referred to as the Parking By-law”

2.0 DEFINITIONS

- a. **“BY-LAW ENFORCEMENT OFFICER”** means a person appointed or designated under The Municipal Act to enforce the By-laws of the Municipality and includes a designated employee or officer under The Planning Act
- b. **“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:
 - i. on a highway
 - ii. in a public parking lot or facility, or

- iii. in a private parking lot of facility to which the public has access
- c. **“MOTOR VEHICLE”** means a Motor Vehicle as defined in The Highway Traffic Act.
- d. **“PARK”** when prohibited, means to stand a vehicle whether occupied or not, except:
 - i. when it is caused to stand temporarily for the purpose of, and while engaged in, loading or unloading, or in obedience to a peace officer or a traffic control device, and “parking” has a corresponding meaning;
- e. **“PERMIT”** means a valid physically disabled person’s parking permit issued under Section 124.3 of *The Highway Traffic Act*.
- f. **“PERSONS”** means any individual, firm, company, association, society, corporation or group.
- g. **“SIDEWALK”** means a footpath, whether paved or improved, that is intended primarily for the use of pedestrians and that either
 - i. 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
 - ii. the adjacent property lines, or
 - iii. 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
 - iv. although traffic only and for the purpose of giving access to property adjacent there to.
- h. **“SPECIAL EVENT”** means a parade, procession, block party, or such other event held on a public street, lane or thoroughfare, which will require closure to public traffic.
- i. **“STREET”** means a municipal road for public use and includes a road allowance (including the shoulder), street, lane, thoroughfare, walkway, bridge and underpass.
- j. **“TRAILER”** means a vehicle designated for carrying chattels, and for being towed by a motor vehicle or other vehicle.
- k. **“VEHICLE”** means a device, in, upon, or by which a person or things or may be transported or drawn upon a highway and includes:
 - i. An implement or husbandry that is not a motor vehicle; and
 - ii. A special mobile machine, but does not include
 - a. A device designed to be moved by human power or used exclusively upon stationary rails or tracks, or
 - b. A motorized mobility aid.

TEMPORARY STREET BARRICADES & CLOSURES

3.0 People wishing to have a special event on any street or streets in the communities of Oak River, Rapid City, Cardale and Basswood, shall make an application with the Rural Municipality of Oakview, who shall review the application and may approve or reject the application and advise the applicant within 10 business days of the date of the filing. The application

shall include the nature of the special event; the route intended to be taken, the date and length and the person or persons responsible for the event.

The municipality 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 media or other means, this shall be done at the expense of the applicant.

- 3.1 No person shall park in 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 R.M. may post, close or detour any such streets, roads or lanes it deems necessary to perform maintenance and/or construction work as necessary from time to time.

TRAFFIC & PARKING RESTRICTIONS AND REGULATIONS

- 4.0 No person shall park a vehicle where a sign or painted curb, placed and/or authorized by the R.M. prohibits parking or where a sign has been erected prohibiting the parking of vehicles during certain hours or days.
- 4.1 No person shall park a vehicle on a street or road 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.
- 4.2 No person shall park a vehicle within three (3) meters of an intersection.
- 4.3 No person shall park a vehicle within three (3) meters from the point of the curb or edge of the roadway immediately opposite a fire hydrant.
- 4.4 No person shall park a vehicle within 100 meters of the scene of a fire or emergency.
- 4.5 No truck with more than two (2) axles, school buses, or semi-trailers of any type, shall park on any residential street within the Town overnight, notwithstanding that a truck or trailer may park on a street while loading and unloading. Such loading and unloading shall be done as quickly as possible and shall not block the street for other vehicular traffic.
- 4.6 No person shall operate a truck with more than two (2) axles on a "No Truck Route" street as designated from time to time except where necessary to conduct business as a delivery destination point.
- 4.7 No person shall park a vehicle on or across a sidewalk, or in front of a public pathway, in a manner that obstructs pedestrian use. Additionally, no person shall place or run a cord or similar object across any sidewalk or pathway in a way that causes obstruction, unless a written request has been submitted to and approved by public works.
- 4.8 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 the Act.
- 4.9 No vehicle shall stay parked on a street for a period longer than 72 hours.
- 4.10 The operation of engine retardant brakes are prohibited within the Town limits unless otherwise authorized by signage.

- 4.11 No person shall park on a street or boulevard a travel trailer, camper, recreational vehicle, utility trailer, or trailer except for the purpose of loading and unloading. A travel trailer, camper, recreational vehicle, utility trailer or trailer must be removed from the street within 48 hours and must remain connected to a vehicle during the 48 hours.
- 4.12 No person shall park on private property other than on a dedicated driveway or parking pad with a proper approved approach or access off the roadway.
- 4.13 No person shall park a vehicle or trailer in such a manner that it obstructs another motor vehicle operators' line of sight approaching intersections.

OFFICERS MARKING PARKED VEHICLES

- 5.0 An Officer, for the purpose of enforcing the provisions of this or any other By-law regulation of the RM respecting the parking of vehicles, may make or place a mark upon any tire of a vehicle which is parked upon a street.
- 5.1 It shall be an offence for any person to remove, alter, obliterate or deface a mark made or placed upon a vehicle by an Officer.

ADDITIONAL OFFENSES

- 6.0 Notwithstanding any traffic citation which may already have been issued with respect to a vehicle which is found parked, stopped or standing in violation of any parking restriction contained in this by-law, each additional observed violation or period of violation shall constitute a separate offence every twenty-four (24) hours after the issuance of the first traffic citation.

DONE AND PASSED by the Council for the R.M. of Oakview duly assembled at Rapid City, in the Province of Manitoba, this 28th day of July A.D. 2025

Reeve

Chief Administrative Officer

Read a first time this 8th day of July A.D 2025
Read a second time this 28th day of July A.D 2025
Read a third time this 28th day of July A.D 2025