

BYLAW NO. 39 - 1994

A **BYLAW** of the City of Swift Current, in the Province of Saskatchewan, to supplement *The Traffic Safety Act*, SS 2004, c T-18.1 and to supplement the Traffic Bylaw regulating vehicle and pedestrian traffic upon the street of the City of Swift Current.

NOW THEREFORE, COUNCIL FOR THE CITY OF SWIFT CURRENT IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1.0 **TITLE**

This Bylaw may be cited as the "School Zone and Playground Zone Traffic Bylaw.

2.0 **DEFINITIONS**

(1) In this Bylaw:

- a) "**City**" means the City of Swift Current;
- b) (Bylaw No.12-2019) "**General Manager**" means the CAO, General Manager of Infrastructure and Operations, or any person authorized to act under their instructions in carrying out the provisions of this bylaw;
- c) (Bylaw No. 12-2019) "**Schools**" means educational institutions that are attended primarily by children. This includes elementary schools, middle schools, junior high schools, and high schools. No distinction is made between public and private schools;
- d) (Bylaw No. 12-2019) "**Playground**" means recreational facilities utilized primarily by children. This includes outdoor playgrounds with play equipment, sports fields, tot lots (areas with play equipment and benches/picnic tables) and indoor or enclosed facilities such as skating rinks and swimming pools;
- e) (Bylaw No. 12-2019) "**Area**" means a section of roadway adjacent to a school or playground that is denoted by school area or playground area signing only;
- f) (Bylaw No. 12-2019) "**Zone**" means a section of roadway adjacent to a school or playground that is denoted by school area or playground area signing and a reduced speed limit sign.

- (2) Except where the context otherwise demands or requires, any reference to any word herein shall have the same meaning as in the Traffic Bylaw of the City.
- (3) All schedules to this Bylaw are part of this Bylaw.

(Bylaw No. 12-2019)

3.0 **DRIVING AND OPERATING A VEHICLE**

- (1) No driver of a vehicle shall drive at a speed greater than 30 kilometers per hour between 8:00 a.m. and 8:00 p.m. in a school zone or playground zone.
- (2) No driver of a vehicle shall make a U-turn anywhere in a school or playground zone when reduced speed limits (30 kph) are in effect.

4.0 **TRAFFIC CONTROL**

(Bylaw No. 12-2019)

- (1) The General Manager shall keep an inventory of the location of all school and playground zone signs and the information shall be open to inspection during City Hall's normal business hours.
- (2) The General Manager shall erect and maintain signs for the purpose of warning, informing and directing traffic in conformity with the speed zones created by this Bylaw.
- (3) The register of the location of all speed zones shall be maintained by the General Manager and the register shall be open for inspection at the office of the General Manager during normal business hours.

5.0 **OFFENCE**

- (1) A person who contravenes any provision of this Bylaw is guilty of an offence and is punishable on summary conviction by a fine in an amount not exceeding:
 - a) two thousand (\$2,000.00) dollars in the case of an individual;
 - b) five thousand (\$5,000.00) dollars in the case of a corporation;
- (2) No person, other than a police officer, special constable or person authorized by the General Manager to enforce this Bylaw, shall issue an offence notice and/or violation notice.
- (3) When a police officer, special constable or other person authorized by the General Manager to enforce this Bylaw has reason to believe that a person or vehicle has contravened Section 3 of this Bylaw, that police officer, special constable or other person authorized by the General Manager to enforce this Bylaw may issue an offence notice and/or

violation notice to such person or place the offence notice and/or violation notice on the vehicle, which offence notice and/or violation notice shall indicate that the City will accept voluntary payment in an amount described in this Bylaw.

- (4) Notwithstanding any other provision of the Bylaw, the registered owner of any vehicle shall be liable for a violation of any provision of this Bylaw, as well as the person who committed the breach, unless the registered owner proves to the satisfaction of the judge or justice of the peace trying the case that, at the time of the breach, the vehicle had been stolen from him or taken, without his consent express or implied, out of his possession or out of the possession of a person entrusted by him with its care.

6.0 **VOLUNTARY PAYMENT**

(Bylaw No. 12-2019)

- (1) Any person who has received an offence notice and/or violation notice for alleged contravention of any provision of this bylaw may make a voluntary payment of \$150.00 to City Hall between the hours of 7:45 a.m. and 4:30 p.m. (local time) except on Saturdays, Sundays, or Statutory or Civic Holiday or by depositing the payment in the night depository.
- (2) Where the City receives voluntary payment of the prescribed amount the person receiving the offence notice and/or violation notice and the owner of the vehicle shall not be liable for prosecution for the alleged contravention.
- (3) Nothing in this section shall be construed to prevent any person from exercising his right to defend a charge of contravention of this bylaw.

(Bylaw No. 12-2019)

7.0 **EFFECTIVE DATE**

This Bylaw shall come into force and have effect from and after the date of the final passing.

INTRODUCED AND READ a first time this 26th day of April, 1993.
READ a second time this 5th day of December, 1994.
READ a third time and finally passed this 5th day of December, 1994.

Including the Following Amendments:

AMENDMENTS

Bylaw No. 12 – 2019

DATE PASSED

July 29, 2019