

VILLAGE OF CARMACKS
BY-LAW NO. 307-24

A By-law to regulate and control vehicular and pedestrian traffic and use of highways within
the Village of Carmacks.

WHEREAS Section 265 of the Yukon Municipal Act, Chapter 154, Statutes of the Yukon, and amendments thereto provide that, subject to the Highways Act and the Motor Vehicles Act, a municipality may pass by-laws regulating the use, management, and control of municipal highways;

AND WHEREAS the Village of Carmacks is desirous of ensuring the safe and efficient movement of vehicular and pedestrian traffic and the protection of municipal infrastructure;

NOW THEREFORE, the Council of the Village of Carmacks, in an open meeting duly assembled, hereby enacts as follows:

PART 1.00 SHORT TITLE

1.01 This By-law may be cited as the "Traffic By-law".

PART 2.00 DEFINITIONS

2.01 In this By-law:

- (1) "Bicycle" means a device propelled solely by human power upon which a person may ride, having one or more wheels, with at least one wheel more than 40 centimeters in diameter.
- (2) "By-law Officer" means an individual appointed by Council to enforce the by-laws of the Village of Carmacks.
- (3) "Carmacks Downtown Core/Village Hub/Urban Residential" means the area within the Village of Carmacks designated for commercial activities, as defined in the Village's zoning by-law.
- (4) "Chief Administrative Officer (CAO)" means the person appointed by Council to the position of Chief Administrative Officer for the Village of Carmacks.
- (5) "Commercial Vehicle" means any motor vehicle other than a private vehicle as defined in the Motor Vehicles Act.
- (6) "Council" means the duly elected Council of the Village of Carmacks.

- (7) "Driver" or "Operator" means a person who drives or is in actual physical control of a vehicle.
- (8) "Heavy Vehicle" means any vehicle or combination of vehicles having a total of more than three axles, including the steering axle, but does not include:
 - (a) Vehicles primarily intended for the conveyance of passengers;
 - (b) Vehicles in use for the purpose of construction or repair of any public utility or infrastructure on or within the right-of-way of a highway;
 - (c) Emergency vehicles;
 - (d) Vehicles intended for the purpose of moving buildings while engaged in conveying a building for which the necessary moving permits have been issued;
 - (e) Vehicles recovering a disabled vehicle from a highway.
- (9) "Highway" means any thoroughfare, street, road, lane, alley, or other place that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
 - (a) A sidewalk, including a boulevard portion thereof;
 - (b) Where a ditch lies adjacent to and parallel with the roadway, the ditch;
 - (c) All the land within thirty (30) meters of the center line of the highway.
- (10) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, the exterior edges of the roadways of two or more highways which join one another at an angle, whether or not one highway crosses the other.
- (11) "Motor Coach/Bus" means a vehicle in excess of 11,000 kilograms and nine (9) meters in length primarily intended for the conveyance of passengers.
- (12) "Officer" means a By-law Officer of the Village, or a member of the Royal Canadian Mounted Police.
- (13) "Official" means the Chief Administrative Officer or any other person authorized by Council or the Chief Administrative Officer to act on behalf of the Village.
- (14) "Owner" means the person in whose name a motor vehicle or trailer is or is required to be registered under the Motor Vehicles Act of the Yukon Territory.

- (15) "Person" includes an individual, partnership, association, company, trustee, executor, administrator, or legal representative.
- (16) "Residential Area" means any district classed in the Village's Zoning By-law as residential or any grouping of dwellings in any area where the predominant use of buildings is for residential purposes.
- (17) "Traffic Control Device" means any sign, signal, marking, or device, including the post or standard on which it is mounted, placed, marked, or erected under the authority of this By-law for the purpose of regulating, warning, or guiding traffic.
- (18) "Vehicle" includes a motor vehicle, trailer, semi-trailer, self-propelled machine, or any device by which any person or property is or may be transported or drawn upon a highway.

PART 3.00 ROAD PROTECTION AND SAFETY COMMITTEE

3.01 There is hereby established a Road Protection and Safety Committee, consisting of:

- (1) The Mayor, or in his/her absence the Deputy Mayor,
- (2) The Chief Administrative Officer, or in his/her absence their delegate, and
- (3) The Public Works Superintendent, or in his/her absence their delegate.

3.02 All decisions of the Road Protection and Safety Committee shall be recorded in writing.

PART 4.00 PROTECTION OF HIGHWAYS

4.01 No person shall cause or allow or do any act which is likely to cause or does cause damage to or interfere with the operation of one or more of the following:

- (1) A highway
- (2) A culvert
- (3) A bridge
- (4) A traffic control device
- (5) Any public property or permitted private property situated on a highway or within a road allowance.

4.02 No person shall affix any advertising material, poster, placard, sign, or other material on any traffic control device or any part of a highway, bridge, or culvert without written

permission from the Village, and no person shall erect any device or structure that interferes with the effectiveness or visibility of a traffic control device.

4.03 No person or public utility shall cause an obstruction for the purpose of working on power, phone, or cable utilities without approval from an Official of the Village. Once approval has been obtained, the Village shall cause barriers to be erected, and the fee for this service shall be as set out in the Fees and Charges By-law.

4.04 No person shall cause or allow or do any act which is likely to cause or does cause any obstruction to be on or within one or more of the following:

- (1) A highway
- (2) A culvert
- (3) A bridge
- (4) Any public property or permitted private property situated on a highway or within a road allowance.

4.05 No person shall:

- (1) Excavate or otherwise destruct a highway, including the road allowance thereof, or
- (2) Transport material or loads of material over a highway which would be of an extraordinary use likely to imperil the highway or people living on or near the highway.

4.06 Notwithstanding Section 4.04, a person, with the written approval of an Official of the Village, may excavate or otherwise destruct a highway, including the road allowance thereof, or make extraordinary use of a highway subject to such conditions as may be imposed by the Official. If any unauthorized excavation or destruction occurs, the person responsible for the action shall repair the disturbance to the satisfaction of the Village or reimburse the Village for the cost of repair.

4.07 No person shall cause or allow to be caused by vehicular traffic any disturbance to the traveled roadway surface of paved, gravel, or dirt highways which will rut or mark the traveled roadway surface of the highway to the extent that it will create a hazard for a typical passenger car using that highway. If such a disturbance is caused, the person responsible shall repair the disturbance to the satisfaction of the Village or reimburse the Village for the cost of repair.

4.08 Where a person is using a highway to the extent that such usage creates a dust problem annoying or hazardous to people living alongside or near the highway, the Village may require the said person to provide dust suppression treatment for the highway for as long as the annoyance or hazard exists.

4.09 Where a person uses the highway to an extent which causes the need for more than routine maintenance by the Village, the Village may require the said person to be responsible for providing the additional maintenance needed.

4.10 No person shall dispose of rubbish in a public place or on a highway or within a road allowance unless the rubbish is disposed of in a container placed for the purpose of collecting rubbish.

4.11 An Officer or Official may destroy or otherwise dispose of rubbish or other matter which has been unlawfully deposited on a highway or in a public place or within a road allowance.

4.12 No person shall operate or move on a highway any vehicle, equipment, or machine not equipped with rubber tires which support the weight of the vehicle, equipment, or machine while being operated or moved on a highway without the written permission of the Village.

4.13 No person shall use any implement or machine to cultivate, mow, or in any other way disturb or cause damage to any road allowance or the shoulder of any highway without the written permission of the Village.

4.14 No person shall remove from any highway any gravel, asphalt, pavement, or other material used to surface a roadway without the written permission of the Village.

4.15 No person shall cause or do any act which causes all or parts of a load being transported along a highway to be distributed or otherwise spread onto the surface of the highway or onto the road allowance without the written permission of the Village.

4.16 No person shall deposit or dispose of rocks, earth, vegetation, petroleum products, chemicals, or other similar materials on a highway or within a road allowance without the written permission of the Village. Any person doing so without permission shall be responsible for the removal of all materials deposited and, where necessary, for the restoration of the highway or road allowance to its original or better condition.

4.17 No person shall construct an access onto a highway, nor build a pipeline or other infrastructure along or across a developed highway or undeveloped road allowance, nor use an undeveloped road allowance without the written permission of the Village.

4.18 An Officer or Official is hereby authorized to take any action deemed reasonable and necessary to prevent the continuation of any act prohibited by this By-law and may, but is not restricted to, the following:

- (1) Impound a vehicle, or a vehicle and its cargo and/or equipment, or any other machine, object, or thing used to commit an offense under this Part and to hold the same until it is, in the opinion of the Officer, rendered inoffensive.
- (2) Order the vehicle, machine, or equipment to be removed from the highway or road allowance.
- (3) Detour any vehicle and cargo or other machinery and equipment.
- (4) Order a person to cease any act which causes an offense under this Part.
- (5) Remove and dispose of any signs or other objects improperly affixed to or interfering with traffic control devices, parts of a highway, bridge, or culvert.

PART 5.00 RATES OF SPEED

5.01 For the purposes of this Part, Council hereby delegates authority for the fixing of maximum rates of vehicle speed to the Road Protection and Safety Committee, who shall from who shall annually review the rates of speed outlined: 40KM/H throughout the municipality unless otherwise posted; 25KM/H in high-density traffic areas such as the CRC/Village Hub, School Zone, and Merv Tew Park. In setting maximum rates of speed, the Road Protection and Safety Committee shall consider the policy of Council and recommendations of the Manual of Uniform Traffic Control for Canada.

5.02 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any curve in a highway where the design of the curve requires a safe traveling speed that is less than the regular maximum vehicle speed for that highway or portion of that highway. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.

5.03 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any part of the highway under construction or repair or in a state of disrepair. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.

5.04 The Road Protection and Safety Committee is hereby authorized to place such traffic control devices and signals, including but not restricted to speed limit signs and warnings

of changes in speed limits as may be necessary to inform the traveling public of the vehicle speed limits and recommended traveling speeds.

PART 6.00 WEIGHT AND DIMENSION CONTROL ON HIGHWAYS AND BRIDGES

6.01 No person without the written permission of the Village shall operate a vehicle on a highway that exceeds the maximum allowable weight, width, height, or length of the vehicle as determined in the Yukon Highways Act Regulations or the license issued for the vehicle.

6.02 The Road Protection and Safety Committee is hereby delegated the authority to:

- (1) Prohibit the use of any highway by a traction engine or public vehicle, or by a class or classes thereof, for a period or periods that the Committee determines.
- (2) Limit or restrict the speed of a traction engine or public vehicle, or of a class or classes thereof, using a highway for a period or periods that the Committee determines.
- (3) Increase, limit, or restrict the maximum gross weight that may be borne by a tire, an axle, or an axle group, or any of them, or the maximum gross weight that may be borne by a vehicle or combination of vehicles on a highway for a period or periods that the Committee determines, when the Committee is of the opinion that the prohibition, limitation, or restriction is necessary for public safety or the preservation of the highway, or that the increase is appropriate for the road conditions at the time.

6.03 All decisions of the Road Protection and Safety Committee shall be recorded in writing. Changes to standard Territorial road weights shall be advertised by posting the appropriate signage on the highway affected and by notifying the Carmacks Detachment of the RCMP and the Territorial Vehicle Enforcement Section.

6.04 The Chief Administrative Officer is authorized to approve individual overload or over-dimensional permits. Such approvals shall be at the discretion of the approving Official and shall have regard for public safety and road conditions.

PART 7.00 STOP AND YIELD

7.01 Subject to the provisions of this By-law, "stop" and "yield" regulations and prohibitions shall be in compliance with the Yukon Motor Vehicle Act.

7.02 The Road Protection and Safety Committee is hereby authorized to determine the locations at which stop signs and yield signs shall be affixed and at which operators are required to stop or yield, as the case may be. In determining these locations, the Chief

Administrative Officer shall consider public safety, the free flow of traffic, policy approved by Council, and the recommendations of the Manual of Uniform Traffic Control for Canada.

PART 8.00 PARKING AND RESTRICTED PARKING

8.01 For the purposes of this Part, Council hereby delegates to the Road Protection and Safety Committee the authority for the designation and prescribing of "no parking" or "restricted parking" zones, and to have appropriate signs erected. Without restricting the generality of the term, "restricted parking" zones could include angle parking, limited hours of parking, loading zones, and type or size of vehicle that may park. The Road Protection and Safety Committee shall maintain an inventory of the said signage in the form of a written inventory or map.

8.02 In exercising their authority under Section 8.01 above, the Road Protection and Safety Committee shall have due regard for public safety, clear and unobstructed flow of traffic, and, to the degree that it does not hinder the first two objectives, the convenience of the motoring public; as well as any policy approved by Council and the recommendations of the Manual of Uniform Traffic Control for Canada.

8.03 No person shall stop or park a vehicle upon a highway when it is practicable to stop or park the vehicle off the highway, and in no event shall a person stop or park a vehicle on a highway unless a clear and unobstructed width is left between the vehicle and the center line of the highway for the free passage of other vehicles thereon.

8.04 Where a vehicle is parked on a highway not in a developed residential, commercial, or industrial area, there must be a clear view of the parked vehicle for sixty (60) meters in either direction from the vehicle along the highway, and adequate nighttime warning of the vehicle must be placed in front and to the rear of the vehicle.

8.05 No person shall park a vehicle in contravention of a "no parking" or "restricted parking" sign erected by authority of this Part, and no person shall park in a loading zone for any other purpose than to load or unload a vehicle.

8.06 Unless required or permitted by this By-law, or by a traffic control device erected by the authority of this By-law, or by the order of an Officer, or in order to prevent a traffic accident, no person shall stop or park any vehicle:

- (1) On a sidewalk or boulevard,
- (2) In a crosswalk or on any part of a crosswalk,
- (3) Within an intersection,

- (4) At an intersection nearer than within five (5) meters of the projection of the corner property line lying at right angles to the direction of travel,
- (5) Within 1.5 meters of an access to a garage, private road, or driveway,
- (6) Within, upon, alongside, or opposite any public works excavation, obstruction, road construction, or road repair project,
- (7) On any bridge or overpass, or in any underpass, or in the approaches thereto,
- (8) Within five (5) meters of a fire hydrant,
- (9) Within six (6) meters of a stop or yield sign.

8.07 No vehicle in excess of five (5) tons gross vehicle weight may be parked on a road within a residential area of the Village. This section shall not be used to prohibit larger vehicles from parking in a residential area for the period of time in which they are engaged in delivering a service to a residence.

8.08 The parking or storing of a tanker truck with a capacity exceeding 17,000 liters and generally used for the purpose of transporting flammable liquids or gases or other dangerous goods shall be prohibited in the Carmacks Downtown Core/Village Hub/Urban Residential and in any residential area. Notwithstanding this Section, said vehicles may stop for the purpose of immediately off-loading their contents.

8.09 Where a vehicle or other object is left standing upon a highway for more than twenty-four (24) hours without moving, it may be deemed by an Officer to be parked in contravention of this By-law.

8.10 Nothing in this Part shall be construed to prohibit firefighting vehicles or equipment, police vehicles, ambulances, vehicles engaged in highway repair, maintenance and inspection, or vehicles of a public utility from parking on a highway when it is advisable to do so.

8.11 Nothing in this Part shall be construed to prohibit the driver of a school bus from parking on a highway for the purpose of loading or unloading passengers if there is insufficient space off the highway to load or unload passengers.

8.12 For the purpose of the enforcement of the parking provisions of this By-law, an Officer is authorized to place a sticker, notice, or erasable mark on the tire of any parked or stopped vehicle, and the Officer and the Village incur no liability for doing so.

8.13 An Officer may cause to be removed in any reasonable way any vehicle or object found in contravention of this Part or which otherwise is unreasonably obstructing traffic.

8.14 A vehicle or object removed by authority of Section 8.13 may be held, stored, or kept in any place deemed suitable or expedient by an Officer at the cost of the owner or person in charge of the vehicle.

PART 9.00 HEAVY VEHICLES

9.01 Except as otherwise indicated by a traffic control device or as provided for in this Part, no person shall operate, park, or stop to load or off-load a heavy vehicle upon any highway in the Carmacks Downtown Core/Village Hub/Urban Residential.

9.02 Except as provided for in this Part, no person shall operate a heavy vehicle on a highway not designated a truck route in Appendix "A" of this By-law.

9.03 Except as provided for in this Part, no person shall park a heavy vehicle upon a highway for more than two (2) consecutive hours.

9.04 For the purpose of access to and exit from a work site and for the purpose of loading or unloading furniture at a residence, a person may operate, stop, and park a heavy vehicle on any highway.

9.05 A person may operate a heavy vehicle in the Carmacks Downtown Core/Village Hub/Urban Residential Area between the hours of 6:00 AM and 11:00 AM and between the hours of 7:00 PM and 12:00 Midnight for the purpose of loading or off-loading the heavy vehicle. The Chief Administrative Officer or their delegate is hereby authorized to extend the hours of loading and off-loading for a heavy vehicle in an emergent situation.

9.06 For the purposes of Section 9.05, an emergent situation is one caused by illness of the operator; mechanical problems with the heavy vehicle; unforeseen road conditions; shortages of medical supplies, perishable foods, or fresh milk; or similar situations. Council by resolution may approve policies to regulate emergent situations.

9.07 Where an emergent situation occurs which prevents the operator of a heavy vehicle from complying with Section 9.05, the operator shall cause the situation to be reported to the Village Office on the next regular business day during regular hours. Any operator failing to report said occurrence is in contravention of this By-law.

9.08 Notwithstanding Section 9.05, a person is permitted at any time of the day to off-load fuel from a heavy vehicle to a power plant or service station within the Village, provided that the heavy vehicle shall be parked entirely on private property during the off-loading.

9.09 Where a heavy vehicle must operate on a highway not designated to be a truck route, such heavy vehicle shall proceed on the most direct and shortest route between the nearest truck route and the point of destination.

9.10 The operation of engine compression or engine exhaust brakes is prohibited in residential areas.

PART 10.00 TRACKED VEHICLES

10.01 Notwithstanding Section 4.12 above, a person may operate a tracked vehicle or equipment on any gravel or dirt road within an industrial subdivision and may load or unload tracked vehicles and equipment at or near a work site without the written permission of the Village, provided that the person shall be responsible for repairing any damage caused to the road in accordance with Section 4.06 above.

10.02 For the purpose of installing, maintaining, or altering installations in a road allowance, the Village and any public utility may operate tracked vehicles or equipment on a highway or in a road allowance, provided that the public utility has first obtained written authorization from the Village and provided that the owner shall be responsible for repairing any damage caused to the road in accordance with Section 4.06 above.

PART 11.00 MOTOR COACH/BUS OPERATIONS

11.01 Council by resolution may establish restricted areas of operation and regulations governing motor coaches and buses for the purpose of conducting tours. Within residential areas, a person may only operate a bus on bus routes designated by Council resolution and only between the hours of 8:00 AM and 9:00 PM.

11.02 A person shall not stop or park a bus on any highway in the Carmacks Downtown Core/Village Hub/Urban Residential Area for a duration of more than thirty (30) minutes, except for the purpose of loading and off-loading passengers and/or their luggage.

11.03 A person may only stop or park a bus in a residential area for the purpose of loading and off-loading passengers and/or luggage at locations designated by Council resolution.

- (1) Where a person, in order to reach a designated location in a residential area, must operate a bus on other than an approved bus route, they shall proceed on the most direct and shortest route between the nearest truck route and the designated location.

11.04 The use of down draft exhaust air conditioners and engine compression or engine exhaust brakes in residential areas is prohibited.

PART 12.00 GENERAL TRAFFIC CONTROL

12.01 The Council hereby delegates to the Chief Administrative Officer or their delegate the authority for designating and fixing "regulatory" or "warning" traffic control devices.

12.02 The Chief Administrative Officer or their delegate is hereby authorized to designate the location of, and to have erected, any other traffic control devices or signals of a "regulatory", "warning", or "advisory" nature not already authorized by this or any other By-law which might be necessary to ensure the safety of the traveling public and pedestrians and to assist with the free flow of traffic on the highways.

12.03 An inventory of all signs erected under the authority of this or other By-laws shall be kept by the Chief Administrative Officer in writing or in map form.

12.04 The Chief Administrative Officer or their delegate and an Officer are each authorized to sign, close, barricade, or otherwise prevent vehicle passage on any highway or bridge which, in their opinion, has become unsafe, and may, for the purposes of this Section, detour traffic for the distance or on any routes deemed expedient by the officials so authorized.

- (1) Devices erected for the purposes of this Section shall remain erected and in place until the Chief Administrative Officer or their delegate or an Officer is satisfied the highway or bridge is no longer unsafe.

12.05 Notwithstanding anything in this By-law, an Officer may direct traffic according to their discretion where they reasonably consider it necessary to do so in order to:

- (1) Ensure orderly movement of traffic,
- (2) Prevent injury or damage to persons or property,
- (3) Permit proper action in an emergency.

12.06 No operator of a vehicle shall make a U-turn in the Carmacks Downtown Core/Village Hub/Urban Residential Area unless signs have been erected permitting the making of a U-turn.

12.07 Vehicle operators are required to obey all regulatory signs erected under the authority of this By-law and to obey all directions from Officers issued in accordance with this By-law.

12.08 Where written permission of the Village is required or provided for under this By-law, it may be in the form of a letter, agreement, or standardized form signed by an Official of the Village.

PART 13.00 SNOW REMOVAL

13.01 No person shall park or allow a vehicle to remain parked on any highway or portion of a highway in a manner that interferes with snow removal operations.

13.02 The Village may post temporary "No Parking" signs on highways scheduled for snow removal, and it is an offense to park in areas where such signs are posted.

13.03 Any vehicle found parked in contravention of Section 13.02 may be towed at the owner's expense.

13.04 Residents are responsible for clearing snow from sidewalks adjacent to their property within 24 hours after a snowfall.

13.05 No person shall deposit snow or ice from private property onto a highway or sidewalk.

PART 14.00 ADMINISTRATION

14.01 The Chief Administrative Officer is hereby authorized to design and approve all forms, agreements, and permits necessary for the administration of this By-law.

14.02 A person who obtains written approval from the Village for activities on highways or within road allowances in accordance with this By-law but who fails to comply with the conditions of those approvals is guilty of an offense.

14.03 Failure to comply with the conditions of a permit or agreement issued in accordance with this By-law renders the permit or agreement invalid, and any procedure or prosecution subsequent to the violation of a condition of a permit or agreement will proceed as though the permit or agreement did not exist.

14.04 Nothing in this By-law shall obligate municipal officials to issue any permit or agreement, or give approval to any activity.

PART 15.00 PROCEDURE AND PROSECUTION

15.01 For the purpose of procedure and prosecution under this By-law, the Council adopts the provisions of Part CCVII of the Criminal Code of Canada respecting summary conviction; the Canada Interpretation Act; and the Summary Convictions Act, Interpretation Act, Municipal Act, Highways Act, Motor Transport Act, and the Motor Vehicles Act of the Revised Statutes of the Yukon Territory and amendments thereto.

15.02 The conviction of a person under the provisions of this By-law does not operate as a bar to further prosecution for the continued neglect or failure on the part of the person to comply with the provisions of this By-law, or conditions, orders, or permits issued in accordance with this By-law.

15.03 In a prosecution for contravening this By-law, the existence of a traffic control device or signal is prima facie proof that the device was properly designated and erected by the proper authority without other or further proof.

15.04 A certificate or document purporting to be signed by the Chief Administrative Officer stipulating any particular relative to this By-law shall be admitted in evidence as prima facie proof of the facts stated in the certificate or document, without proof of the facts stated in the certificate or document, without proof of the signature or authority of the persons signing the certificate.

15.05 The owner of a vehicle is liable for any contravention of this By-law, regulations, or schedules in connection with the vehicle unless the owner proves to the satisfaction of the Judge trying the case that at the time of the offense, the vehicle was not being operated by them or by any other person having their consent, express or implied.

15.06 Where a person violates or contravenes any provisions of this By-law respecting the transportation of cargo or a piece of equipment or machinery, the shipper and the carrier shall be jointly and severally responsible for the violation or contravention unless the shipper or the carrier, as the case may be, produces evidence to show that they did not violate or contravene the provision.

15.07 While enforcing the provisions of this By-law, an Officer may do any reasonable thing relevant to stopping vehicles and determining the identity of drivers, offenders, or suspects, including contravening provisions of this By-law, providing such contravention is carried out in a manner which has concern for the safety of the general public.

15.08 Unless prohibited by territorial statute, an Officer may use any insignia, device, or piece of equipment that is reasonably necessary for carrying out duties imposed by this By-law.

15.09 All schedules, regulations, and acts of an Official of the Village or of the Road Protection Committee established under the authority of this By-law shall be deemed to have been made by By-law; and all such schedules, regulations, and acts shall be construed as part of this By-law.

15.10 For the intent and purpose of this By-law respecting the duties and powers of any Official and the Road Protection Committee, it shall be deemed sufficient for those officials to amend or rescind any schedule, regulation, or order and to record such action in writing, verified by the signature of the Official or one member of the Road Protection Committee, where appropriate, and the date of the action.

15.11 It shall be sufficient for the purpose of this By-law if signs required by this By-law are posted in the following forms and terms:

- (1) The speed limitations imposed by Part 5.00 "Rates of Speed" shall be expressed on signage in block numerals and may be preceded by "max" or "maximum" or "maximum speed" and may be followed by the terms "kmph" or "km/h". Speed signs featuring other alpha-numeric combinations that are in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.
- (2) New stop signs shall be comprised of the word "STOP" in white lettering on a red octagonal or red circular background. Stop signs that are in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.
- (3) New yield signs shall be comprised of the word "YIELD" in a contrasting color on a yellow triangular background, or a red triangle on a white background with or without the word "YIELD" in contrasting color. Yield signs that are in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.
- (4) Parking signs and all other traffic control devices shall have contrasting colors of printing and background and shall use wording and/or symbols that clearly convey the intent of the restriction or warning. Parking signs and all other traffic control devices in place at the time this By-law comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the Village.

PART 16.00 PENALTIES

16.01 Any person who contravenes the provisions of Part 5.00 "Rates of Speed" is guilty of an offense punishable on summary conviction and is subject to the penalties for speeds as set out in Schedule "A" of this By-law.

16.02 Any person who contravenes the weight provisions of Part 6.00 "Weight Control on Highways and Bridges" as per the Motor Vehicle Act is guilty of an offense punishable in accordance with the overweight charges established in the Motor Transport Act of the Yukon Territory.

16.03 Any person who contravenes any other provisions as set out in Schedule "A" is guilty of an offense punishable on summary conviction and is liable to a penalty as set out in Schedule "A".

16.04 Any person who contravenes any provisions of this By-law for which a penalty has not otherwise been provided is guilty of an offense punishable on summary conviction and is liable to a fine of not less than twenty-five dollars (\$25.00) and not more than two thousand five hundred dollars (\$2,500.00), and in default of payment is liable to imprisonment for a term not exceeding six (6) months, or to imprisonment for a term not exceeding six (6) months without the option of a fine, or to both a fine and imprisonment.

16.05 A person served with notice of an offense of this By-law may pay to the Village the specified penalty, out of court, and in lieu of appearing in answer to a charge or information.

- (1) The voluntary payment option shall be valid for no more than ten (10) days following the issue of the notice. Thereafter, if the person does not pay the penalty, they may be summoned to appear before a Judge in answer to a charge or information.

16.06 Notwithstanding Section 16.05, an Officer may:

- (1) Issue to a person charged with an offense a summons forming part of a "Violation Ticket" according to the Summary Convictions Act, Violation Ticket Regulation, and indicate thereon the specified penalty applicable to the offense as prescribed in Schedule "A".
- (2) Issue to a person charged with an offense, a Criminal Code Form 6 Summons requiring a person to appear before a Judge of the Territorial Court of the Yukon in answer to a charge or information.

16.07 Service of notice of an offense referred to in Section 16.05 and 16.06 above shall be sufficient if it is:

- (1) Personally served, or
- (2) Attached to or left in or on the vehicle in respect of which an offense is alleged to have been committed, and/or
- (3) Mailed to the address of the registered owner of the vehicle or person in possession of the vehicle.

16.08 Any fine or penalty imposed under this By-law shall inure to the benefit of the Village.

16.09 Schedules "A" and "B" of this By-law may be amended from time to time by resolution of Council.

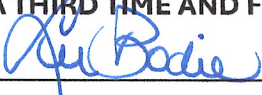
PART 17.00 EFFECTIVE DATE

17.01 This By-law shall come into full force and effect on the final passing thereof.

READ A FIRST TIME this 17th day of September 2024.

READ A SECOND TIME this 17th day of September 2024.

READ A THIRD TIME AND FINALLY PASSED this 3rd day of October 2024.



Mayor – Lee Bodie



CAO – Matthew Cybulski



SCHEDULE "A"

Penalties for Offenses

1. **Damage or obstruction of a highway, culvert, or bridge**
 - \$500.00
2. **Affixing unauthorized material to traffic control devices**
 - \$200.00
3. **Excavating a highway without permission**
 - \$1,000.00
4. **Causing a disturbance to the traveled roadway surface**
 - \$500.00
5. **Improper parking in a restricted zone**
 - \$50.00
6. **Improperly Secured Load**
 - \$50.00
7. **Unauthorized use of heavy vehicle on non-designated routes**
 - \$250.00
8. **Parking in a snow removal zone**
 - \$100.00

9. Depositing snow/rocks/debris on a highway or roadway

- \$150.00

10. Overweight vehicles

- As per Motor Transport Act of the Yukon Territory

11. Fail to obey a miscellaneous traffic control device

- \$100