

# A BYLAW TO AMEND BYLAW # 2020-04 TRAFFIC BYLAW



## Town of Blaine Lake Bylaw No. 05/2024

### A BYLAW TO AMEND BYLAW # 2020-04 TRAFFIC BYLAW

The Council of the Town of Blaine Lake, in the Province of Saskatchewan, enacts as follows:

1. That Section 42 shall be amended to read as follows:

#### 42. Seizure, Removal, and Impounding of Vehicles

1) In addition to and notwithstanding any provision within Part IX hereof, any person appointed as a designated officer pursuant to this bylaw may remove or cause to be removed any vehicle that:

- a) Is unlawfully placed, left or kept on any street, public parking place, or other public place;
- b) Is unlawfully parked pursuant to Section 19(6) when requested by the owner, occupant, licensee, or permit holder of said land; or
- c) Is found on a street, public parking place, other public place, or municipality-owned property when:
  - i. The owner of the vehicle owes three (3) or more outstanding fines to the municipality for parking offences;
  - ii. The appeal period against the imposition and amount of said fines has expired.
  - iii. At least two (2) notices that the fines are outstanding were sent to the owner at least one (1) week apart; and
  - iv. A justice, having been satisfied by evidence provided by way of oath, affidavit or statutory declaration of the existence of the facts mentioned above in Subsection I a) to c) iii has issued an order authorizing the removal and impoundment and seize, impound or store such vehicle.

2) The municipality, or any person acting at the direction of a designated officer, may retain a vehicle which has been impounded or stored after it has been removed under subsection until the amount of outstanding fines, if any, and the costs incurred in removing and impounding or storing the vehicle (such costs being those established pursuant to *The Vehicle Impoundment (General) Regulations, 2014*, as amended or replaced) have been paid, and upon payment of said outstanding fines and cost the vehicle shall be released to the owner- in accordance with such administrative procedures as may be determined by Council or by the Chief Administrative Officer of the Municipality

3) If the fines and costs described in subsection 2) have not been paid within a period of thirty (30) days, the municipality shall have the right to recover same from the owner of the vehicle by:

- a) Legal action in court of competent jurisdiction;
  - b) Sale through public auction; or
  - c) Sale of the vehicle
- 4) Prior to the sale of a vehicle which has been impounded or stored under this section, the municipality shall provide notice designating the time and place of the sale at least fourteen (14) days prior to the sale by:
- a) Publishing a notice on the website maintained by the Municipality;
  - b) Sending a copy of said notice by regular mail to the owner at the address last appearing on the vehicle registration; and
  - c) By any other means which council may direct.
- 5) The proceeds from such sale shall be applied firstly on the fines and costs described in subsection (2) and the balance remaining, if any, shall be paid to the owner.
- 6) If the proceeds from such sale are insufficient to satisfy the fines and costs described in subsection 2) the amount of the shortfall shall be a debt due and owing from the owner and enforceable by the municipality in any manner allowed by law.

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Bev Breland, Deputy-Mayor

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James Puffalt, CAO

Introduced and Read a first time this 19<sup>th</sup> day of August, 2024  
Read a second time this 19<sup>th</sup> day of August, 2024  
Read a third time and adopted this 19<sup>th</sup> day of August, 2024