

## BYLAW NO. 1615

A BYLAW OF THE CITY OF NORTH BATTLEFORD TO DESIGNATE ROUTES FOR AND REGULATE THE TRANSPORTATION OF DANGEROUS GOODS WITHIN THE CITY OF NORTH BATTLEFORD.

WHEREAS pursuant to Sections 158, 159 and 160 of *The Urban Municipality Act*, 1984, a Council may, by bylaw, provide for the control of traffic within the municipality; and

WHEREAS it is deemed expedient to control the transportation of dangerous goods in or through the City of North Battleford;

NOW THEREFORE THE COUNCIL OF THE CITY OF NORTH BATTLEFORD IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. This bylaw may be cited as the “Transportation of Dangerous Goods Bylaw.”
2. In this bylaw, definitions adopted and included in the Provincial and/or Federal Transportation of Dangerous Goods Act and Regulations, as amended from time to time, shall, where applicable, be deemed to be part of this bylaw.
3. Notwithstanding Section 2, the following definitions shall apply:
  - a) “Carrier” shall mean any person conveying dangerous goods in, into, through, or out of the City by any vehicle that requires placarding within the Act and Regulations.
  - b) “City” shall mean the City of North Battleford.
  - c) “Consumer Commodity” in respect of transportation by any means of transport, means dangerous goods that are packaged and distributed in a quantity and concentration intended or suitable for sale through retail sales agencies for consumption by individuals for the purposes of personal care or household use and includes control products referred to in the *Pest Control Products Regulation Act* and drugs referred to in the *Food and Drugs Act* but does not include:
    - i) a wet, acid-filled or alkali-filled electric storage battery;
    - ii) acid or alkali battery fluid;

- iii) a nitrocellulose-based product other than a cosmetic;
  - iv) a phyophoric liquid, solid, metal or alloy;
  - v) engine starting fluid containing a flammable gas;
  - vi) fire extinguishers.
- d) “Dangerous Goods” shall be the term used to define any product for which placards are required pursuant to federal and provincial statutes and regulations;
- e) “Dangerous Goods Route” shall mean a highway or street listed herein and designated in Schedule “A”, attached to and forming a part of this bylaw, and shall be identified by the accepted standard “Dangerous Goods Route” signing:
- i) Highway #16 from south end of Battlefords Bridge to eastern limits of the City;
  - ii) Highway #40 from south end of Battlefords Bridge to eastern limits of the City;
  - iii) Highway #4 from south end of Battlefords Bridge to intersection of Highway #4 with South Railway Avenue and Territorial Drive West and from intersection of Territorial Drive with Highway #4 North to northern limits of the City;
  - iv) Territorial Drive West from intersection of Highway #4 South and South Railway Avenue to intersection of Territorial Drive and Highway #4 North; and
  - v) Territorial Drive East from intersection of Railway Avenue East and Territorial Drive to intersection of Territorial Drive and Highway #4 North.
- f) “Fire Chief” shall mean the Fire Chief of the North Battleford Fire Department, a Deputy Fire Chief, or a member designate of the North Battleford Fire Department.
- g) “Peace Officer” shall mean a member of the Royal Canadian Mounted Police, a City Bylaw Enforcement officer, or Highway Traffic Officer pursuant to the provisions of *The Saskatchewan Police Act*.

- h) "Permit" shall mean written or verbal permission allowing a person to deviate off the designated Dangerous Goods Route for the sole purpose of transporting dangerous goods into the central business district or residential areas. A copy of the Permit, which is identified as Schedule "B", shall be attached to and form part of this bylaw.
  - i) "Vehicle Parking Location" shall mean an area recognized as a property located on the Dangerous Goods Route at which the carrier may stop for the purpose of attending to personal amenities. No carrier shall stop at a Vehicle Parking Location for a period longer than three (3) hours. Transport carriers shall not be left unattached from the power unit/highway tractor in a Vehicle Parking Location except in the case of emergency vehicle repair.
  - j) "Vehicle Storage Locations"
    - i) shall mean an enclosed or fenced area that will prevent theft or damage to any vehicle stored therein, and which is located at least one hundred (100) meters away from the nearest place of assembly, occupancy, institutional occupancy or residential occupancy as defined in the current edition of the National Building Code of Canada;
    - ii) may mean a location in existence at the time of the passing of this bylaw, approved by the Fire Chief, notwithstanding the fact the owner may not be able to comply to all restrictions of this bylaw.
4. Notwithstanding the provisions of this bylaw, dangerous goods transported in a vehicle for which a placard is not required to be displayed on the vehicle are exempt, as per Dangerous Goods Transportation Regulations.
5. Pursuant to Section 4 of this bylaw, the transport of exempted quantities shall be in approved containers which are adequately secured to the carrier vehicle.
6. No person shall transport within the corporate limits of the City any dangerous goods in or on any vehicle other than on the designated Dangerous Goods Route unless said person is:
- a) delivering or picking up dangerous goods to or from a location within the City by the most direct route off of or to the Dangerous Goods Route;
  - b) proceeding to or from a Vehicle Storage Location by the most direct route off of or to the Dangerous Goods Route;
  - c) proceeding to or from a location to obtain a Permit; or

- d) proceeding to or from the nearest service station, garage or repair depot where necessary emergency repairs or service for the carrier may be obtained.
7. Notwithstanding Section 6 of this bylaw, where a person is required to transport dangerous goods deviating from the Dangerous Goods Route, a Permit authorizing such deviation may be issued by the Fire Chief. Such Permit may be obtained by writing:

Office of the Fire Chief  
Box 460  
NORTH BATTLEFORD, SASK  
S9A 2Y6

or by telephoning 445-1770.

8. No person transporting dangerous goods shall stop within the City except:
- a) at a Vehicle Parking Location;
  - b) at a Vehicle Storage Location;
  - c) to load or unload;
  - d) in compliance with the demands of a Peace Officer or a traffic control device;
  - e) to repair or refuel the vehicle; or
  - f) in compliance with a valid Permit.
9. A shipping document or safety mark appearing on any container, packaging or means of transport is prima facie evidence of the contents of that container, packaging, or means of transport.
10. Anyone transporting dangerous goods in a manner which contravenes the provisions of this bylaw is guilty of an offence and shall be liable on summary conviction as follows:
- a) in the case of an individual, to a fine of not more than two thousand (2,000) dollars; and
  - b) in the case of a corporation, to a fine of not more than five thousand (5,000) dollars.

11. A Notice of Violation, in the form of sworn information, may be issued by a Peace Officer to any person alleged to have breached any provision of this bylaw. Said Notice of Violation shall be deemed to be sufficiently served if:
  - a) served personally on the accused;
  - b) mailed to the address of the registered owner of the vehicle concerned or to the person concerned; or
  - c) attached to or left upon the vehicle in respect of which the alleged offence has occurred.
12. Highway signage pursuant to the provisions of this bylaw shall include the following:

“Direct Route Information – Phone 445-1770”
13. This bylaw shall come into force and take effect upon receiving the approval of the Highway Traffic Board pursuant to *The Urban Municipality Act, 1984*.
14. That Bylaw No. 1559 be and is hereby rescinded.

Wayne Ray  
MAYOR

Doug McEwen  
CITY CLERK

Read a third time and adopted  
this 4<sup>th</sup> day of May A.D., 1998.

Permit No. \_\_\_\_\_

**SPECIAL PERMIT FOR THE TRANSPORTATION OF DANGEROUS GOODS**

(pursuant to Section 3h) of Bylaw No. 1615)

Permission is hereby granted to: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

From: \_\_\_\_\_

To: \_\_\_\_\_

Via: \_\_\_\_\_  
\_\_\_\_\_

Permit Valid From (Date/Time) \_\_\_\_\_

To (Date/Time) \_\_\_\_\_

Description of Vehicle: \_\_\_\_\_

Vehicle Licence No.: \_\_\_\_\_

**CONDITIONS:**

1. This Permit or a copy must be carried in the vehicle or vehicles affected.
2. The applicant shall keep the City of North Battleford fully indemnified from any loss or damage that may arise from the transportation of the said dangerous goods.
3. The applicant shall take every precaution necessary to prevent damage to property or injury to person or persons as a result of the transportation of the said dangerous goods.
4. Failure to comply with the conditions of this permit may result in prosecution.

ADDITIONAL CONDITIONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date & Time Issued

\_\_\_\_\_  
Fire Department Official

\_\_\_\_\_  
Operator's Licence #