

## Abandoned Vehicles

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Village of Debden

BYLAW NO 9 2013

### A BYLAW TO PROVIDE FOR THE REMOVAL AND DISPOSAL OF ABANDONED VEHICLES

The Council of the Village of Debden in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be referred to as the Abandoned Vehicles Bylaw.
2. In this bylaw:
  - a) "Administrator" shall mean the administrator of the municipality;
  - b) "Council" shall mean the council of the municipality;
  - c) "Municipality" shall mean the [full name of municipality];
  - d) "Vehicle" shall mean a vehicle as described in *The Traffic Safety Act*;
3. The council of the municipality may declare a vehicle to be an abandoned vehicle if:
  - a) the vehicle has been left or placed on a street, public place or land or building owned or controlled by the municipality for 15 days or more; and
  - b) after reasonable inquiry, the owner of the vehicle cannot be ascertained.
4. Upon declaration that a vehicle is an abandoned vehicle, the council may order:
  - a) that the said abandoned vehicle removed to a place which shall be determined by the council; and
  - b) that the said abandoned vehicle shall, subject to Sections 6, 7 and 8 of this bylaw, be:
    - i) sold;
    - ii) destroyed; or
    - iii) otherwise disposed of as the council may decide.
5. If, pursuant to Section 4 of this bylaw, the council decides to sell, destroy or otherwise dispose of an abandoned vehicle, it shall undertake reasonable efforts to determine if a security interest is registered against the vehicle.

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6. The council shall provide notice to the holder of a security interest by registered mail of the fact that the vehicle is abandoned and:
  - a) after the expiration of 30 days, the municipality intends to sell the abandoned vehicle; or
  - b) after the expiration of 15<sup>1</sup> days, the municipality intends to destroy or otherwise dispose of the abandoned vehicle.
  
7. The holder of the security interest in an abandoned vehicle may, within the time described above, redeem the vehicle by reimbursing the municipality for the costs incurred to:
  - a) remove and impound the vehicle;
  - b) discover the security interest; and
  - c) notify the holder of the security interest.
  
8. The municipality shall publish a notice in a newspaper circulating in the municipality describing the abandoned vehicle and council's decision with respect to the sale, destruction, or other disposal of the vehicle at least 15 days before the sale, destruction or other disposal of the vehicle if:
  - a) the municipality determines that no security interest is registered against the abandoned vehicle; or
  - b) the holder of a security interest in the abandoned vehicle does not redeem the vehicle as provided within Section 7 of this bylaw.
  
9. When an abandoned vehicle is sold pursuant to this bylaw, the proceeds of the sale are to be applied against the costs incurred pursuant to this bylaw and any balance remaining forms part of the general funds of the municipality, subject to any lawful claim.
  
10. This Bylaw comes into force on the day of its final passing.



Read a third time and adopted  
 this 25 day of Sept, 2013

\_\_\_\_\_  
 Administrator

\_\_\_\_\_  
 Mayor / Reeve

\_\_\_\_\_  
 Administrator

Clauses 8(1)(b), (c), (d) and (g) *The Municipalities Act*

**APPENDIX 7**  
of Bylaw No. 8 2013

**PERMIT FOR OPERATION OF LUG VEHICLE [section 3(e)(ii)]**

**NAME:**

**ADDRESS:**

**TYPE OF VEHICLE:**

**ROUTE:**

**DEPOSIT:**

**I declare that:**

(1) I will use reasonable care in propelling, operating or driving such lug vehicles over the highway to prevent any damage resulting to the highway.

(2) I will, when operating such lug vehicle over any bridge or culvert on any highway or on any specified bridge or culvert thereon, first lay down on such bridge or culvert planks or timbers of not less than 5 cm in thickness and should extend a minimum of 300 mm wider on each side than the maximum outside width of the lugs; such planks or timbers to be laid lengthwise across the bridge or culvert in the direction in which the lug vehicle is proceeding in such a manner that they will support the wheels or tread of the lug vehicle on both sides thereof throughout its entire passage over such bridge or culvert.

(3) I will pay for all damages caused to such highway or to any bridge or culvert thereon as a result of propelling, operating or driving such lug vehicle thereon.

(4) I understand that lug vehicles are not allowed to travel on or across provincial highways unless a written permit is obtained from the Department of Highways and Transportation.

(5) I understand that all municipal bridges have secondary weight limitations unless posted otherwise and I will ensure that I comply with any and all weight restrictions.

\_\_\_\_\_  
Owner/Operator

