



District of West Vancouver

Traffic and Parking Bylaw No. 4370, 2004

Effective Date – April 26, 2004

Consolidated for Convenience Only

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw	Effective Date
Bylaw No. 4702, 2011	November 28, 2011
Bylaw No. 4682, 2011	May 19, 2011
Bylaw No. 4618, 2009	November 16, 2009
Bylaw No. 4535, 2008	February 18, 2008
Bylaw No. 4516, 2007	June 18, 2007
Bylaw No. 4460, 2006	March 6, 2006
Bylaw No. 4445, 2005	July 28, 2005

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Traffic and Parking Bylaw No. 4370, 2004). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Traffic and Parking Bylaw No. 4370, 2004

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District of West Vancouver

Traffic and Parking Bylaw No. 4370, 2004

A bylaw to regulate traffic and parking on highways
within the District of West Vancouver.

Previous amendments: *Amendment Bylaws 4445, 4460, 4516, 4535, 4618, 4682, and 4702.*

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for the regulation of traffic and parking on highways within the District of West Vancouver,

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited for all purposes as "Traffic and Parking Bylaw No. 4370, 2004".

Part 2 Severability

- 2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Previous Bylaw Repeal

- 3.1 Traffic Bylaw, No. 2832 (1979) (adopted on July 16, 1979), and following amendments are repealed:

<u>Amendment Bylaw</u>	<u>Effective Date</u>
Bylaw No. 4340	July 14, 2003
Bylaw No. 4257	May 28, 2001
Bylaw No. 4229	July 26 2000
Bylaw No. 4224	July 24 2000
Bylaw No. 4219	June 05, 2000
Bylaw No. 4203	March 20, 2000
Bylaw No. 4191	October 18, 1999
Bylaw No. 4147	March 22, 1999
Bylaw No. 4115	June 10, 1998
Bylaw No. 4094	March 16, 1998
Bylaw No. 4064	July 14, 1997
Bylaw No. 3979	February 12, 1996
Bylaw No. 3927	February 06, 1995
Bylaw No. 3926	March 27 1995
Bylaw No. 3899	September 12, 1994
Bylaw No. 3892	July 11, 1994
Bylaw No. 3852	January 10, 1994
Bylaw No. 3844	October 18, 1993
Bylaw No. 3805	May 17, 1993
Bylaw No. 3782	December 16, 1992
Bylaw No. 3769	October 26, 1992
Bylaw No. 3663	April 15, 1991
Bylaw No. 3619	October 29, 1990
Bylaw No. 3512	February 04 1991
Bylaw No. 3477	January 23, 1989
Bylaw No. 3225	July 08, 1985
Bylaw No. 3202	March 25, 1985
Bylaw No. 3132	February 20, 1984
Bylaw No. 3118	October 22, 1984
Bylaw No. 3075	January 17, 1983
Bylaw No. 2901	June 23, 1980

- 3.2 Commercial Vehicles Licensing Bylaw No. 3407, 1987 (adopted on December 16, 1987) is repealed.

Part 4 Interpretation

- 4.1 Words in this Bylaw have the same meaning as words defined in the *Motor Vehicle Act*, R.S.B.C., 1996, or regulations under that Act, unless otherwise defined in this Bylaw.

Part 5 Definitions

- 5.1 In this Bylaw:

“**Act**” means the Local Government Act, R.S.B.C. 1996, c.323;

“**Chief Constable**” means the Chief Constable of the West Vancouver Police Department or such person as may be duly authorized from time to time by the Chief Constable;

“**commercial vehicle**” means a vehicle, which is licenced as a commercial vehicle under the *Commercial Transport Act*;

“**Council**” means the Council of The Corporation of the District of West Vancouver;

“**decal**” means a validation decal affixed to the vehicle in the prescribed form;

“**District**” means The Corporation of the District of West Vancouver;

“**Enforcement Officer**” means:

- (a) every person designated by Council by name of office or otherwise as an Enforcement Officer for the purposes of administering and enforcing this Bylaw;
- (b) a peace officer, including every officer of the West Vancouver Police Department;
- (c) every bylaw Enforcement Officer of the District appointed under the *Police Act*;
- (d) every officer and employee of West Vancouver Fire and Rescue who attends to a fire or emergency while acting in the scope of their authority.

“Engineer” means the District’s Director of Engineering and Transportation or such person as may be designated by Council to act in the place of the Director by name of office or otherwise;

Bylaw No.
4445, 2005

“heavy vehicle” means a truck, trailer or truck-trailer combination having a licensed gross vehicle weight in excess of 10,000 kilograms except for trucks, trailers and truck-trailer combinations owned or leased by the District, emergency vehicles or garbage or recycling trucks providing contractual services to the District;

“highway” means the area of every public right-of-way lying between two property lines, title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles or persons;

“lane” means that portion of a highway not greater than 10 metres in width that is improved, designed, or ordinarily used for access by vehicular traffic to the rear or side of a parcel;

“Licence Inspector” means the person(s) from time to time duly appointed as Licence Inspector for the municipality and also any person lawfully acting in that capacity;

Bylaw No.
4535, 2008

“licenced gross vehicle weight” means the gross vehicle weight for which a vehicle is licensed;

“Manager” means the person appointed by Council as Municipal Manager of the District;

Bylaw No.
4618, 2009

“neighbourhood zero emission vehicle” means a vehicle that travels on four wheels and is powered by an electric motor that is designed to allow the vehicle to attain a speed of 33 kilometres per hour but not more than 40 kilometres per hour in a distance of 1.6 kilometres on a paved level surface, and

- (a) meets or exceeds standards of the *Motor Vehicle Safety Act* (Canada) for a low-speed vehicle and bears a compliance label for a low-speed vehicle in accordance with that *Act*; or
- (b) if imported to Canada, has been imported as an admissible low-speed vehicle in accordance with the *Motor Vehicle Safety Act* (Canada) requirements; and
 - (1) bears a compliance label for a low-speed vehicle in accordance with that *Act*; or

- (2) meets applicable federal United States laws in accordance with the *Motor Vehicle Safety Act* (Canada).

“**owner**” with respect to a vehicle or trailer, has the same meaning given in the *Motor Vehicle Act* and with respect to real property, has the meaning given to it in the *Community Charter*;

“**parking stall**” means a portion of the roadway indicated by a traffic control device as a parking place for one vehicle;

Bylaw No.
4682, 2011

“**permit**” means a document in writing issued under the provisions of this Bylaw in the form specified in section 6.6 of this Bylaw and includes a licence of occupation;

“**procession**” means any procession or group of more than 15 pedestrians or of more than five vehicles standing or moving on a highway, including parades, street festivals and movie filming but excludes a funeral procession or a Canadian Armed Forces Parade;

“**property line**” means the legal property line separating a parcel and the adjacent highway;

Bylaw No.
4682, 2011

“**public place**” means any real property, building or structure within the District that is owned, leased, licensed, held, operated, administered or otherwise controlled by the District for public use or access, and includes, without limitation, any land leased to the District (including foreshore and land covered by water);

“**recreational vehicle**” means a motor vehicle or a trailer that is designed or used primarily for accommodation and includes a travel trailer, tent trailer, camper, camper van and motor home;

“**registration card**” means the motor vehicle licence for the motor vehicle issued pursuant to the *Motor Vehicle Act*;

“**roadway**” means that portion of a highway that is improved, designed, or ordinarily used for the passage of vehicular traffic;

“**sidewalk**” means that portion of a highway that is improved for exclusive passage by pedestrians;

“**sidewalk crossing**” means that portion of a sidewalk that is improved for passage by vehicular traffic;

Bylaw No.
4535, 2008

“**traffic control person**” means a person certified by the Province of British Columbia to direct traffic as per the Ministry of Transportation

Traffic Control Manual for Work on Highways;

“**traffic control device**” means a sign, signal, line, meter, marking, space, barrier or device, not inconsistent with the *Motor Vehicle Act*, placed or erected by or under the authority of the District;

“**trailer**” means a vehicle without motive power designed to be drawn by or used in conjunction with a motor vehicle, and includes a semi-trailer as defined in the *Commercial Transport Act*;

Bylaw No.
4682, 2011

“**vessel**” means any boat, houseboat, float home, ship, dinghy, barge, kayak, canoe or other means of floatation or water transportation, whether motorized or not.

Part 6 Traffic Control

6.1 Existing Traffic Control Devices

6.1.1 Every traffic control device placed or erected by the District prior to adoption of this Bylaw is authorized.

6.2 Compliance with Traffic Control Devices

6.2.1 Every person must comply with the directions, regulations or prohibitions of every traffic control device placed or erected under this Bylaw, except as otherwise directed by an Enforcement Officer or as authorized or required under this Bylaw.

6.3 Delegation of Authority

6.3.1 The Engineer is authorized to make orders in respect of the following matters, and by those orders to exercise the powers of the District under this Bylaw, subject to the terms and conditions prescribed in this Bylaw:

- (a) the placing or erection of traffic control devices to give effect to this Bylaw or a bylaw adopted under this section;
- (b) the regulation, control or prohibition of pedestrian traffic, ridden or herded animals, vehicular traffic and traffic by other conveyances, either singly or together, on sidewalks, walkways or boulevards, or in or on lanes or ways separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lanes or ways, and at intersections of the lanes or

- ways with each other or with highways;
- (c) the regulation, control or prohibition of the stopping, standing or parking of vehicles in the Municipality;
 - (d) in accordance with any regulation made under section 209(2)(h) of the *Motor Vehicle Act*, for parking zones for persons with disabilities, on highways that are not arterial highways, including providing for a system of permits for those parking zones;
 - (e) the setting apart and allotting of portions of highways adjacent to federal, provincial or municipal public buildings for the exclusive use of officials and officers engaged in them for the parking of vehicles, and the regulation of that parking;
 - (f) the erection, maintenance and operation on a highway or portion of it of automatic or other mechanical meters, for the purpose of allotting and controlling parking spaces for vehicles, and measuring and recording the duration of parking, and requiring the driver of every vehicle parked in a parking space to deposit in the appropriate meter a fee for parking in the manner and at the rate prescribed and as measured by the meter;
 - (g) the removal, detention or impounding of vehicles unlawfully occupying a portion of a highway or public place, and a scale of fees, costs and expenses for that purpose;
 - (h) the recovery of the fees, costs and expenses from the owner or by sale of the vehicle referred to in subsection 6.3.1(g) at public auction or by action in a court of competent jurisdiction;
 - (i) the establishment and use of loading, commercial and passenger zones in the municipality and their designation;
 - (j) in respect of a highway in the municipality, except an arterial highway, the regulation of the width, length and height of vehicles and the width, length, height, fastenings and distribution of loads on vehicles driven or operated on them;
 - (k) that on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices must be erected or placed indicating

- that people or equipment are working on the highway;
- (l) that on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices must be erected or placed to regulate or prohibit traffic in the vicinity of the work;
 - (m) the regulation, control and prohibition of erection or maintenance, or both, of signs, advertisements or guide posts on or over highways other than arterial highways in the municipality, and their alteration, repainting, tearing down or removal without compensation to any person for the loss or damage that results;
 - (n) the regulation or prohibition of pedestrian traffic on highways other than at crosswalks;
 - (o) the prohibition of pedestrian traffic in an unmarked crosswalk designated by a traffic control device;
 - (p) the establishment of school crossings in the municipality and the regulation and control of pedestrian and vehicular traffic with respect to them;
 - (q) the regulation of traffic passing by or in the vicinity of schools through the use of traffic patrols, and for that purpose vesting in the school children or other persons employed in traffic patrols power to require vehicles to stop at school crossings or other designated places on a highway;
 - (r) the establishment and use of taxi stands in the municipality and their designation;
 - (s) the regulation and control of processions on highways in the municipality;
 - (t) the regulation and control of persons using roller skates, sleighs, skates, skis or other similar means of conveyance on highways in the municipality and the closing of a highway or highways or part of them to permit the use of roller skates, sleighs, skates, skis or other similar means of conveyance;
 - (u) the enforcement of bylaws adopted under this section by fine or imprisonment, or both, and imposing fines, penalties and costs;

- (v) the use, in places, under conditions and in circumstances specified by the bylaw, of sidewalks and crosswalks by persons riding cycles;
 - (w) that a person operating or riding as a passenger on a cycle on a path or way designated under subsection 6.3.1(v) must properly wear a bicycle safety helmet that:
 - (i) is designated as an approved bicycle safety helmet under section 184(4)(a) of the *Motor Vehicle Act*, or
 - (ii) meets the standards and specifications prescribed under section 184(4)(b) of the *Motor Vehicle Act*;
 - (x) that a parent or guardian of a person under the age of 16 years must not authorize or knowingly permit the person to operate or ride as a passenger on a cycle on a path or way designated under subsection 6.3.1(v) if that person is not properly wearing a bicycle safety helmet that:
 - (i) is designated as an approved bicycle safety helmet under section 184(4)(a) of the *Motor Vehicle Act*, or
 - (ii) meets the standards and specifications prescribed under section 184(4)(b) of the *Motor Vehicle Act*;
 - (y) that a parent or guardian of a person under the age of 16 years must not authorize or knowingly permit the person to operate a motor assisted cycle on a path or way designated under subsection 6.3.1(v);
 - (z) the designation of paths or ways within the municipality, other than paths or ways that are highways or are located on private property, for the purposes of a bylaw made under subsections 6.3.1(w), (x) or (y);
 - (aa) the exemption of any person or class of persons from a bylaw made under subsections 6.3.1(w), (x) or (y) and prescribing conditions for those exemptions.
 - (bb) permitting, regulating, controlling and prohibiting the temporary occupation of a portion of a highway, for any purpose or project, for the period necessary to complete such purpose or project, including a requirement for persons to pay a street occupancy fee and/or provide an indemnity and/or proof of insurance for the benefit of the District;
 - (cc) permitting, regulating, controlling and prohibiting fixed or
- Bylaw No.
4516, 2007
- Bylaw No,
4516, 2007

longer term encroachments on or over a highway, including a requirement for persons to pay a street occupancy fee and/or provide an indemnity and/or proof of insurance for the benefit of the District.

- Bylaw No.
4535, 2008
- (dd) the issuance of a “Stop Work Order” for the following:
 - (i) failure to produce a Traffic Control Plan as per the Ministry of Transportation *Traffic Control Manual for Work on Roadways* or otherwise as required and approved by the Engineer; or
 - (ii) non-compliance with a Traffic Control Plan as per the Ministry of Transportation *Traffic Control Manual for Work on Roadways* or otherwise as required and approved by the Engineer.

6.3.2 A reference to a bylaw in this section includes a reference to an order made under this section.

6.4 Variation of Orders

6.4.1 The Engineer may rescind, revoke, amend or vary an order made by him or her under this Bylaw.

6.4.2 Orders made by the Engineer under this Bylaw must be in writing and a copy of each order shall be filed with and certified by the Clerk.

6.5 Temporary Traffic Control Devices

6.5.1 An Enforcement Officer or the Engineer may:

- (a) place temporary traffic control devices; or
- (b) divert or restrict traffic, for the following purposes:
 - (i) in the interest of public safety;
 - (ii) to permit proper action in an emergency; or
 - (iii) to enable work to be done on a highway.

6.6 Permits

Bylaw No.
4516, 2007

6.6.1 In respect of the authority delegated under subsection 6.3.1 the Engineer may make orders respecting the circumstances under which a permit will be issued, the form of the permit application, the form of the permit, the payment of fees, the provision of an indemnity and/or proof of insurance for the benefit of the district,

and the terms and conditions of a permit. The Engineer may issue permits in accordance with this Bylaw and his or her orders may at any time revoke or amend a permit where considered necessary or desirable by the Engineer.

- 6.6.2 Every person who has been issued a permit under this Bylaw must at all times comply with this Bylaw, and the terms and conditions of the permit.
- 6.6.3 No person may undertake any work or activity that requires a permit under this Bylaw or an order of the Engineer without first having obtained a valid and subsisting permit of the kind required by this Bylaw.

6.7 Interference with Traffic

- 6.7.1 No person may establish, place, maintain, or display upon or in view of any highway, any traffic control device or other device which purports to be or resembles any traffic control device, or which attempts to direct the movement of traffic or the parking of vehicles, or which obstructs from view, or interferes with the effectiveness of any traffic control device or which interferes with traffic safety.
- 6.7.2 No person may obliterate, deface, damage, injure, move, obstruct or otherwise interfere with any traffic control device placed or maintained by or on behalf of the District under this Bylaw.
- 6.7.3 No person being the owner of real property adjacent to a highway may allow any tree, hedge, shrub or other planting on the real property to grow over or under a highway so as to obstruct, interfere with or hide from view any traffic control device or interfere with traffic safety.

Part 7 Standing, Stopping and Parking Vehicles

7.1 Standing, Stopping and Parking Prohibitions

No person may stand, stop or park a vehicle:

- 7.1.1 so as to contravene the *Motor Vehicle Act* or this Bylaw or a traffic control device or the directions of an Enforcement Officer;
- 7.1.2 so as to obstruct or interfere with the normal passage of vehicular or pedestrian traffic;

- 7.1.3 in an intersection;
- 7.1.4 on a sidewalk or sidewalk crossing;
- 7.1.5 on a marked crosswalk or within six metres of the edge of a marked crosswalk;
- 7.1.6 on that side of a highway within three metres of the edge of an intersecting driveway, private road or sidewalk crossing;
- 7.1.7 on that side of a highway within three metres of the edge of an intersecting roadway or lane;
- 7.1.8 on that side of a highway within five metres of a point on the edge of the roadway nearest a fire hydrant;
- 7.1.9 on that side of a highway within six metres of a flashing beacon, stop sign, yield sign or traffic control signal;
- 7.1.10 on a lane except for commercial vehicles actively and visibly engaged in loading or unloading and then only when stopped or parked in such a manner as to allow for the passage of vehicular traffic;
- 7.1.11 on that side of a highway within 15 metres of the nearest rail of a railway crossing;
- 7.1.12 on a roadway for the principal purpose of:
 - (a) displaying a vehicle for sale;
 - (b) storing, advertising, maintaining, painting, repairing or wrecking any vehicle except when repairs are necessitated by an emergency;
- 7.1.13 on that side of a highway upon which any building in the course of its construction or demolition extends to within three metres of the edge of the roadway;
- 7.1.14 on a highway in contravention of a traffic control device which gives notice that standing, stopping or parking is there restricted or prohibited;
- 7.1.15 in such a manner as to obstruct the visibility of a traffic sign placed or erected by the authority of the Engineer or this Bylaw;

- 7.1.16 on that side of a highway upon which a school or school property abuts, on any school day between the hours of 8:00 a.m. and 5:00 p.m. except where otherwise permitted as indicated by appropriate traffic control devices placed or erected by the authority of the Engineer or this Bylaw;
- 7.1.17 on that side of a highway where the curb is painted yellow, except in a signed loading zone;
- 7.1.18 in a position that causes it to interfere with the construction, improvement, maintenance, or repair of a roadway or public utility by a person authorized to undertake such work by the Engineer;
- 7.1.19 on or over a traffic counting device or public works equipment;
- 7.1.20 on a highway within 150 metres of a fire vehicle or fire equipment deployed in response to a fire alarm, unless they have received permission from an Enforcement Officer;
- 7.1.21 on a highway for a period longer than 72 consecutive hours;
- 7.1.22 on a bridge;
- 7.1.23 on a highway within 15 metres of the approach to and 7.5 metres beyond a bus stop sign except where actively engaged in loading or unloading passengers and in any case for not more than three minutes where such stopping does not interfere with any bus in, or about to enter, such bus stop;
- 7.1.24 on a highway when it is practicable to park the vehicle off the roadway;
- 7.1.25 on a highway where the travelled portion thereof is 6 metres or less in width;
- 7.1.26 on a highway other than parallel with the curb or edge of the roadway and in the direction of travel, unless the highway is designated for angle parking, and where there is a curb, not further than 30 centimetres from that curb as measured from the nearest wheel;

7.1.27 on a highway designated for angle parking other than at 45 degrees to the curb or edge of the highway, or other such angle as indicated by a traffic control device, and in the direction of travel, and where there is a curb, not further than 30 centimetres from that curb as measured from the nearest wheel;

7.1.28 on a highway where parking stalls have been designated other than wholly within the designated parking stall;

7.1.29 or a trailer on any highway abutting any property used for residential or commercial purposes for more than six hours unless the property is owned or occupied by the person or his employer; except that where the property owner, the owner's employee or residents residing on streets on which parking abutting such property is prohibited or physically impossible, then they may park on the opposite side without penalty if the parking complies with other laws and regulations in effect;

7.1.30 where a sign has been erected or placed on any portion of a highway limiting the time during which a vehicle may be parked upon such portion of a highway;

7.1.31 on a highway when not displaying a valid, current insurance decal, if such decal is required for the vehicle to be lawfully driven.

Bylaw No. 4516, 2007 7.1.32 on any portion of a highway that has been marked by paint and/or a traffic control device for the intended use of bicycles or is otherwise intended for the use of bicycles;

Bylaw No. 4516, 2007 7.1.33 on or across a curb;

Bylaw No. 4516, 2007 7.1.34 on any grass or turf area in any park;

Bylaw No. 4516, 2007 7.1.35 on a highway when not displaying valid number plates, one at the front and one at the rear of the vehicle, issued in accordance with the *Motor Vehicle Act*.

7.2 Recreational Vehicles, Trailers and Boats

7.2.1 No person may park a:

- (a) recreational vehicle, trailer or boat on a highway between the hours of 12:00 a.m. and 6:00 a.m.,
- (b) recreational vehicle, trailer or boat on a highway for more than six hours,

7.2.2 No person may park a recreational vehicle, trailer or boat on a highway in any of the months of January, February, March, November or December in any year, whether such highway is open to the use of the public or not.

7.2.3 Despite subsections 7.2.1 and 7.2.2, where parking a recreational vehicle, trailer or boat by an owner on real property occupied by them, by reason of the topography of that real property is deemed impractical or dangerous, the Engineer may:

- (a) on written application by the owner of the recreational vehicle, trailer or boat,
- (b) with the written consent of the owners and occupiers of adjacent real property within 90 metres,
- (c) on payment of an annual fee as set out in Schedule A,

permit the recreational vehicle, trailer or boat a parking space on the highway as designated and specified by the Engineer.

7.3 Passenger, Commercial, Bus and Taxi Zones

7.3.1 Every passenger zone, commercial zone, bus zone and taxi zone authorized by a bylaw or an order under a bylaw and established for the purpose of loading and unloading persons or goods, and existing prior to adoption of this Bylaw, is authorized.

7.3.2 The Engineer may, by causing traffic control devices to be placed or erected on any portion of a highway, establish the designated portion of that highway as a passenger zone, commercial zone, bus zone or taxi zone and designate the area and define the rights, duties and obligations of traffic with respect to that passenger zone, commercial zone, bus zone or taxi zone.

7.3.3 No person may stop a vehicle in a passenger zone, commercial zone, bus zone or taxi zone except when actively and visibly engaged in loading or unloading persons or goods.

7.3.4 No person may stand, stop or park a vehicle in a passenger zone except for the purpose of loading or unloading persons and not for a period exceeding three minutes.

7.3.5 No person may stand, stop or park a vehicle in a commercial zone except for the purpose of loading or unloading persons or goods

and not for a period exceeding three minutes for persons and not for a period exceeding 30 minutes for goods.

- 7.3.6 No person may stand, stop or park a vehicle other than a commercial vehicle in a commercial zone.
- 7.3.7 No person may stand, stop or park a vehicle other than a taxi in a taxi zone.

7.4 Disabled Parking Zones

- 7.4.1 Every disabled parking zone authorized by a bylaw or an order under a bylaw established for persons with disabilities, and existing prior to adoption of this Bylaw, is authorized.
- 7.4.2 The Engineer may, by causing appropriate traffic control devices to be placed or erected on any portion of a highway, establish such designated portion of that highway as a disabled parking zone and designate the area and define the rights, duties and obligations of traffic with respect to that disabled parking zone.
- 7.4.3 Council designates the Social Planning and Research Council of British Columbia the sole organization for issuing, revoking and cancelling disability parking permits for the purposes of this section.
- 7.4.4 No person may stand, stop or park a vehicle in a disabled parking zone that does not display a valid disability parking permit or a permit of a similar nature issued by another jurisdiction.
- 7.4.5 No person may stand, stop or park in a disabled parking zone a vehicle that displays a valid disabled parking permit unless the vehicle is driven by or transporting a person with the disability on the basis of which the permit was issued under subsection 7.4.3.

7.5 Resident Parking Zones

- 7.5.1 Every resident parking zone authorized by a bylaw or an order under a bylaw and established for residents, and existing prior to adoption of this Bylaw, is authorized.
- 7.5.2 The Engineer may, by causing appropriate traffic control devices to be placed or erected on any portion of a highway, establish such designated portion of that highway as a resident parking zone and designate the area thereof and define the rights, duties and obligations of traffic with respect to that resident parking zone.

- 7.5.3 No person may stand, stop or park a vehicle in a resident parking zone that does not display a valid resident parking permit issued by the District. A maximum of two resident parking permits will be issued to the owner or occupier of real property within the resident parking zone for that resident parking zone. Resident parking permits will be issued for a period of up to 12 months upon proof of real property ownership or occupancy and payment of a fee as set out in Schedule A.
- 7.5.4 No person may stand, stop or park a vehicle in a resident parking zone that does not display a valid guest parking pass issued by the District. A maximum of two guest parking passes will be issued to the owner or occupier of real property within the resident parking zone for that resident parking zone. Guest parking passes will be issued annually upon proof of real property ownership or occupancy and payment of an annual fee as set out in Schedule A.
- 7.5.5 A person holding a resident parking permit or a guest parking pass must display the resident parking permit or guest parking pass as prescribed by order of the Engineer by hanging it from the rear view mirror of that person's vehicle so that it is clearly visible from outside the passenger compartment whenever the vehicle is parked in an area where the permit or pass is required.

Bylaw No.
4535, 2008

7.6 Temporary No Parking Zones and Permits

- 7.6.1 The Engineer may, by causing traffic control devices to be placed or erected on any portion of a highway, establish such designated portion of that highway as a temporary "no parking" zone for any purpose or project for the period necessary to complete such purpose or project, having determined that the purpose or project is in the public interest with respect to public safety, convenience and necessity. The Engineer may establish a temporary "no parking" zone upon application by a person and payment of a fee as set out in Schedule A.
- 7.6.2 For the purposes of subsection 7.6.1, the Engineer may prescribe the circumstances under which a permit will be issued, the form of permit application, the form of a permit and the terms and conditions of a permit.

7.7 Exemptions

- 7.7.1 The provisions of sections 7.1 to 7.6 do not apply to a fire or emergency vehicle.

7.7.2 The provisions of sections 7.1 to 7.6 do not apply to:

- (a) utility, service or construction vehicles of the Province or District;
- (b) utility, service or construction vehicles of a public utility corporation;
- (c) residential moving vehicles;
- (d) wrecking vehicles;
- (e) vehicles in respect of which exemption permits have been issued under this Bylaw;

while actively and visibly engaged in work requiring the vehicle to be parked in contravention of this section, or to be parked on a standby basis for the purpose of responding to an emergency.

7.7.3 Despite subsections 7.7.1 and 7.7.2, a fire or emergency vehicle, a utility, service or construction vehicle, residential moving vehicle or wrecking vehicle is not exempt from due and proper care for the safety of other traffic.

Part 8 General Regulations

8.1 Enforcement Officers

8.1.1 Every Enforcement Officer is authorized to do all things necessary to control traffic pursuant to this Bylaw and to ensure that the requirements of this Bylaw are being carried out.

8.1.2 Every Enforcement Officer is authorized to direct traffic as the Enforcement Officers considers necessary:

- (a) to ensure the orderly movement of traffic;
- (b) prevent injury or damage to persons or property;
- (c) permit proper action in any emergency.

8.1.3 No person may refuse to comply with the lawful direction of any Enforcement Officer.

- 8.1.4 No person may hinder, delay or obstruct in any manner, directly or indirectly, an Enforcement Officer carrying out duties in accordance with this Bylaw.

8.2 Fire Vehicles and Fire Equipment

- 8.2.1 An operator of a vehicle, other than that of a fire or emergency vehicle must not:
- (a) follow closer than 150 metres to a fire vehicle actively and visibly responding to a fire or emergency; or
 - (b) drive a vehicle over any fire equipment including fire hoses which may be placed on a highway or lane for fire fighting purposes.

8.3 Speed Limits and Speed Zones

- 8.3.1 The Engineer may by order establish school, playground and park speed zones and order the placing of traffic control devices to indicate such zones.
- 8.3.2 Every person operating a vehicle between the hours of 8.00 a.m. and 5.00 p.m. on any school day, on a highway where traffic control devices are displayed stating a speed limit of 30 kilometres per hour, must drive at a rate of speed not exceeding 30 kilometres per hour and passing the school to which the signs relate.
- 8.3.3 Every person operating a vehicle between dawn and dusk on any day, on a highway where traffic control devices are displayed stating a speed limit of 30 kilometres per hour, must drive at a rate of speed not exceeding 30 kilometres per hour while approaching and passing a public playground or public park to which the signs relate.
- 8.3.4 If a sign has been erected or placed on a highway limiting the rate of speed of vehicles driven or operated on that highway or portion of highway, a person must not drive or operate a vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign.
- 8.3.5 No person shall drive or operate a motor vehicle on a lane or portion or a lane at a greater rate of speed than twenty (20) kilometres per hour.

Bylaw No,
4516, 2007

8.4 **Control of Animals**

- 8.4.1 No person may drive or herd any animal on any highway in the District, unless the animal is at all times under the control of that person and does not interfere with vehicular traffic, except an Enforcement Officer in the discharge of their duty.
- 8.4.2 Every person with an animal in their care, custody or control on a highway must immediately pick-up and remove from the highway all faeces of the animal deposited on a highway.
- 8.4.3 No person may ride, drive or lead a horse on any highway between dusk and dawn.

8.5 **Driving over Curbs or Sidewalks**

- 8.5.1 No person may drive a vehicle across a curb or sidewalk, other than at a sidewalk crossing.

8.6 **Vehicle Horns**

- 8.6.1 No person may sound the horn of a vehicle except when necessary to warn a person or animal of danger.

Bylaw No.
4535, 2008

8.7 **Boarding, Blading, Riding, Skating, Skiing and Sleighing on a Highway**

- 8.7.1 No person may board, blade, ride, skate, ski, sleigh or use any other like means of conveyance on any highway except on those roadways designated for such use by the Engineer and in such cases, only in accordance with a traffic control device.
- 8.7.2 No person may board, blade, ride, skate, ski, sleigh or use any other like means of conveyance on any highway designated for such use by the Engineer unless that person is properly wearing a helmet as defined in subsection 8.19.1.
- 8.7.3 No person may board, blade, ride, skate, ski, sleigh or use any other like means of conveyance on any highway designated for such use by the Engineer except as near to the right side of the roadway as practicable and in such a manner as not to pose a hazard to traffic.

8.7.4 No person may board, blade, ride, skate, ski, sleigh or use any other like means of conveyance on any highway designated for such use by the Engineer except between dawn and dusk.

8.7.5 No person may board, blade, ride, skate, ski, sleigh or use any other like means of conveyance on any highway while being towed by a vehicle, bicycle or animal.

Bylaw No.
4535, 2008

8.8 Refuse

8.8.1 No person may throw, drop, deposit, leave, or allow to fall from a vehicle, any bottle, glass, refuse, or any other object or material, on any public or private property, and any person who has thrown, dropped, deposited, left or allowed to fall from a vehicle any such object or material must forthwith remove the same from that public or private property.

8.8.2 No person may throw, drop, deposit, leave, or allow to fall from their person, any bottle, glass, refuse, or any other object or material, on any public or private property, and any person who has thrown, dropped, deposited, left or allowed to fall from their person any such object or material must forthwith remove the same from that public or private property.

8.9 Chattels on a Highway

8.9.1 No person may place or store any object, material, container or structure on any highway, except as permitted by bylaw.

8.10 Accumulations on a Highway

8.10.1 No person may allow or permit any earth, rock, stone, tree, log, stump or other material to cave, fall, crumble, slide, accumulate or to be otherwise deposited on any highway, except as permitted by District bylaw.

8.11 Defacing and Damaging a Highway

8.11.1 No person may mark, imprint or otherwise deface any highway or portion thereof including roadways, lanes and sidewalks.

8.11.2 No person may place on any highway any advertising device or characters in any manner whatsoever, except with the written permission of the Engineer.

8.11.3 No person, other than a duly authorized person or employee of the District, shall dig up in any manner, damage, or destroy any boulevard, trees, shrubs, plants, bushes or hedges in or adjacent to any highway or fences or anything erected or maintained adjacent to a highway.

8.12 Selling on a Highway

Bylaw No. 4682, 2011 8.12.1 No person may use or occupy a highway for the purpose of selling or displaying any goods or services, including without limitation, flowers, fruit, vegetables, seafood, commodities, articles, car cleaning, or other things, except under a permit issued under this Bylaw or under a highway licence agreement issued under this Bylaw.

Bylaw No. 4460, 2006 8.12.2 Despite subsection 8.12.1 coffee trucks are permitted to use or occupy portions of a highway directly adjacent to a construction site subject to the following conditions:

- (a) The coffee truck being parked in a safe manner complying with all relevant sections of this bylaw;
- (b) The coffee truck being parked adjacent to a construction site where a valid building/construction permit is in place;
- (c) The coffee truck is parked at the same construction site for a period not exceeding thirty (30) minutes in any three (3) hour period within the same twenty-four (24) hour period;
- (d) The coffee truck may not be parked within 100 metres of any business premises offering for sale the same or similar items or products;
- (e) All required approvals from the Vancouver Coastal Health Authority relating to the coffee truck and the operator are in place and in full affect;
- (f) All insurance requirements of the District have been met and are maintained;

8.13 Funerals and Processions

8.13.1 Funeral processions must be identified as such by each vehicle therein having its headlights illuminated or by the display of a pennant or other identifying insignia.

8.13.2 No driver of a vehicle may drive between the vehicles comprising a funeral or authorized procession while it is in motion, except at intersections where traffic is being controlled by a traffic control device or an Enforcement Officer.

8.13.3 No pedestrians or driver of a vehicle may interfere with an authorized procession in progress, except to comply with a traffic control device or the directions of an Enforcement Officer.

8.13.4 No person may take part in any procession, unless a highway use permit for that procession has been issued by the Engineer. The Engineer may issue a permit for a procession upon application and payment of a fee as set out in Schedule A.

8.14 Removal of Snow, Ice and Debris from Sidewalk

8.14.1 The owner or occupier of real property must remove any accumulation of snow or ice from the sidewalks and footpaths bordering the real property within 24 hours after the cessation of any snowfall that caused any accumulation of snow or ice on any sidewalk, or prior to the depth of snow accumulation exceeding ten centimetres.

8.14.2 The owner or occupier of real property must immediately remove all debris from any sidewalk bordering the real property.

8.15 Spills on a Highway

8.15.1 No person may cause or permit any substance or material to blow, drop, spill, fall, flow or drift from adjacent land, or from a vehicle, on a highway. If any substance or material is deposited on a highway contrary to this section, the owner or occupier of the vehicle from which the material was derived, as the case may be, must take such immediate steps as may be necessary to remove the material from the highway, and to clean the highway and repair any damage caused to the highway, at that person's sole cost and expense.

8.16 Heavy Vehicles

8.16.1 The Engineer may designate any highway as a heavy vehicle route or prohibit heavy vehicles from any highway by the placement or erection of the appropriate traffic control devices.

8.16.2 The Council may prohibit heavy vehicles from any highway, or any part of any highway, by designating the highway in Schedule B of this Bylaw as a highway where heavy vehicles are prohibited.

8.16.3 No driver or owner of a heavy vehicle may cause or allow the vehicle to be operated on a highway contrary to a traffic control device indicating that the highway is designated as a highway where vehicles are prohibited.

8.16.4 No driver or owner of a heavy vehicle may cause or allow the vehicle to be operated on a highway designated by the Council pursuant to Schedule B of this Bylaw as a highway where heavy vehicles are prohibited.

Bylaw No.
4702, 2011

8.16.5 Prior to the issuing of a building permit under the District's Building Regulation Bylaw, projects that require the service of heavy vehicles must at all times post on the parcel a "Heavy Vehicle Prohibited Downhill" sign in the form and with the content as prescribed in Schedule C. Building Department will issue the sign to the owner after the payment of fee as set out in Schedule A has been received. .

Bylaw No,
4535, 2008

8.16.6 No driver or owner of a heavy vehicle may cause or allow the vehicle to be parked on a highway between the hours of 12:00 a.m. and 6:00 a.m., unless parked pursuant to a permit issued by the Engineer.

8.17 Loitering and Gathering on a Highway

8.17.1 No persons may stand, or loiter or gather on a highway in such a manner as to obstruct, impede or interfere with the free passage of pedestrians or vehicles.

8.17.2 No persons may do anything which would cause persons to stand, or loiter or gather on a highway in such a manner as to obstruct, impede or interfere with free passage of pedestrians or vehicles.

8.18 Traffic Notices

8.18.1 No person other than the owner or driver of a vehicle may remove any notice placed or affixed on it by an Enforcement Officer in the course of their duty and no person may deliberately erase a chalk mark from a tire marked by an Enforcement Officer or remove any other object or device used by them in the course of their duty.

Bylaw No.
4516, 2007

8.18.2 No person may cause or permit a vehicle to move from one location to another in the same block to avoid the time limit regulations specified in that particular block.

8.19 Helmet

8.19.1 Where a “helmet” is referred to in this Bylaw, it means a protective device intended to be worn on the head that must:

- (a) have a smooth, rigid and durable outer surface;
- (b) be constructed so the helmet is capable of absorbing energy on impact;
- (c) be strongly attached to a strap designed to be fastened under the chin of the person wearing it; and
- (d) be undamaged from use or misuse.

Bylaw No. 4535, 2008

8.20 Public Decency

8.20.1 No person may:

- (a) expectorate or spit on any highway;
- (b) urinate on any highway;
- (c) defecate on any highway.

Bylaw No. 4535, 2008

8.21 Traffic Control Person

8.21.1 Every certified Traffic Control Person is authorized to direct traffic on a highway pursuant to a traffic control plan as approved by the Engineer.

Bylaw No. 4535, 2008

8.22 Traffic Control Person Required

8.22.1 Every owner or operator of a commercial vehicle having a licensed gross vehicle weight of greater than 10,000 kilograms:

- (a) that is entering or exiting a construction site from a highway;
or
- (b) that is engaged in loading or unloading while located on a highway;

must ensure that there is at least one certified traffic control person present to ensure the safety of the vehicle and the public.

Bylaw No.
4618, 2009

8.23 Neighbourhood Zero Emission Vehicle

- 8.23.1 A person may drive or operate a neighbourhood zero emission vehicle within the District on a highway or class of highway that has a speed limit of 50 kilometres per hour or less if authorized by the Engineer.
- 8.23.2 A person who drives or operates a neighbourhood zero emission vehicle as authorized by the Engineer must obtain a permit as proof of authorization by the Engineer. The Engineer may prescribe the circumstances under which a permit will be issued, the form of a permit and the terms and conditions of a permit.
- 8.23.3 A person who drives or operates a neighbourhood zero emission vehicle as authorized by the Engineer may, at an intersection, cross a highway that has a speed limit that is not greater than 80 kilometres per hour to enable the person to continue on a highway on which the person is authorized to drive or operate a neighbourhood zero emission vehicle.
- 8.23.4 A person commits an offence who operates a neighbourhood zero emission vehicle is in contravention of this section.

Part 9 Highway Use Regulations

9.1 Advertising on a Highway

- 9.1.1 No person may operate or stand or park on any highway any vehicle for the sole or primary purpose of displaying advertising except with written permission of Council.
- 9.1.2 No person may drive, operate, stand or park any sound broadcasting vehicle on any highway except with written permission of Council.
- 9.1.3 No person may carry any advertising device on or along any highway except with written permission of Council.
- 9.1.4 No person may give or cause to be given to any other person in or upon any highway, any handbill, dodger, circular or other advertising matter or thing of such nature or character.

Bylaw No. 4516, 2007 9.1.5 Except as may otherwise be authorized by bylaw or with a permit, no person shall place or cause to be placed in, upon or over any highway within the District, whether open to the use of the public or not:

(a) any sign as defined by the District's regulation;

(b) any other sign not so defined;

Bylaw No. 4516, 2007 (c) any device, which communicates written or printed information without first having obtained a permit.

9.1.6 Any sign erected in contravention of subsection 9.2.5 may be removed by the Engineer or such other person or persons as may be duly authorized from time to time by the Engineer.

Part 10 Vehicle Weights, Loads, Dimensions

10.1 Applications and Definitions

10.1.1 This section applies to all vehicles using any highway in the municipality excepting only arterial highways within the meaning of section 31 of the *Highway Act*.

10.2 Size and Weight Restrictions

Bylaw No. 4535, 2008 10.2.1 Except as authorized by an order of Council under the *Motor Vehicle Act*, or the Engineer under this Bylaw, as applicable, no person may drive or operate on a highway a vehicle or combination of vehicles exceeding the limits of dimensions, weights and loads, drive axles, horsepower, or other limits prescribed in the *Commercial Transport Act* and the regulations, both as amended from time to time.

10.2.2 Despite any of the provisions of these regulations, or of a permit issued pursuant to these regulations, the maximum height, length or width of a vehicle or load allowable on a highway, or portion of a highway that is expressly limited as to maximum height, length or width of a vehicle or load by a sign erected by the Engineer, must be that as set out in that sign.

10.2.3 Unless expressly permitted by the conditions of a permit, no person may drive or operate an oversize vehicle or load on a Sunday or general holiday.

Bylaw No. 4445, 2005 10.2.4 Despite any of the provisions of these regulations, no person may, without a permit issued pursuant to this section, drive or operate over a bridge a vehicle or combination of vehicles having a licensed gross vehicle weight on any axle or group of axles or a licensed gross vehicle weight in excess of any load limit imposed by the Engineer on that bridge.

Bylaw No. 4535, 2008 10.2.5 Despite any of the provisions of these regulations, and without limiting the generality of section 10.2.1, no person may, without a permit issued pursuant to this section, drive or operate, or permit to be driven or operated, a vehicle that exceeds the licenced gross vehicle weight of that vehicle by:

- (a) 0 – 100 kilograms;
- (b) 101 – 200 kilograms;
- (c) 201 – 300 kilograms; or
- (d) 301 kilograms or more.

10.3 Sundry Requirements

Bylaw No. 4535, 2008 10.3.1 No person may, without a permit issued by the Engineer pursuant to this Bylaw, operate or permit operation on any highway:

- (a) a combination of vehicles consisting of more than two vehicles;
- (b) a vehicle, other than a horse-drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order;
- (c) a vehicle equipped with solid tires, the thickness of which between the rim of the wheel and the surface of the highway is less than three centimetres;
- (d) a vehicle having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections which extend beyond the tread of traction surface of the wheel, tread or track provided that such vehicle may be driven or operated on a highway not having a cement-concrete, asphalt-concrete, bituminous-treated, or other stabilized or wooden surface;

- (e) a vehicle unless it is so constructed or loaded as to prevent any of its load from dropping, shifting or leaking, except that for the purpose of securing traction, or water or other substance may be sprinkled on a roadway or water may be exuded when employed as a brake coolant;
- (f) a vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the highway;
- Bylaw No. 4535, 2008 (g) a solid-rubber-tired vehicle at a greater rate of speed than 15 kilometres per hour;
- Bylaw No. 4535, 2008 (h) an unloaded vehicle and pole trailer at a greater rate of speed than 25 kilometres per hour unless the pole trailer is carried on the towing vehicle;
- Bylaw No. 4535, 2008 (i) without limiting the generality of paragraph (f), a loaded commercial vehicle without 2 tie downs securing the first 3.04 m of the load, and a tie down securing every 3.04 m thereafter;
- Bylaw No. 4535, 2008 (j) without limiting the generality of paragraph (f), a vehicle transporting a portable container containing hazardous materials including but not limited to gasoline, diesel, propane or natural gas unless the portable container is fastened to the vehicle in a secure manner; or
- Bylaw No. 4535, 2008 (k) a vehicle unless that vehicle is properly maintained and equipped pursuant to Division 7 of the *Motor Vehicle Act Regulations* as amended from time to time.

10.4 Weighing and Inspection of Vehicles

10.4.1 The driver of a vehicle on any highway, when so required by an Enforcement Officer must:

- (a) stop the vehicle at the time and place specified by such Enforcement Officer or other authorized person for the purpose of weighing the whole or part thereof by means of stationary or portable scales measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any other purpose under this section;

- (b) drive the vehicle to the nearest public or Department of Commercial Transport stationary or portable scales for the purpose of weighing the vehicle and load; and
- (c) re-arrange the load upon the vehicle or remove the whole or part of the load from the vehicle in order to comply with the regulations of this section, before continuing to drive or operate the vehicle.

10.4.2 The driver of a vehicle on a highway, when directed by a traffic sign on the highway to drive over scales, must drive the vehicle to the scales for the purpose of having an axle or group of axles weighed, having tires measured, or having the load inspected for any other purpose under this section.

Bylaw No.
4445, 2005

10.4.3 The gross vehicle weight of a vehicle or combination of vehicles shall be the sum of the single gross axle weights.

10.5 **Display of Weights and Dimensions**

Bylaw No.
4445, 2005

10.5.1 Every vehicle, other than private passenger vehicles and licenced commercial vehicles not exceeding 2,700 kilograms LGVW (licensed gross vehicle weight) including vehicle and load, shall have clearly marked in a conspicuous position on the vehicle, particulars showing the overall length of the vehicle exclusive of tailgate, the tare weight of the vehicle and the name of the registered owner of the vehicle or the name of the registered owner of the vehicle or the name of the company which owns such vehicle where applicable.

10.6 **Evidence of Weight of Vehicle or Load**

10.6.1 On the prosecution of any person charged with a violation of the provisions of this Bylaw in operating or using on any highway a vehicle the weight of which or the weight of the load carried on which is in excess of the weight prescribed by the said provisions, it is sufficient prima facie evidence for any credible witness to state on oath that, to the best of his judgment and opinion, the weight of the vehicle in question or of the load carried at the time of the alleged violation was in excess of the weight so prescribed; and on that evidence being given the person charged may be convicted, unless he proves that the weight of the vehicle or load, as the case may be, was not in excess of the weight prescribed.

Part 11 Pedestrian and Cycle Regulations

11.1 Pedestrians

11.1.1 Pedestrians must only use crosswalks when crossing Marine Drive between Taylor Way and 13th Street.

11.1.2 No person may be on a highway to solicit a ride, employment, or business from an occupant of a vehicle.

11.1.3 On the approach of an emergency vehicle when a pedestrian is on a roadway, the pedestrian must immediately proceed or return to the nearest sidewalk or boulevard and remain there until that vehicle has passed or stopped.

11.1.4 No person may form a part of a group of persons congregated on a highway in such manner as to obstruct the free passage of pedestrians or vehicles, except as authorized by a highway use permit for processions.

11.1.5 No person may do anything which causes persons to congregate in a group upon any highway in such a manner as to unreasonably obstruct the free passage of pedestrians or vehicles, or in such a manner that the persons so congregated might be in danger of injury from traffic.

11.1.6 No person may engage in any sport, amusement, exercise or occupation on any highway in a manner that is likely to interfere with or obstruct traffic.

11.1.7 No person may stand or loiter on any highway in such a manner as to obstruct or impede or interfere with pedestrian or vehicle traffic.

11.2 Cyclists

11.2.1 A person operating a cycle must:

- (a) not ride upon the sidewalk of any highway or bridge or upon any pedestrian path in any public park, unless otherwise directed by a traffic control device;
- (b) not, for the purpose of crossing a highway, ride on a marked crosswalk unless otherwise directed by a traffic control device;
- (c) not leave a cycle on a sidewalk so as to interfere with or

obstruct the flow of pedestrian traffic;

- (d) park such cycles on racks or stands placed on the highway for that purpose, and shall not park a cycle other than on the rack or stand in areas where such rack or stand is located; and
- (e) not ride a cycle on a highway where a traffic control device prohibits the use.

Bylaw No. 4535, 2008 11.2.2 In addition to the duties imposed by this section, a person operating a cycle on a highway must do so in accordance with Section 183 of the *Motor Vehicle Act*.

Part 12 Impoundment

Bylaw No. 4682, 2011 12.1 **Removal from a Highway or Public Place**

12.1.1 Any vehicle, vessel or other chattel, structure or thing that is standing, parked, placed, left, moored or abandoned contrary to any provision of this Bylaw or that is otherwise unlawfully occupying a portion of a highway or public place may be seized by the Enforcement Officer, the Engineer, or any agent or other person acting in accordance with the directions of either of them.

12.1.2 Any vehicle, vessel or other chattel, structure or thing seized pursuant to section 12.1.1 of this Bylaw may be removed, detained, impounded and/or otherwise secured or held as determined by the Enforcement Officer, the Engineer or any other person authorized by the District, in his or her sole discretion.

12.1.3 Any vehicle, vessel or other chattel, structure or thing seized pursuant to this Bylaw may be recovered by the owner between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays, by paying to the District or its authorized agent the fee prescribed in Schedule 5 to the Fees and Charges Bylaw No. 4414, 2005, as amended, and if the vehicle, vessel or other chattel, structure or thing was not physically removed from the highway or public place by the District under section 12.1.1 of this Bylaw, by paying the fee prescribed in Schedule 5 to the Fees and Charges Bylaw No. 4414, 2005, as amended, and by removing the vehicle, vessel or other chattel, structure or thing from the highway or public place.

Bylaw No. 12.2 **Sale**
4682, 2011

- 12.2.1 Subject to the *Community Charter*, if a vehicle, vessel or other chattel, structure or thing is seized pursuant to this Bylaw and not recovered by its owner as set forth herein within 30 days following the date of seizure, the vehicle, vessel or other chattel, structure or thing may be sold by the Enforcement Officer or Engineer.
- 12.2.2 Despite any other provision of this Bylaw, if an item seized pursuant to section 12.1.1 is perishable, or has no market value or only nominal market value, the Manager of Purchasing may dispose of such item in any manner that he or she deems expedient.
- 12.2.3 Before selling a vehicle, vessel or other chattel, structure or thing at public auction under this section, the District must advertise the time and place of the proposed public auction in a newspaper circulating in the District, giving at least seven days notice of such proposed sale, and shall, in cases where a vehicle is intended to be sold and such vehicle is registered with the Registrar of Motor Vehicles, send written notice to the registered owner of the vehicle at the address shown on the records of the Registrar of Motor Vehicles, advising of the seizure, the sum payable to release the vehicle, and the date of proposed sale by public auction, if unclaimed.
- 12.2.4 The proceeds of sale by public auction must be applied first to the cost of the sale, second to the fees, cost and expenses of the District and/or its contractor involved in seizure, removal and/or storage, and the balance shall be held for the owner. If the balance remains unclaimed at the end of one year from the date of sale, such balance must be paid into the general revenue of the District.
- 12.2.5 No person shall prevent or attempt to prevent or interfere with the seizure, removal, detaining or impounding of any vehicle, vessel, chattel, structure or thing by the District under this section.

Part 13 Commercial Vehicle Decals and Licences

- 13.1 The District is hereby declared to be a participating municipality with respect to the licencing of commercial vehicles and the provisions of Division 3 of Part 20 of the Act apply.
- 13.2 No commercial vehicle shall be used or operated on any highway in the municipality unless there is displayed upon the commercial vehicle a valid decal issued for the commercial vehicle in accordance with Division 3 of Part 20 of the Act and with this Bylaw.
- 13.3 The owner of every commercial vehicle shall, before it is used or operated on any highway in the municipality, cause the vehicle to be licenced or registered with the Licence Inspector and a decal obtained pursuant to the Act and this Bylaw.
- 13.4 The application for a licence and decal shall be in a form provided by the Licence Inspector and shall be signed by the owner or his duly authorized agent.
- 13.5 The applicant must submit the form, together with the registration card for the vehicle and any payment of a fee as set out in Schedule 5 of the Fees and Charges Bylaw No. 4414, 2005, to the Licence Inspector.
- 13.6 All fees collected by the Licence Inspector under this Bylaw and in accordance with Division 3 of Part 20 of the Act shall be paid forthwith to the Director of Finance of the municipality who shall deal with the said fees in the manner provided by the Act.
- 13.7 Upon receipt of the application for a licence and upon being satisfied that the prescribed fee as set out in Schedule A has been paid, the Licence Inspector shall issue a decal and endorse on the registration card:
- 13.7.1 the number of the decal;
- 13.7.2 the date of issuance; and
- 13.7.3 the fee paid.
- 13.8 Where a person ceases to own a vehicle licenced and authorized to carry a decal, the registration and the decal for that vehicle, is deemed to be cancelled and the new owner shall apply to the Licence Inspector for the transfer of the decal.

Bylaw No.
4535, 2008

13.5

Bylaw No.
4535, 2008

13.9

Inspector for a replacement decal for the fee set out in Schedule 5 of the Fees and Charges Bylaw No. 4414, 2005.

Part 14 Offence and Penalty

14.1 Every person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw, and is guilty of a separate offence each day that a violation continues to exist.

Bylaw No. 4516, 2007

14.2 Every person who contravenes any of the provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$10,000.00, or to imprisonment for not more than six months, or to both. Each day that an offence continues shall constitute a separate offence.

14.3 If a driver has parked a vehicle in a parking space in violation of the provisions of this Bylaw, a separate offence shall be deemed to be committed upon the expiry of each period of time during which the vehicle could have been lawfully parked as indicated by a traffic control device.

Schedules

- Schedule A – Schedule of Permit Fees
- Schedule B – Schedule of Heavy Vehicle Restricted Routes
- Schedule C – Heavy Vehicle Sign

READ A FIRST TIME on April 19, 2004

READ A SECOND TIME on April 19, 2004

READ A THIRD TIME on April 19, 2004

ADOPTED by the Council on April 26, 2004

Mayor

Municipal Clerk

Schedule A to Traffic and Parking Bylaw No. 4370, 2004

(Updated by Traffic and Parking Bylaw No. 4370, 2004,
Amendment Bylaw No. 4702, 2011)

Schedule of Permit Fees

Description	Section	Fee
Permit for recreational vehicle, trailer or boat	7.2.3	\$100.00
Permit for residential parking	7.5.3	\$10.00
Permit for guest parking	7.5.4	\$10.00
Temporary No Parking Zones and Permits	7.6.1	\$10.00
Permit for procession	8.13.4	\$100.00
Removal of vehicles, chattel or structures fee	12.1.3	\$100.00
Heavy Vehicles Prohibited Downhill Sign	8.16.5	\$125.00
Commercial decal	13.5	\$100.00

Schedule B to Traffic and Parking Bylaw No. 4370, 2004
(Updated by Traffic and Parking Bylaw No. 4370, 2004, Amendment Bylaw
No. 4535, 2008)

Schedule of Heavy Vehicle Prohibited Highways

This table lists the routes that are designated such that travel by heavy vehicles is not permitted in the directions noted.

Route
11 th Street southbound between Mathers Avenue and Marine Drive
12 th Street southbound between Lawson Avenue and Marine Drive
13 th Street southbound between Mathers Avenue and Duchess Avenue
14 th Street southbound between Mathers Avenue and Fulton Avenue
15 th Street southbound between Upper Levels Highway and Fulton Avenue
16 th Street southbound between Inglewood Avenue and Fulton Avenue
17 th Street southbound between Queens Avenue and Ottawa Avenue
17 th Street southbound between Inglewood Avenue and Fulton Avenue
19 th Street southbound between Queens Avenue and Palmerston Avenue
20 th Street southbound between Mathers Avenue and Fulton Avenue
21 st Street southbound between Upper Levels Highway and Fulton Avenue
22 nd Street southbound between Upper Levels Highway and Marine Drive
23 rd Street southbound between Ottawa Avenue and Marine Drive
24 th Street southbound between Palmerston Avenue and Haywood Avenue
25 th Street southbound between Palmerston Avenue and Haywood Avenue
26 th Street southbound between Queens Avenue and Haywood Avenue
27 th Street southbound between Queens Avenue and Haywood Avenue
29 th Street southbound between Rosebery Avenue and Marine Drive
30 th Street southbound between Rosebery Avenue and Marine Drive
31 st Street southbound between Mathers Avenue and Marine Drive
Anderson Crescent (700 Block) westbound
Bayridge Avenue eastbound between Ripple Road and Sharon Drive
Bayridge Avenue southbound between Southridge Avenue and Sharon Drive
Burkehill Road southbound between Ripple Place and Rose Crescent
Caulfield Drive eastbound between Pinetree Crescent and Willow Creek
Eagleridge Drive southbound
Headland Drive southbound between Pinetree Crescent and Keith Road
Highland Drive southbound
Inglewood Avenue (700 Block) westbound
Keith Road (700 Block) westbound
Keith Road southbound between Willow Creek Road and Marine Drive
Nelson Avenue northbound between Marine Drive and Chatham Street (Bylaw 4535, 2008)
Orchard Way southbound south of Queens Avenue

Queens Avenue westbound west of 26 th
Ripple Road southbound between Westridge Avenue and Bayridge Avenue
Ripple Place southbound between Ripple Road and Burkehill Road
Rockridge Road southbound
Rutland Road southbound
Sharon Drive southbound
Sinclair Street southbound between Inglewood Avenue and Fulton Avenue
Thompson Crescent southbound between Westmount Road and Mathers Avenue
Westmount Road eastbound
Westport Road northbound between Westwood Drive and Marine Drive
Willow Creek Road southbound

Schedule C to Traffic and Parking Bylaw No. 4370, 2004

(Updated by Traffic and Parking Bylaw No. 4370, 2004,
Amendment Bylaw No. 4702, 2011)

Heavy Vehicle Prohibited Downhill Sign

The sign must be at least 1200mm wide by 1200mm high and must contain the following symbols and wording:

