

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

STREETS AND TRAFFIC REGULATION BYLAW, 2017, NO. 2898

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CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 2898

A Bylaw to provide for general street regulations and for the regulation of vehicular traffic on the streets within the Township of Esquimalt

The Council of the Corporation of the Township of Esquimalt in open meeting assembled hereby enacts as follows:

PART I – INTERPRETATION

Title

1. This Bylaw may be cited for all purposes as the “Streets and Traffic Regulation Bylaw, 2017, No. 2898.”

Definitions

2. (1) In this Bylaw and any orders made pursuant hereto the expressions used shall have the respective meanings assigned to them by the *Motor Vehicle Act* except as set forth in this Section or where the context otherwise requires.
- (2) In this Bylaw, unless the context otherwise requires:
 - “arterial highway” shall have the same meaning as is set forth in the *Highway Act*;
 - “bicycle” shall mean a device having any number of wheels that is primarily propelled by human power and on which a person may ride;
 - “boulevard” shall mean that portion of the street between the curb lines or the lateral lines of a roadway and the adjoining property line, exclusive of the sidewalk;
 - “bus” shall mean a rail-less vehicle used as a public utility for the carriage of passengers;
 - “Bylaw Management Officer” shall mean the person appointed by Council as a bylaw enforcement officer, and shall include his or her designate;
 - “Chief of Police” shall mean the designate of the Agency providing policing services to the Township and/or person or persons designated to act in that capacity;
 - “commercial vehicle” shall mean a vehicle engaged in carrying goods, wares or merchandise and so licensed in accordance with the provisions of the *Motor Vehicle Act*;
 - “Corporate Officer” shall mean the Corporate Officer of the Corporation of the Township of Esquimalt and/or a person or persons designated to act in that capacity;

“Council” shall mean the Council of the Corporation of the Township of Esquimalt;

“crosswalk” shall mean that portion of the roadway ordinarily included within the prolongation of the lateral lines of sidewalks at intersections and any portion of a highway indicated for pedestrian crossing by lines or other markings;

“driver” shall mean any person who drives, operates, propels or who is in physical control of a vehicle;

“emergency vehicle” means:

- (a) an ambulance responding to a call or transporting a patient;
- (b) a motor-vehicle carrying rescue or first-aid equipment;
- (c) a motor vehicle carrying fire-fighting equipment in responding to an alarm of fire;
- (d) a motor-vehicle driven by a police officer or constable or by a member of the police branch of any of Her Majesty’s Armed Forces or a member of the Provincial Sheriff’s Services in the discharge of his/her duty;

where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this Bylaw;

"extraordinary traffic" includes the carriage of goods in vehicles over a road that, in conjunction with the nature or existing condition of the road, is so extraordinary in the quality and quantity of the goods carried that it substantially increases the burden imposed on the road through its proper use by ordinary traffic, and causes damages to the road or resulting in expense to the municipality beyond what is reasonable or ordinary, and includes six vehicles or more with a total Gross Vehicle Weight in excess of 10,000 kg over a 24 hour period and that originates or ends at a parcel or contiguous parcels of land under the jurisdiction, control or ownership of a person;

“human powered device” shall mean a skateboard, roller skates, in-line skates, or a non-motorized scooter”;

“intersection” shall mean the area embraced within the prolongation of the lateral property lines of streets which join one another, whether such streets at the junction cross each other or merely meet at an angle without crossing each other;

“lane” shall mean a public highway within the ordinary meaning of lane not designed for general travel and primarily used as a means of access to the rear of residences and business establishments;

“loading zone” shall mean an area or space on a roadway established by the authority of this Bylaw for the use of commercial vehicles in the loading and unloading of materials or passengers;

“Municipal Engineer” shall mean the Director of Engineering and Public Works of the Corporation of the Township of Esquimalt and/or a person or persons designated to act in that capacity;

“owner” shall have the same meaning as defined in the *Community Charter*;

“park”, “parking” or “parked” shall mean the standing of a vehicle whether occupied or not upon a roadway otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise, discharging or taking on passengers or in obedience to traffic regulations or traffic signs or signals;

“parking stall” shall mean a portion of the roadway indicated by markers as a parking space for one vehicle;

“passenger zone” shall mean the area or space on a roadway established by the authority of this Bylaw for unloading of passengers only;

“pedestrian” means any person afoot including any person confined to a wheelchair;

“person” shall mean and include any person, corporation, partnership, firm, association or party;

“police officer” shall mean a peace officer, constable or person having the powers of a peace officer or constable;

“private lane” shall mean every way or place which is privately owned and used for vehicular travel by the owner or owners thereof and those having the permission of the owners, express or implied, but does not include a driveway between a single residence and a street;

“public place” shall mean and include all public squares, public gardens, public recreation grounds, parks, lanes and streets within the Township;

“roadway” shall mean that portion of the street improved, designed or ordinarily used for vehicular traffic;

“safety zone” shall mean the area or space within a street designated by Council or the Municipal Engineer for the exclusive use of pedestrians and which is marked or indicated as such;

“sidewalk” shall mean that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines improved by the laying of concrete, gravel, planks or other material for the use of pedestrians;

“sidewalk crossing” shall mean that portion of a sidewalk permanently approved or designated for the passage of vehicular traffic and for the purposes of driveway width shall include any tapered curb section;

“solicit” shall mean, without consideration, to ask for money, donations, goods, or other things of value whether by spoken, written or printed word or bodily gesture, for one’s self or for any other person, and solicitation has a corresponding meaning, but does not include soliciting for charity;

“stop” (when required) shall mean a complete cessation of movement;

“stop” or “stopping” (when prohibited) shall mean the coming to rest of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control signal or traffic sign;

“street” shall include highway, roadway, boulevard and sidewalk as well as any way, road, lane, alley, avenue, thoroughfare, drive, bridge, viaduct, square or open space in the Township which is open for use by the public as a matter of right, for the purpose of traffic;

“taxi” shall mean a motor vehicle which is operated for the purpose of hire by members of the public, and does not include an ambulance, a bus, a hearse, or a vehicle driven by the person who hires it;

“taxi stand” shall mean a portion of a street specifically designated for the exclusive use of taxis;

“Township” shall mean the Corporation of the Township of Esquimalt;

“traffic control device” means a sign, signal, line, meter, marking, space, barrier or device placed or erected by authority of the Municipal Engineer, to control traffic;

“traffic control signal” shall mean any authorized device manually, electrically or mechanically operated for the regulation of traffic;

“traffic control flashing signal” shall mean any authorized device which is operated mechanically or electrically to regulate traffic by indicating by flashing coloured lights the precaution to be taken by traffic proceeding in any given direction;

“traffic sign” shall mean any authorized sign, signal (other than the traffic control signal and traffic control flashing signal), marking or other device placed, painted or erected for the guidance, regulation, warning, direction or prohibition of traffic, parking or stopping;

“trailer” shall mean every vehicle with or without motive power designed for carrying property and for being drawn by a motor vehicle;

“vehicle” shall mean and include any device in, upon or by which any person or property is or may be transported or drawn upon a street, irrespective of motor power, including horse led or ridden, but shall not include electric or steam railways running only upon rails;

“walkway” shall mean a path, footpath or right-of-way improved, designed or ordinarily used for pedestrian traffic.

PART II - PROCEDURE FOR MAKING ORDERS

3. (1) Any order or orders made by the Municipal Engineer pursuant to any power delegated by this Bylaw, shall, before coming into effect, be approved by a resolution of Council and shall come into force immediately upon such approval being given unless a later date is specified in the order or orders.
- (2) Upon any order or orders being approved by Council pursuant to this Section, the Corporate Officer shall endorse thereon the fact of such approval and the date thereof and file the order or orders.
- (4) The Municipal Engineer may rescind, revoke, amend or vary any order or orders made by him/her by a further order or orders made in conformity with this Section and submitted to Council for approval.
- (5) Where in this Bylaw the Municipal Engineer is empowered to make any order or orders, such power may be exercised at any time or from time to time as he/she may deem necessary or expedient.
- (6) The Corporate Officer shall have custody of all orders made pursuant to this Bylaw after the same have been approved by Council and having seen to their proper completion, he/she shall preserve and keep the originals thereof, which on request shall be made available for perusal by any person during regular office hours and he/she shall furnish certified copies of such orders and may charge a fee as established by the Fees and Charges (Miscellaneous) Bylaw.

Powers of Council not affected by orders

4. Nothing in this Bylaw contained shall be construed to limit in any way the power of Council to initiate, adopt, repeal or amend Bylaws in respect of any matter dealt with in this Bylaw, notwithstanding that any authority that has been given or delegated herein and any order or orders made by the Municipal Engineer shall be valid and effective only to the extent that they are not inconsistent with or repugnant to the provisions of any Bylaw of Council for the time being in force. Council may by resolution at any time rescind or revoke any order or orders made by the Municipal Engineer.
5. Notwithstanding Section 3 hereof, orders made for the issuance of any permit or the granting of any permission or consent made or given pursuant to this Bylaw by the Municipal Engineer or other officer or employee of the Township duly empowered to make the same, shall come into force and take effect forthwith upon the making thereof or, if a time shall be stated therein in that behalf, then at such time, and no such order or any order for the rescission, revocation, amendment or variation thereof need be approved or ratified by Council or forwarded to, endorsed by or kept in the custody of the Corporate Officer but shall be a good and sufficient order from the time of making thereof according to its terms and conditions.

PART III - TRAFFIC REGULATIONS

6. For the purpose of regulating the movement of traffic within the Township, the Municipal Engineer may by order:

No "U" Turns

- (a) designate the intersections where signs bearing words or symbols indicating that "U" turns are prohibited shall be placed;

No Left Turns

- (b) designate the locations at intersections where signs bearing words or symbols indicating that left-hand turns are prohibited shall be placed;

"Stop" Signs

- (c) designate the locations at intersections where signs bearing the word "stop" shall be placed;

Traffic Lights

- (d) designate the locations where traffic signals as described in the *Motor Vehicle Act* shall be placed;

One-Way Streets

- (e) designate the intersections where signs bearing words or symbols indicating that a street is a one-way street shall be placed together with such other signs as the Municipal Engineer deems advisable in order to prohibit traffic proceeding in more than one direction upon such one-way street;

Crosswalks

- (f) designate the portions of streets which shall be cross-walks and shall be marked by distinctive lines or markers upon the street surfaces and where signs indicating such portions of streets are crosswalks shall be placed;

Laned Roadways

- (g) designate the roadway or part of a roadway upon any street or part thereof to be a "laned roadway" within the meaning of the *Motor Vehicle Act* and providing for the marking thereof with suitable lines from the roadway;

Turning - Laned Roadways

- (h) designate the lane or lanes upon a laned roadway at or near an intersection where suitable traffic-control devices be placed to direct that no turns or turns only in certain directions shall be made at the intersection by vehicles travelling in such lane or lanes;

Highway Lines

- (i) designate the street or streets or portions thereof which shall be marked with lines in the manner provided by of the *Motor Vehicle Act*;

Highway Dividers

- (j) designate the street or streets or portions thereof which shall be divided in the manner provided by the *Motor Vehicle Act*;

School Zones

- (k) designate the locations where signs shall be placed bearing the school zone symbol and stating a speed limit of 30 km/h or a numeral "30", as provided by of the *Motor Vehicle Act*;

Playground Zones

- (l) designate the locations where signs shall be placed bearing the playground zone symbol and stating a speed limit of 30 km/h or a numeral "30", as provided by the *Motor Vehicle Act*;

Traffic Calming Devices

- (m) designate the locations where traffic calming devices such as speed humps, roundabouts and other devices are situated.

School Patrols

- 7. (1) The principal of any public or private school may appoint a number of the pupils of such school or adults to constitute a traffic patrol and thereupon such pupils shall be vested with power to require the stopping of vehicles at crosswalks by displaying flags or other devices bearing the word "Stop".
- (2) No driver of a vehicle which is approaching a cross-walk where a member of a traffic patrol is in attendance shall cause or permit the vehicle to proceed through or into the cross-walk when a flag or other device with the word "Stop" thereon is being displayed so as to face traffic approaching from either direction.

Firefighter May Direct Traffic

- 8. Any member of the Fire Department of the Township, or any member of a Fire Department providing Mutual Aid to the Township, in attendance at or near any fire or other emergency may direct traffic on any street in the vicinity of such fire or other emergency and every person shall comply with the directions of any such member of the Fire Department.

Temporary Closing of Streets

- 9. The Municipal Engineer shall be empowered without an order to direct that on any street where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices shall be erected or placed to regulate or prohibit traffic in the vicinity of such work and/or limit the rate of speed of vehicles.

Work in Streets

10. The Municipal Engineer shall be empowered without an order to direct that on any street where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic-control devices shall be erected or placed indicating that men or equipment are working upon the street.

Moving of Vehicle into Vehicular Traffic

11. No person shall move any vehicle from a stationary position at the curb of the roadway into the line of vehicular traffic upon the street without first having signalled his intention so to do by means of an appropriate hand and arm or mechanical signal as prescribed for left turns by the *Motor Vehicle Act* and unless he/she has ascertained that the movement can be made in safety, having regard to the nature, condition and use of the highway and the traffic which actually is at the time or might reasonably be expected to be on the highway.

Police - Temporary Traffic Control

12. Any police officer is hereby authorized to place or employ such temporary traffic-control devices as he/she deems necessary to assist him in controlling traffic.

Speed Limits

13. (1) The rate of speed at which a person may drive or operate a motor-vehicle upon a highway, roadway or lane in the Township shall not exceed fifty (50) kilometres per hour, save in such portions of the Municipality in respect of which lesser maximum speeds are provided by this Bylaw or the "*Motor Vehicle Act*";
- (2) The following streets or portions shall have a maximum speed of 25 Km/hr:
- (a) on Fraser Street south of Munro Street;
 - (b) on Lot 1 of Plan 14686, and Lot 4 of Plan 1784, and the full length of the 33 foot unnamed road allowance on the west side of Lots 1, 3 and 4 of Plan 1784 (Sports Centre);
 - (c) on Lot A of Plan 15195 (Esquimalt Plaza);
 - (d) on Lot 1 of Plan 36280 (Recreation Centre);
 - (e) on the unnamed road off Esquimalt Road which is bounded by Esquimalt District Plan Nos. 6247, 5950 and 25543;
 - (f) on any and all lanes.
- (3) The following streets or portions shall have a maximum speed of 30 Km/hr:
- (a) on Alexander Road;
 - (b) on Kingsmill Road;
 - (c) on Cunningham Road;
 - (d) on Parklands Drive;
 - (e) on Fernhill Road;
 - (f) on Bewdley Avenue from its intersection with the westerly boundary of Plan 1342 O.S. to the easterly boundary of Lampson Street;
 - (g) on Esquimalt Road from the easterly limit of the municipality, thence westerly for a distance of 170 metres;
 - (h) Gosper Crescent;
 - (i) on Admirals Road from its intersection with the southerly boundary of Lot 28, Plan 772 to the westerly boundary of Lot 28, Plan 772 to the westerly

- boundary of Lot A, Plan 24154 on Bewdley Avenue;
 - (j) on Old Esquimalt Road, from the westerly boundary of Lampson Street extending to its most westerly end at the intersection with Park Terrace;
 - (k) on Old Esquimalt Road, from Lampson Street to Dominion Road;
 - (l) on Selkirk Avenue from Tillicum Road to Arm Street;
 - (m) on Lockley Road;
 - (n) on Rockheights Avenue from Old Esquimalt Road to Lampson Street.
- (4) The following streets or portions shall have a maximum speed of 40 Km/hr:
- (a) on Colville Road from Admirals Road to Lampson Street;
 - (b) on Esquimalt Road from a distance of 170 metres from the easterly limit of the municipality to the intersection with Head Street;
 - (c) on Lampson Street between Esquimalt Road and Old Esquimalt Road;
 - (d) on Craigflower Road from Dominion Road to Admirals Road.
- (5) The Municipal Engineer shall cause to be placed upon the streets and places referred to in subsections (2) and (3) such signs indicating the speed limits aforesaid, as may be required.
- (6) The provisions of this Section shall not apply to an emergency vehicle as defined in Section 2 hereof.

PART IV - PARKING AND STOPPING REGULATIONS**Division 1 - Powers of Municipal Engineer**

14. The Municipal Engineer may from time to time make orders in respect of all or any of the following matters or things:

No Stopping Zones

- (a) designate certain streets or portions of streets as “No Stopping” zones and designating the hours of the day during which stopping is prohibited within such zones;

No Parking Zones

- (b) designating certain streets or portions of streets as a “No Parking” zone and designating the hours of the day during which parking is prohibited within such zone;

Limited Time Parking Zones

- (c) designating certain streets or portions of streets as “Limited Time Parking” zones and designating the length of time during which vehicles may be continuously parked within such zones and designating the hours of the day during which the regulations in respect of any such zone or zones are to apply;

Loading Zones

- (d) designating certain streets or portions of streets as “Loading” zones and designating the hours of the day which such zones are to be in effect as loading zones;

Taxi Stands

- (e) designating certain streets or portions of streets as “Taxi Stands” for the exclusive use of taxis or any class of taxis;

Bus Zones

- (f) designating certain streets or portions of streets as “Bus” zones for the exclusive use of buses or any class or classes thereof and designating the day or days and the hours of the day during which the stopping, standing or parking therein of vehicles other than such buses or class or classes thereof is prohibited;

Safety Zones

- (g) designating certain streets or portions of streets as “Safety” zones for the exclusive use of pedestrians and providing for the erection upon such safety zones of such platforms, curbing or structures as the Municipal Engineer may deem advisable for the greater convenience or safety of pedestrians;

Angle Parking

- (h) designating certain streets or portions of streets as “Angle Parking” zones within which vehicles shall be parked only at an angle with the curb or edge of the roadway and generally designating certain streets or portions of streets and the hours and days within and during which stopping, standing or parking of the vehicles otherwise than in the manner prescribed by the *Motor Vehicle Act* is permitted or required and the conditions and restrictions applicable thereto;

Traffic Control Devices

- (i) providing for the erection, placing, painting or marking upon any streets or portions of streets or such traffic control devices as the Municipal Engineer deems necessary or expedient to give effect to the provisions of this Bylaw, or any orders made pursuant to this Bylaw, the *Motor Vehicle Act* and Regulations made thereunder, and such provisions may be included in any order made pursuant to this Subsection or may be set forth in a separate order or orders;

Reserved Parking

- (j) setting apart and allotting certain portions of streets adjacent to any Federal, Provincial or Municipal public building for the exclusive use of officials and officers engaged therein for the parking of vehicles and providing that certain portions may be used exclusively by certain officials and officers and designating the hours of the day during which such portions of streets shall be so set apart and allotted;

Special Parking

- (k) designating the streets or portions of streets where the drivers of vehicles shall not be required to park the vehicle in the manner prescribed by the *Motor Vehicle Act* and providing that the driver shall park the vehicle in the manner indicated by the lines or other markings or signs displayed in each of such places and designating the type or types of vehicles to which such orders shall apply;

Parking Vehicles over 7 metres

- (l) designating the streets or portions of streets where the drivers of vehicles having, together with any load carried thereon or any trailer attached thereto, an overall length in excess of seven metres may not park such vehicle except for the purpose of loading or unloading merchandise or freight;

Passenger Zones

- (m) designating the streets or portions of streets which shall be “Passenger” zones for the exclusive use of vehicles while engaged in the loading or unloading of passengers;

‘Residential Parking Only’ Zones

- (n) designating the streets or portions of the streets which shall be “Residential Parking Only” zones and designating the time or times when such streets or portions of such streets shall be so set apart and allotted;

Residential Permit Zones

- (o) designating the streets or portions of the streets which shall be 'Residential Permit Zones' and designating the time or times when such streets or portions of such streets shall be so set apart and allotted;

Skateboard Prohibition Zones

- (p) designating streets, sidewalks or paths in public places where skateboarding, or use of any other human powered devices is prohibited.

Intersection No parking Restriction

- (q) On each leg of an intersection, a no parking restriction shall be established nine (9) metres back from the property line that is perpendicular or near perpendicular to the leg of the intersection. This restriction shall be applied to all legs of the intersection. The implementation of this restriction does not cancel or suspend any existing traffic order within the designated area of this restriction.

Division 2 - ProhibitionsNo Stopping Zones

- 15. No driver of a vehicle shall cause or permit such vehicle to stop or remain standing in any "No Stopping" zone during the hours of the day during which stopping is prohibited.

Prohibition of Extraordinary Traffic

- 16. Extraordinary traffic is prohibited on all streets within the Township unless:
 - (a) An Agreement has been entered with a person who is subject to the Bylaw that provides for the payment of compensation to the municipality for the damage to the highway or the resulting expense to the Municipality that may be caused by the extraordinary traffic, and
 - (b) The Agreement has been approved by a resolution of Council.

Truck Traffic Prohibited

- 17. (1) No person shall drive a truck with a total Gross Vehicle Weight in excess of 10,000 kg on the following streets or portions of streets and as shown on the Plan attached hereto as Schedule "A":
 - (a) Lampson Street from Lyall Street to Munro Street
 - (b) South Joffre Street
 - (c) Swinford Street
 - (d) Heald Avenue
 - (e) Fraser Street from Lyall Street to Munro Street
 - (f) Admiral Roads from Lyall Street to Bewdley Avenue
 - (g) Wychbury Street
 - (h) Greenwood Avenue

- (i) Bewdley Avenue
 - (j) Hadfield Avenue
 - (k) Munro Street
 - (l) Kinver Street
 - (m) Clifton Terrace
 - (n) Pooley Place
 - (o) Plaskett Place
 - (p) Saxe Place
 - (q) Juno Street
 - (r) Dunsmuir Road from Head Street to Esquimalt Road
 - (s) Selkirk Avenue
 - (t) Arcadia Street
 - (u) McNaughton Avenue
 - (v) Uganda Avenue
 - (w) Agnes Street
 - (x) Inskip Road
 - (y) Decosta Place
 - (z) Dingley Dell
- (2) The following vehicles shall be exempt from the requirements of Subsection (1) regarding prohibition of truck traffic:
- (a) Recreational vehicles,
 - (b) Boat trailers,
 - (c) Buses,
 - (d) Municipal Vehicles, vehicles used by a utility company or Canada Post,
 - (e) Moving vehicles to and from residences,
 - (f) Delivery of goods and materials to and from a residences,
 - (g) Residential construction projects that have been issued a building permit by the Township of Esquimalt, and
 - (h) All vehicles serving existing CRD operations at the Macaulay Point and the McLoughlin Point wastewater treatment plant, including but not limited to, delivery and service vehicles.

No Parking Zones

18. (1) No driver of a vehicle shall park such vehicle or permit it to remain parked in any "No Parking" zone during the hours of the day during which parking therein is prohibited.
- (2) Where any driver of a vehicle causes or permits such vehicle to remain at rest in a "No Parking" zone for the purpose of loading or unloading for a period in excess of two minutes, such vehicle shall be deemed to be "parked" within the meaning of this Section.

Limited Time Parking Zones

19. No driver of a vehicle shall park such vehicle or permit it to remain parked in any limited time parking zone for a period in excess of the time during which vehicles may be continuously parked within such zone as indicated by signs placed in or near such zones pursuant to this Bylaw.

Loading Zones

20. (1) No driver of a vehicle shall cause or permit such vehicle to stop or remain standing in any loading zone during the hours of the day when such loading zone is in effect unless the vehicle is a commercial vehicle as defined by this Bylaw and goods, wares or merchandise are actually being loaded or unloaded there from.
- (2) No driver of a commercial vehicle shall cause or permit such vehicle to stop or remain standing in any loading zone during the hours mentioned in Subsection (1) for a period exceeding one-half hour.

Taxi Stands

21. (1) No driver of a vehicle other than a taxi shall cause or permit such vehicle to stop or remain standing within any area designated as a "Taxi Stand".
- (2) Where any Taxi Stand has been designated for the exclusive use of a particular class of taxi, no driver of a vehicle not belonging to such class of taxi shall cause or permit such vehicle to stop or remain standing within such Taxi Stand.

Taxis to Stand Only in Allotted Stands

22. No person being a driver or operator of a taxi shall cause or permit it to be parked upon any street except within a Taxi Stand designated as such pursuant to this Bylaw.

Bus Zones

23. No driver of a vehicle not being a bus of the class or classes for the exclusive use of which an area designated as a "Bus Zone" is set apart shall cause or permit such vehicle to stop or remain standing within any such area during the time or times when the same is designated as being so set apart.

Safety Zones

24. No driver of a vehicle shall cause or permit such vehicle to proceed into or be within any safety zone.

Angle Parking

25. (1) No driver of a vehicle shall park such vehicle within an "Angle Parking Zone" except so that it shall stand within one-third metre of and at an angle with the curb as indicated by the lines, markings or other signs placed for that purpose and at a distance of not less than one-half metre from any other vehicle.
- (2) No driver of a vehicle having an over-all length in excess of six metres shall park such vehicle in an "Angle Parking Zone".

Reserved Parking Areas

26. Where any portion of a street has been set apart for the exclusive use of any of the officials or officers mentioned in Section 14(j) of this Bylaw, no driver of a vehicle who is not an official or officer to whom the said portion of the street has been allotted shall park such vehicle or permit the same to remain parked upon the portion of the street so set

apart during the hours of the day during which such portion of the street is set apart.

Special Parking

27. Where lines, markings or other signs are placed upon any portion of a street indicating the manner in which vehicles shall be parked thereon, no driver of a vehicle shall park such vehicle on the said portion of a street except in accordance with such lines, markings or other signs.

Standing while Loading or Unloading Vehicles

28. Except as designated by order of the Municipal Engineer, the driver of a vehicle while loading or unloading merchandise or freight may permit such vehicle to stand in any street otherwise than in the manner prescribed by the *Motor Vehicle Act* at any time on any day which is a holiday as defined by the *Interpretation Act*, or on any day between the hours of 7:30 a.m. and 6:00 p.m., or such other hours as may be designated by order of the Municipal Engineer; provided in either case that such vehicle is within a thirty degree (30°) angle with the curb and not further than one-third metre from the curb at the nearest point; and provided further that such vehicle is not within an "angle parking zone".

Passenger Zones

29. No driver of a vehicle shall cause or permit such vehicle to stop or remain standing in any "Passenger Zone" except for the purpose of unloading passengers and while actually engaged in so doing.

'Residential Parking Only' Zones

30. (1) Except as provided in Subsection (2), no driver of a vehicle shall park or permit the same to remain parked in any zone designated as a 'Residential Parking Only' zone during the time or times when such zone is set apart for residential parking.
- (2) Notwithstanding the provisions of Subsection (1), it shall be lawful at any time for any person residing in any dwelling situate on any lot or lots abutting on any street or portion of a street designated as a "Residential Parking Only" zone or for any person being a guest in such a dwelling as aforesaid or engaged in transacting business with or in performing work for or in rendering services to any person residing or being a guest in such dwelling to park any vehicle or permit it to remain parked on such street or portion thereof.
- (3) Nothing in this Section shall be construed so as to exempt any person from any provision of this Bylaw or of the *Motor Vehicle Act* relative to the parking or stopping of vehicles other than the provisions of Subsection (1).

Residential Parking Permit Zones

31. (1) In accordance with Section 30 (1) and subject to the provisions of the *Motor Vehicle Act* and any other relevant provision contained within this Bylaw and notwithstanding the provisions of Section 30 (2), any person who
- (a) resides on a street designated as a Residential Permit Zone, and

(b) holds a valid and subsisting permit issued pursuant to this Section

may park any motor vehicle or motorcycle on which the permit is displayed as required by this Section, on the street on which that person's place of residence abuts.

- (2) In cases where a portion of a street is designated as a Residential Permit Zone, a person whose place of residence abuts on the designated portion and who holds a valid and subsisting permit issued pursuant to this Section may park any motor vehicle or motorcycle on which the permit is displayed, on the designated portion of the street.
- (3) No driver of any motor vehicle or motorcycle shall park it or permit it to remain parked in a Residential Permit Zone without first displaying a permit issued pursuant to this Section. The Municipal Engineer or the Chief of Police may remove or cause to be removed any motor vehicle or motorcycle occupying any street in contravention of this Subsection, and order the vehicle to be impounded until the owner thereof shall have paid all of the fees and expenses of such removal, detention and impoundment, including charges for storage.
- (4) Any permit issued pursuant to this Section shall be conspicuously displayed on the parked motor vehicle or motorcycle in such a manner to allow it to be readily observed and read by persons from outside of the vehicle on which it is displayed.
- (5) Any person, whose place of residence abuts a street designated as a Residential Permit Zone, may apply in writing to the Municipal Engineer for a Residential Parking Permit.
- (6) A maximum of two 'Residential Parking Permits' will be issued per residential address when a residence abuts a street designated as a Residential Permit Zone.
- (7) Upon production of proof to the reasonable satisfaction of the Municipal Engineer of the loss or destruction of any permit, the Municipal Engineer may issue a replacement permit to the holder upon proof of residence adjacent to a street designated as a Residential Permit Zone.
- (8) A Residential Parking Permit shall be in the form prescribed from time to time by the Municipal Engineer and shall include the following information:

Name of the Holder
Place of Residence (street address)
Date of Issuance

And shall display the following regulatory wording:

"This motor vehicle or motorcycle may be parked on any area of the street abutting the place of residence as above-noted in a manner provided by Bylaw 2898 at any time and for the periods permitted under the Bylaw. This permit is NOT VALID unless it bears a municipal stamp.'

- (9) Except as provided by this Section, nothing in this Section shall be construed so as to exempt any person from any provision of this Bylaw or from the *Motor*

Vehicle Act relative to the parking or the stopping of motor vehicles or motorcycles.

Handicapped Parking

32. No driver of a vehicle shall park such vehicle in a designated handicapped parking area unless the vehicle displays a valid and approved handicapped permit from the proper authority on the front or rear window or hanging from the rear view mirror in plain view.

Abandoned Vehicles

33. No driver or owner of a vehicle shall cause or permit such vehicle to remain continuously parked upon any street for a period in excess of 72 continuous hours. Such vehicles may be marked by means of a sticker denoting the violation and the date and time so observed and at the end of the 72-hour period the vehicle shall be considered to be abandoned and may be towed and impounded at the expense of the owner of such vehicle. The sticker to be used for the purposes of this Section shall be in the form prescribed from time to time by the Chief of Police.

Towing

34. (1) The Municipal Engineer may by order designate the streets or portions of streets to be classified as Towaway Zones and the days or portions of days during which the said streets or portions of streets shall be classified as Towaway Zones and where signs designating the same to be Towaway Zones effect shall be displayed.
- (2) Where a street or portion of street has been classified as an Towaway Zone, the Municipal Engineer, the Chief of Police, the Bylaw Management Officer, or their designates may remove or cause to be removed any vehicle which is found to be parked or stopped within such zone in contravention of this Bylaw or the *Motor Vehicle Act* and cause the same to be detained or impounded until the owner thereof shall have paid all the fees, costs and expenses of such removal, detention and impoundment including charges for storage.
- (3) Where a vehicle has been found to be in contravention of Sections 15, 16, 17, 21, 31, 36, 38, or 49 of this Bylaw or the *Motor Vehicle Act*, the Municipal Engineer, the Chief of Police, the Bylaw Management Officer, or their designates may remove or cause to be removed any such vehicle or obstruction and cause the vehicle or obstruction to be impounded until the owner thereof shall have paid all of the fees, costs and expenses of such removal, detention and impoundment including charges for storage.

Restricted Parking of Commercial Vehicles on Municipal Streets

35. (1) No driver or owner of a commercial vehicle licensed for a gross vehicle weight in excess of 10,000 kg or having a length in excess of eight metres shall permit such vehicle to be parked between the hours of 6:00 p.m. to 6:00 a.m. on any roadway or lane located within the Township, except on streets designated by the Municipal Engineer.
- (2) No person who carries on a business in or from a house in a Single Family Residential or Two Family Residential area as defined by the Zoning Bylaw shall

at any time park or allow to be parked more than one commercial vehicle on any street in that area.

Restricted Parking of Construction Equipment

36. No driver or owner of construction equipment of any size and gross vehicle weight shall permit such equipment to be parked between the hours of 12:00 p.m. to 6:00 a.m. on any roadway or lane located within the Township.

Distance Between Vehicles

37. Where vehicles are parked parallel to the edge of the roadway, no driver of a vehicle shall cause or permit the vehicle to be parked closer than one metre from any other parked vehicle.

Trailer Parking

38. (1) No operator or owner of a trailer shall permit such trailer to be parked on any roadway or lane located within the Township unless it is connected to a towing vehicle. Both the towing vehicle and the trailer must have current insurance coverage and valid registration and must display current licence plates with up-to-date renewal decals while so parked.
- (2) Commercial trailers may be parked without being connected to a towing vehicle provided that the trailer:
- (a) has current insurance coverage and valid registration and displays current licence plates with up-to-date renewal decals, and
 - (b) is parked on a highway designated by the Engineer under Section 35(1) of this Bylaw.

Miscellaneous Stopping, Standing and Parking Prohibitions

39. (1) Except when necessary to avoid conflict with traffic or to comply with the directions of a police officer or traffic control device, or except when a permit has been issued by the Township, no person shall stop, stand or park any vehicle:
- (a) on a sidewalk or boulevard;
 - (b) in front of a public or private driveway;
 - (c) within any intersection, except as permitted by a sign;
 - (d) within five metres of any fire hydrant, measured from a point on the curb or edge of the roadway which is closest to the fire hydrant;
 - (e) on any crosswalk;
 - (f) within six metres of the approach side of any crosswalk;
 - (g) within six metres upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;

- (h) within 15 metres of the nearest rail of a railway crossing;
- (i) in front of or within one metre of any sidewalk crossing;
- (j) upon any highway for the principal purpose of:
 - (i) displaying any vehicle for sale;
 - (ii) advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency;
 - (iii) displaying any signs;
 - (iv) selling flowers, fruit, vegetables, seafood, or any other commodity;
- (k) alongside or opposite any street excavation or obstruction when the stopping, standing, or parking obstructs traffic;
- (l) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
- (m) upon any bridge or other elevated structure upon a highway except as permitted by a traffic control device;
- (n) in any place in contravention of a traffic control device that gives notice that stopping, standing or parking is prohibited or restricted;
- (o) in such manner as to obstruct the visibility of any standard traffic sign erected by or with the authority of the Province or under the authority of this Bylaw;

Curb Parking

40. Except on any street or portion of a street, designated as an "Angle Parking" Zone by the Municipal Engineer, a driver shall not stop, stand, or park a vehicle on a roadway other than on the right side of the roadway and with the right hand wheels parallel to that side, and where there is a curb, within 30 cm of the curb.

Yellow Curb Lines

41. Without derogating from the powers of the Municipal Engineer under Section 14, no person shall stop, park or leave standing any motor vehicle, attended or unattended, adjacent to any portion of a curb painted yellow, except when necessary to avoid conflict with any other traffic or to comply with the direction of a police officer.

Recreational Vehicles

42. No person who resides within the Capital Regional District may park any motor home, camper truck, trailer used for recreational purposes, or any boat and trailer on any street between the hours of 10:00 p.m. and 6:00 a.m. daily.

Bus Parking

43. Unless expressly permitted to do so by the provisions of this Bylaw, no person shall park a charter bus, school bus, or a sightseeing bus or permit it to remain parked in front of any land zoned for residential purposes.

PART V – STREET REGULATIONS

Division 1 - General Street Regulations

Processions

44. No driver of a vehicle shall drive between the vehicles comprising a funeral procession or other authorized procession while it is in motion, except in obedience to the directions of a traffic control device or of a police officer; providing that during the hours of daylight, a vehicle shall be deemed not to be in a procession unless the head lamps thereof are lighted.

Horns

45. No person shall cause or permit the horn of a vehicle to be sounded on any highway or other public place except as required by the *Motor Vehicle Act* or for the purpose of giving reasonable warning to other persons using or about to use the highway of some hazard or danger arising out of the presence of or approach of the vehicle.

Permit Required for Processions

46. No person shall be a member of or take part in any procession through or in any highway within the Township unless there has first been obtained a permit in respect of such procession issued by the Municipal Engineer who may impose such terms and conditions in relation thereto as he/she shall deem appropriate. A funeral procession is exempt from this Section.

Loading/Unloading of Goods

47. No person shall permit any goods, wares or merchandise or other article of trade or commerce to remain on any part of the street longer than is reasonably necessary to deliver the same expeditiously or to remove the same into any vehicle.

Erecting of Structures

48. No person except the agents, servants or employees of the Township acting in the course of their employment shall cause or permit any structure, object or thing to be built, constructed, placed or maintained upon or in any street within the Township without a permit issued from Council upon such terms and conditions as it considers appropriate, and where a permit is issued, such structure, object or thing shall be built, constructed, placed or maintained entirely in accordance with the terms and conditions contained in such permit; provided that the Municipal Engineer may exercise Council's powers in connection with the foregoing in urgent circumstances, or in cases where it is made to appear to the satisfaction of the Municipal Engineer that the obstruction is of a minor or inconsequential nature or is such as is unlikely to continue for a period of more than 72 hours.

Street Chattels

49. (1) Without restricting the generality of Section 47, no person shall place, deposit or leave upon, above, or in any street, sidewalk or other public place any chattel, obstruction, or other thing which is or is likely to be a nuisance, or any chattel which constitutes a sign within the meaning of the Sign Bylaw and no person

having the ownership, control or custody of a chattel, obstruction or thing shall permit or cause it to remain upon, above or in any such street, sidewalk or other public place.

- (2) The Municipal Engineer, or any person authorized by the Township, or any police officer may on behalf of the Township remove, detain and impound or cause the removal, detention or impounding of any chattel, obstruction or thing unlawfully occupying any portion of a highway or public place.
- (3) After detention, removal or impoundment, the person entitled to the possession of the chattel, obstruction or thing may obtain its release upon signing an undertaking that that person will not again place it on, above, or in any street, sidewalk or other public place in contravention of this Section and upon payment to the Township, or its agent, of all the fees, costs and expenses of such removal, detention and impoundment, including charges for storage, as set out in Subsection (4).
- (4) For each removal, detention, and impoundment, the person entitled to possession of the chattel, obstruction or thing must pay to the Township, or its agent:
 - (a) a removal and detention fee as follows:

<u>Weight/Type of Object</u>	<u>Detention or Removal Fee</u>
Up to 65 kilograms	\$25.00 for the first detention or removal \$100.00 for a second or subsequent detention or removal.
Over 65 kilograms	\$40.00 for the first detention or removal. \$100.00 for a second or subsequent detention or removal.
Skateboard or other human powered device	\$25.00

- (b) an impoundment and storage fee as follows:

<u>Weight/Type of Object</u>	<u>Impoundment Fee</u>
Up to 65 kilograms	\$5.00 per day including the first day
Over 65 kilograms	\$7.00 per day including the first day.
Skateboard or other human powered device	\$2.00 per day including the first day.

- (5) If the person entitled to the possession of any detained object does not within 30 days of its detention, including the date of its detention, sign the undertaking and pay the fees, costs and expenses set out in Subsection (4), and it appears to the Township, or its agent, that the object detained has a market value, the Township, or its agent, shall as soon as possible thereafter cause it to be sold by public auction to the highest bidder, but shall otherwise cause it to be disposed of

as waste.

- (6) From the proceeds of any auction sale held pursuant to this Section, the Director of Finance of the Township, or its agent, shall:
 - (a) firstly, deduct the costs of the auction;
 - (b) secondly, deduct the fees, costs and expenses payable to the Township, or its agent, pursuant to Subsection (4); and
 - (c) thirdly, pay the surplus, if any, to the person entitled to the possession of the detained object if that person's identity and whereabouts are known.
- (7) If the identity or whereabouts of the person entitled to any surplus funds is not known, the Director of Finance, or its agent, shall:
 - (a) hold any surplus for one year from the date of the auction; and
 - (b) if surplus is not claimed within that period, pay that amount into the General Revenue of the Township and it shall be forfeited to the Township for its purposes.
- (8) No action taken pursuant to any of the preceding Subsections shall be a bar to any other enforcement by the Township of this Bylaw, including the prosecution of any person who contravenes any provisions of this Section or of any other Section of this Bylaw.

Littering/Defacing Municipal Property

50. Save only with respect to articles of trade or commerce lawfully in a street or other public place and works permitted pursuant to this Bylaw or the *Community Charter*, no person shall damage, encumber, obstruct or foul any street or portion thereof or other public place or do anything that is likely to damage, encumber, obstruct or foul any such street or place, and without restricting the generality of the foregoing:
 - (1) no person shall cause or permit to be thrown, deposited, discarded or placed in any street or other public place any rubbish, litter or waste of any description nor any garbage, offal, filth or other noxious or offensive or unwholesome substance or matter;
 - (2) no person shall circulate, distribute or deliver in or near any street or other public place any handbill, circular, flyer or other printed or written matter for the purpose of publicizing or calling attention to any event, fact, product, or thing if the ordinary and probable result of such conduct is that such material will be discarded in or on a street or other public place by any or all of the persons receiving the same.

Sidewalk Obstruction

51.
 - (1) A person must not obstruct any sidewalk by squatting, kneeling, sitting, or lying down on it between the hours of 8:00 a.m. and 9:00 p.m. of the same day.
 - (2) The prohibition in Subsection (1) does not apply to circumstances that involve

any of the following activities or objects:

- (a) a medical emergency;
- (b) sitting on a seat at a bus zone while waiting for a bus;
- (c) sitting on a chair or bench that is supplied by a public agency or an abutting private property owner and that is permitted by a street use permit issued by the Township;
- (d) sitting at a sidewalk café, in a designated and authorized area;
- (e) sitting while engaged in the activity of a hawker, peddler, or street entertainer who possesses a valid permit for that purpose;
- (f) a parade, rally, demonstration, performance, or gathering that is permitted by a street use permit issued by the Township;
- (g) the soliciting of aid by recognized charitable organization.

Sleeping in Vehicles

52. (1) No person shall park any vehicle on any street for the purpose of sleeping overnight in the vehicle.
- (2) No person shall sleep overnight in any vehicle parked on the street.

Water on Street

53. No person owning or occupying any property abutting upon or contiguous to any street shall permit water to flow from such property onto or over such street without a permit issued by the Municipal Engineer who may impose such terms and conditions as he/she considers appropriate and where any such permit is issued the person to whom it is issued shall observe and perform such terms and conditions.

Sidewalk Clearing

54. Every person being an occupant or owner of any property abutting or fronting upon a portion of a sidewalk shall cause such portion of the sidewalk to be cleared and kept clear of all snow, ice, dirt, litter and rubbish and shall dispose of the same otherwise than leaving it upon the street.

Street Obstructions

55. (1) No person shall deposit any wood, cordwood, firewood, sawdust, coal or any other material upon any portion of any street where it is or is likely to be an obstruction to users of the street.
- (2) No person to whom any wood, cordwood, firewood, sawdust, coal or any other material has been delivered shall permit the same to remain upon any portion of any street for a period in excess of 24 hours.

Painting/Drawing/Posters

56. Except as authorized by the Municipal Engineer, no person shall paint, draw or write upon, affix any notice or advertisement to or otherwise mark or disfigure any sidewalk or street within the Township or any structure or fixture in or on any such sidewalk or street, provided that the placing of marks, letters or symbols in the course of the execution of authorized works in any street shall not be considered to be a violation of this Section.

Street Excavation

57. No person except the agents, servants or employees of the Township acting in the course of their employment shall excavate in or disturb the surface of any street within the Township without a permit from the Municipal Engineer and where a permit is issued, any excavating or disturbance shall be carried out in accordance with the conditions therein contained.

Awnings

58. Awnings shall not be placed or suspended over any part of any street or highway without first securing a permit from the Township, as detailed in Section 48, and unless the lowest portion of such awning is at least two and one-half metres above the sidewalk of said street or highway.

Driving in Parks

59. No person in charge, control or possession of any vehicle (not being a vehicle operated by an employee of the Township while in the performance of his/her duties) shall drive or permit said vehicle to be driven within any public park except upon the hard surface portions of the established highways, streets and roads within the said park and no person shall park, or cause to be parked, any such vehicle within a public park except upon areas set apart for the parking of vehicles and no person in charge, control or possession of any vehicle shall drive or permit the said vehicle to be driven upon any roadway in any public park where driving is prohibited by signs.

Damage to Trees

60. No person shall at any time destroy, damage or injure any tree, shrub, flower, foliage, grass or other growing thing upon any boulevard.

Trees / Shrubs / Bushes

61. (1) No person shall plant any tree, shrub, bush or hedge closer than one-half metre to their street-side property line(s).
- (2) The occupier or owner of any land adjacent to a street shall cause all trees, shrubs, hedges and bushes growing or standing upon such land to be trimmed and cut back so as to prevent any obstruction or interference with the free use of the street by persons or vehicles.
- (3) Where any trees, shrubs, hedges or bushes are obstructing or interfering with the use of a street contrary to Subsection (2) or where in the opinion of the Municipal Engineer any trees, shrubs, hedges or bushes are dangerous or have become injurious to the road-bed, sidewalk or works lawfully upon or within the street or

where in the opinion of the Municipal Engineer the safety or convenience of the public requires that any trees, shrubs, hedges or bushes shall be removed, cut back or trimmed, the Municipal Engineer may direct that a notice be given to the owner or occupier of the lands upon which the trees, shrubs, hedges or bushes are growing or standing requiring him/her within ten days from the date thereof to remove, cut back or trim the said trees, shrubs, hedges or bushes designated in the notice and further direct that if the owner or occupier shall fail to comply with the requirements of the notice or make application to a Judge of the Provincial Court as provided in the *Community Charter*, the Municipal Engineer of the Township may enter upon the lands in question and effect such removal, cutting back or trimming at the expense of the owner of the lands in accordance with the *Community Charter*.

Private Lanes

62. (1) The owner of any land forming a private street or lane shall at all times exhibit thereon at its junction with any public street a sign bearing the words "Private Lane" in letters of not less than 100 millimetres in height.
- (2) Every owner of a private lane shall maintain the same in a clean and fit state at all times.

Signs

63. Except as provided for in this Bylaw no person shall place, maintain or display upon or in view of any street any sign, signal or marking device which purports to be or which resembles any traffic sign or traffic control signal or which purports to prohibit, limit or restrict parking or stopping of vehicles.
64. Every pedestrian and every driver or person in charge, control or possession of any vehicle shall obey the direction, instruction, limitation, restriction, prohibition, or any applicable traffic sign or signal unless otherwise directed by a police officer, subject to the exceptions contained in this Bylaw and the *Motor Vehicle Act* respecting emergency and public utility vehicles.

Direction of Police Officer

65. Every person shall obey any direction or regulation of any police officer acting under the pursuant to this Bylaw.

Use of Municipal Streets

66. No person shall engage in any sport, amusement, exercise, game or occupation on any street likely to delay the passage of traffic upon the said street or of such nature as to cause any obstruction whatsoever in or upon any such street except with the written permission of Council or the Municipal Engineer.
67. No person shall propel, drive, ride or run any roller skate, skidmobile, pushmobile, scooter, coaster, velocipede or other coasting device or thing of a similar nature upon any portions of the streets of the Township which lie between the curbs or sidewalks, or which is commonly used for vehicular traffic.
68. The Municipal Engineer may designate at any season of the year any street or portion of

the same for such period he/she considers prudent as a playground for children and to permit the use of any coasting device and to take all precautions necessary in closing such street or portion of the same to vehicular traffic for such a period as he/she may think prudent and otherwise to ensure such coasting or sliding be carried on with safety.

Street Soliciting

68. (1) In this Section,

“automated teller machine” means a device that is linked to a financial institution’s account records, and that is able to carry out transactions that include account transfers, deposits, cash withdrawals, balance inquiries, payments of amounts owed, or other financial transactions;

"cause an obstruction" means:

- (a) to stand, sit or lie on a street in a manner which obstructs or impedes the convenient passage of any pedestrian traffic in a street, in the course of solicitation,
- (b) to continue to solicit from or otherwise harass a pedestrian after that person has made a negative initial response to the solicitation or has otherwise indicated a refusal,
- (c) to physically approach and solicit as a member of a group of three or more persons from a pedestrian,
- (d) to solicit on a street within six metres of:
 - (i) an entrance to a bank, credit union, or trust company,
 - (ii) an automated teller machine, or
 - (iii) a parking ticket dispensing machine, or
- (e) to solicit from an occupant of a motor vehicle in a manner which obstructs or impedes the convenient passage of any vehicular traffic in a street;

(2) A person must not solicit in a manner which causes an obstruction.

Defacing Traffic Signs or Paint Lines

70. No person shall move, deface, damage or alter or obstruct the view of or otherwise interfere with any authorized traffic control signal or traffic sign.

(Section numbers 71 to 105 left for future sections)

Traffic Direction

106. If a police officer considers it necessary to:

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

the police officer may direct traffic according to his or her discretion, despite anything in this Part, and every driver of a vehicle and every pedestrian must obey his or her directions.

Obeying Traffic Controls

107. Unless otherwise directed by a police officer or a person authorized by a police officer to direct traffic, every driver of a vehicle and every pedestrian must obey the instructions of an applicable traffic control device.

Stop Signs

108. (1) Except when a police officer directs otherwise, if there is a stop sign at an intersection, a driver of a vehicle must stop
- (a) at the marked stop line, if any;
 - (b) before entering the marked crosswalk on the near side of the intersection; or
 - (c) when there is neither a marked crosswalk nor a stop line, before entering the intersection, at the point nearest the intersecting highway from which the driver has a view of approaching traffic on the intersecting highway.

Division 2 - Traffic Control Signals

Green Light

109. (1) When a green light alone is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the green light:
 - (i) may cause the vehicle to proceed straight through the intersection, or to turn left or right, subject to a sign or signal prohibiting a left or right turn, or both, or designating the turning movement permitted;
 - (ii) must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk at the time the green light is exhibited; and
 - (iii) must yield the right of way to vehicles lawfully in the intersection at the time the green light became exhibited; and
 - (b) a pedestrian facing the green light may proceed across the roadway in a marked or unmarked crosswalk, subject to special pedestrian traffic control signals directing him or her otherwise, and has the right of way for that purpose over all vehicles.
- (2) When a green light alone is exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle:
 - (i) may cause the vehicle to pass the signal; and
 - (ii) must yield the right of way to a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited;
 - (b) a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited must proceed as quickly as possible from

the roadway; and

- (c) a pedestrian must not enter the roadway in the vicinity of the signal until either:
 - (i) the traffic control signal facing the vehicular traffic exhibits a red light; or
 - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

Yellow Light

- 110. (1) When a yellow light alone is exhibited at an intersection by a traffic control signal, following the exhibition of a green light,
 - (a) the driver of a vehicle approaching the intersection and facing the yellow light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, unless the stop cannot be made in safety;
 - (b) a pedestrian facing the yellow light must not enter the roadway; and
 - (c) a pedestrian proceeding across the roadway and facing the yellow light exhibited after he/she entered the roadway:
 - (i) must proceed to the sidewalk as quickly as possible; and
 - (ii) has the right of way for that purpose over all vehicles.
- (2) When a yellow light alone is exhibited at a place other than an intersection by a traffic control signal,
 - (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, before reaching the signal, unless the stop cannot be made in safety; and
 - (b) a pedestrian must not enter the roadway in the vicinity of the signal until either:
 - (i) the traffic control signal facing the vehicular traffic exhibits a red light; or
 - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

Red Light

- 111. (1) Subject to Subsection (2), when a red light alone is exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing the red light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, before entering the intersection, and subject to the provisions of Subsection (2), must not cause the vehicle to proceed until a traffic control signal instructs the driver that he or she is permitted to do so.
- (2) The driver of a bus approaching an intersection and facing a red light and a prescribed white rectangular indicator may cause the bus to proceed through the intersection.

- (3) Despite Subsection (1), and except when a right turn permitted by this Subsection is prohibited by a sign at an intersection, the driver of a vehicle facing the red light, and which in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then as closely as practicable to the intersection, may cause the vehicle to make a right turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection.
- (4) When a red light alone is exhibited at an intersection by a traffic control signal,
 - (a) a pedestrian facing the red light must not enter the roadway unless instructed that he or she may do so by a pedestrian traffic control signal;
 - (b) except when a left turn permitted by this paragraph is prohibited by a sign at the intersection, the driver of a vehicle facing the red light at the intersection of not more than two highways, and which in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, as closely as practicable to the intersection, may cause the vehicle to make a left turn into a highway on which traffic is restricted to the direction in which he or she causes the vehicle to turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection; and
 - (c) a pedestrian proceeding across the roadway and facing the red light exhibited after he or she entered the roadway:
 - (i) must proceed to the sidewalk as quickly as possible; and
 - (ii) has the right of way for that purpose over all vehicles.
- (5) When a red light is exhibited at a place other than an intersection by a traffic control signal,
 - (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, then before reaching the signal; and
 - (b) a pedestrian may proceed across the roadway.

Green Arrow

- 112. (1) When a green arrow is exhibited at an intersection by a traffic control signal,
 - (a) the driver of a vehicle facing the green arrow may cause it to enter the intersection and to make only the movement indicated by the green arrow, but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk and to other vehicles lawfully in the intersection; and
 - (b) a pedestrian facing the green arrow must not enter the roadway unless a pedestrian traffic control signal or the exhibition of a green light by a traffic control signal instructs the pedestrian that he or she is permitted to do so.
- (2) When a yellow arrow is exhibited at an intersection by a traffic control signal,

- (a) the driver of a vehicle approaching the intersection and facing a yellow arrow must cause the vehicle to stop:
 - (i) before entering the marked crosswalk on the near side of the intersection, or
 - (ii) before entering the intersection, if there is no marked crosswalk, unless the stop cannot be made in safety,
- (b) the driver of a motor vehicle approaching the intersection and facing the yellow arrow may, when a stop cannot be made in safety, proceed with caution to make the only movement indicated by the arrow but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk, and to other vehicles lawfully in the intersection,
- (c) a pedestrian facing the yellow arrow must not enter the roadway, and
- (d) a pedestrian proceeding across the roadway and facing the yellow arrow exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

Flashing Lights

113. (1) When rapid intermittent flashes of red light are exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection and facing the flashes of red light must cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, and must not cause the vehicle to proceed until it is safe to do so; and
 - (b) a pedestrian facing the flashes of red light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (2) When rapid intermittent flashes of red light are exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal
 - (i) must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk then before reaching the signal; and
 - (ii) may, after having caused the vehicle to stop, cause it to pass the signal and any crosswalk only if conditions of pedestrian traffic in the roadway or any crosswalk in the vicinity of the signal permit it to do so with safety; and
 - (b) a pedestrian may proceed across the roadway.
- (3) When rapid intermittent flashes of yellow light are exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the flashes of yellow light may cause it to enter the intersection and proceed only with caution, but must yield the right of

- way to pedestrians lawfully in the intersection or an adjacent crosswalk; and
- (b) a pedestrian facing the flashes of yellow light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (4) When rapid intermittent flashes of yellow light are exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal may cause the vehicle to pass the signal only with caution, and must yield the right of way to pedestrians in the roadway or on any crosswalk in the vicinity of the signal; and
 - (b) a pedestrian may proceed across the roadway with caution.
- (5) When rapid intermittent flashes of green light are exhibited at an intersection or at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection or signal and facing the signal must cause it to approach the intersection or signal in such a manner that he or she is able to cause the vehicle to stop before reaching the signal or any crosswalk in the vicinity of the signal if a stop should become necessary, and must yield the right of way to pedestrians lawfully in a crosswalk in the vicinity of the signal or in the intersection; and
 - (b) a pedestrian may proceed across the roadway with caution and at an intersection only in a marked or unmarked crosswalk.

Division 3 - Prohibitions

Stunting

114. No person, whether as a pedestrian, passenger, or driver, and whether or not with the use or aid of any animal, vehicle, or other thing, shall perform or engage in any stunt or other activity on a street that is likely to distract, startle, obstruct or interfere with other users of the street.

Driving on Laned Roadway

115. (1) Every person who is driving a vehicle on a laned roadway:
- (a) must not drive it from one lane to another when a broken line only exists between the lanes, unless the driver has ascertained that movement can be made with safety and will in no way affect the travel of another vehicle;
 - (b) must not drive it from one lane to another if that action necessitates crossing a solid line;
 - (c) must not drive it from one lane to another without first signalling his or her intention to do so by hand and arm or approved mechanical device in the manner prescribed by sections 126 and 127;
 - (d) when approaching an intersection intending to turn left must drive the vehicle in the centre lane or in the lane nearest the centre of the roadway on

the right hand half of the highway;

- (e) when approaching an intersection intending to turn right must drive the vehicle in the lane nearest to the right hand side of the roadway;
- (f) must not pass a vehicle on the left if that action necessitates driving on that part of the highway designated for travel in the opposite direction; and
- (g) if a traffic control device directs slow moving traffic to use a designated lane, must when driving slowly drive the vehicle in that lane only.

Highway Lines

116. (1) Despite anything in this Part, if a highway is marked with
- (a) a solid double line, the driver of a vehicle must drive it to the right of the line only;
 - (b) a double line consisting of a broken line and a solid line:
 - (i) the driver of a vehicle proceeding along the highway on the side of the broken line must drive the vehicle to the right of the double line, except when passing an overtaken vehicle; and
 - (ii) the driver of a vehicle proceeding along the highway on the side of the solid line must drive the vehicle to the right of the double line, except only when finishing the passing of an overtaken vehicle; and
 - (c) one single line, broken or solid, the driver of a vehicle must drive the vehicle to the right of the line, except only when passing an overtaken vehicle.
- (2) Subsection (1) (b) (i) and (c) do not apply if a driver is avoiding an obstruction on the highway and first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle.
117. If the driver of a vehicle is causing the vehicle to enter or leave a highway and the driver has ascertained that he or she can do so with safety and does so without unreasonably affecting the travel of another vehicle, the provisions of sections 115 and 116 are suspended with respect to the driver while the vehicle is entering or leaving the highway.

Newly Painted Lines

118. A person must not drive on or over a newly painted line or marking on a highway when the line is indicated by a traffic control device.

Duty When Overtaking

119. (1) Except as provided in Section 120, the driver of a vehicle overtaking another vehicle
- (a) must cause the vehicle to pass to the left of the other vehicle at a safe distance; and
 - (b) must not cause or permit the vehicle to return to the right side of the highway until safely clear of the overtaken vehicle.

- (2) Except when overtaking and passing on the right is permitted, a driver of an overtaken vehicle,
 - (a) on hearing an audible signal given by the driver of the overtaking vehicle, must cause the vehicle to give way to the right in favour of the overtaking vehicle; and
 - (b) must not increase the speed of the vehicle until completely passed by the overtaking vehicle.

Passing On Right

- 120. (1) The driver of a vehicle must not cause or permit the vehicle to overtake and pass on the right of another vehicle, except
 - (a) when the vehicle overtaken is making a left turn or its driver has signalled his or her intention to make a left turn;
 - (b) when on a laned roadway there is one or more than one unobstructed lane on the side of the roadway on which the driver is permitted to drive; or
 - (c) on a one way street or a highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and is of sufficient width for two or more lanes of moving vehicles.
- (2) Despite Subsection (1), a driver of a vehicle must not cause the vehicle to overtake and pass another vehicle on the right
 - (a) when the movement cannot be made safely; or
 - (b) by driving the vehicle off the roadway.

Passing On Left

- 121. A driver of a vehicle must not drive to the left side of the roadway in overtaking and passing another vehicle unless the driver can do so in safety.

Clear View on Passing

- 122. A driver of a vehicle must not drive to or on the left side of the roadway, other than on a one way highway, unless the driver has a clear view of the roadway for a safe distance, having regard for all the circumstances.

Divided Highways

- 123. If a highway has been divided into two roadways by a physical barrier or clearly indicated dividing section constructed so that it impedes vehicular traffic, a driver must not:
 - (a) drive a vehicle over, across or within a barrier or dividing section, except at a crossover or intersection; or
 - (b) drive a vehicle on the left hand roadway unless directed or permitted to do so by a police officer or a traffic control device.

Division 4 - Turning Offences**Reverse Turn**

124. (1) Except as provided by the Bylaws of a Township, a driver must not turn a vehicle so as to proceed in the opposite direction
- (a) unless the driver can do so without interfering with other traffic; or,
 - (b) when he or she is driving,
 - (i) on a curve;
 - (ii) on an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 metres;
 - (iii) at a place where a sign prohibits making a U-turn;
 - (iv) at an intersection where a traffic control signal has been erected; or
 - (v) in a business district, except at an intersection where no traffic control signal has been erected.

Signals on Turning

125. (1) If traffic may be affected by turning a vehicle, a person must not turn it without giving the appropriate signal under sections 126 and 127.
- (2) If a signal of intention to turn right or left is required, a driver must give it continuously for sufficient distance before making the turn to warn traffic.
- (3) If there is an opportunity to give a signal, a driver must not stop or suddenly decrease the speed of a vehicle without first giving the appropriate signal under sections 126 and 127.

Means of Signaling

126. (1) Subject to Subsection (2), where a signal is required a driver must give it by means of:
- (a) his/her hand and arm;
 - (b) a signal lamp of a type approved by the Province; or
 - (c) a mechanical device of a type approved by the Province.
- (2) When a vehicle is constructed or loaded in a manner that makes a signal by hand and arm not visible both to its front and rear, or a body or load extends more than 60 cm to the left of the centre of the steering wheel, a driver must give signals as provided by paragraph (1) (a) or (b), and a person must not drive the motor vehicle on a highway unless it is so equipped.

Left Hand Drive Signals

127. (1) When a driver of a left hand drive vehicle gives a signal by hand and arm, the driver must do so from the left side, and must signify:

- (a) a left turn by extending his or her left hand and arm horizontally from the vehicle;
 - (b) a right turn by extending his or her left hand and arm out and upward from the vehicle; and
 - (c) a stop or decrease in speed by extending his or her left hand and arm out and downward from the vehicle.
- (2) No person shall not drive a right hand drive vehicle on a highway unless it is equipped with a mechanical or electrical signaling device approved by the Province.

Division 5 - Miscellaneous Driving Offences

Driving Over Fire Hose

128. Unless he or she has received consent of the fire department official in command or a police officer, a person must not drive a vehicle over an unprotected hose of a fire department when laid down on a highway or private driveway at a fire or an alarm of fire.

Driving on Sidewalk

129. No driver shall drive on a sidewalk, walkway or boulevard, except when entering or leaving a driveway or lane or when entering or leaving land adjacent to a highway, or by permission granted under a Bylaw.

Bicyclist Provisions

130. (1) In addition to the duties imposed by this Section, a person operating a cycle on a highway has the same rights and duties as a driver of a vehicle.
- (2) A person operating a bicycle:
- (a) must not, for the purpose of crossing a highway, ride on a crosswalk unless authorized to do so by a Bylaw or unless otherwise directed by the appropriate signage and line markings. Within the Township the following intersection crosswalks a cycle can ride within the crosswalk;
 - Admirals Road/Colville Road/ E&N Railway,
 - Intervale Avenue/E&N Railway
 - Hutchinson Avenue/E&N Railway
 - Lampson Street/E&N Railway
 - Fairview Road/Devonshire Road/E&N Railway
 - (b) must, subject to paragraph (a), ride as near as practicable to the right side of the highway;
 - (c) must not ride abreast of another person operating a bicycle on the roadway;
 - (d) must keep at least one hand on the handlebars;
 - (e) must not ride other than on or astride a regular seat of the bicycle;

- (f) must not use the bicycle to carry more persons at one time than the number for which it is designed and equipped; and
 - (g) must not ride a bicycle on a highway where signs prohibit the bicycle's use.
- (3) Nothing in Subsection 2(b) requires a person to ride a bicycle on any part of a highway that is not paved.
- (4) A person operating a bicycle who intends to turn it to the left at an intersection where there is more than one lane from which left turns are permitted must
 - (a) cause the bicycle to approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted,
 - (b) keep the bicycle to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane,
 - (c) after entering the intersection, turn the bicycle to the left so that it will leave the intersection to the right of the line referred to in paragraph (b), and
 - (d) when practicable, turn the bicycle in the portion of the intersection to the left of the centre of the intersection.
- (5) No person shall ride a bicycle, skate board, roller skates, in-line roller skates, sled, play vehicle or other similar means of conveyance when it is attached by the arm and hand of the rider or otherwise to a vehicle on a highway.
- (6) A person must not operate a bicycle on a highway without due care and attention or without reasonable consideration for other persons using the highway.

Bicycles on Sidewalks, Bicycle Helmets

131. (1) In this section, "bicycle safety helmet" means a helmet that
- (a) is designated as an approved bicycle safety helmet under the *Motor Vehicle Act*; or
 - (b) meets the standards and specifications prescribed under the *Motor Vehicle Act*.
- (2) A person must not ride or operate a bicycle on or across
- (a) a sidewalk; or
 - (b) a street or path in a public place where signs are displayed stating that the street or path is for pedestrian traffic only.
- (3) Subsection (2) does not apply to
- (a) a police officer who is carrying out the officer's duty, while pursuing an offender, or while acting during an emergency, or
 - (b) a member of the British Columbia Ambulance Service Paramedic Bike

Squad who is carrying out the member's duty while performing medical assistance to the public.

- (4) Subject to subsection (2), a person may operate or ride as a passenger on bicycle on a path or way that is not a highway and that is not located on private property only if that person is properly wearing a bicycle safety helmet.
- (5) Subject to subsection (2), a parent or guardian of a person under the age of 16 years may authorize or knowingly permit a person to operate or ride as a passenger on a cycle on a path or way that is not a highway and that is not located on private property only if the person is properly wearing a bicycle safety helmet.

Motorcycles

- 132. (1) A person operating a motorcycle must ride only astride the regular seat attached to it.
- (2) A person, other than the operator, must not ride on a motorcycle unless:
 - (a) it is designed and equipped to carry more than one person; and
 - (b) the other person rides
 - (i) astride the permanent and regular seat if designed for two persons;
 - (ii) astride another seat firmly attached to the motorcycle behind the seat occupied by the operator; or
 - (iii) on or in another seat firmly attached to one side of the motorcycle.
- (3) A person who is operating a motorcycle must not permit another person to ride on it in violation of Subsection (2).
- (4) Except when overtaking and passing other motorcycles, more than two operators of motorcycles must not operate their motorcycles side by side in the same direction in the same traffic lane.

Skateboarding

- 133. (1) A person must not ride a skateboard or other human powered device on a sidewalk.
- (2) A person must not ride a skateboard or other human powered device on a street, sidewalk or path in a public place where signs are displayed indicating that such activities are prohibited.
- (3) Section 49(2) and 49(3) apply to the removal, detention and impoundment of a skateboard or other human powered device that is being ridden in contravention of Subsection (2).

Works on Street Require Permit

- 134. (1) The Municipal Engineer may issue a written permit for the obstruction of a street or sidewalk for any of the following purposes:

- (a) removal of a building, structure or object;
 - (b) repair, alteration, or reconstruction of a building;
 - (c) for any other necessary work.
- (2) a person must not occupy any part of the street or sidewalk for a purpose mentioned in subsection (1) if that person does not have a permit issued under subsection (1).
- (3) An applicant for a permit to occupy a street or sidewalk must:
 - (a) in the application, state the period for which it is expected that the permit is required, and
 - (b) pay to the Township those fees that apply to the occupation.
- (4) The applicant for a permit must pay, in advance, the applicable fees specified in the applicable permit.
- (5) The Township must provide an applicant with an estimate of the costs described in the applicable permit.
- (6) A permit holder must satisfy the following requirements if that person's degree of occupancy of a street or sidewalk is required to change during the progress of that person's work on the street or sidewalk:
 - (a) obtain the approval for an extension or modification of occupancy from the Municipal Engineer;
 - (b) pay any additional fee required in accordance with the applicable permits.
- (7) The Municipal Engineer may reserve for the sole use of the permit holder, during the period in which the permit is in force, curb space for necessary access and loading purposes opposite the building for which the permit is issued.
- (8) The fees prescribed by the applicable permits are due to the Township whether or not a permit has been issued.

PART VI - ADMINISTRATION AND OFFENCES

Offence

133. (a) Every person who contravenes any provision of this Bylaw commits an offence which is punishable in accordance with the *Community Charter*.
- (b) Every person who is guilty of an offence under this Bylaw is liable to a fine of not more than \$10,000 or to imprisonment for not more than six months or to both.
- (c) A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.
- (d) This Bylaw may be enforced by the issuing of a ticket for contravention in accordance with the *Ticket Information Utilization Bylaw, 2005, No. 2619* or the *Bylaw Notice Enforcement Bylaw, 2014, No. 2839*, as may be amended or replaced from time to time.
- (e) The penalties imposed under this Section shall be in addition to and not in substitution for any other penalty or remedy that may be imposed pursuant to this Bylaw or otherwise by law.

Repeal

134. Bylaw No. 2607, cited as the "Streets and Traffic Regulation By-law, 2005, No. 2607" and amending Bylaw Nos. 2676, 2678, 2697, 2713, 2716, 2729, 2760, 2811, 2817 and 2822 be and are hereby repealed.

Severability

135. Any Section, Subsection, sentence, clause or phrase of this Bylaw which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

Headings

136. Section headings do not form part of this Bylaw, and are included for convenience only.

Read a first time this day of , 2017.

Read a second time this day of , 2017.

Read a third time this day of , 2017.

ADOPTED this day of , 2017.

BARBARA DESJARDINS, MAYOR

ANJA NURVO, CORPORATE OFFICER