

District of Taylor
Bylaw No. 718, 2006
A Bylaw to Regulate Traffic and Parking in the District of Taylor

WHEREAS the Council of a municipality is empowered to enact a bylaw to make different regulations or prohibitions for the municipality, including regulations concerning traffic and parking;

AND WHEREAS the Council is empowered to enact fines and penalties for violations of those regulations or prohibitions;

NOW THEREFORE the Council of the District of Taylor, in open meeting assembled, hereby enacts as follows;

1. DEFINITIONS

In this bylaw:

“Bylaw Enforcement Officer” means a person appointed by the District of Taylor Council to enforce the District of Taylor Bylaws.

“Commercial Trailer” means a trailer but does not include a recreational trailer or a trailer having a gross vehicle weight of less than 8500 kilograms.

“Commercial Vehicle” means a vehicle which is a commercial vehicle defined as such and licensed under the Commercial Transport Act, and any vehicle not so licensed but which is used for the collection or delivery, or both of goods, wares, merchandise, or other commodity in the ordinary course of a business undertaking.

“Construction Vehicle” means a commercial vehicle that is at any time used to deliver construction materials or equipment, or used to do construction work.

“Crosswalk” means:

- a) the portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface, or
- b) the portion of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sides of the street, or within the extension of the lateral lines of the sidewalk on one side of the street, measured from the curbs, or in the absence of curbs, from the edges of the street.

“Cycle” means a device having any number of wheels that is propelled by human power and on which a person may ride.

“Disabled” means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk.

“Disabled Zone” means a parking zone identified by the disabled persons parking insignia sign.

“Emergency Vehicle” means:

- a) a motor vehicle carrying rescue or first aid equipment where there is an emergency justifying a rate of speed in excess of any maximum rate of speed provided for in the Motor Vehicle Act ;
- b) a motor vehicle driven by a member of a fire department in the discharge of that member’s duties;
- c) a motor vehicle driven by a Peace Officer, constable or member of the police branch of Her Majesty’s Armed Forces, in the discharge of that person’s duties.

“Farm” means a tract of land cultivated for the purpose of agricultural production or the raising or breeding of domestic animals.

“Farm Vehicle” means a commercial motor vehicle that is:

- Controlled and operated by a farmer as a private motor carrier of property;
- Being used to transport either agricultural products or farm machinery, farm supplies, or both to or from a farm;
- Not carrying hazardous materials of a type or quantity that requires the commercial motor vehicle to be placarded.

“Superintendent” means the Public Works Superintendent of the District of Taylor or anyone authorized to act on his or her behalf.

“Gross Vehicle Weight” means the combined weight of the vehicle without the load plus the weight of any load thereon.

“Street” includes every highway within the meaning of the Transportation Act, and every road, street, lane or right of way designated or identified for or used by the general public for the passage of vehicles and every passageway to a private place to which the public, for the purpose of parking or servicing of vehicles, has access or is invited.

“Owner” as applied to a vehicle means:

- a) the person who holds the legal title of a vehicle,
- b) a person who is a conditional vendee, a lessee or a mortgagor, and is entitled to be in possession of the vehicle, or
- c) the person in whose name the vehicle is registered.

“Park” means the standing of a vehicle, whether occupied or not, upon a street except when the vehicle is standing temporarily for the purpose of and while actually used for loading or unloading of the vehicle.

“Recreational Vehicle” means a motor vehicle or trailer designed, used or intended to be used primarily for accommodation during travel or recreation.

“Stop” means:

- a) when required, a complete cessation from movement, and
- b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a peace officer or traffic control device.

“Traffic” includes pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a highway to travel.

“Traffic Control Device” means a sign, signal, line, meter, marking, space, barrier or device, placed or erected by authority of the Minister of Transportation, the Council of the District, the Public Works Superintendent or a person authorized by any of them to exercise that authority, for the guidance, regulation, warning, direction, or prohibition of traffic.

“Trailer” means a vehicle without motor power designed to be drawn by or used in conjunction with a motor vehicle but does not include an implement of husbandry or a sidecar attached to a motorcycle.

“Vehicle” means a device in, on or by which a person or thing is or may be transported or drawn on a street, except a device designed to be moved by human power or used exclusively on stationary rails or tracks.

“Yellow Curb and Yellow Line” means, except where a bylaw of the Municipality provides otherwise, a traffic control device consisting of a curb painted yellow or yellow lines painted on the pavement surface which instructs every operator of a vehicle that no person shall stop, park or leave standing, any vehicle adjacent to or upon, attended or unattended, except where necessary to avoid conflict with other traffic, or in compliance with the direction of an officer, traffic control signal, or device.

2. GENERAL POWERS OF THE SUPERINTENDENT

- a) The Superintendent is authorized to locate, establish and maintain upon any street or boulevard such traffic control devices as may be deemed necessary for the regulation, direction, control, or prohibition of pedestrian traffic, vehicular traffic, and cycle traffic on any street or boulevard.
- b) The Superintendent is authorized, at his discretion, to temporarily close any street and authorize work for any of the following purposes upon the submission of an Application attached as Schedule “A” forming part of this bylaw:
 - i) construction or maintenance, or both, of any street or boulevard, or anything ancillary to any of them;
 - ii) installation, maintenance or removal of utilities;

iii) construction of buildings on abutting properties if, in the opinion of the Superintendent, such closure or occupation, or both, is desirable to facilitate such construction or is necessary to protect the public during such construction;

iv) a parade, festival, or block party;

c) The Superintendent or a Bylaw Enforcement Officer may order the alteration, painting, tearing down or removal of any sign or advertisement, erected or maintained on or over any highway and in the exercise of this authority no compensation shall be paid to any person for loss or damage resulting from the alteration, repainting, tearing down, or removal of any sign or advertisement placed upon or over any highway.

3. GENERAL POWERS OF BYLAW ENFORCEMENT AND PEACE OFFICERS

a) Any Bylaw Enforcement Officer of the District or Peace Officer may cause to be removed and stored, any vehicle parked on any street or any other public statutory right of way.

b) Council hereby authorizes any Bylaw Enforcement Officer of the District or Peace Officer to determine whether a vehicle has been abandoned and if they are satisfied that a vehicle has been abandoned, they may cause the vehicle to be removed and disposed of pursuant to the Transportation Act .S.B.C. 2004, c.44.

4. STOPPING OR PARKING OF VEHICLES

1. Parking Prohibitions

Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a Bylaw Enforcement Officer, Peace Officer, or traffic control device, no person shall:

a) park a motor vehicle upon any street for any continuous period exceeding 72 hours without movement;

b) park a vehicle overnight in any District owned parking area, without written authorization from the Superintendent, Bylaw Enforcement Officer or a Peace Officer;

c) abandon any vehicle upon a street;

d) stop or park a vehicle on a boulevard;

e) stop or park on a sidewalk;

f) stop or park a vehicle within a designated Fire Lane;

g) stop or park a vehicle in contravention of a traffic control device;

h) stop or park a vehicle on a street so that it impedes the normal flow of traffic;

- i) park or stop a vehicle on a street within 1.5 meters (5 feet) of a public or private driveway or road;
- j) stop or park within 6 meters (20 feet) of the approach side of a crosswalk;
- k) park a vehicle within 5 meters (15 feet) of a fire hydrant measured from a point on the curb or edge of street which is closest to the fire hydrant;
- l) stop or park a vehicle within 6 meters (20 feet) on the approach to a stop sign;
- m) stop or park upon a two-way roadway, other than on the right side of the roadway, and with the right hand wheels parallel to that side, except where angle parking is permitted
- n) stop or park a motor vehicle or trailer on a street without displaying on it, the number permitted; plates issued for the current license year of that motor vehicle or trailer permitted;
- o) drive, stop or park a vehicle having a licensed gross vehicle weight of over 8,500 kilograms (18,700 pounds) on any street designated for residential traffic;
- p) stop or park any vehicle on any street for the purpose of greasing or repairing such vehicle except repairs necessitated by an emergency;
- q) occupy a vehicle as living quarters while it is parked upon any street or in any other public place;
- r) stop or park a vehicle in a designated Disabled parking spot unless the vehicle displays a valid disabled parking permit.

2. Manner of Parking

- a) Where parking spaces have been marked on any street for parallel parking, no person shall park any vehicle otherwise than between the lines or markings indicating the limits of a single parking space, except in the case of a vehicle being of greater length than that of a single parking space, but in no case shall a vehicle occupy or encroach upon more than two parking spaces.
- b) No person shall stop or park a vehicle other than parallel to the curb on a street, except where signs or markings indicate that angle parking is permitted, in which case the vehicle shall be parked at the angle to the curb indicated by such signs or markings, and parallel to and between such markings and as close to the curb as practicable, but in no case greater than 30 centimeters (12 inches) from the curb.
- c) Where parallel parking is permitted, vehicles shall be parked with wheels nearest the boulevard positioned parallel to the street, and where there is a curb, within 30 centimeters (12 inches) of the curb.

- d) No person shall park a vehicle in such a manner that any part of the vehicle shall extend into the street beyond the lines or markings indicating the limit of the parking spaces on that section of the street.
- e) Where parking is permitted on a one-way street, a person shall stop or park a vehicle only in the direction of travel permitted by the traffic control device.

3. Commercial Trailer Parking

- a) No person, being the owner or operator of a commercial trailer shall park such a commercial trailer when it is attached to a vehicle on any street for more than two consecutive hours, except when the vehicle is delivering or picking up goods, merchandise or other things or in an area designated by the Superintendent.
- b) No person, being the owner or operator of a commercial trailer shall place or park such commercial trailer on any street if such trailer is not attached to a vehicle and capable of being pushed or drawn at all times, without first obtaining a written permit from the District Public Works Superintendent, Bylaw Enforcement Officer or Peace Officer.

4. Vehicles Exempt from Parking Regulations

This exemption does not relieve the drivers of said vehicles from taking due precautions to indicate their presence on a street parked or stopped, while engaged in work.

- a) Notwithstanding anything elsewhere contained in this bylaw, the provisions relating to stopping or parking of vehicles shall not apply to:
 - i) emergency vehicles;
 - ii) vehicles used in conjunction with the servicing of public utilities including garbage collection, telephone systems, electric systems, natural gas systems and cablevision systems;
 - iii) municipal and other government vehicles;
 - iv) towing service vehicles; and
 - v) school buses.

5. STREET USAGE

1. Pedestrians

No person or persons shall stand or assemble on any street or sidewalk so as to obstruct or prevent other persons from using the street or sidewalk for the passage of motor vehicles or pedestrians.

2. Regulation of Cycles, Skateboards, and Roller Blades

- a) Unless the context otherwise requires, a person operating a cycle on a street has all the rights and is subject to all the duties that any vehicle operator has under this bylaw.
- b) Any person operating a skateboard, rollerblades or other similar equipment and apparatus associated with such equipment, shall yield the right of way to and shall not interfere with the quiet enjoyment of any person or traffic on or in a public place, park, highway, street or road.

3. Vehicle Weight Restrictions/Truck Routes

- a) certain highways designated in Schedule "B" attached shall be designated as Truck Routes. The Superintendent shall post the designated routes with appropriate signs and the provisions of this Bylaw shall apply to the enforcement of these routes.
- b) no person shall drive or operate a vehicle of over 8500 kilograms (18,700 lbs) on paved residential roads unless so designated.
- c) farm vehicles used to serve farms within the District of Taylor are exempted from Section 5.3.b).

4. General

- a) No person shall operate vehicles with Tracks, Cleats, Ribs, Clamps, Flanges, Lugs, or similar equipment on a street without the written approval of the Superintendent.
- b) No person shall operate a vehicle that leaks fluids of any kind onto a highway.
- c) No person shall remove any notice affixed or placed on a vehicle by the Superintendent or Bylaw Enforcement Officer unless he is the owner or operator of such vehicle.
- d) No person shall camp overnight on any street or in any park or in any parking area, other than those areas approved for overnight camping.
- e) No person shall remove, alter, deface, cover up or damage any traffic control device erected pursuant to the provisions of this bylaw.
- f) Except as specifically authorized by a resolution of Council or by bylaw, no person acting in the course of that person's business, shall place or cause or permit to be placed by any person in their employ or under their control, any fuel, merchandise, chattel or wares of any nature on any street or boulevard, or to conduct business from a vehicle parked on any street.
- g) The Superintendent or Bylaw Enforcement Officer may seize any merchandise, vehicle, fuel, chattel or wares of any nature found to be unlawfully occupying a portion of a street, boulevard or public place and may cause such object to be removed, detained and impounded.

- h) No person shall park, store, or let stand any vehicle, commercial transport vehicle, or trailer that is loaded with, or contains dangerous goods (as per the definition in the *Transport of Dangerous Goods Act*) on any highway, or in or on any residential zoned property at any time.

6. **FINES AND PENALTIES**

1. Ticketing:

A person who contravenes this bylaw commits an offence and may be ticketed pursuant to the Municipal Ticketing Information Bylaw. Each day during which any violation, contravention or breach occurs shall be deemed a separate offence.

2. Impoundment of Vehicles

(a) Any vehicle unlawfully occupying any portion of District property, street, boulevard, highway, or public place may, upon the order of a Bylaw Enforcement Officer or Peace Officer, be removed to an impoundment lot and such a vehicle will not be released to its owner until the costs of its removal and impoundment are paid. These costs are established in an agreement between the District and its towing agent.

(b) If a vehicle that has been impounded and is not claimed by its owner within thirty-one days of being given a notice of the impoundment, the vehicle may be sold at public auction. Any monies received on the vehicles sale shall be applied to the cost of the sale, impoundment, storage, and removal fees. In the event of a surplus, the monies will be sent to the registered owner at the address shown for such owner in the records of the Superintendent of Motor Vehicles by registered mail.

3. Disposal of Objects

(a) After the expiration of thirty-one days from the date of seizure of an object, the Superintendent is authorized to sell the object by auction and the proceeds of the sale shall be the property of the District.

(b) The District may recover fees, costs, and expenses for removal, detention, impounding and storage of an object seized, in any court in competent jurisdiction or by sale of the object at public auction.

(c) Where, in the opinion of the District Public Works Superintendent, it is impractical to dispose of a seized object by public auction, the Public Works Superintendent may dispose of the object in any way deemed fit and recover the cost of such disposal from the owner of the object by court action.

4. Liability for Damages and Costs

In addition to all other penalties herein provided, any person causing damage to any street or boulevard, or any person being the owner or operator of a vehicle that has caused damage to any street or boulevard, shall be responsible for the cost of repairing such damage.

7. **SEVERABILITY**

If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

8. **ADMINISTRATIVE PROVISIONS**

1. This bylaw repeals Traffic Regulation Bylaw No. 277, 1980 and any amendments thereto.

9. **CITATION**

This bylaw is cited as "Traffic and Parking Bylaw No. 718, 2006."

READ A FIRST TIME THE 4th DAY OF August, 2009

READ A SECOND TIME THE 4th DAY OF August, 2009

READ A THIRD TIME THE 4th DAY OF August, 2009

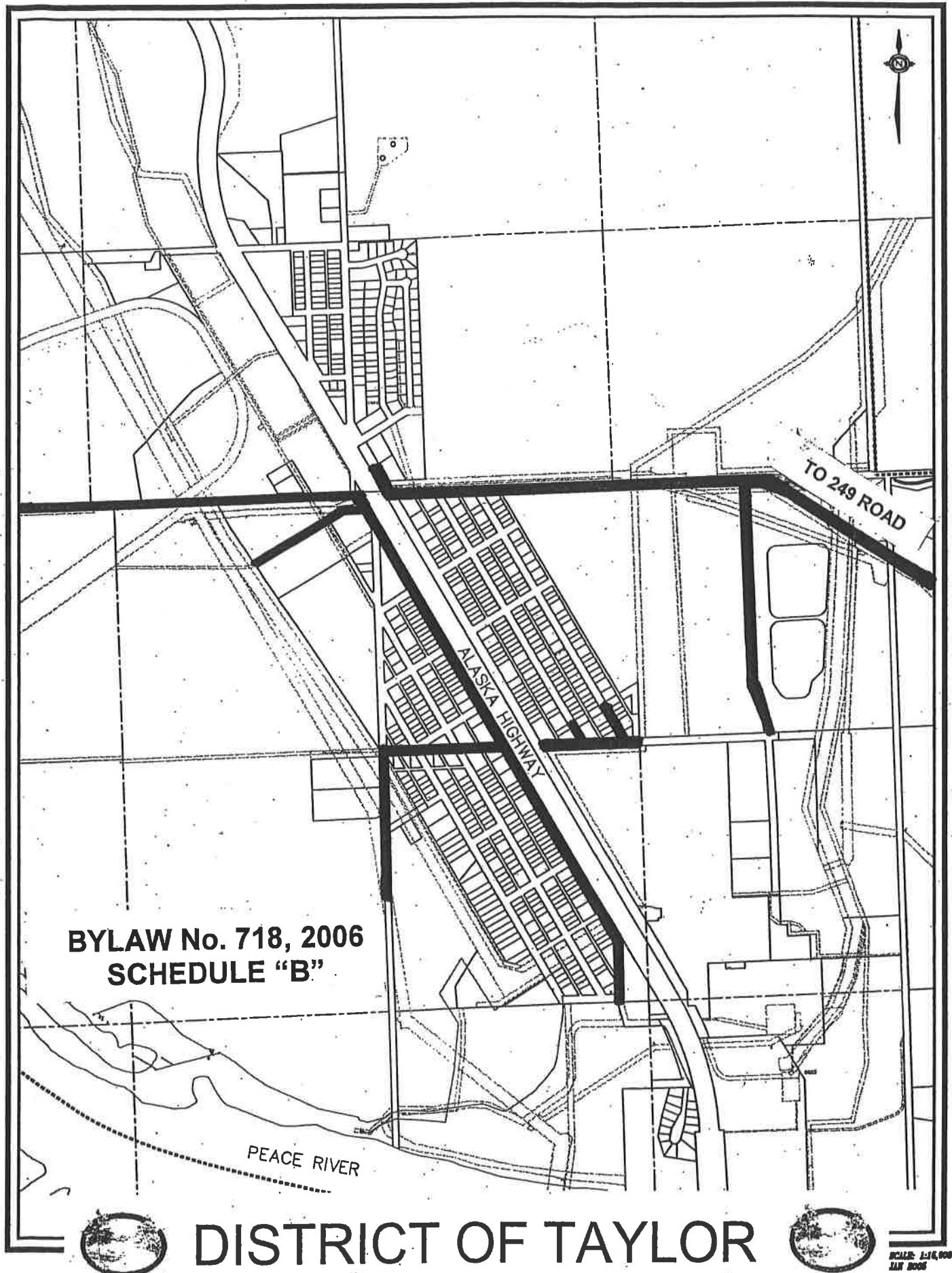
ADOPTED THIS 1st DAY OF September, 2009


MAYOR


ADMINISTRATOR

I hereby certify that this is a true copy
of Bylaw No. 718, 2006 cited as
"District of Taylor Traffic and Parking
Bylaw No. 718, 2006".


ADMINISTRATOR



**BYLAW No. 718, 2006
SCHEDULE "B"**

DISTRICT OF TAYLOR

SCALE: 1:10,000
JAN 2008