



**STREET AND TRAFFIC REGULATION
BYLAW
NO. 909, 2009**

CONSOLIDATED VERSION FOR CONVENIENCE ONLY

Includes Amendment Bylaw:

948, 2011

CONSOLIDATED VERSION FOR CONVENIENCE ONLY

DISTRICT OF CHETWYND

BYLAW NO. 909, 2009

**A bylaw to regulate streets and traffic within the municipal boundaries of the
District of Chetwynd**

WHEREAS pursuant to the *Motor Vehicle Act* Council may provide for the regulation, control and prohibition of traffic;

AND WHEREAS the *Motor Vehicle Act* provides for Council to permit the removal, detention or impounding of vehicles and the recovery of fees, costs and expenses for such removal, detention or impounding;

NOW THEREFORE the Council of the District of Chetwynd in open meeting assembled enacts as follows:

1. CITATION

This bylaw may be cited as “District of Chetwynd Street and Traffic Regulation Bylaw No. 909, 2009”.

2. DEFINITIONS

“**Angle parking**” means the parking of a vehicle other than parallel to a curb;

“**Boulevard**” means the area between the curb lines or the shoulder of a roadway and the adjacent property line;

“**Bylaw Enforcement Officer**” means the person appointed by the Council to enforce municipal bylaws;

“**Chattel**” means any article of movable, personal property;

“**Commercial Vehicle**” means a vehicle defined as such and licensed under the *Commercial Transport Act* and a vehicle not so licensed but used for collection or delivery of merchandise or other commodities in the ordinary course of a business undertaking, but excludes vehicles exempted under section 667 the *Local Government Act*;

“**Commercial Zones**” means the following zones under the Zoning Bylaw of the Municipality:

- (a) C-1 Intensive Commercial
- (b) C-2 Service Commercial
- (c) C-3 Local Commercial
- (d) C-5 Neighbourhood Public Houses;

“Council” means the Council of the District of Chetwynd;

“Crosswalk” means a 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;

“Curb Line” means the edge of a sidewalk or boulevard adjoining a roadway;

“Cycle” means a device having any number of wheels that is propelled by human power and on which a person may ride and includes a motor assisted cycle, but does not include a skateboard, roller skates or in-line roller skates;

“Director” means the Director of Engineering and Public Works appointed by the Council of the District of Chetwynd and includes anyone authorized by Council or the Director to act on behalf of the Director;

“Director of Financial Administration” means the person appointed by Council as the Director of Financial Administration or his/her designate;

“Driver” means a person who drives or is in actual physical control of a vehicle;

“Fire Chief” means the person appointed as such by the Council of the District of Chetwynd and any person delegated to assist him/her in carrying out his/her duties under this bylaw;

“Intersection” means the area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of the 2 highways that join one another at or approximately at right angles, or the area within which vehicles travelling on different highways joining at any other angle may come in conflict;

“Lane” means a highway not exceeding 8 metres in width, which provides a secondary means of vehicle access to one or more parcels of land;

“Loading Zone” means that portion of a highway designated by a traffic control device for the exclusive use of commercial vehicles loading or unloading passengers or property;

“Motor vehicle” means a motor vehicle as defined in the *Motor Vehicle Act* of the Province of British Columbia;

“Mobility Aid” means a device, including a manual wheelchair, electric wheelchair and scooter, that are used to facilitate the transport, in a normally seated orientation, of a person with a physical disability;

“Motorized scooter” means a vehicle that typically has 2 wheels with a low footboard between them, having a saddlelike seat mounted on the footboard and being propelled by a motor;

“Municipality” means the District of Chetwynd;

“Parade” means any procession or body of 15 or more persons or four or more vehicles standing, marching or moving together on any highway or sidewalk, but excludes funeral processions;

“Pedestrian” means a person afoot, or an invalid or child, in a mobility aid or carriage;

“Permit” means a document in writing issued pursuant to this bylaw;

“Private Road or Driveway” means every road or driveway not owned or possessed by the Crown or the municipality;

“Public Place” means any place, building or conveyance to which the public has access by right or by invitation, express or implied;

“Roadway” means that portion of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;

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“Rubbish” means waste, trash, garbage, debris, litter, junk or other unwanted and discarded things;

“Scooter” means a child’s vehicle that typically has 2 wheels with a low footboard between them, is steered by a handlebar, and is propelled by pushing one foot against the ground while resting the other on the footboard;

“Sidewalk” means the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for the use of pedestrians;

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

“Special Event” means a procession, march, drill, performance, ceremony, concert or festival;

“Street” includes public road, highway, bridge, lane, sidewalk and parking lot, and any other way normally open to the public, but does not include a private right-of-way on private property;

“Trailer” means a vehicle that is at any time drawn on a highway by a motor vehicle, except

- (a) an implement of husbandry,
 - (b) a side car attached to a motorcycle, and
 - (c) a disabled motor vehicle that is towed by a tow vehicle,
- and includes a semi-trailer as defined in the *Commercial Transport Act*;

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

“Traffic Control Device” means a sign, traffic control signal, line, parking meter, marking, space, painted curb, barricade, or other device, placed or erected under this bylaw for the purpose of regulating vehicular and/or pedestrian traffic;

“Truck Route” means the highways designated by the Council for allowing the driving and operating of commercial vehicles having an overall length, including its load, in excess of 12.5m (41 feet);

“ ‘U’ turn” means to turn a motor vehicle on a highway so as to proceed in the opposite direction;

“Vehicle” means a device in, on or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle; and

“Zoning Bylaw” means the District of Chetwynd Zoning Bylaw.

3. AUTHORITIES

3.1. Authority of the Director

- 3.1.1.** The Director is hereby authorized to mark traffic lanes on streets and to designate streets or portions of streets on which a distinguishing single line, broken line or double line shall be marked and such lines need not be in the middle of the travelled portion of the street;
- 3.1.2.** The Director is hereby authorized to designate streets or portions of streets upon which no vehicle shall be stopped or parked, or only such vehicle or classes thereof at such times and upon such conditions as may be prescribed;
- 3.1.3.** The Director is hereby authorized to locate, establish and maintain on or over any streets such traffic signs, stop signs, traffic lights or reflectors, traffic discs, markers, blocks, standards, indicators, traffic control signals, or other devices or apparatus, whether automatic or manual, as may be deemed necessary for the regulation, direction and control of traffic or the promotion of special events;
- 3.1.4.** Where owing to work of construction, repair, or maintenance, or owing to damage by accident or storm or other emergency, any street or any portion thereof is unsafe or unsuitable for traffic, or where a parade or other procession, a street festival, a race or other event which requires that traffic be restricted on or diverted from a street, the Director, Council, or any person duly authorized by either of them, may temporarily close such street or portion thereof to vehicular traffic, pedestrian traffic or both or otherwise restrict or divert the traffic thereon or therefrom, and for that purpose may place thereon lamps, barriers, signs, notices, or other warnings.
- 3.1.5.** The Director is hereby authorized to regulate, limit or prohibit the use of any street by any vehicle, where the use is liable to create damage to the street or create unsafe driving conditions for the use of the general public.

- 3.1.6.** The Director is hereby authorized to exempt any person, in whole or in part, from any provision of this bylaw where:
- (i) the Director believes that an emergency situation exists and the exemption is reasonably necessary to facilitate an emergency response;
 - (ii) extraordinary circumstances exist that require the use of a highway in the municipality in a manner that is uncommon;
 - (iii) it is necessary or desirable to facilitate the holding of a special event or for production of a motion picture in the municipality; or
 - (iv) for the purpose of providing additional security in response to travel to or through the municipality of a person requiring extraordinary security measures.
- 3.1.7.** The Director is hereby authorized to remove, detain or impound any vehicle that is in contravention of this bylaw.
- 3.1.8.** The Director is authorized to order the placing of traffic control devices to exercise the powers of the municipality to regulate, control or prohibit the movement of vehicular and pedestrian traffic within the municipality.
- 3.1.9.** Temporary traffic control devices may from time to time as required, be placed by the Director or upon authority of the Director in the interest of public safety.

3.2. Fire Chief

The Fire Chief, or any person duly authorized, may in the course of duty:

- (i) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control devices;
- (ii) impound, if necessary, for the purpose of carrying out required duties, any vehicle; and
- (iii) designate in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass.

3.3. Bylaw Enforcement Officer

A Bylaw Enforcement Officer or any person duly authorized may:

- (i) issue traffic notices for violations of this bylaw;
- (ii) place temporary “No Parking” signs and barricades or other applicable traffic control devices; and
- (iii) exercise the powers of the Director to remove, detain and impound any vehicle under section ~~3.1(g)~~ 3.1.7 of this bylaw or may detain or impound a vehicle, obstruction, cycle or skateboard in accordance with sections 5.14 or 6.1.2 of this bylaw.

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4. GENERAL REGULATIONS

4.1 Traffic Control Devices

- 4.1.1** All traffic control devices placed by the municipality prior to adoption of this bylaw are deemed to be authorized and placed in accordance with this bylaw.
- 4.1.2** No person shall establish, place, maintain, or display upon or in view of any highway, any traffic control device or other device which purports to be or resembles any traffic control device, or any device which attempts to divert the movement of traffic or the parking of vehicles within the municipality, except under the authority of this bylaw.
- 4.1.3** No person shall obliterate, deface, damage, injure, move, obstruct or otherwise interfere with any traffic control device placed or maintained within the municipality pursuant to this bylaw.
- 4.1.4** Every person shall comply with the directions of every traffic control device, except as otherwise authorized pursuant to this bylaw.
- 4.1.5** No person shall hinder, delay or obstruct in any manner, directly or indirectly, a person, authorized under this bylaw, in carrying out duties in accordance with this bylaw.

4.2 Pedestrian Traffic

- 4.2.1** At any intersection where crosswalks are marked, pedestrians shall use such crosswalks in crossing the highway.
- 4.2.2** Every pedestrian crossing a highway, at any point other than within a marked crosswalk, shall yield the right-of-way to all vehicles on the highway.
- 4.2.3** No person shall cross a highway in contravention of a traffic control device.
- 4.2.4** On the approach of an emergency vehicle, pedestrians shall proceed or return to the nearest sidewalk or boulevard and remain there until that vehicle has passed.
- 4.2.5** No pedestrian shall leave a curb or other place adjacent to a roadway and move into the path of a vehicle which is approaching so that it is not possible for the driver of the motor vehicle to yield the right-of-way.
- 4.2.6** No person who has disembarked from a bus which has stopped shall start to cross to the opposite side of the highway until the bus has moved away from its stopping place, unless such crossing is made in compliance with traffic control signals or at the direction of a Peace Officer, Bylaw Enforcement Officer or Fire Chief.

- 4.2.7** Except as permitted in this bylaw, no person shall form a part of a group of persons congregated on a roadway or sidewalk in such manner as to unreasonably obstruct the free passage of pedestrians or vehicles.
- 4.2.8** Except as permitted in this bylaw, no person shall do anything which causes persons to congregate in a group upon any highway in such a manner as to obstruct the free passage of pedestrians or vehicles, or in such a manner that the persons so congregated might be in danger of injury from traffic.
- 4.2.9** Except as permitted in this bylaw, no person shall:
- (i) place any object upon any highway or sidewalk which unreasonably obstructs the free passage of pedestrians; or
 - (ii) carry out an activity or conduct himself in a manner that unreasonably obstructs or impedes pedestrian traffic.

4.3 Emergency Vehicles

- 4.3.1** Emergency vehicles shall have the right-of-way in the use of all streets and public places while responding to an emergency call with emergency equipment activated.
- 4.3.2** Any Peace Officer, Bylaw Enforcement Officer or member of the Fire Department of the District of Chetwynd, while in the course of duty in or about any fire or at the scene of any accident, in order to expedite traffic or safeguard pedestrians, may direct traffic on any highway in the vicinity; and it shall be unlawful for any pedestrian or the driver of any vehicle, to fail to comply with the directions of any such officer or member of the Fire Department.
- 4.3.3** No person driving or operating any vehicle, except such vehicles as are conveying authorized persons who may have duties to perform in connection with a fire, shall follow closer than within 150 metres of any vehicle of the District of Chetwynd Fire Department travelling in response to any fire alarm.
- 4.3.4** No person shall drive or stop a vehicle within a radius of 150 metres of any fire.
- 4.3.5** No person shall drive a vehicle over or across any fire hose laid on any street, unless directed to do so by a Peace Officer, Bylaw Enforcement Officer or member of the Fire Department.

4.3.6 Upon the approach of an emergency vehicle, when the driver or other person therein is giving audible signals by siren, exhaust whistle or bell, or on the sounding of any siren or bell placed on any street for the purpose of giving warning of the approach of any emergency vehicle, the driver of every other vehicle shall immediately drive to a position parallel and as close as possible to the right hand curb or edge of the roadway clear of any intersection and shall stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a Peace Officer, Bylaw Enforcement Officer or a member of the Fire Department of the municipality.

4.4 Parades and Special Events

4.4.1 No person shall take part in any Parade or Special Event unless:

- (i) a permit for that Parade or Special Event has been issued by the Director of Engineering and Public Works;
- (ii) a refundable damage deposit, in the amount of \$500.00, has been deposited with the municipality; and
- (iii) an official receipt has been issued.

4.4.2 The permittee shall pay to the municipality costs incurred by the municipality for extraordinary cleanup and/or damage at cost and such costs will be deducted from the damage deposit prior to the return of any damage deposit.

4.4.3 If the cleanup and/or damage costs exceed the amount of the damage deposit, then the applicant will be liable to pay to the municipality the additional cost of cleanup and/or damage.

4.4.4 An application for a Parade or Special Event Permit shall identify the proposed route, location, date, time and the number of vehicles and persons expected to participate.

4.4.5 A Parade or Special Event Permit may be refused where the proposed Parade or Special Event would create a hazard or would interfere with ordinary traffic.

4.4.6 The Director may authorize the control of traffic for Parades and Special Events, including the placing and/or removal of signs.

4.4.7 The Parade or Special Event organizer shall be responsible for traffic control persons including training to effectively perform their role, provide necessary equipment and clothing to perform their duties.

4.4.8 The applicant for a parade or Special Event Permit must obtain all necessary permits and approvals prior to the issuing of a Parade or Special Event Permit under, including municipal policies, other bylaws or a Special Occasion Licence under the *Liquor Control and Licensing Act*.

4.5 Snow and Ice Removal – Downtown Commercial Area

- 4.5.1** Every owner or occupier of land within Commercial Zones under the Zoning Bylaw of the municipality must remove all snow, ice, or rubbish from the sidewalks and footpaths bordering on the land.
- 4.5.2** Snow and ice shall be removed pursuant to paragraph 4.5.1 prior to 12:00 o'clock noon on every day.
- 4.5.3** Rubbish shall be removed under 4.5.1 at least twice per week.
- 4.5.4** In default of the removal of snow, ice or rubbish as required by this bylaw the Director is authorized to carry out such removal at the expense of the person in default and the costs for so doing (including all expenses incidental thereto), if unpaid on the thirty-first of December in any year, shall be added to and form part of the taxes payable in respect of the land as taxes in arrears.

5. VEHICLE TRAFFIC

5.1 Moving Traffic

5.1.1 Slow Moving Motor Vehicles

The driver of any motor vehicle which is travelling more than 10 km/hr under the maximum permitted speed shall drive adjacent to the right hand curb line of the highway, except when approaching an intersection for purposes of making a left hand turn.

5.1.2 Driving on Sidewalks and Boulevards

The driver of any motor vehicle shall not drive such motor vehicle upon any sidewalk or boulevard except on a driveway crossing provided for such purposes.

5.1.3 Emerging from Lanes, Private Roads, Driveways and Buildings

The driver of any motor vehicle emerging from any lane, private road or driveway or building must stop immediately prior to driving on or across any sidewalk or boulevard and must yield the right of way to any pedestrian approaching along the sidewalk or boulevard.

5.1.4 Noise Making Devices

No person shall operate any loudspeaker or other noisemaking device on a motor vehicle for any advertising or other purpose, except as a warning to drivers and pedestrians.

5.1.5 Clinging to Moving Motor Vehicles

No person riding any bicycle, tricycle, coaster, skis, roller skates, roller blades, inline skates, skateboard, toy vehicle or sleigh, shall cling to any motor vehicle in motion.

5.1.6 Overtaking or Passing

A person operating a motor vehicle upon any highway within the municipality must not overtake and pass, or attempt to overtake and pass another motor vehicle proceeding in the same direction upon any curve or when approaching the crest of any grade where there is not a clear view of such highway ahead for a distance of 244 metres along such highway, or when such overtaking and passing cannot be done with safety.

5.1.7 Hospital and Quiet Zones

Whenever a traffic control device is erected indicating a quiet zone, no person operating a motor vehicle within such zone shall sound the horn or other warning device of the motor vehicle except in an emergency.

5.1.8 Limitation on Backing

The driver of a motor vehicle shall not:

- (i) back into an intersection; or
 - (ii) over a crosswalk; and
- must not in any event back a motor vehicle unless such movement can be made in safety.

5.1.9 Passenger's Conduct

A person riding in or on any motor vehicle shall not do any act which will interfere with the Driver's proper control of such motor vehicle.

5.1.10 Refuse on Streets

No person shall throw, drop or leave, or let fall from or out of any motor vehicle or conveyance, any bottle, glass, hazardous liquids, paper or paper products, crockery, nails, wood, sawdust, or any other type of refuse, or any other object or material, on or upon any highway.

5.1.11 Removal of Litter

Any person who throws, drops, discards, leaves or lets fall an item of refuse referred to in section 5.1.10 must forthwith remove the same from such street.

5.1.12 School Crossings

When any portion of a highway has been designated as a school crossing or school zone by a traffic control device, the driver of every motor vehicle must between the hours of 8:00 am and 5:00 pm on every day during which the school is in session obey the direction indicated on such traffic control device.

5.1.13 Reverse Turns ('U' Turns)

A driver of any motor vehicle shall not make a 'U' Turn:

- (i) on any through street;
- (ii) within an intersection at any corner of which a "Stop" sign has been placed, or where a traffic control signal has been installed;
- (iii) at any other intersection unless such movement can be made in safety, without back up, and without interfering with other traffic;
- (iv) on any street between intersecting streets;
- (v) at any lane intersection; or
- (vi) where a traffic control device has been posted prohibiting 'U' turns.

5.1.14 Funeral Procession

- (i) No driver of a motor vehicle shall drive between the motor vehicles comprising a funeral or authorized procession while it is in motion, except at intersections where traffic is being controlled for that purpose.
- (ii) Funeral processions shall be identified as such by each motor vehicle therein having its 4-way flashers activated.
- (iii) The vehicle in the lead of a funeral procession may be identified with official flags placed upon the vehicle.
- (iv) The operator of a vehicle in the lead of a funeral procession approaching an intersection where a traffic control device exists, shall comply with the instruction of such device, and shall not enter the intersection until it is safe to do so, unless the funeral procession is assisted by traffic control person(s) or the RCMP.

5.1.15 One-Way Streets

No driver shall operate a motor vehicle on a one-way street except in the direction indicated by a traffic control device.

5.1.16 Flanges and Similar Equipment

No person shall operate a motor vehicle in the municipality having wheels, tires, or treads constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections. Winter studded tires, which projections extend beyond the tread or traction surface of the wheel, tire, or track, are permitted upon any highway in the municipality between November 1st and May 1st.

5.1.17 Speed in Lanes

No person shall operate a motor vehicle upon any lane within the municipality at a greater rate of speed than 20 kilometres per hour.

5.1.18 Transporting Animals

No person shall transport a living animal on the runningboard, fender, hood or other exterior part of a motor vehicle unless a suitable cage, carrier or guard rail is provided and is attached adequately to protect that animal from falling or being thrown from the vehicle.

5.1.19 Commercial Vehicles

- (i) No person shall drive or operate a commercial vehicle having an overall length, including its load, in excess of 12.5m (41 feet) and 5000 kg (11,000 lbs), in R-1, R-2, R-2A, R-3, R-4 and R-5 Zones as prescribed in the Zoning Bylaw.
- (ii) Section 5.1.19 (i) does not apply to:
 - (a) emergency response vehicles, municipal or provincial utility vehicles;
 - (b) vehicles involved in local deliveries including but not limited to moving vans and construction supplies vehicles, for a period not to exceed 48 hours in duration; and
 - (c) to those streets designated as truck routes identified in Schedule “E”, attached to and forming part of this bylaw.

5.2 Stationary Traffic

5.2.1 Except when necessary to comply with the law or the directions of a Bylaw Enforcement Officer, Peace Officer or a traffic control device, no person shall stop, stand or park a vehicle:

- (i) on any sidewalk or boulevard;
- (ii) within 6 metres of a flashing beacon, stop sign or other traffic control device located at the side of a roadway;

- (iii) within 6 metres of any street intersection, except as permitted by a traffic control device;
- (iv) within 5 metres of any fire hydrant, measured from a point on the curb line which is closest to the fire hydrant;
- (v) in front of and within 2 metres of any non-commercial private or public driveway, or in front of and within 5 metres of any commercial driveway or lane;
- (vi) alongside or opposite any street excavation or obstruction when stopping, standing or parking in that location obstructs traffic;
- (vii) upon or within 6 metres of any crosswalk, except as permitted by a traffic control device;
- (viii) on the roadway side of any motor vehicle stopped or parked at the edge or curb of any roadway;
- (ix) within 6 metres on either side of the entrance to or exit from a fire hall;
- (x) within 6 metres of an entrance to any school property, on any day when school is in session;
- (xi) within 6 metres of any entrance to or exit from any playground or park;
- (xii) within 6 metres of the main entrance or exterior vestibule of any hotel or theatre unless otherwise marked by a traffic control device;
- (xiii) in any lane other than a curb lane for a period of time longer than is necessary for the expeditious loading or unloading of passengers or materials, so as to prevent the free movement of motor vehicle traffic;
- (xiv) on any bridge, or other elevated structure on a highway, except as permitted by a traffic control device;
- (xv) on any portion of a highway indicated by traffic control device reserved for any class of motor vehicle, other than a motor vehicle coming within such class;
- (xvi) within 15 metres of the nearest rail or a railroad crossing;
- (xvii) on any highway for the principal purpose of advertising, washing, maintaining, repairing, wrecking or storing a motor vehicle (except where repairs are necessitated by an emergency, and in which case the motor vehicle must be removed within 24 hours), or for the purpose of displaying such motor vehicle for sale, or for the purpose of selling any commodities or articles;
- (xviii) on the paved portion of any highway without curbs where the pavement is 7 metres or less in width;
- (xix) on any portion of highway for a longer period of time than that indicated on any traffic control device which is applicable to that portion of the highway;
- (xx) on any portion of a highway where the curb or edge of the roadway is painted yellow, except in a signed loading and unloading zone;
- (xxi) where parking spaces for vehicles are designated by lines on a highway, except wholly within the parking space provided;
- (xxii) whether attended or unattended, not being an emergency vehicle, in a fire lane;

- (xxiii) contrary to any traffic control device;
- (xxiv) except when the municipality or Minister of Highways permit on a road other than the right side of the roadway.

5.2.2 Where a traffic control device is placed on a street indicating that the time allowed for parking a vehicle is limited, no person shall park a vehicle for a period longer than the time indicated.

5.2.3 No person shall stop or park a vehicle on any portion of a highway in a space designated for parking of vehicles operated by disabled persons unless the operator or passenger of the vehicle is a physically disabled person and a valid disabled person's parking placard is visible and legible from outside the vehicle.

5.3 Parallel Parking

No person shall park a motor vehicle on any highway not designated for angle parking, other than parallel to and within 30 centimetres of the curb.

5.4 Angle Parking

Upon a highway which has been marked or signed for angle parking, the driver of a motor vehicle shall park such motor vehicle at the angle to the curb indicated by such marks and within 50 cm of the curb. Where angle parking is indicated by signs only, the angle of parking shall be 45 degrees, and no person shall park a motor vehicle where the length of such motor vehicle and any trailer attached thereto exceed 7 metres.

5.5 Cul-de-sac Parking

No person shall stand, stop or park a vehicle in a cul-de-sac other than parallel with the outside curb of the cul-de-sac.

5.6 Safety Requirements

No person having control or charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key, and, when standing upon any perceptible grade, without turning the front wheels to the curb or side or roadway.

5.7 Oversize Motor Vehicles

No person shall park any vehicle having an overall length, including load and any trailer, of more than 7 metres on a highway in the C1 Commercial Zone under the Zoning Bylaw, except where a Commercial Vehicle Permit has been issued pursuant to the District of Chetwynd Commercial Vehicle Licensing Bylaw.

5.8 Passenger Zones and Loading Zones

- 5.8.1** Zones for the loading and unloading of passengers or materials may be established at such places in or on any highway as may from time to time be designated by order of the Director.
- 5.8.2** Only authorized and approved passenger and loading zones as constituted on the date of adoption of this bylaw and new passenger and loading zones under section 5.8.1 are deemed to be authorized passenger and loading zones established under this bylaw.
- 5.8.3** The Director may place or direct placement of traffic control devices indicating or marking passenger and loading zones, and it shall be unlawful for any person to stop, stand or park a motor vehicle for any period of time longer than is necessary for the expeditious loading and unloading of passengers or materials, to a maximum of 15 minutes unless otherwise stated.
- 5.8.4** The Director is authorized to locate and establish:
- (i) loading zones adjacent to the main entrance to an hotel;
 - (ii) passenger zones adjacent to the main entrance to a theatre.
- 5.8.5** No person shall stop a motor vehicle in any passenger zone or loading zone except while actually engaged in the loading or unloading of passengers, goods or materials.

5.9 Parking on Streets

No person shall leave or park any motor vehicle, trailer or boat at any one location on any highway within the municipality for any continuous period exceeding 24 hours. Trailers or boats must at all times be attached to the vehicle that is towing the trailer or boat while parked on a residential highway.

5.10 Night Parking

All vehicles which are parked or left standing on any highway within the municipality after sunset and before sunrise of any day shall be clearly marked with adequate reflectors or other warning devices sufficient to warn approaching traffic of their presence on such highway.

5.11 Parking in Residential Areas

- 5.11.1** No person shall at any time park or store a Commercial vehicle on a highway in a residential area.

5.11.2 Section 5.11.1 does not apply to delivery or service vehicles while the driver is actually engaged in making a delivery or performing work for or a service to a resident of the area or to any work or facility of a public authority or public utility.

5.12 Parking Exemptions

5.12.1 The provisions of this bylaw regulating the parking of motor vehicles shall not apply to any emergency vehicle while attending at any emergency call, but this exemption shall not excuse the driver of any such motor vehicle from exercising due and proper care for the safety of other traffic.

5.12.2 The provisions of this bylaw prohibiting stopping or parking shall not apply to:

- (i) municipal or provincial utility motor vehicles;
- (ii) motor vehicles of a public utility corporation;
- (iii) tow trucks;

while the operators of such motor vehicles are actually engaged in work requiring the vehicles to be stopped or parked in contravention of any of such provisions.

5.12.3 The Director may authorize exemptions from the provisions of this bylaw for emergency repairs, and such exemption shall not exceed 24 hours in duration.

5.13 Obstruction of Motor Vehicles

No vehicle shall be left standing or parked:

- (i) in violation of this bylaw;
 - (ii) in a position that causes it to interfere with firefighting;
 - (iii) in a position that causes to interfere with the normal flow of traffic on a highway;
- or
- (iv) in a position that causes it to interfere with the construction, improvement, maintenance, alterations, extension, widening, marking, or repair of or snow removal from a highway.

5.14 Removal, Detention and Impounding of Vehicles

5.14.1 Any vehicle which is standing or parked contrary to any provision of this bylaw or which is otherwise unlawfully occupying a portion of a highway or public place may be removed, detained and impounded by a Peace Officer, Bylaw Enforcement Officer or the Director.

5.14.2 The fees, costs and expenses for the removal, detention and impoundment of a vehicle removed under this bylaw shall be paid by the registered owner of the vehicle or their agent prior to the release of the vehicle.

5.14.3 Sections 5.14.1 and 5.14.2 also apply to chattels and obstructions unlawfully occupying a portion of a highway or public place where:

- (i) The owner, if known, has refused or failed to remove the chattel or obstruction promptly upon notice; or
- (ii) the owner is known and:
 - (a) the chattel or obstruction is causing an immediate hazard, or
 - (b) the chattel or obstruction has been on the highway or public place for more than twenty four (24) hours.

~~Any chattel, obstruction or vehicle removed, detained or impounded under this bylaw may be recovered by the owner by paying the fees, costs and expenses to the Director of Financial Administration of the municipality and presenting the receipt obtained, plus proof of ownership, at the Public Works Yard or other place of storage.~~

5.14.4 Any chattel, obstruction or vehicle removed, detained or impounded under this bylaw may be recovered by the owner by paying the fees, costs and expenses to the Director of Financial Administration of the municipality and presenting the receipt obtained, plus proof of ownership, at the Public Works Yard or other place of storage.

5.14.5 If a vehicle is removed, detained or impounded, and not claimed by its owner within thirty (30) days from date of seizure, written notice shall be mailed to the registered owner at his address shown on the records of the Registrar of Motor Vehicles advising of the seizure, and the sum payable to release the vehicle, and the date of advertising for sale by public auction, if unclaimed.

5.14.6 Any vehicle not claimed by owner within thirty (30) days from the date of mailing of a notice, or in the case of a chattel or obstruction not claimed within thirty (30) days of removal, may be sold at a public auction, which auction shall be advertised at least once in a newspaper circulated in the municipality.

5.14.7 The proceeds of sale by public auction shall be applied first to the cost of the sale, second to the fees, cost and expenses of the municipality or its contractor and the balance shall be held for the owner. If the balance remains unclaimed at the end of the calendar year, such balance shall be paid into the general revenue of the municipality.

5.14.8 Notwithstanding any other provision of this bylaw, where any garbage, rubbish, chattel or abandoned unlicensed motor vehicle is left on any highway, such articles may be removed and disposed of.

5.15 Obstruction of and Damage to Streets or Sidewalk

5.15.1 No person shall place, or allow to be placed, any debris, rubbish, construction material, earth, fill or snow, or any other thing, which may cause an obstruction on a street or a sidewalk, except with written permission from the Director.

5.15.2 No person shall shovel or place, or allow to be shovelled or placed, snow from any private property onto a street, sidewalk or other District property without the written permission of the Director.

5.15.3 No person shall cause damage to a street or sidewalk by operating equipment, dragging or pulling anything, digging or excavating or directing or re-directing water.

5.15.4 No person shall stop up or block any street or sidewalk without the written permission of the Director.

6. CYCLES, SCOOTERS, MOTORIZED SCOOTERS AND SKATEBOARD TRAFFIC

6.1 Riding on Sidewalks and Restricted Areas

6.1.1 No person shall ride a cycle, scooter, motorized scooter or skateboard:

- (i) upon the sidewalk of any highway or bridge; and
- (ii) in a public place specifically signed to prohibit such use.

6.1.2 A Bylaw Enforcement Officer or Director may detain and impound a cycle, scooter, motorized scooter or skateboard that has been ridden contrary to section 6.1.1 of this bylaw where:

- (i) the person riding the cycle, scooter, motorized scooter or skateboard has refused to comply with this bylaw; or
- (ii) the Bylaw Enforcement Officer or Director is of the opinion that the person will again ride the cycle, scooter, motorized scooter or skateboard contrary to section 6.1.1 of this bylaw and the Bylaw Enforcement Officer or Director is of the opinion that the continued or renewed contravention of section 6.1.1 may cause a hazard to another person, whether a pedestrian, driver or another person riding a cycle, scooter, motorized scooter or skateboard.

6.1.3 Section 6.1.1 does not apply to:

- (i) a person who is ten (10) years of age or younger riding a bicycle, scooter or skateboard under the guidance or supervision of a person sixteen (16) years of age or older; or
- (ii) a person ten (10) years of age or younger riding a scooter or skateboard who dismounts from the scooter or skateboard when approaching within six (6) feet of a pedestrian.

6.2 Parking Stands

The Director may designate parts of highways for the parking of cycles and cause racks or stands to be placed in such areas. In areas where such racks or stands are available, all cycles shall be parked in such rack or stand and no person shall park a cycle on a sidewalk within 30 metres of a cycle rack or stand.

7. HIGHWAY USE PERMITS

7.1 Application

This section does not apply to arterial highways.

7.2 Construction Works

Except as authorized by a permit to construct works within the District of Chetwynd, identified as Schedule “A” attached to and forming part of this bylaw, and issued by the Director and pursuant to the provisions of this bylaw, no person shall:

- (i) dig up, break up or remove any part of a highway, or cut down or remove trees or timber growing on a highway, or excavate in or under a highway;
- (ii) cause damage to, cut down or remove trees, grass, shrubs, plants, bushes and hedges, fences, signs or other thing erected by the municipality on a highway;
- (iii) change the level of a highway, or stop the flow of water through any drain, sewer or culvert on or through a highway;
- (iv) place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on highway;
- (v) construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, injury or nuisance to any portion of a highway;
- (vi) mark or imprint or deface in any manner whatsoever a highway or structure thereon;
- (vii) erect or maintain any sign, advertisement or guide post on or over any highway or alter, repair, tear down or remove any sign, advertisement or guide post erected or maintained on any highway;
- (viii) ride, drive, lead, move or propel any vehicles or animal in excess of 270 kg over or across a boulevard including any curb, sidewalk or ditch unless such has been constructed or improved to form a suitable crossing, except when in use to improve or maintain the boulevard; nor
- (ix) construct a boulevard crossing, including a curb, ditch or sidewalk crossing.

7.3 Conditions of Director's Permission

- 7.3.1** The Director may issue a permit in the form prescribed in Schedule “A” to this bylaw to do those things otherwise prohibited by this bylaw pursuant to section 7.2, and upon payment of an application fee of \$100.00 and subject to such other applicable conditions in this bylaw.
- 7.3.2** The applicant under section 7.2 shall provide, in triplicate, satisfactory plans and specifications of the work to be undertaken and when such are supplied and approved by the Director and the necessary permit issued, the work shall conform in every way to the plans and specifications so provided.
- 7.3.3** The applicant under section 7.2 shall provide evidence satisfactory to the Director that the applicant is insured against all claims for damages for personal injury and property damage which may arise out of the performance of the work covered by the permit, in an amount not less than Five Million Dollars (\$5,000,000) for each occurrence and the District of Chetwynd shall be added to the policy as co-insured.
- 7.3.4** The applicant under section 7.2 shall provide evidence satisfactory to the Director that all materials, labour, and equipment which are needed to complete the work with reasonable dispatch are available.
- 7.3.5** As a prerequisite to the issuance of a permit under this section, the applicant shall, if required by the Director of Engineering and Public Works, deposit with the municipality a sum of money, or irrevocable letter of credit from a chartered Bank of Canada in an amount not less than 125% of the value of the project to secure payment of the cost of repairing any damage done to the highway and the fulfilment of the obligations imposed by the permit within the time specified by the permit.
- 7.3.6** Where a deposit has been made in accordance with this section, and upon satisfactory completion of the work within the time specified, the deposit shall be refunded to the applicant, less an inspection fee of \$100.00.
- 7.3.7** Failure by the permit holder to repair damage or fulfil the obligations that have been imposed under the terms and conditions of the permit, or pay maintenance, shall result in the application of the amount of the deposit or letter of credit to offset such damage or unfulfilled obligations or maintenance and should there be an insufficiency of security, the holder of the permit shall pay the balance forthwith upon invoice of the municipality.

- 7.3.8** Any person doing work on or in any highway shall provide and place appropriate barricades, lights and other safety devices required for protection of the public.
- 7.3.9** If any permanent works are installed by the applicant, the applicant shall provide to the Director, following completion of the work with a plan showing the works, drawn to scale satisfactory to the Director, showing the location, size and description of the works and the date of installation. The plan shall be supplied prior to the return or refund of any security posted as condition of the Permit.

7.4 Conditions for Parade

- 7.4.1** The Director may issue a permit in the form prescribed in Schedule “D” to this bylaw to do those things otherwise prohibited under section 4.4 of this bylaw, subject to payment of a refundable damage deposit of \$500.00 and subject to other conditions imposed by Council or the Director of Engineering and Public Works.
- 7.4.2** The applicant shall provide evidence satisfactory to the Director that the applicant is insured against all claims for damages for personal injury and property damage which may arise out of the event covered by the permit, in an amount not less than Two Million Dollars (\$2,000,000) for each occurrence and the District of Chetwynd shall be added to the policy as additional named insured.
- 7.4.3** The applicant permit under Schedule “D” is responsible to provide and place appropriate barricades, lights and other safety devices required for protection of the public.

8. OFFENCE, PENALTIES AND ENFORCEMENT

Bylaw No.
948, 2011

- 8.1** Any person who contravenes any of the provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than Ten Thousand Dollars (\$10,000) and not less than Fifty Dollars (\$50.00).
- 8.2** Where a driver is in violation of the provisions of this bylaw regarding the stopping or standing of vehicles, a separate offence shall be deemed to be committed upon the expiry of each period of time during which the vehicle could have been lawfully parked as indicated by a traffic control device.
- 8.3** Any person who receives notice of an alleged violation by that person of a section of this bylaw may avoid further enforcement action by the municipality by paying the voluntary penalty amount described in Schedule “C” attached to and forming part of this bylaw within the time limited.

9. SEVERABILITY

If any portion of this bylaw is found invalid by a Court of competent jurisdiction, the invalid portion may be severed without affecting the validity of the remainder of this bylaw.

10. REPEAL

“Traffic Control Bylaw No. 62, 1968” is hereby repealed.

Read a first time this	14 th	day of	July,	2009.
Read a second time this	14 th	day of	July,	2009.
Read a third time this	11 th	day of	August,	2009.
Adopted by Council this	1 st	day of	September,	2009.

Mayor

Director of Corporate Administration

**DISTRICT OF CHETWYND
STREET AND TRAFFIC REGULATION BYLAW NO. 909, 2009
SCHEDULE "A"**

**APPLICATION AND PERMIT TO CONSTRUCT WORKS WITHIN THE
DISTRICT OF CHETWYND**

DATE: _____ **PERMIT NO.:** _____

Permittee: _____
(Company Name)

Applicant's Name (primary) Business Address and Telephone No.

Applicant's Name (secondary) Business Telephone No.

Starting Date Completion Date Name of Street

Nearest Intersecting Street to Excavation Street number of abutting properties

Size of Excavation Distance of Excavation from curb or
(width, depth, length) pavement edge (feet) (meters)

Purpose of Excavation and Construction

I, being the Permittee or an authorized person for the Permittee, agree with the following terms, conditions and requirements of the application and permit:

1. All application fees and damage deposits will be paid at the time of application. No application will be accepted without payment of the application fees and damage deposit;
2. The applicant agrees to abide by all regulations, bylaws and policies of the District of Chetwynd, all plans and specifications submitted by the applicant, and any special conditions applied to this application by Council or the Director of Engineering and Public Works;
3. This permit is not transferable;
4. The Permittee will comply with W.C.B. Industrial Health and Safety Regulations and Standards;
5. All authorized temporary structures must be removed before the expiry date of this permit;
6. This permit is not valid until signed by the Municipality and the Permittee;
7. The Permittee will provide proof of comprehensive all-risk liability insurance coverage in an amount not less than Five Million Dollars (\$5,000,000) per occurrence, with the District of Chetwynd as additional named insured;
8. This permit may be cancelled at any time without notice by the District of Chetwynd;
9. The Permittee must provide proof of all valid business licences issued by the District of Chetwynd for all contractors working on site;
10. Damage Deposits are refundable, however, cleanup and/or repair of damage to municipal property will be charged to the applicant at cost and will be deducted from the damage deposit, and the balance will be returned to the applicant. If the damage incurred exceeds the amount of the damage deposit, the applicant must pay to the municipality the excess amount for the repair and cleanup costs within 30 days of the termination of the permit. Failure to pay the costs of cleanup and/or repair of damages may result in no future permits being issued to the applicant;
11. Additional special conditions may be imposed by the District of Chetwynd, as necessary, during the performance of the authorized work.

SPECIAL CONDITIONS:

(use additional sheets if necessary)

Dated this _____ day of _____, 20____.

Applicant (signature) _____ Witness _____

Applicant (please print name)

ATTACHMENTS:

- \$100.00 Application Fee Proof of Liability Insurance Damage Deposit

The information provided on this form is gathered under the authority of the District of Chetwynd Street and Traffic Regulation Bylaw No. 909, 2009 and will be used for the purpose of administration and enforcement of that bylaw. Collection of personal information is subject to the *Freedom of Information and Protection of Privacy Act* (the *Act*). For information relating to the *Act*, contact the FOI Coordinator appointed by the Council of the District of Chetwynd during normal business hours at 250 401-4100 or at the offices located at 5400 North Access Road, Chetwynd, BC

APPROVAL:

This approval is for the aforementioned works and is at all times subject to the terms and conditions of this permit. This permit shall commence on _____ and expire on _____.

Director of Engineering and Public Works _____ Date _____
(or designate)

FOR DEPARTMENTAL USE ONLY

Plans approved by: _____ Date application approved: _____

Deposit Amount: _____ Receipt No. _____

Inspection Fee: _____

Amount refunded: _____ Date of Refund: _____

Insurance required: Yes No Date Received: _____

As-Builts required: Yes No Date Received: _____

Restoration Date: _____

Reason Permit Revoked: _____

Date Permit revoked: _____ By whom: _____

Final Inspection Approval: Yes No Date of final inspection: _____

**DISTRICT OF CHETWYND
STREET AND TRAFFIC REGULATION BYLAW NO. 909, 2009**

SCHEDULE “B”

FINES

The maximum fines for an offence against the following sections of the District of Chetwynd Street and Traffic Bylaw are as follows:

SECTION	MAXIMUM FINE
5.1.2, 5.2.1(s), 5.2.2, 5.8.1, and 6.1.1	\$60.00
4.1.2, 5.1.4, 5.1.7, 5.1.10, 5.1.12, 5.1.13, 5.2.1 (except (s)), 5.3, 5.4, 5.5, 5.6, 5.9, and 5.10.2	\$90.00
4.1.3, 5.1.8, 5.1.20, 5.2.3 and 5.13	\$120.00
4.1.7, 5.1.9, 5.1.19, and 5.7	\$200.00

**DISTRICT OF CHETWYND
STREET AND TRAFFIC REGULATION BYLAW NO. 909, 2009**

SCHEDULE “C”

VOLUNTARY SETTLEMENTS

SETTLEMENT AMOUNTS

Section	If paid in the first 14 calendar days	If paid after 14 calendar days, but before Summons raised	If paid after Summons raised
5.1.2, 5.2.1(s), 5.2.2, 5.8.1 and 6.1.1	\$10.00	\$20.00	\$60.00
4.1.2, 5.1.4, 5.1.7, 5.1.10, 5.1.12, 5.1.13, 5.2.1 (except (s)), 5.3, 5.4, 5.5, 5.6, 5.9, and 5.10.2	\$25.00	\$50.00	\$90.00
4.1.3, 5.1.8, 5.2.20, 5.2.3 and 5.13	\$50.00	\$80.00	\$120.00
4.1.7, 5.1.9, 5.1.19 and 5.7	\$125.00	\$150.00	\$200.00

**DISTRICT OF CHETWYND
STREET AND TRAFFIC REGULATION BYLAW NO. 909, 2009**

SCHEDULE "D"

PARADES AND SPECIAL EVENT APPLICATION AND PERMIT

(highways/sidewalks/right of ways)

Permit No.: _____

Group: _____

Contact Name (applicant): _____

Contact telephone number: _____ Email: _____

Address: _____

Event description: _____

Number of expected participants: _____

Assembly and Dispersal Areas: _____

(include a map, plan or sketch of the areas)

Event dates: _____

Event location or route: _____

Special requirements (including temporary structures, use of sidewalks/right of way):

I, being the Permittee or an authorized person for the Permittee, agree with the following terms, conditions and requirements of the application and permit:

1. A refundable damage deposit of \$500.00 will be paid 14 days in advance of the event;
2. To comply with all regulations, policies and bylaws of the District of Chetwynd, and any special conditions applied to this application by Council or the Director of Engineering and Public Works;
3. This permit is not transferable;
4. All authorized temporary structures must be removed before the expiry date of this permit;
5. To comply with W.C.B. Industrial Health and Safety Regulations and Standards;

6. This permit is not valid until signed by all parties; accompanied by the proof of comprehensive all-risk liability insurance coverage in an amount not less than Two Million Dollars (\$2,000,000) per occurrence, with the District of Chetwynd as additional named insured; and an official receipt has been issued for the damage deposit;
7. This permit may be cancelled at any time without notice by the District of Chetwynd;
8. The applicant must provide proof of a valid business licence issued by the District of Chetwynd if there is a commercial activity taking place at the event;
9. Any full or partial cancellations by the applicant require a minimum of seventy two (72) hours notice prior to the event;
10. Damage Deposits are refundable, however, cleanup and/or repair to municipal property will be charged to the applicant (Permittee) at cost and will be deducted from the damage deposit, and the balance will be returned to the applicant. If the damage incurred exceeds the amount of the damage deposit, the applicant must pay the excess amount for repair and cleanup to the municipality within 14 days of the event. Failure to pay the costs of cleanup and/or repair may result in no future permits being issued to the applicant or the organization;
11. No person shall consume liquor in a public place except in an area designated under a Special Occasion Licence issued under the *Liquor Control and Licensing Act* and with the approval of the municipality and the RCMP; and
12. This permit is not valid until signed by all parties.

Dated this _____ day of _____, 20__.

Applicant

Witness

SPECIAL CONDITIONS:

APPROVED:

Director of Engineering and Public Works
(or designate)

Date

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DISTRICT OF CHETWYND
STREETS AND TRAFFIC REGULATION BYLAW NO. 909, 2009

SCHEDULE "E"
PERMITTED TRUCK ROUTES

