



TOWN OF PORT MCNEILL

BYLAW NO. 319 (1989)

**TRAFFIC AND HIGHWAYS
REGULATIONS**

Also contains:

Bylaw No. 375, Municipal Ticket Information Bylaw 1990

Bylaw No. 445 1994 Amendments (Bylaw amending No. 319)

now 584 (2006)

TOWN OF PORT MCNEILL
BYLAW NO. 319
TRAFFIC AND HIGHWAYS REGULATIONS

INDEX

| | PAGE NO. | |
|---|------------|-----------------|
| Interpretation..... | 1, 2, 3, 4 | |
| Part 1 - Enforcement | | |
| Division (1) Offences other than parking | | |
| 3. Restrictions..... | 5, 6, 7 | Amended B1. 445 |
| Division (2) Parking | | |
| 4. Parking Regulations..... | 8, 9 | |
| 5. Off-Street Parking Facilities..... | 10 | |
| 6. Commercial Vehicles..... | 10 | |
| 7. Disabled Persons Permits..... | 11 | |
| 8. Temporary 'No Parking'..... | 11 | |
| Part 2 - Penalties | | |
| 9. Ticketable Offences..... | 12 | |
| 10. Violation..... | 12 | |
| 11. Penalty | 12 | |
| 12. Default..... | 12 | |
| 13. Inspection..... | 12 | |
| Part 3 - Removal of Vehicles, Chattels, Snow, Signs and Rubbish | | |
| 14. Removal of Vehicle..... | 13 | Amended B1. 445 |
| 15. Tow-Away Zones..... | 13, 13a | Amended B1. 445 |
| 16. Removal of Chattel/Obstructions..... | 14 | Amended B1. 445 |
| 17. Removed, Detained, Impounded..... | 14 | Amended B1. 445 |
| 18. Public Auction..... | 14 | |
| 19. Market value less than \$100..... | 14, 15 | |
| 20. Removal of Snow, Ice or Rubbish..... | 15 | |
| 21. Posting of Signs..... | 15 | |
| Part 4 - Extraordinary Traffic | | |
| 22. Interpretation..... | 16 | |
| 23. Application..... | 16 | |
| 24. Damage | 16 | |
| 25. Compensation..... | 16 | |
| 26. Offence..... | 16 | |
| 27. Public Address Systems..... | 16 | |
| Part 6 - Safety Equipment | | |
| 28. Application..... | 17 | |
| 29. Special Equipment..... | 17 | |
| Part 7 - Uses Requiring Public Works Foreman's Permission | | |
| 30. Application..... | 18 | |
| 31. Restrictions..... | 18 | |
| 32. Bonding Against Damage to Highway..... | 19 | |
| Part 8 - Conditions of Public Works Foreman's Permission | | |
| 33. Permit Fee..... | 20 | |

| | | |
|--|------------|-----------------|
| 34. Plans..... | 20 | |
| 35. Standard Conditions to Apply..... | 20 | |
| 36. Deposit..... | 20 | |
| 37. As Built Plans..... | 20 | |
| 38. Refund Less Inspection Fee..... | 20 | |
| 39. Default..... | 20, 21 | |
| 40. Warnings..... | 21 | |
| 41. Insurance..... | 21 | |
| 42. Materials..... | 21 | |
| 43. Utility Companies and Districts..... | 21 | |
| Part 9 - Traffic Control Devices | | |
| 44. Application..... | 22 | |
| 45. Location..... | 22, 23, 24 | |
| 46. Orders..... | 24 | |
| 47. Rescind, Revoke, Amend or Vary Order..... | 25 | |
| 48. Control..... | 25 | |
| 49. Temporarily Closing Street..... | 25 | |
| Part 10 - Vehicle Regulations | | |
| Division (1) - General Regulations | | |
| 52. Application..... | 26 | |
| 53. Prohibitions..... | 26 | |
| Division (2) - Size and Weight Regulations | | |
| 54. Dimensions..... | 26, 27 | |
| 55. Exemptions..... | 27 | |
| 56. All Signs to Apply..... | 27 | |
| 57. Weight Restrictions..... | 27 | |
| Division (3) - Permits | | |
| 58. Authorization..... | 28 | |
| 59. Penalty | 28 | |
| Part 11 - General | | |
| 60. Remainder of Bylaw Maintained Intact..... | 29 | |
| 61. Appeal..... | 29 | |
| 62. Bylaw Repeal | 29 | |
| SCHEDULES: | | |
| Schedule "A" - Off-street Parking Facilities..... | 30 | Amended B1. 445 |
| Schedule "B" - Parking & Ticketable Offenses, Fines... | 31 | |
| Schedule "C" - Order to Erect Signs..... | 32 | |
| Schedule "D" - Fee Schedule-Removal of Chattel, Obstructions, Vehicles..... | 33 | Amended B1. 445 |
| Schedule "E" - Application & Permit for work on Streets, Easements or Property..... | 34, 34a | |
| Schedule "F" - Permit for oversized or prohibited Vehicle..... | 35, 35a | |
| Schedule "G" - Fees pursuant to Part 10 Div. (3) -Permits..... | 36 | |

TOWN OF PORT MCNEILL

BYLAW NO. 319

A Bylaw to regulate traffic and the use of streets within the Town of Port McNeill.

WHEREAS the Council is authorized, pursuant to Section 120 of the *Motor Vehicle Act* and Section 579 and 581-584 inclusive of the *Municipal Act*, to regulate traffic and the use of highways within the Town;

WHEREAS it is deemed expedient and necessary to regulate traffic, parking and the use of all public streets, boulevards and sidewalks within the boundaries of the Town;

NOW THEREFORE, the Council of the Town of Port McNeill in open meeting assembled hereby ENACTS AS FOLLOWS:

1. TITLE

This bylaw may be cited for all purposes as "Traffic and Highways Regulation Bylaw No. 319, 1989".

2. INTERPRETATION

IN THIS BYLAW, UNLESS THE CONTEXT OTHERWISE REQUIRES:

ANGLE PARKING means the parking of a vehicle other than parallel to a curb or lateral lines of the roadway.

AXLE means a structure in the same, or approximately the same transverse plane supported by wheels and on or with which such wheels revolve. Any two axles of a vehicle, or combination of vehicles, the centres of which are less than 106 cm apart, shall be considered to be one axle for the purpose of this bylaw.

ARTERIAL HIGHWAY means a highway so classified by the *Highway Act* and over which the Ministry of Transportation and Highways has jurisdiction.

BOULEVARD means the area between the curb lines, the lateral lines or the shoulder of a highway and the adjacent property line, and includes curbs, sidewalks and ditches.

BUILDING INSPECTOR means the person or persons duly appointed as such from time to time by the Council.

CLERK means the Municipal Clerk of the Town of Port McNeill.

COMBINATION OF VEHICLES means a combination of motor vehicles and trailer, or motor vehicle and trailers.

COMMERCIAL has the same meaning as commercial vehicle in the *Commercial Transport Act*.

COUNCIL means the Municipal Council of the Town of Port McNeill.

CROSSWALK means (a) any 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 highway at an intersection that is included within the connection

of the lateral lines of the sidewalks on the opposite sides of the highway, or within the extension of the lateral lines of the sidewalk on one side of the highway, measured from the curbs, or in the absence of curbs, from the edges of the roadway.

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

PUBLIC WORKS FOREMAN means the person duly appointed as such by the Council from time to time.

EMERGENCY VEHICLE means (a) a motor vehicle carrying rescue or first aid equipment where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this bylaw or the *Motor Vehicle Act*, (b) A motor vehicle driven by a member of a fire department in the discharge of his 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 his duty.

FIRE CHIEF means the person duly appointed as such by the Council from time to time.

FARM VEHICLE means a "farm tractor" as defined in the *Motor Vehicle Act*.

GOVERNMENT VEHICLE means a vehicle operated by the Town of Port McNeill, the Regional District of Mount Waddington, the Province of British Columbia or the Government of Canada.

HIGHWAY includes every highway within the meaning of the Highway Act and every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles and every place or passage way owned or operated by the Town of Port McNeill for the purpose of providing off-street parking or for the use of pedestrian or cycle traffic.

HOLDER OF A BUILDING PERMIT means the person in whose name a building permit is issued.

HORSEPOWER means the gross horsepower of the engine of the towing vehicle as customarily rated by the manufacturer.

LANE means any highway more than 3 metres but not exceeding 8 m in width, intended to provide "secondary access" to parcels of land.

MOTOR VEHICLE means a vehicle, not run upon rails, that is designed to be self-propelled.

OFF-STREET PARKING FACILITY means any real property owned, leased, possessed or otherwise held by the Town of Port McNeill from time to time, for the purpose of providing parking off the travelled portion of roads and designated as an "Off-Street Parking Facility" in Schedule "A" attached to and forming part of this bylaw.

OCCUPIER means a person (a) who is qualified to maintain an action for trespass; (b) in possession of Crown land under a homestead entry or pre-emption record; (c) in possession of Crown land or land owned by a municipality under a lease, licence, agreement for sale, accepted application to purchase, easement, or other record from the Crown or municipality, or who simply occupies the land.

OFFICE HOURS mean the hours during which the Municipal Office is open, said hours being between 8:30 a.m. and 4:30 p.m. Monday to Friday except holidays.

OWNER in respect of real property, means the registered owner of an estate in fee simple and includes: (a) the tenant for life under a registered life estate, (b) the registered holder of the last registered agreement for sale, (c) the holder or occupier of land in the manner mentioned in Sections 409 and 410 of the *Municipal Act*, and (d) for the purposes of this Bylaw, the registered owner of a motor vehicle.

PARK when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading.

PEACE OFFICER means a constable or person having a constable's powers and for the purposes of this Bylaw, includes a "Bylaw Enforcement Officer".

PEDESTRIAN means a person afoot, or an invalid or child in a wheelchair or carriage.

PERMIT means a document in writing issued pursuant to this bylaw.

PERSON shall include any corporation, partnerships, firm or association and for the purpose of this bylaw shall include the registered owner of a motor vehicle.

PORTABLE CRUSHER means a machine designed to be moved from one location to another, and whose purpose is the crushing of automobile bodies.

RESIDENCE DISTRICT means the territory continuous to a portion of a highway having a length of 100 m along which there are buildings used for residence purposes only or for residence or business purposes occupying (a) at least 50 m of frontage on one side of that portion, or (b) at least 50 m collectively on both sides of that portion.

RPM means revolutions per minute.

ROADWAY means the portion of the highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder; and where a highway includes two or more separate roadways, the term "Roadway" refers to any one roadway separately and not to all of the roadways collectively.

SEMI-TRAILER means a vehicle, other than a trailer, which is drawn by a motor vehicle and which is so constructed that some part of its weight and some part of the weight of its load rests upon, or is carried by the towing vehicle.

SIDEWALK means the area between the curb-lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians or any other improved area set aside for pedestrian use only.

SPITTER MACHINE means a coin operated device which stamps and disburses parking permits for the use in an off-street parking facility.

TAXI means a motor vehicle designed to carry not more than ten persons that, with its driver, is operated for hire.

TOWN means the Town of Port McNeill.

TRAFFIC includes pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a highway for purposes of travel.

TRAFFIC CONTROL DEVICE means a sign, signal, line, parking meter, spitter machine, marking, space, barrier, or device, placed or erected by authority of the Council or person duly authorized by the Council to exercise such authority.

TRAFFIC PATROL means an adult school crossing guard or a school pupil acting as a member of a school patrol where such guards or pupils are provided under the *Public Schools Act* or authorized by the Police.

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 car and includes a semi-trailer as defined in the *Commercial Transport Act*.

TRUCK TRACTOR means a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle so drawn and of the load of such other vehicle.

VEHICLE means a device in, upon, or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power or used exclusively upon stationary rails or tracks.

WIDTH OF TIRE means, with respect to rubber tires, the width of tire as customarily measured and rated by manufacturers of motor vehicles and tires and, with respect to metal tire or solid rubber tires, the transverse width of the outer circumference of the metal tire or solid rubber tire.

WINTER TIRE means a tire that is advertised or represented by its manufacturer or person in the business of selling tires to be a tire intended principally for winter use and that provides or is designed to provide adequate traction in snow or mud and is in such condition respecting tread, wear and other particulars as the regulations under the *Motor Vehicle Act* may prescribe.

PART 1 - ENFORCEMENT

DIVISION (1) OFFENCES OTHER THAN PARKING

3. RESTRICTIONS:

Except where otherwise directed by a Peace Officer, or a person authorized by a Peace Officer, **NO PERSON SHALL:**

(1) DRIVING ON SIDEWALK OR BOULEVARD

Drive a motor vehicle, bicycle, or ride or herd any animals, along any sidewalks, walkways or boulevards, unless otherwise permitted to do so by an applicable traffic control device.

(2) PLAYING ON HIGHWAY

Use roller skates, skate boards, sleighs, skates, beer barrels, skis or other similar means of conveyance on any roadway.

(3) DEBRIS LEFT ON HIGHWAY

Being the person who has removed a wrecked or damaged vehicle from the scene of an accident, leave any glass or other debris from the accident upon a roadway.

(4) OPEN EXCAVATION

Leave any excavation or other obstruction upon a highway without sufficiently fencing, barricading and marking the same with warning lights.

(5) ALL TERRAIN VEHICLES

Drive or operate an all terrain vehicle anywhere in the Municipality except upon a public highway for the purpose of crossing the highway from one side to the other.

(6) PROCESSION OR PARADE

Drive or operate a vehicle between the persons or vehicles comprising a funeral procession or parade unless the vehicle is part of the funeral procession or parade.

(7) OBSTRUCT TRAFFIC

Stand or loiter in such a manner as to obstruct, impede or interfere with traffic on a roadway.

8) TRACKED VEHICLE ON HIGHWAY

Operate tracked vehicles on sidewalks, boulevards, roadways or lanes and only where specifically authorized by order of a Peace Officer.

(9) LANE/MAXIMUM SPEED

Unless otherwise indicated by a traffic control device, drive a vehicle upon a lane in excess of 20 km/h.

(10) CONSTRUCTION ZONE/MAXIMUM SPEED

Unless otherwise indicated by a traffic control device, drive a vehicle in excess of 20 km/h in a zone where signs are posted indicating that the road is being repaired, widened or marked.

(11) MERCHANDISE LEFT ON HIGHWAY

Place or permit to be placed any fuel, lumber, merchandise, chattel or ware of any nature on a highway.

(12) DRAG OR SKID

Drag or skid any object along or over a highway in such a manner that the object damages the surface of the highway.

(13) EARTH, MUD, ROCKS

Being the owner or occupier of property abutting a highway, allow or permit any earth, mud, rocks, stones, logs, stumps or other things to cave, fall, crumble, flow, drift, slide or accumulate, or be tracked or carried by a vehicle or vehicles from the property onto a highway; or being there, to remain thereon.

(14) CORNER LOTS

(a) Being the owner or occupier of property abutting on a highway at an intersection of another highway, construct a fence or grow a hedge or permit a fence or hedge to remain so that the fence or hedge is more than 1 m higher than the finished grade of the abutting highways for a distance of 8 m back along both abutting and intersecting highways along the abutting property lines of the lot from the point of intersection of the highways.

(b) Notwithstanding (a), if one of the abutting highways is a lane as defined in this Bylaw, then the owner of the property abutting on the highway and the lane shall not permit a fence, hedge or individual trees to remain on that property so that the fence or hedge or individual trees are more than 1m higher than the finished grade of the abutting lane and highway for a distance of 6m back along both abutting property lines of the lot, from the point of intersection of the two abutting property lines with the highway and lane and this restriction shall also apply to property abutting two lanes which intersect.

(c) An owner of property is exempted from this subsection (14) where the owner has constructed a see-through fence constructed of mesh-like materials, which do not obstruct or distort the view of traffic as seen through the fence.

(15) REMOVAL OF NOTICE

Remove any notice or ticket affixed or placed on a vehicle by a Town employee or Peace Officer unless he is the owner or operator of such vehicle.

(16) DRIVE WITHIN PARKS

Drive a motor vehicle, other than a government vehicle within the boundaries of any municipal park.

(17) DITCHES/WATER FLOW

Construct, fill, modify or maintain a ditch, the water from which causes or could cause damage to any highway.

(18) DISTRIBUTE LEAFLETS

Distribute leaflets upon any highway by placing the same on the windshield of a motor vehicle parked upon the highway.

(19) TRUCKS/MAXIMUM WEIGHT

Unless otherwise posted with traffic control devices indicating a truck route, drive a truck with a gross vehicle weight in excess of 13,700 kg upon a roadway, except municipal or utility vehicles while engaged in work upon roadways, or trucks delivering goods and materials to properties on a street or streets directly serviced by the roadway.

(20) INSECURE LOAD

(a) Operate upon a roadway a vehicle carrying any materials or goods which are not secured in such a manner that the materials or goods are unable to fall from the vehicle while the vehicle is proceeding along the roadway; and

(b) When operating a vehicle permit any materials or goods which fall from the vehicle to remain upon a highway.

(21) NO PASSING SCHOOL ZONES

(a) Being the driver of a motor vehicle, overtake and pass another vehicle in a designated school or playground zone, as indicated by a traffic control device, or at a crosswalk.

(b) Being the driver of a motor vehicle, drive through a crosswalk when a person or traffic patrol indicates that vehicles are required to stop, in order to allow pedestrians to safely cross the highway.

Bylaw 445
Amendment

(22) CYCLE, SKATEBOARDS AND GAMES

(a) Ride a cycle or skateboard on a sidewalk.

(b) Leave a cycle or a skateboard on a sidewalk, highway or public place in a position which obstructs the free movement of pedestrians or vehicle traffic, and when a cycle or skateboard is found as stated herein, the said cycle or skateboard may be impounded forthwith.

(c) Play or participate in any game or related activity on any street, sidewalk or public area without written approval from the Town.

DIVISION (2) PARKING

4. PARKING REGULATIONS:

Except when necessary to avoid conflicts with traffic, or to comply with the directions of a Peace Officer or traffic control device or traffic patrol and except while operating a government vehicle or vehicles of a public utility corporation while engaged in their duties, or except an emergency vehicle which is in actual use for official duties, or a vehicle so mechanically disabled as to render it immobile, **no person shall stop, stand or park a vehicle:**

SIDEWALK

(1) on a sidewalk or boulevard.

DRIVEWAY

(2) in front of a public or private driveway.

LANE

(3) In any lane, except as permitted pursuant to Section 6 (1).

INTERSECTION

(4) Within an intersection except as permitted by a traffic control device.

HYDRANT

(5) Within 5m of a fire hydrant measured from a point on the curb or edge of the roadway which is closest to the fire hydrant.

CROSSWALK

(6) On a crosswalk or within 6m of the approach of a crosswalk.

EXIT

(7) Within 6m on either side of the entrance to or exit from a hotel, theatre, public meeting place, fire hall or playground.

STOP SIGN

(8) Within 6m upon the approach to a stop sign or traffic control device located at the side of the roadway.

SALES

(9) Upon any highway for the principal purpose of: (a) displaying a vehicle for sale, (b) advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency, (c) displaying signs, (d) selling flowers, fruit, vegetables, seafoods, or other commodities or articles.

OBSTRUCTION

(10) Alongside or opposite a street excavation or obstruction when stopping, standing, or parking obstructs traffic.

DOUBLE PARKING

(11) On the roadway side of a vehicle stopped or parked parallel to the edge or curb of a roadway.

BRIDGE

(12) Upon a bridge except as permitted by an applicable traffic control device.

WHERE PROHIBITED BY SIGN

(13) In any place in contravention of a traffic control device that gives notice that stopping, standing, or parking is prohibited or restricted in that place, and at that time.

IN VIOLATION OF TRAFFIC CONTROL DEVICE

(14) On a portion of a highway in which parking is regulated by a traffic control device in violation of the traffic control device.

OBSTRUCT VISIBILITY

(15) In such a manner as to obstruct the visibility of any standard traffic control device erected by or with the authority of the Public Works Foreman.

WRONG SIDE/FACING WRONG DIRECTION

(16) On other than the right side of a two-way roadway with the right hand wheels of the vehicle parallel to that side; except where there is provision for angle parking, as signified by traffic control devices consisting of lines painted on the surface of the highway.

DISTANCE FROM CURB

(17) More than 30 cm from the curb of a roadway if a curb has been constructed.

ANGLE PARKING

(18) In a designated angle parking zone where the length of the vehicle and any trailer attached thereto exceeds 6 m.

RESERVED PARKING

(19) In a space on a highway adjacent to any Federal, Provincial or Municipal public building which is designated as being reserved for the use of Officials, unless the operator is such Official.

TEMPORARY PARKING, RECREATION VEHICLE, BOAT TRAILER, UTILITY TRAILER PARKING

(20) No person shall park a recreation trailer, motor home, mobile home, boat trailer, utility trailer, or a camper unit detached from a vehicle, for more than three hours, or the length of time allowed for parking (a) on that portion of a highway as indicated by an applicable traffic control device; (b) on any highway for a continuous period exceeding 24 hours, without first obtaining a permit from the Public Works Foreman; and (c) on any highway and occupy it for living purposes.

TRUCKS

(21) Being a commercial vehicle having a gross vehicle weight in excess of 4,536 kg. on any highway in a residential area, between the hours of 9:00 p.m. and 6:00 a.m. of the following day.

LANE

(22) Within 3 m of the entrance or exit of a lane.

OBSTRUCT

(23) In a manner which obstructs the free passage of traffic on any roadway.

IN DESIGNATED AREA ONLY

(24) Upon any portion of a highway where traffic control devices consisting of lines painted upon the surface of the highway designate parking, in any location other than the designated spaces or area.

CYCLE PARKING

(25) Between a portion of a highway that has been improved by the Town for the purpose of cycle parking and the highway itself.

CYCLES OR PEDESTRIANS

(26) Upon a portion of a highway that has been improved for the travel of cycles and or pedestrians, and which is designated as such by traffic control devices.

OVERTIME PARKING

(27) On any portion of a highway in contravention of the length of time allowed for parking on that portion of highway as indicated by an applicable traffic control device.

PARKING LOTS

(28) In any public parking lot operated by the Town in contravention of the length of time allowed for parking as indicated by a traffic control device where traffic control devices exist.

LOADING ZONE

(29) (a) In a loading zone designated by a traffic control device unless the vehicle is actually in the process of being loaded or unloaded. (b) Notwithstanding (a), in no case in a loading zone as designated by a traffic control device for a longer period than 15 minutes at any one time.

SCHOOL GROUND

(30) On a highway abutting a primary, elementary or junior secondary school ground or neighbourhood tot lot from dawn until dusk unless the school ground or tot lot is separated from the highway by a fence.

FIRE ZONE

(31) In a fire zone, as indicated by the appropriate traffic control device.

TAXI ZONE

(32) In a zone reserved exclusively for taxi cabs, as indicated by a traffic control device.

TIMED PARKING ZONES

(33) Move a vehicle from one location to another in the same block to avoid the time limit regulations specified in that particular block.

5. MUNICIPAL OFF-STREET PARKING FACILITIES:

(a) The Council may, from time to time establish and amend rates for parking in off-street parking facilities specified in Schedule "A" attached hereto and forming part of this Bylaw. Said rates may be amended by resolution of the Council.

(b) Signs limiting use of off-street parking facilities specified in Schedule "A" shall be erected and the Council may set time restrictions and regulations controlling the parking therein.

6. COMMERCIAL VEHICLES:

(1) Notwithstanding Section 4(3), an attended commercial vehicle may park in a lane if the attended commercial vehicle is actually being loaded and unloaded, and if the vehicle is placed so as to leave at least 3 m of the adjacent roadway clear, as measured on a line perpendicular to the vehicle.

7. DISABLED PERSONS PERMITS:

Notwithstanding the provisions of Section 4 (27) and 4 (28), a person holding a permit issued pursuant to the following provisions shall not be subject to the penalties provided for the breach of these subsections, so long as that permit remains valid and subsisting.

(1) Permits indicating, "Disabled Person" may be issued to an individual or an operator of a busing service transporting disabled persons who:

- (a) Produces a certificate from a duly qualified medical practitioner certifying that such person is confined throughout the year to a wheelchair, and/or
- (b) Produces a valid driver's licence issued in his name which is restricted to the operation of a vehicle equipped with hand controls, or
- (c) Is the holder of a valid driver's licence and is from time-to-time required to transport a disabled person or persons.

(2) The permit issued pursuant to 7. (1) (a) will be recorded in numerical order and shall be placed on the passenger's side of the dashboard of the vehicle in use by the Permittee and shall be visible from outside the vehicle.

(3) Use of the permit contrary to the provisions of this subsection shall render the permit void.

(4) The permit shall be valid for a period of one (1) year and then only as long as the Permittee is the holder of a valid and subsisting driver's licence authorizing the Permittee to operate a motor vehicle in the Province of British Columbia.

(5) The permit shall not be transferable and shall be issued to the disabled person and not for the vehicle that such person owns or operates.

(6) Permits shall be issued by the Municipal Clerk and shall be recorded in a book kept for that purpose and the record shall include the Permittee's name, address, telephone number, the permit number, the driver's licence number of the Permittee and nature of the disability of the Permittee.

8. TEMPORARY 'NO PARKING'

The Public Works Foreman, the Fire Chief, or any Peace Officer may place or cause to be placed temporary "No Parking" signs or other applicable traffic control devices on a highway:

- (1) Along the route of any parade.
- (2) In the vicinity of a large gathering or during special circumstances.
- (3) To facilitate the fighting of fires.
- (4) To facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a highway being carried out by the Town or any Utility company.
- (5) In the interest of public safety.

PART 2 - PENALTIES

9. TICKETABLE OFFENCES:

- (1) Ticketable Offences and the fines therefor shall be those as set out in Schedule "B".
- (2) Tickets issued for a ticketable offence, shall be by means of a form of ticket prescribed by regulation under Section 934.3 of the *Municipal Act*.
- (3) A fine shall not be levied under subsection 9. (1), for any offence if a vehicle is removed for that offence pursuant to Part 3 of this bylaw.

10. VIOLATION:

Notwithstanding Section 11, any person who operates a motor vehicle, or who, being the owner or operator of a motor vehicle, permits it to stand or be parked in contravention of a traffic control device or signal is liable on summary conviction to the penalties provided in the *Offence Act*.

11. PENALTY:

Except as otherwise provided in this Bylaw, any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw shall be liable on summary conviction to the penalties provided in the *Offence Act*.

12. DEFAULT:

Where this bylaw directs any matter or thing is required to be done by any person then in default of it being done by such person, such matter or thing shall be done at the expense of the person in default and the expense thereof may be recovered, with interest at the rate of six (6) percentum per annum, with costs in the same manner as municipal taxes.

13. INSPECTION:

Any Peace Officer, the Public Works Foreman, or the Municipal Clerk may enter, at all reasonable times, upon any property subject to this bylaw in order to ascertain whether the regulations or directions in this Bylaw are being obeyed.

PART 3 - REMOVAL OF VEHICLES, CHATTELS, SNOW, SIGNS AND RUBBISH**14. REMOVAL OF VEHICLE:**

Bylaw 445
Amendment

Where any vehicle is unlawfully occupying any portion of a highway or public place, the Public Works Foreman or a Peace Officer may

- (1) Move any vehicle or require the driver or person in charge of the vehicle to move it to a position determined by the Peace Officer or authorized person; or
- (2) Move the vehicle or take the vehicle into his custody and cause it to be taken to and stored in a safe and otherwise suitable place.

15. TOW-AWAY ZONES:

Without limiting the generality of Section 14, the following zones are hereby established as tow-away zones.

(1) Bus Stops

Any vehicle, other than a Bus which is operated by School District No. 85, or any Bus authorized by the Town to provide public transportation, or any emergency vehicle which is in actual use for official duties, which is stopped, standing or parked on a portion of a highway which is designated as a "bus stop" as indicated by signs erected pursuant to the provisions of this bylaw shall be subject to tow-away and impoundment by the Town, or its contractors, on each and every day of the year.

(2) Fire Zones

Any vehicle, other than an emergency vehicle which is in actual use for official duties, which is stopped, standing or parked on a portion of a highway which is designated as "Fire Zone" by a traffic control device or traffic control devices, placed or erected pursuant to the provisions of this bylaw may be subject to tow-away and impoundment by the Town, or its contractors at all times on each and every day of the year.

(3) No Stopping Zones

Any vehicle other than an emergency vehicle which is in actual use for official duties, which is stopped, standing or parked on a highway in a "no stopping zone", as indicated by traffic control devices (s) erected pursuant to the provisions of this bylaw may be subject to tow-away and impoundment by the Town or its contractors during the periods indicated on the applicable traffic control device.

(4) Off-Street Parking Facilities

Any vehicle, other than an emergency vehicle which is in actual use for official duties or a vehicle which is displaying a valid permit issued pursuant to Section 7 of this bylaw, which is stopped, standing or parked in an off-street parking facility (a) contrary to posted signs limiting use of the facility, (b) without a valid spitter ticket placed face up on the dashboard inside the vehicle, or (c) not within the designated parking spaces, of this Bylaw may be removed and impounded by the Town, or its contractors.

5) Regulated Parking Zones

All highways and Town parking lots where parking is permitted or restricted are hereby designated as regulated parking zones and traffic control devices may be placed from time to time to indicate such regulations or restrictions.

16. REMOVAL OF CHATTEL OR OBSTRUCTIONS:

Any chattel or obstruction unlawfully occupying any portion of a highway or public place may be removed, detained or impounded by any person authorized to do so by the Public Works Foreman or a Peace Officer.

Bylaw 445
Amendment

17. IMPOUNDING PROVISIONS

(1) When any vehicle or other chattel or obstruction is unlawfully occupying any portion of a highway or public place within the boundaries of the Town of Port McNeill, the Town or any Peace Officer may take such vehicle, or obstruction into its custody and cause it to be removed, detained, or impounded and stored in the Public Works Yard or in such other place as may be designated by the Town from time to time for such storage. The Town accepts no responsibility for damages to any impounded vehicle or obstruction.

(2) The Town may recover its fees, costs and expenses for such removal, detention or impounding and storage either from the owner, or by the sale of the vehicle or obstruction at public auction or by action in any other court of competent jurisdiction.

(3) The fees of the Town for such storage, in addition to any other costs or expenses which might be incurred by the Town is listed in Schedule "D" which is attached to and made part of this bylaw.

(4) Before offering any vehicle for sale at public auction a demand for payment within thirty (30) days of any fees, costs or expenses for removal, detention or impounding or storage incurred by the Town shall be sent by double registered mail to the address of the owner as shown on the records of the Superintendent of Motor Vehicles of the Province or State in which the vehicle was last licensed.

18. PUBLIC AUCTION:

(1) Any vehicle, chattel or obstruction not claimed by its owner within thirty (30) days of its impounding or detention may be sold at public auction, and such auction shall be advertised at least once in a newspaper circulating in the Town.

(2) The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to the fees, costs and expenses of the town or its contractors or authorized agents as set out above and thirdly the balance, if any, shall be held by the town for one (1) year from the date of sale for the owner. If unclaimed at the end of the year such sum shall be paid into General Revenue of the Town.

(3) Should any chattel or obstruction not be purchased at public auction held pursuant to (1), then the chattel or obstruction shall be disposed of in the Municipal dump, or a place approved by the Public Works Foreman, and the expenses incurred in the removal or disposal of the chattel or obstruction, less the proceeds (if any) of disposal, are recoverable as a debt due the Town from the owner.

(4) Should a vehicle not be purchased at public auction held pursuant to 18 (1), then the vehicle shall be disposed of pursuant to the procedure prescribed by Section 7 of the *Highway (Scenic Improvement) Act*.

19. MARKET VALUE LESS THAN \$100.00

(1) Notwithstanding the preceding provisions, where any garbage, rubbish, or chattel with an apparent market value of less than one hundred dollars (\$100.00) is left on any highway, such article or articles may be removed and disposed of by the Town of Port McNeill and the full costs of removal or disposal shall be charged to the owner of the garbage, rubbish, abandoned or unlicensed motor vehicle.

(2) Apparent market value shall be determined by the Municipal Treasurer.

20. REMOVAL OF SNOW, ICE OR RUBBISH

HAZARDS

(1) Owners or occupiers of real property shall immediately remove any snow, ice, or rubbish from the roof or other part of any structure situated adjacent to or abutting on any portion of any highway if it constitutes a danger to persons using the highway by imposing a threat of falling upon the highway.

21. POSTING OF SIGNS:

(1) No person shall post or exhibit any poster, playbill, dodger card or placard of any kind upon any highway except an arterial highway, or upon any structure or utility pole on the highway by means of paste, glue or similar adhesive.

(2) (a) No person shall post or exhibit any poster, playbill, dodger, card or placard of any kind upon any highway except an arterial highway or upon any structure or utility pole on the highway, by means of paste, glue or similar adhesive, unless that person has filed a written undertaking with the Municipal Clerk, security in the amount of \$100.00 that he will remove any such poster, playbill, dodger, card or placard by the date specified in his written undertaking.

(b) The date specified under (a) shall not be more than 30 days from the date of posting.

(c) This section shall not apply to elections signs, which shall be removed within 48 hours of the day of the election, and in default of removal, the Town may remove the election signs without compensation payable to any person, and charge the cost of the removal to the candidate on whose behalf the sign was erected.

(d) This section shall not apply to real estate signs or directional signs. The placement and maintenance of directional signs may be authorized by a resolution of Council in accordance with the provisions of the *Motor Vehicle Act*.

PART 4 EXTRAORDINARY TRAFFIC

22. INTERPRETATION:

IN THIS PART:

"Extraordinary Traffic" includes the carriage of any goods or persons over a highway, at either one or more times, and whether in vehicles drawn by animal power or propelled by some other means, that when taken in conjunction with the nature or existing condition of the highway is so extraordinary or improper in the quality or quantity of the goods or the number of persons carried, or in the mode or time of use of the highway, or in the speed at which the vehicles are driven or operated, as, in the opinion of the Minister of Transportation, to substantially alter or increase the burden imposed on the highway over that imposed through its proper use by ordinary traffic, and to cause damage and expense in respect of the highway beyond what is reasonable or ordinary.

23. APPLICATION:

This Part does not apply to arterial highways.

24. DAMAGE:

Where, in the opinion of the Public Works Foreman, any highway is liable to be damaged because of extraordinary traffic operating upon it, he may regulate, limit or prohibit the use of the highway by any person operating or in charge of the extraordinary traffic, or owning the goods carried thereby or the vehicles used therein.

25. COMPENSATION:

Any person to whom this Part might otherwise apply may, with the approval of the Public Works Foreman enter into an agreement for the payment to the Town of compensation in respect of the damage or expense which may, in the opinion of the Public Works Foreman, be caused by the extraordinary traffic, and thereupon that person shall not be subject to any prohibition or penalty prescribed in this Part, in respect of that extraordinary traffic.

26. OFFENCE:

Every person driving on or using the highway in contravention of a regulation, limitation, or prohibition made under Section 24, is guilty of an offence against this bylaw and is liable, upon summary conviction, to a fine of not less than one hundred dollars (\$100.00) and not more than two thousand dollars (\$2,000.00).

27. PUBLIC ADDRESS SYSTEMS:

No person shall use or operate any megaphone, loudspeaker, or other sound amplifying device, instrument or system on any highway for the purpose of broadcasting a message or advertising, except with the approval of the Town Council.

PART 6 SAFETY EQUIPMENT

28. APPLICATION:

This part does not apply to arterial highways.

29. SPECIAL EQUIPMENT:

The Public Works Foreman may, by public notice or by the placing of signs, prohibit vehicles from being driven or operated on a highway if such vehicles are not equipped with chains, or winter tires, or sanding devices, or any combination of these which the Public Works Foreman may consider adequate and necessary in view of prevailing road conditions.

PART 7 - USES REQUIRING PUBLIC WORKS FOREMAN'S PERMISSION

30. APPLICATION:

This part does not apply to arterial highways.

31. RESTRICTIONS:

Except as authorized by a permit issued by the Public Works Foreman pursuant to Part 8 of this bylaw, no person shall:

EXCAVATIONS CUTTING TIMBER

(1) Dig up, break 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.

DAMAGE TO BOULEVARDS

(2) Cause damage to, cut down or remove, trees, grass, shrubs, plants, bushes and hedges, fences, signs, or other things erected, planted or maintained by the Town on a highway.

STOPPING WATER

(3) Change the level of a highway in any manner whatsoever, or stop the flow of water through any drain, sewer or culvert on, through, or under a highway.

STRUCTURES

(4) Place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a highway or any portion of a highway.

EFFLUENT FROM DRAIN

(5) Construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a highway.

DEFACING

(6) Mark, imprint or deface in any manner whatsoever a highway or a structure situated upon a highway.

SIGNS

(7) Erect or maintain any sign, advertisement or guide-post on or over any highway or alter, repaint, tear down or remove any sign, advertisement or guide-post erected or maintained on any highway.

TRACKED VEHICLES

(8) Operate tracked vehicles, whether equipped with road plates or not, on sidewalks, boulevards, roadways or lanes, other than for the purpose of snow removal or grading.

VEHICLES AND ANIMALS

(9) Ride, drive, lead, move or propel any vehicle 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 so as to form a suitable crossing, except when such vehicle or animal is being used to improve or maintain the boulevard.

CONSTRUCTION

(10) Construct a boulevard crossing, including a curb, ditch or sidewalk crossing.

32. BONDING AGAINST DAMAGE TO HIGHWAY:

(1) Any owner of property or his agent for which a Building Permit is issued under Building Bylaw No. 186, 1978 and any amendments thereto, shall be responsible for the cost of repair of any and all damage to Municipal works on property that occurs as a result of the work covered by the permit and shall include:

- (a) excavating a foundation or otherwise upon the property;
- (b) bringing heavy equipment onto the site from the adjacent roadway;
- (c) transporting materials from or to the site across a curb or ditch where no boulevard crossing has been constructed;

and shall at the time of the application for a permit, post a damage deposit by way of a certified cheque or cash according to the following schedule:

| | | |
|-----------------------------------|---|---|
| 1-10 residential units | - | \$500.00 per unit |
| in excess of 10 residential units | - | \$250.00 per unit to a maximum of \$25,000.00 |
| 1-10 commercial/industrial units | - | \$500.00 per unit |

(2) For the purposes of this clause: (a) "**municipal property**" includes all road allowances, land easements, with all works and appurtenances therein and thereon; and (b) "**damage**" includes the placement or deposit of any material, structure, object, or substance upon Municipal property.

(3) Return of the above noted damage deposit shall occur when all works, including repairs to damaged municipal property, have been completed to the satisfaction of the authority having jurisdiction.

(4) Repairs, not completed within thirty days of receiving written notification from the Building Inspection Department, shall be undertaken by the municipality, the cost of which shall be deducted from the damage deposit. Any portion of the total damage deposit may be used for repairs on any lot or lots covered by the deposit.

(5) Should there be insufficient monies on deposit with the Town then the holder of the building permit and the registered owner of the land at the time at which payment of these monies becomes due shall be jointly and severally liable for payment, and shall pay that forthwith, upon invoice, the balance required by the Town to carry out, or cause to be carried out, the necessary repairs, clean-up, or highway reconstruction.

PART 8 CONDITIONS OF PUBLIC WORKS FOREMAN'S PERMISSION**33. PERMIT FEE:**

(1) The Public Works Foreman may issue a permit to do any of those things otherwise prohibited in Part 7 of this bylaw.

(2) A permit issued under subsection (1) shall be in the form prescribed in Schedule "E" attached to and forming part of this bylaw, and shall be issued subject to the payment of the application fee of twenty dollars (\$20.00), plus any additional applicable fee prescribed in the Schedules to this Bylaw, and subject to any other conditions that may be contained in the Part.

34. PLANS:

The applicant shall provide one complete copy of satisfactory plans and/or specifications of the work to be undertaken and when such are supplied and approved by the Public Works Foreman and the necessary permit issued, the work shall conform in every way to the plans and specifications provided.

35. STANDARD CONDITIONS TO APPLY:

Any and all work which is carried out under a permit issued pursuant to the provisions of this Part shall conform in every way to the regulations set out in the Town's Building and Land Use Bylaws, and all other applicable Bylaws.

36. DEPOSIT:

(1) Prior to the issuance of any permit under this Part, the applicant shall deposit with the Town a sum of money sufficient to pay for the cost of repairing any damage likely to be done to the highway, and as sufficient security that the obligations imposed by the permit are fulfilled within the time specified by the permit.

(2) The deposit required in subsection (1), shall equal ten (10) percent of the total value of the work to be carried out and shall be in the form of cash or a certified cheque.

37. AS BUILT PLANS:

Following completion of the work, the applicant shall provide satisfactory plans of the works installed by the applicant if works are installed by the applicant and such plans shall be drawn to a scale satisfactory to the Public Works Foreman and shall show 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 deposit or security posted as a condition of the permission.

38. REFUND LESS INSPECTION FEE:

Where a deposit has been made in accordance with this Part and upon satisfactory completion of the work within the time specified, the deposit shall be refunded to the applicant less an inspection fee of twenty-five dollars (\$25.00) where applicable.

39. DEFAULT:

Failure by the permit holder to repair damage and/or fulfill such obligations as are set out in the permit within the specified time shall enable the Town to carry out such repairs or fulfill such obligations that have not been met under the terms and conditions of the permit, and to

deduct the cost thereof from the monies on deposit, or to call on the Irrevocable Letter of Credit and to pay the cost therefrom, and should there be an insufficiency of monies on deposit or through the Letter of Credit, then the applicant shall pay the balance forthwith, upon invoice of the amount required by the Town to carry out the works or fulfill the obligation, and such balance shall be paid in addition to an administration charge of twenty-five dollars (\$25.00)

40. WARNINGS:

Any person doing work on, in, over or under any highway shall provide and place appropriate barricades, lights and other safety devices as are required to protect the public.

41. INSURANCE:

The applicant shall provide evidence satisfactory to the Public Works Foreman that he 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 and such insurance shall be in an amount of not less than one million dollars (\$1,000,000.00) for each occurrence, and the applicant shall waive all rights of subrogation to the Town.

42. MATERIALS:

The applicant shall provide evidence satisfactory to the Public Works Foreman that all materials, labour and equipment which are needed to complete the work with reasonable dispatch are available.

43. UTILITY COMPANIES AND DISTRICTS:

The Public Works Foreman may issue a permit to a company regulated under the *Energy Act* permitting such company, over the calendar year for which the permit is applicable, to carry out such work as may be necessary in the case of an emergency to repair any break or damage to the utilities under their control, and subject to the terms of any franchise or other agreement entered into between such Utility and the Town of Port McNeill.

PART 9 TRAFFIC CONTROL DEVICES

44. APPLICATION:

The provisions of this Part do not apply to arterial highways.

45. LOCATION:

The Council hereby authorizes the Public Works Foreman to order the placing or erection of applicable traffic control devices at the places that he designates for the purpose of giving effect to the requirements of this Bylaw and the *Motor Vehicle Act*.

Such traffic control devices shall include all signs contained in the *Motor Vehicle Act Regulations*, and without limiting the generality of the foregoing shall also include:

SIDEWALKS, BRIDGES, LANES

(1) Signs to regulate, control or prohibit pedestrian traffic, ridden or herded animals, vehicular traffic, and cycle traffic on sidewalks, bridges, walkways, boulevards, or in lanes.

STOP SIGNS

(2) Signs to regulate, control or prohibit the stopping of vehicles.

PARKING

(3) Signs for the regulation, control or prohibition of standing or parking of vehicles.

PUBLIC BUILDINGS

(4) Signs to set apart and allot portions of highways adjacent to government buildings for the exclusive use of Officials and Officers engaged therein for the parking of vehicles and the regulation of such parking.

MEN WORKING

(5) Signs where construction, reconstruction, widening, repair, marking or other work is being carried out indicating that men or equipment are working upon the highway.

CONSTRUCTION ZONE/DETOURS

(6) Signs where construction, reconstruction, widening, repair, painting or marking or other work is being carried out for the purposes of section 49 (1) of this Bylaw to regulate or prohibit traffic in the vicinity of such works.

PEDESTRIANS

(7) Signs to regulate or prohibit pedestrian traffic on highways other than at crosswalks.

SKATES

(8) Signs to regulate, control or prohibit persons using roller skates, sleighs, skates, skis, skateboards or other similar means of conveyance on a highway.

TURN PROHIBITION

(9) Signs at intersections and in advance of intersections where it is required to prohibit certain movements.

DO NOT ENTER

(10) Signs at the end of one-way roadways to prevent traffic entering the restricted area.

ONE WAY

(11) Signs on highways upon which the traffic is required to travel in one direction only.

TWO WAY TRAFFIC

(12) Signs at the transition from one-way to two-way roadways to indicate that normal travel is restricted to the right hand side of the roadway.

DO NOT PASS

(13) Signs at the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous.

KEEP RIGHT

(14) Signs within and at the end of median strips and traffic islands.

LOADING ZONES

(15) Signs at locations where due to adjacent commercial facilities it is desirable to reserve space for loading and unloading commercial vehicles.

TRUCK SIGNS

(16) Signs in locations where truck traffic is prohibited or restricted.

MAXIMUM WEIGHT

(17) Signs in locations where, due to seasonal weakening of road surfaces, obsolescence of bridges or pavements, or roadway repairs, loads in excess of those prescribed on the signs constitute a hazard to traffic or may cause excessive damage to the roads.

MAXIMUM SPEED

(18) Signs at locations where, due to limitations of sight distances, road surfaces, traffic flows and frequency of intersections, speeds in excess of those prescribed on the signs constitute a hazard to traffic or may cause excessive damage to the road.

BUS STOPS

(19) Signs at locations where a bus stops to pick up passengers, and it is desirable to restrict stopping, standing and parking on the road to only such vehicles. A sign erected pursuant to this subsection shall contain the following information:

(a) That the bus stop is a "tow-away zone".

(b) The telephone number of the Town's towing contractor.

NO STOPPING

(20) Signs at locations where free flow of traffic is required, and where it is desirable, therefore, to permit no stopping on the roadway, except in the case of an emergency.

SCHOOL

(21) Signs at locations where it is required to give advance information and warning, such as the presence of a school adjacent to a roadway, a school crosswalk, or a school maximum speed zone.

PLAYGROUND

(22) Signs at locations where it is required to give advance information and warning of a playground adjacent to a roadway, or its maximum speed zone.

CROSSWALK

(23) Signs or lines at locations where heavy pedestrian traffic crosses a roadway and at locations other than an intersection such as at schools, playgrounds and public buildings where it is required to control pedestrian traffic.

ANGLE PARKING

(24) Signs or lines in locations where it is permissible to angle park.

WARNING

(25) Signs at locations where it is required to warn traffic of hazardous conditions, either on or adjacent to the roadway or to prohibit traffic from using the roadway.

TRAFFIC SIGNALS

(26) Signs at intersections and other locations where the existing traffic control devices are not adequate to control the traffic efficiently.

TAXI ZONES

(27) Signs at locations where, due to frequent use by the public, it is desirable to reserve a place for taxicabs to stop, stand or park to pick up fares. No other type of vehicle shall stop, stand or park in a place designated as reserved for the exclusive use of taxicabs.

TRUCK ROUTES

(28) Signs on streets where the Public Works Foreman has designated truck routes for movement of truck traffic through the Town.

PARKING LOT

(29) Signs at the entrance to a highway or upon highways where provision is made for parking of motor vehicles under the conditions of "No parking unless valid and subsisting passes or tickets are displayed on the dashboard of the vehicle and which are in full view through the front windshield of the vehicle".

NO PASSING

(30) Signs at locations approaching crosswalks, school and park zones indicating that passing is prohibited.

FIRE ZONE

(31) Signs at locations where standing, stopping or parking of a vehicle would impede the passage or operation of fire fighting equipment, indicating that the area is a "FIRE ZONE" and that standing, stopping or parking is prohibited in that area.

46. ORDERS:

(1) The Public Works Foreman shall issue orders pursuant to Sections 45 and 48 of the Bylaw in the form prescribed in Schedule C to this Bylaw, and the Municipal Clerk shall affix the corporate seal to the order and certify it to be a true copy. Following this procedure, the order shall come into full effect.

(2) A single order may contain any number of orders related to the matters set out in Section 45 or 46.

47. RESCIND, REVOKE, AMEND OR VARY ORDER:

(1) The Public Works Foreman may rescind, revoke, amend or vary any order made by him, provided such order does not require the doing of any act contrary to or inconsistent with this bylaw or the *Motor Vehicle Act*.

(2) To vary or amend an order, the Public Works Foreman shall issue a new order reflecting the variation or amendment, and revoking the original order, and the Municipal Clerk shall affix the Corporate Seal to the new order and certify the same to be a true copy.

48. CONTROL:

(1) The Public Works Foreman may order the alteration, repainting tearing down, or removal of any sign, advertisement, or guide-post 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, advertisement or guide-post placed upon any highway.

(2) No person, other than a person authorized pursuant to this bylaw or the "*Motor Vehicle Act*", shall place or erect a sign on real property which purports to regulate the adjacent highway.

49. TEMPORARILY CLOSING STREET:

(1) When, for any reason, any highway, or portion thereof, is unsafe or unsuitable for traffic, or it is deemed advisable that traffic should be restricted thereon or diverted therefrom, the Public Works Foreman, Fire Chief, or any Peace Officer, may close the highway, or portion thereof, or restrict or divert the traffic thereon or therefrom, and for that purpose, may erect traffic control devices pursuant to Section 45 (6) of this bylaw.

(2) Where a highway or portion thereof is temporarily closed, or the traffic thereon is restricted or diverted under 49 (1), then no unauthorized person shall enter upon, or travel upon the highway or portion thereof, in contravention of the applicable traffic control devices.

PART 10 VEHICLE REGULATIONS**DIVISION (1) - GENERAL REGULATIONS****52. APPLICATION:**

This Section does not apply to arterial highways.

53. PROHIBITIONS:

Except as authorized by a permit issued by the Municipal Clerk pursuant to Section 58 of this Bylaw, no person shall drive or operate on a highway:

(1) A passenger vehicle so loaded that any part of the load extends beyond the sides of the vehicle or more than 185 cm beyond the back of the vehicle.

PNEUMATIC TIRES

(2) A vehicle, other than a horse-drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order.

SOLID TIRES

(3) A vehicle equipped with solid rubber tires, the thickness of which between the rim of the wheel and the surface of the highway is less than 32 mm.

SPEED SOLID TIRES

(4) A solid rubber tired vehicle at a greater rate of speed than 20 km/h.

SPIKES, CLEATS, OTHER ATTACHMENTS

(5) A vehicle having wheels, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs, or other attachments or projections which extend beyond the tread or traction surface of the wheel, tread, or track and except that this prohibition does not apply to a vehicle equipped with tire chains of reasonable proportions when required for safety.

LOAD

(6) A vehicle unless it is so constructed and loaded as to prevent any of its load:

(a) from shifting or swaying in such a manner as to affect the operation of the vehicle; or (b) from dropping, sifting, leaking, or otherwise escaping therefrom, excepting that sand may be dropped for the purpose of securing traction, and water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

(7) A vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner hazardous to other users of the highway. The regulations pertaining to such shall be as specified in Section 3 **Restrictions** (20) of this Bylaw.

DIVISION (2) - SIZE AND WEIGHT REGULATIONS**54. DIMENSIONS:**

Except as authorized by a permit issued by the Municipal Clerk pursuant to Section 58 of this Bylaw and except as permitted under Section 55, **no person shall drive or operate** on any highway:

- (1) A vehicle having a total outside width, with or without load, in excess of 2.6 m, except that with loads of loose hay, loose straw, or loose fodder, the load may project over the side of the vehicle such distance as results in a total outside width not in excess of 3.1 m;
- (2) A vehicle having a height, with or without load, in excess of 4.2 m;
- (3) (a) A single vehicle having an overall length, with or without load, in excess of 11m, except as provided in (b), (c) and (d);
- (b) A trailer the overall length of which exceeds 12.5 m, except that in the case of a "reefer-van", the overall length may be extended to include the refrigeration and/or heating unit only;
- (c) A semi-trailer the overall length of which exceeds 14 m, except that in the case of a "reefer-van" the overall length may be extended to include the refrigeration and/or heating unit only;
- (d) A bus the overall length of which exceeds 12.5 m;
- (e) A combination of vehicles having an overall length, with or without load, in excess of 20 m, except as provided in paragraph (f) and (g) S. 54 (3);
- (f) A combination of three vehicles consisting of 3-axle tandem drive truck-tractor, semi-trailer and trailer, or a 3-axle tandem drive truck-tractor and two semi-trailers, having an overall length, with or without load, in excess of 22 m provided that the distance from the kingpin of the first semi-trailer and/or its load does not exceed 16.75m;
- (g) A combination of vehicles carrying a load of non-reducible logs, poles or pilings in excess of 21.5 m.

55. EXEMPTIONS:

Section 54 does not apply to:

- (1) An implement of husbandry temporarily operated on a highway during the hours of daylight.
- (2) A commercial vehicle engaged in the construction of, and operating within the limits of a highway construction project as established or as posted by the Ministry of Transportation and Highways or the Town.
- (3) A vehicle operated by the Ministry of Transportation and Highways or the Town, which is engaged in road maintenance or snow removal.

56. ALL SIGNS TO APPLY:

Where a traffic control device expressly limits the maximum height, length or width of a vehicle or load allowable on a highway or a portion of a highway, including a bridge, the limits prescribed on the traffic control device shall prevail over section 54 of this Bylaw or a permit issued pursuant to this Bylaw.

57. WEIGHT RESTRICTIONS:

Notwithstanding any of the provisions of this Bylaw, no person shall, without a permit issued pursuant to this Bylaw, drive or operate on a highway, or a portion of a highway, including a bridge, a vehicle or combination of vehicles having a gross weight on any axle or group of axles, or a gross vehicle weight, in excess of any load limit prescribed by a traffic control device.

DIVISION (3) - PERMITS

58. AUTHORIZATION:

(1) The Municipal Clerk by the issuance of a written permit in the form specified in Schedule "F" attached to and forming part of this Bylaw may authorize the driving or operation on a highway of a commercial vehicle that:

(a) does not conform to Section 53 (General Prohibition), and the fee for the permit shall be in accordance with the rates set out in Schedule "G" of this Bylaw.

(b) does not conform to Section 54 (Dimensions), and the fee for the permit shall be in accordance with the rates set out in Schedule "G" of this Bylaw.

(2) The Municipal Clerk may specify in the permit the hours of day for which the permit shall be valid, and the date for which the permit shall be valid, and the route which shall be followed.

(3) A permit issued under this Bylaw must be carried in the vehicle at all times when operated upon a highway and be produced upon the request of a Peace Officer.

59. PENALTY:

Any driver, operator, or owner of any vehicle, or any other person who violates any of the conditions contained in a permit issued pursuant to Section 58 is guilty of an offence and is liable on summary conviction, to a fine of not less than one hundred dollars (\$100) and not more than two thousand dollars (\$2,000.00).

PART II - GENERAL

60. REMAINDER OF BYLAW TO BE MAINTAINED INTACT

If any portion of this Bylaw is declared ultra vires by a Court of Competent Jurisdiction, that portion shall be deemed to be severed from the Bylaw to the intent that the remainder of the Bylaw shall continue in full force and effect.

61. APPEAL:

(1) An appeal to the Council may be brought against any order of the Public Works Foreman under Section 46, or any order varied or amended under Section 47.

(2) The appeal in subsection (1) shall be submitted in writing to the Municipal Clerk and the Clerk shall forward the appeal directly to the Council.

62. BYLAW REPEAL:

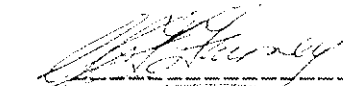
Bylaw No. 180, 1978, cited as a Bylaw for the regulation of traffic within the Corporation of the Village of Port McNeill is hereby repealed.

READ A FIRST TIME THE 1st DAY OF February, 1989.

READ A SECOND TIME THE 7th DAY OF February, 1990.

READ A THIRD TIME THE 20th DAY OF February 1989.

FINALLY RECONSIDERED AND ADOPTED THE 20th DAY OF February 1989



MAYOR



MUNICIPAL CLERK

I hereby certify that the
foregoing is a true copy of
Bylaw No. 319 as adopted.



MUNICIPAL CLERK

TRAFFIC BYLAW

SCHEDULE "A"

OFF-STREET PARKING FACILITIES

The following are designated as off-street parking facilities, pursuant to Part I, Division 2, Section 5 (a) of the Bylaw:

Lots A and B, Plan 24608, (Municipal Harbour)

Lots 11 and 12, Plan 16354, (Area adjacent to Boat Launch Ramp)

Bylaw 445
Amendment Remainder of Parcel A, Plan 722411, 1487 Broughton Boulevard (Fenced lot at Corner of
Broughton Boulevard and Shelley Crescent)

TRAFFIC BYLAW
SCHEDULE "B"
PARKING TICKETABLE OFFENSES AND FINES THEREFOR

Part 1. Division (2) Section 4 Parking Regulations

| | <u>FINE</u> |
|--|-------------|
| Parking more than 30 cm from curb S.4(17) | 15.00 |
| Parking on a sidewalk S.4(1) | 15.00 |
| Parking too close to a crosswalk S.4(6) | 15.00 |
| Parking in a loading zone S.4(29) | 15.00 |
| Parking in front of a driveway S.4(2) | 15.00 |
| Parking facing wrong direction S.4(16) | 15.00 |
| Double Parking S.4(11) | 15.00 |
| Parking within 5 m of a fire hydrant S.4(5) | 15.00 |
| Improperly parked in designated area S.4(24) | 15.00 |
| Parked in contravention of signs S.4(13) | 15.00 |
| Exceeding parking space S.4(18) | 15.00 |
| Exceeding time limitations S.4(27) | 15.00 |
| Parking in lane S.4(3) | 15.00 |
| Parking within 6 m of a stop sign S.4(8) | 15.00 |
| Parking in intersection S.4(4) | 15.00 |
| Parking within 6 m of entrance/exit S.4(7) | 15.00 |
| Causing an obstruction S.4(10) | 15.00 |
| Causing traffic congestion S.4(23) | 15.00 |
| Obstructing visibility S.4(15) | 15.00 |
| Reserved space S.4(19) | 15.00 |
| Temporary parking S.4(20) | 15.00 |
| Parking in public parking lots S.4(28) | 15.00 |
| Commercial vehicle over 4536 kg in residential zone S.4(21) | 15.00 |
| Parking within 6 m of lane access S.4(22) | 15.00 |
| Obstructing cycle parking S.4(25) | 15.00 |
| Parking in cycle or pedestrian only zone S.4(26) | 15.00 |
| Parked on bridge S.4(12) | 15.00 |

A fine shall **not** be levied under **Section 11** and **Section 28** [Part 1. Division (2)] of this bylaw, if the vehicle is removed for unlawfully occupying any portion of a highway or public place, as authorized pursuant to Part 3. See Schedule "D" for charges.

Schedule "C"

ORDER TO ERECT SIGNS PURSUANT TO PART 9

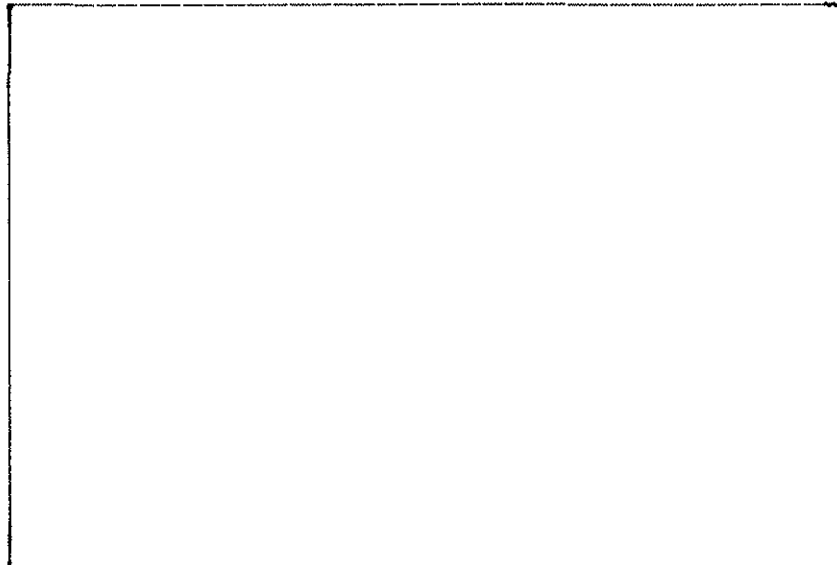
Date:_____

Order to:_____

Position:_____

Sign Description and Street Location:_____

Sketch Details of sign location and measurements



An appeal may be brought against this order by submitting same in writing to the Municipal Clerk.

Public Works Foreman

I hereby certify that this is a true copy of Order to Erect a Sign.

Municipal Clerk

S E A L

SCHEDULE "D"

FEE SCHEDULE - REMOVAL OF CHATTEL, OBSTRUCTIONS AND VEHICLES

The following fees, costs and expenses shall be paid by the owner of any chattel, obstruction or vehicle removed, detained or impounded pursuant to **Part 3** of this Bylaw.

Bylaw 445
Amendment

The fees of the Town for storage, in addition to any other costs or expenses which might be incurred by the Town for such storage shall be as follows:

- (a) Four (\$4.00) dollars per day or a part thereof for a single vehicle or chattel of six meters in length or less
 - (b) Eight (\$8.00) dollars per day or a part thereof for a single vehicle longer than six meters
 - (c) Eight (\$8.00) dollars per day or a part thereof for a vehicle and trailer of any length.
 - (d) for any chattel weighing under 45 kg and less than 1 m in any one dimension, a storage fee of \$ 2.00/day
minimum charge of 10.00
 - (e) for any chattel weighing over 45 kg or having a dimension exceeding 1 m, the actual cost of removal of the chattel, plus a storage fee per day, or any part thereof 10.00/day
 - (f) for any obstruction, the total cost of removal of the obstruction plus the cost of disposing of the obstruction, plus a fee of 10.00
- or such other fees as may be charged by any contractor of the Town engaged by the Town to tow and store a vehicle.

SCHEDULE "E"

DIVISION 2, PART 8

BYLAW NO. 319

APPLICATION AND PERMIT FOR WORK ON OR WITHIN TOWN STREETS, EASEMENTS OR PROPERTY

1. Applicant's Name _____ 2. Owner's Name _____ 3. Business Address & Phone No. _____

4. Starting Date (D/M/Y) _____ 5. Completion Date (D/M/Y) _____ 6. Name of Street _____

7. Nearest Intersecting Street _____ 8. Street No. and Legal Description _____

9. Type of Work _____ 10. Distance of Work from Property Line _____

II. Purpose of construction _____

I/we hereby agree to be bound by the provisions of the Town of Port McNeill Traffic Bylaw and any amendments thereto which may govern work in or under municipal streets, easements and property; as well as to such special conditions, restrictions and regulations as may be imposed by the Public Works Foreman. (Conditions and regulations attached hereto)

Applicant's Signature _____ Date of Application _____

PERMIT FEE: \$10.00

FOR DEPARTMENT USE ONLY

12. Plans approved by _____ 13. Date Application Approved (D/M/Y) _____

14. Deposit and Refund Information _____ 15. Insurance Needed _____
Part 8, Section 36 (2) Yes No

_____ Amount Deposited
_____ Receipt Number
_____ Inspection Fee
_____ Amount Refunded _____ Date (D/M/Y) Received

16. Date of Refund (D/M/Y) _____ 17. Restoration Date (D/M/Y) _____

18. Reason Permit Revoked _____ By Whom _____ Date Revoked (D/M/Y) _____

19. As-builts Received _____ 20. Final Inspection Approval (Yes/No) Date of Final Inspection _____

The applicant is hereby authorized to work on or within the Town Streets, Easements or Property at the location designated above; provided, however, all work is performed in accordance with the attached conditions and regulations, the applicant's plans, the Town's Bylaws, and the following special conditions _____

or such special conditions as may be imposed during the performance of the authorized work.

Date Application approved _____ Permit Number _____

Public Works Foreman _____

SCHEDULE "E"

RESTRICTIONS AND CONDITIONS

The permission and approval granted herein, is subject at all times to the following conditions:

- | | |
|--------------------------------|---|
| SATISFACTORY COMPLETION | 1. That the construction and maintenance of the said works is carried out to the satisfaction of the Public Works Foreman. |
| NOTICE | 2. That before commencing with any work on a highway or Town property, notice in writing of the intention to do so must be given to the Public Works Foreman at least two (2) clear working days before the work is begun. |
| INSPECTION | <p>3. (1) That any person or persons appointed by the Public Works Foreman to carry out inspections, shall have free access to all parts of any work for the purpose of inspecting the same.</p> <p>(2) The Public Works Foreman may make such inspections as are reasonably necessary in the enforcement of this bylaw, and is empowered to provide a full time Inspector if the work to be performed is of a nature that a full time Inspector is necessary. All inspections costs shall be borne by the Permittee.</p> |
| RESPONSIBILITY | 4. That the person or persons for whom these works are being constructed, or by whom these works are maintained, shall, at all times, accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the Town from all claims and demands whatsoever in respect of these works and such work. |
| APPLICATION | 5. The permission herein granted is not to be construed as being granted for all time, and shall not be deemed to vest in the Permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be classified as an arterial or primary highway, this permission shall become void. |
| WITHOUT PREJUDICE | 6. That the permission hereby granted to construct, use and maintain work is granted subject to and without prejudice, to the provisions of the <i>Highway Act</i> , or any other Acts governing Town lands and public works or their use by the public, and subject to and without prejudice to any Town Bylaws. |
| PROPERTY OF TOWN | 7. All works, surface or underground, carried out in, or through any Town lands, except the works of any private or public utility company, shall, upon completion, become the property of the Town and shall not be further added to, modified, destroyed, or removed without obtaining a further permit from the Town. |
| VALIDITY | 8. This permit is valid only for the specific works stated herein. Any alteration or addition must be covered by a separate permit. |
| CANCELLATION | 9. A permit may be cancelled at the direction of the Public Works Foreman without recourse should the permittee fail to comply with all the terms of the permit. |

TRAFFIC BYLAW NO. 319

SCHEDULE "F"

PERMIT FOR OVERSIZED OR PROHIBITED VEHICLE

1. Permission is hereby granted to:

(Name of Applicant) _____ (Registered Owner) _____

(Address) _____ (Address) _____

To operate an oversize/prohibited vehicle in accordance with the regulations made pursuant to the Town of Port McNeill Traffic and Highways Bylaw and the Motor Vehicle Act for the purpose and in the matters prescribed herein upon the highways stated.

THIS PERMIT IS VALID FROM _____, 19__ to _____, 19__

2. DESCRIPTION OF HIGHWAYS TO BE USED

| Name of Highway | From | To | Miles |
|-----------------|------|----|-------|
|-----------------|------|----|-------|

3. GENERAL DESCRIPTION OF VEHICLE AND LOAD (Name prohibition to be permitted)

4. LIMITATIONS AND CONDITIONS OF PERMIT (Permit not valid unless carried on vehicle)

IF GRANTED THIS PERMIT, I (WE) HAVING READ AND UNDERSTOOD THE REGULATIONS AND CONDITIONS WHICH GOVERN THE GRANTING OF THIS PERMIT (SEE REVERSE) HEREBY UNDERTAKE TO COMPLY WITH THEM IN EVERY RESPECT.

PLACE _____ SIGNATURE OF APPLICANT _____

DATE _____ AGENT FOR _____

NOTE: This permit must be carried in the vehicle at all times when operated upon a highway and be produced upon the request of a Peace Officer.

AUTHORITY FOR PERMIT

PERMISSION IS GRANTED TO OPERATE THE VEHICLE APPLIED FOR ABOVE, SUBJECT TO THE LIMITATIONS AND CONDITIONS SPECIFIED HEREIN AND CONTAINED ON THE REVERSE SIDE OF THIS PERMIT.

FOR
Public Works Foreman
SIGNATURE _____
DATE _____

Schedule "F"
Use of Restricted Route Permits

Part 10-Division (3)

1. The purpose of Permit is to authorize movement of special loads within acceptable limits which exceed the normal loading restrictions in overall dimensions, or movement of vehicles or loads which would otherwise be prohibited under Section 53 of the Traffic and Highways Bylaw.
2. Permit will be valid only for the single movement and specific loads indicated on the application. Thus the Permit system will not form the basis of scheduled or repetitive trucking operations.
3. Notwithstanding, this permit shall in no way be construed as giving permission for the operation of the vehicle on any highway in contravention of any regulation, limitation or prohibition which may be made from time to time for the protection of the highway, pursuant to Town of Port McNeill Traffic and Highways Bylaw, other than that specific regulation, limitation or prohibition which may be named in the permit.

CONDITIONS OF PERMIT

4. **Permittee to Assume Liability**

The holder of the permit shall move the object or load described in the application entirely at his own risk and shall accept full responsibility, for all damages or injury to any person or persons using the highway or otherwise and for any and all loss or damage on privately owned property which may result from the operation of the vehicle under the authority of the permit. The holder of the permit shall protect and save harmless the Town from all loss, damage, or injury resulting directly or indirectly, from the operation of this vehicle.

5. The following regulations apply to the marking and travel of vehicles (loaded or unloaded) which exceed normal width and length regulations.
 - (a) Overall length (measured out to out of vehicle and/or load).
 - i. there shall be conspicuously displayed, at the extreme rear and extreme width of such loads, red flags during daylight hours and clearance lights during the period between sunset and sunrise, or at any time when the atmospheric conditions are such that objects on the highway are not plainly visible at a distance of 100m.
 - (b) Overall width (over 2.5m and less than 3.5m overall):
 - i. There shall be conspicuously displayed, at extreme edges, red flags during daylight hours and clearance lights during the period between sunset and sunrise, or at any time when the atmospheric conditions are such that objects on the highway are not plainly visible at a distance of 100m.
 - ii. Where the overall width is in excess of 3.5m the load shall be preceded and followed by warning vehicles bearing red flagging and conspicuous signs reading "Wide load following" on the preceding vehicle, and "Wide load ahead" on the following vehicle. Such wide loads shall be moved during daylight.

6. **Clearance Light**

Every Public Service and Commercial Vehicle having width in excess of 2.5m., or a length in excess of 18m including the load thereon, shall be equipped with clearance lights in accordance with the following provisions:

- (a) On the front of the vehicle, two (2) amber lights, one at each extreme width of the vehicle and/or load, and as near the top as practicable.
 - (b) On the rear of the vehicle, two (2) red lights, one at each extreme width of the vehicle and/or load, and as near the top as practicable.
 - (c) All Public Service and Commercial Vehicles, including pole trailers, shall, when carrying loads of lumber, poles, well casing or other materials which extend beyond the rear of the vehicle, be provided with flexible extension cords for the purpose of displaying red clearance lights at the extreme rear and extreme width of such loads.
 - (d) In the case of semi-trailers or any combination of vehicles which exceed 10.5m in length, in addition to the above requirements, a red lateral light shall be located as near the centre as possible on the left side of vehicle and in such a position as to make it clearly visible from any vehicle approaching from the left.
 - (e) All clearance lights shall be controlled from a circuit that is separated from the head and tail light circuit of the vehicle.
 - (f) All clearance lights shall be such and so placed that they will be visible from a distance of at least 150m under normal atmospheric conditions.
 - (g) During the period between sunset and sunrise or at any time when the atmospheric conditions are such that objects on the public highways are not plainly visible at a distance of 100m the said clearance lights shall be alight.
7. Before commencing to move the object or load, the operator shall ascertain whether the dimensions of the object or load are such as would collide with any guide-post or railing along the highway or with any portion of bridges through which he might have to pass. Under no circumstances shall such posts or railings be removed without permission from the Municipal Clerk.
 8. The operator shall ascertain if there are any telephone, telegraph or power wires under which the object or load has to be moved and if the height of the object or load is such as is likely to collide with such wires in any degree, then under no circumstances shall the object or load be moved until the consent of the agency owning the wires has been obtained.
 9. If, in the opinion of the Public Works Foreman, the operation of the vehicle is found to be causing injury or damage to the Highway, or it is found that the operation of the vehicle is not in the interests of the public, the Municipal Clerk may suspend or cancel the Permit.
 10. It shall be sufficient notice that the permit is suspended if such notice is given by the Municipal Clerk, or by any person authorized by the Manager, verbally or otherwise, to the person owning or to the person driving or operating the vehicle, and no formal notice of suspension shall be required.
 11. THIS PERMIT SHALL BE PRODUCED FOR INSPECTION UPON DEMAND OF ANY PEACE OFFICER OR ANY PERSON AUTHORIZED BY THE PUBLIC WORKS FOREMAN OR MUNICIPAL CLERK.
 12. No persons shall change or alter this Permit in any manner, unless he is authorized to do so by the Municipal Clerk.

SCHEDULE "G"

**SCHEDULE OF PERMIT FEES PURSUANT TO PART 10 DIVISION (3),
"PERMITS"**

Attached to and forming part of Bylaw No. 319

| (a) Operation on a Highway | <u>Fee</u> |
|---|------------|
| Vehicle Prohibited under Part 10, Division (1) S. 53 | - \$10.00 |
| (General Prohibitions Oversized Vehicle Section 54: Oversized Vehicle) | - \$10.00 |

BYLAW NO. 375

TOWN OF PORT MCNEILL

TICKET INFORMATION

UTILIZATION BYLAW, 1990

TOWN OF PORT MCNEILL

BYLAW NO. 375

WHEREAS Section 934.1 of the *Municipal Act* authorizes the Council to, by bylaw,

1. designate those bylaws which may be enforced by means of a form of ticket prescribed by regulation under Section 934.3;
2. designate bylaw enforcement officers for the purpose of enforcing bylaws by means of a prescribed form of ticket;
3. designate an offence against a bylaw by means of a word or expression on a ticket; and
4. in consultation with the Chief Judge of the Provincial Court, set fines, not exceeding \$500, for contraventions of designated bylaws.

NOW THEREFORE, the Council of the Town of Port McNeill in open meeting assembled enacts as follows:

1. The bylaws listed in Column 1 of Schedule 1 to this Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Section 934.1 of the *Municipal Act*.
2. The persons appointed to the job positions or titles listed in Column 2 of Schedule 1 to this bylaw are designated as bylaw enforcement officers pursuant to Section 934.1 of the *Municipal Act* for the purpose of enforcing the bylaws listed in Column 1 of Schedule 1 opposite the respective job positions.
3. The words or expressions set forth in Column 1 of Schedule 2 to this Bylaw designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words or expressions.
4. The amounts appearing in Column 3 of Schedule 2 to this Bylaw are the fines set pursuant to Section 934.1 (6) of the *Municipal Act* for the corresponding offences designated in Column 1.
5. This Bylaw may be cited as the *Town of Port McNeill Ticket Information Utilization Bylaw No. 375, 1990*.
6. This Bylaw shall take effect upon the date of its adoption.

READ A FIRST TIME on the 20th day of February, 1990

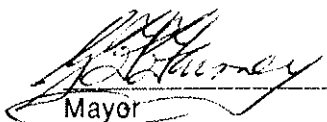
READ A SECOND TIME on the 20th day of February, 1990

READ A THIRD TIME on the 20th day of February, 1990

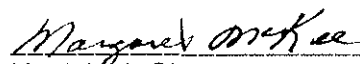
FINES APPROVED BY THE CHIEF JUDGE OF THE PROVINCIAL COURT

on the 16th day of March, 1990

RECONSIDERED AND FINALLY ADOPTED on the 17th day of April, 1990



Mayor



Municipal Clerk

SCHEDULE 2

Traffic and Highways Regulation Bylaw No. 319

| | | |
|---|---------|-------|
| Parking more than 30 cm from curb | S.4(17) | 15.00 |
| Parking on a sidewalk | S.4(1) | 15.00 |
| Parking too close to a crosswalk | S.4(6) | 15.00 |
| Parking in a loading zone | S.4(29) | 15.00 |
| Parking in front of a driveway | S.4(2) | 15.00 |
| Parking facing wrong direction | S.4(16) | 15.00 |
| Double Parking | S.4(11) | 15.00 |
| Parking within 5 m of a fire hydrant | S.4(5) | 15.00 |
| Improperly parked in designated area | S.4(24) | 15.00 |
| Parked in contravention of signs | S.4(13) | 15.00 |
| Exceeding parking space | S.4(18) | 15.00 |
| Exceeding time limitations | S.4(27) | 15.00 |
| Parking in lane | S.4(3) | 15.00 |
| Parking within 6 m of a stop sign | S.4(8) | 15.00 |
| Parking in intersection | S.4(4) | 15.00 |
| Parking within 6 m of entrance/exit | S.4(7) | 15.00 |
| Causing an obstruction | S.4(10) | 15.00 |
| Causing traffic congestion | S.4(23) | 15.00 |
| Obstructing visibility | S.4(15) | 15.00 |
| Reserved space | S.4(19) | 15.00 |
| Temporary parking | S.4(20) | 15.00 |
| Parking in public parking lots | S.4(28) | 15.00 |
| Commercial vehicle over 4536 kg in residential zone | S.4(21) | 15.00 |
| Parking within 6 m of lane access | S.4(22) | 15.00 |
| Obstructing cycle parking | S.4(25) | 15.00 |
| Parking in cycle or pedestrian only zone | S.4(26) | 15.00 |
| Parked on bridge | S.4(12) | 15.00 |

SCHEDULE 1

DESIGNATED BYLAWS

1. Traffic and Highways
Regulation Bylaw No. 319

DESIGNATED BYLAW ENFORCEMENT OFFICERS

Royal Canadian Mounted Police Constable