

**DISTRICT OF TUMBLER RIDGE  
BYLAW NO. 454**

**A BYLAW TO REGULATE TRAFFIC AND THE USE OF HIGHWAYS WITHIN  
THE DISTRICT OF TUMBLER RIDGE**

WHEREAS the Council is authorized, pursuant to Section 124 of the Motor Vehicle Act and Part 15 of the *Local Government Act*, to regulate traffic and the use of highways within the Municipality.

NOW THEREFORE the Council of the District of Tumbler Ridge, in open meeting assembled, ENACTS AS FOLLOWS:

**PART 1 - TITLE**

1. Title

This Bylaw may be cited for all purposes as "TRAFFIC AND HIGHWAYS REGULATION BYLAW NO. 454, 2002."

**PART 2 - DEFINITIONS, INTERPRETATION, APPLICATION**

2. Definitions

3. In this Bylaw:

"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 highways classified as such pursuant to the Highway Act.
"Council"	means the Municipal Council of the District.
"Director of Community Services"	means the person duly appointed as such from time to time by Council, or his or her delegate.
"Disabled Persons' Parking Permit"	Means a parking permit issued to a Disabled Person pursuant to this bylaw and the Regulations.
"Disabled Person"	Means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk.
"Disabled Zone"	Means a parking zone set aside for the exclusive use of Disabled Persons using a vehicle displaying a Disabled Persons' Parking Permit.
"District"	means the District of Tumbler Ridge.
"Fire Chief"	means the person duly appointed as such from time to time by the Council, or his or her delegate.
"government vehicle"	means a vehicle operated by the District, the Peace River Regional District, the Province of British Columbia or the Government of Canada.
"holder of a building permit"	means the person in whose name a building permit is issued.
"lane"	means a highway more than 3 meters wide but not exceeding 8m wide which provides a secondary means of vehicle access to a parcel of land.

- “off-street parking facility” means any real property owned, leased, possessed or otherwise held by the District of Tumbler Ridge from time to time, for the purpose of providing off-street parking and designated as an “Off-Street Parking Facility” in Schedule “A” attached to this bylaw.
- “Operations Manager” means the person duly appointed as such from time to time by the Council, or his or her delegate.
- “peace officer” includes a member of the Royal Canadian Mounted Police, the District Fire Department, District bylaw enforcement officers and any other person employed for the preservation and maintenance of the public peace.
- “residential area” means any area zoned residential in the Zoning Bylaw in force in the District from time to time, and includes the highways abutting such zones and where the zone is different on the two sides of the highway, the dividing line shall be the centre of the highway.
- “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.
- “Regulations” means the regulations to the *Motor Vehicle Act*.

#### 4. Interpretation

Words or phrases defined in the *Highway Act*, the *Local Government Act*, the *Motor Vehicle Act*, the *Transportation of Dangerous Goods Act*, the *Commercial Transport Act*, and the regulations thereto, have the same meaning in this bylaw unless otherwise defined in this bylaw.

#### 5. Application

This bylaw does not apply to the regulation, control or prohibition of traffic on an arterial highway.

### **PART 3 - GENERAL REGULATIONS**

#### 6. Restrictions

Except where otherwise directed by a peace officer, no person shall:

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| CONSTRUCTION<br>ZONE MAX SPEED         | (1) Operate a vehicle at a greater rate of speed than 30 km/h in a zone where signs are posted indicating that works are being undertaken on the highway.   |
| DEBRIS LEFT ON<br>HIGHWAY              | (2) Leave any glass or other debris on a highway from wrecked or damaged vehicles at the scene of an accident.  |
| DRAG OR SKID                           | (3) Drag or skid any object along or over a highway in such a manner that the object damages the surface of the highway.  |
| DRIVE WITHIN<br>PARKS                  | (4) Drive a motor vehicle, other than a government vehicle, within the boundaries of any municipal park.  |
| DRIVING ON<br>SIDEWALK OR<br>BOULEVARD | (5) Drive a motor vehicle, cycle, or ride or herd any animals, upon a sidewalk or boulevard, except on a driveway crossing or as permitted by a traffic control device.   |
| NO PASSING<br>SCHOOL                   | (6) (a) Being the driver of a motor vehicle, overtake and pass another vehicle in a school or playground zone, as indicated by a traffic control device, or at a crosswalk.<br><br>(b) Being the driver of a motor vehicle, drive through a crosswalk when a pedestrian is present in the crosswalk or a traffic patrol indicates that vehicles are required to stop. |

- OBSTRUCT TRAFFIC (7) Stand or loiter in such a manner as to obstruct, impede or interfere with traffic on a roadway.
- OPEN EXCAVATION (8) Leave any excavation, obstruction or works in, on, over or under a highway without placing, erecting and maintaining sufficient fencing, barricading and signage to ensure the safety of all other users of the highway.
- PEDESTRIAN CROSSING (9) Being a pedestrian, cross a highway at other than a crosswalk except after yielding the right of way to all vehicles.
- PROCESSION OR PARADE (10) 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. Speed Limits

- (1) No person shall operate a vehicle upon a lane within the District at a greater rate of speed than 20 kilometres per hour.
- (2) No person shall operate a vehicle upon a highway within the District at a greater rate of speed than 30 kilometres per hour, except where otherwise indicated by a traffic control device.
- (3) The Operations Manager may by order establish school, playground and park zones and order the placing of traffic control devices to indicate such zones, and:
  - (a) Every person driving between the hours of 8:00 a.m. and 5:00 p.m. on a day school is regularly held, a vehicle on a highway where signs are displayed stating a speed limit of 30 kilometres per hour or on which the numerals "30" are prominently shown, must drive at a rate of speed not exceeding 30 kilometres per hour while approaching, passing or in the vicinity, as indicated by the signs, of the school to which the signs relate.
  - (b) Every person driving a vehicle on a highway must drive the vehicle at a rate of speed not exceeding 30 kilometres per hour when approaching or passing, between dawn and dusk, a public playground for children or a public park where signs are displayed stating a speed limit of 30 kilometres per hour, or on which the numerals "30" are prominently shown.
- (4) Where a sign has been erected or placed on a highway limiting the rate of speed of vehicles driven or operated on that highway or portion of highway, a person shall not drive or operate a vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign.

#### 8. Garbage Collection

The owner or occupier of property adjacent to a highway shall not place or allow any garbage containers or other facilities related to garbage collection to be upon any portion of the highway, except as permitted by bylaw of the District.

#### 9. Selling on a Highway

- (1) No person shall use or occupy any highway for the purpose of selling or displaying any goods or wares, including without limitation any flowers, fruit, vegetables, seafood, commodity, article or other thing, except as authorized by a permit under subsection (2).
- (2) Persons wishing to obtain a permit under this section may make application to the Operations Manager, in the form prescribed by the Operations Manager from time to time by order, and pay any applicable fees as determined by the Operations Manager, and shall at all times comply with all conditions and terms of such a permit.

10. Corner Lots

- (1) The owner or occupier of property abutting on a highway at an intersection of another highway, shall not construct a fence or grow a hedge or permit a fence, hedge or individual trees to remain so that the fence or hedge or individual trees are more than 2 m higher than the finished grade of the abutting highways for a distance of 6 m from each abutting property line of the lot, from the point of intersection of the two abutting property lines with the highway.

11. Refuse on Highway

No person shall:

- (1) Throw, drop, deposit leave or let fall from or out of any vehicle or conveyance, or any object or material, on or upon a highway, and any person who has thrown, dropped, deposited or left any such object or material shall forthwith remove the same from the highway.
- (2) Place or store any material, object, container or structure on any highway, except as permitted by bylaw of the District.
- (3) Allow or permit any earth, rock, stones, trees, logs, stumps or other substances or materials to cave, fall, crumble, slide, accumulate or to be otherwise deposited on any highway, except as permitted by bylaw of the District.

**PART 4 - STOPPING, STANDING AND PARKING**12. Regulations

Except when necessary to comply with the directions of a peace officer, no person shall stop, stand or park a vehicle:

24 HOURS MAXIMUM	(1) On a highway for a continuous period exceeding twenty-four (24) hours.
ANGLE PARKING	(2) In a designated angle parking zone where the length of the vehicle and any attached trailer exceeds 6 metres.
BRIDGE	(3) Upon a bridge.
BUS STOP	(4) In a bus stop.
CROSSWALK	(5) On a crosswalk or within 6 metres of the approach side of a crosswalk.
CYCLE PARKING	(6) Between a portion of a highway that has been designated by the District for the purpose of cycle parking and the highway itself.
CYCLES OR PEDESTRIANS	(7) Upon a portion of a highway that is designated by a traffic control device for the travel of cycles or pedestrians.
DISTANCE FROM CURB	(8) No further than 30 cm from the curb of a roadway if a curb has been constructed.
DOUBLE PARKING	(9) On the roadway side of a vehicle stopped or parked parallel to the edge or curb of a roadway.
DRIVEWAY	(10) In front of or within 2 meters of a public or private driveway.
EXIT	(11) Within 6 metres of any entrance to or exit from a hotel, theatre, public meeting place, fire hall or playground.

FIRE ZONE	(12) In a fire lane or zone.
HYDRANT	(13) Within 5 metres of a fire hydrant, measured from a point on the curb or edge of the roadway which is closest to the fire hydrant.
IN DESIGNATED AREA ONLY	(14) On any portion of a highway where parking spaces for vehicles are designated by lines painted upon the surface of the highway, except wholly within the lines designating the parking space.
INTERSECTION	(15) In an intersection.
LANE	(16) In any lane, other than a commercial vehicle as permitted under this bylaw.
ENTRANCE TO LANE	(17) Within 6 metres of the entrance to or exit from a lane.
LOADING TIME	(18) In a loading zone, as designated by a traffic control device, for more than 15 minutes.
LOADING ZONE	(19) In a loading zone, as designated by a traffic control device, unless the vehicle is actually and visibly engaged in the process of being loaded or unloaded.
METERS	(20) In a parking space at which there is a meter, except upon deposit of the parking fee in the appropriate meter for parking in the manner and at the rate prescribed and as measured by the meter.
OBSTRUCT	(21) In a manner which obstructs the free passage of traffic on any roadway.
OBSTRUCT VISIBILITY	(22) So as to obstruct the visibility of any traffic control device.
OBSTRUCTION	(23) Alongside or opposite a street excavation or obstruction when stopping, standing, or parking obstructs or interferes with the free passage of traffic.
OVERTIME PARKING	(24) On any portion of a highway for a longer period of time than indicated on a traffic control device applicable to that portion of highway.
PARKING LOTS	(25) In any off-street parking facility or other public parking lot operated by the District in contravention of the length of time allowed for parking as indicated on a traffic control device applicable to that facility or lot.
PROHIBITED BY SIGN	(26) So as to contravene a traffic control device.
RAILWAY	(27) Within 15 m of the nearest rail of a railway crossing.
RESERVED PARKING	(28) On any portion of a highway indicated by traffic control device as reserved for a class of vehicle, other than a vehicle coming within such class.
SALES	(29) Upon any highway for the principal purpose of: <ul style="list-style-type: none"> <li>(a) displaying a vehicle for sale,</li> <li>(b) advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency,</li> <li>(c) displaying signs, or</li> <li>(d) selling flowers, fruit, vegetables, seafoods, or other commodities or articles.</li> </ul>

SCHOOL GROUND	(30) On a highway abutting a school ground or playground, from dawn until dusk, unless the school ground or playground is separated from the highway by a fence.
SIDEWALK SIGN	(31) On a sidewalk or boulevard. (32) Within 6 metres of a stop sign or traffic control device located at the side of a roadway.
TAXI ZONE	(33) In a zone reserved exclusively for taxis.
TRUCKS	(34) A commercial vehicle having a gross vehicle weight in excess of 8600 kg on any highway in a residential area except when actively engaged in loading and unloading.
WRONG SIDE FACING WRONG DIRECTION	(35) On a two-way roadway unless the vehicle is parked on the right side of the roadway with the right hand wheels of the vehicle parallel to that side, except where angle parking is required.

### 13. Commercial Vehicles Loading

- (1) Notwithstanding section 11, a commercial vehicle may park in a lane provided that the commercial vehicle is actually being loaded and unloaded, and provided that the vehicle is located so as to leave at least 3 metres of the adjacent lane clear, as measured from a line perpendicular to the vehicle.
- (2) A commercial vehicle may stand, stop or park in a loading zone as designated by a traffic control device, provided the vehicle is not parked in the loading zone for longer than is necessary for the expeditious loading or unloading of the vehicle, to a maximum of 15 minutes.

### 14. Disabled Persons' Parking Permits

- (1) Council designates the Social Planning and Research Council of British Columbia as the organization responsible for issuing and cancelling Disabled Persons' Parking Permits pursuant to the Regulations.
- (2) An application for a Disabled Persons' Parking Permit shall be made by or on behalf of a Disabled Person to the Social Planning and Research Council of British Columbia.
- (3) All Disabled Zones existing on the date of adoption of this bylaw are deemed to be authorized Disabled Zones established under this bylaw.
- (4) It is unlawful for any person to stop, stand or park a vehicle in a Disabled Zone unless:
  - (a) the vehicle displays a Disabled Persons' Parking Permit or a permit of a similar nature issued by another jurisdiction, and
  - (b) the vehicle displaying a Disabled Persons' Parking Permit is stopped, left standing or parked for the purpose of transporting a Disabled Person.

### 15. Exemptions

- (1) This Part shall not apply to any emergency vehicle while attending at an emergency call, but this exemption shall not excuse the driver of any such vehicle from exercising due and proper care for the safety of other traffic.
- (2) This Part shall not apply to:
  - (a) Government vehicles,
  - (b) vehicles of a public utility corporation, or

- (c) tow trucks,

while the operators of such vehicles are engaged in work requiring the vehicles to be stopped or parked in contravention of any of the provisions of this Part, or are parked on a stand-by basis for the purpose of being available for emergency use.

16. Mechanically Disabled Vehicles

The provisions of this bylaw relating to limited times of parking shall not apply to any vehicle so mechanically disabled such that the vehicle cannot be moved, until the vehicle has been parked or stopped in a manner contrary to the provisions of this bylaw for a period of 24 hours.

**PART 5 - TRAFFIC CONTROL DEVICES**

17. Delegation to Operations Manager

The Operations Manager is authorized to issue orders for the placing of traffic control devices at such places as he or she deems appropriate for the regulation of the following traffic matters and by those orders to exercise the following powers of the District under this bylaw, or to give effect to the provisions of this bylaw or the *Motor Vehicle Act*:

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| CONSTRUCTION               | (1) On highways where construction, reconstruction, widening, repair, marking or other work is being carried out, the placement of traffic control devices to indicate that persons or equipment are working on the highway, or to regulate or prohibit traffic in the vicinity of such work. |
| DISABLED ZONES             | (2) The establishment of Disabled Zones.  |
| LOADING ZONES              | (3) The establishment and use of loading zones and their designations.  |
| METERS                     | (4) The erection, maintenance and operation of automatic or other mechanical metres for allotting and controlling vehicle parking spaces.   |
| PEDESTRIANS                | (5) The regulation or prohibition of pedestrian traffic on highways other than at crosswalks.   |
| PROCESSIONS                | (6) The regulation and control of processions on highways in the District.  |
| PUBLIC BUILDINGS           | (7) The setting apart and allotting of 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.   |
| SCHOOL                     | (8) The establishment of school crossings in the District and the regulation and control of vehicle and pedestrian traffic with respect to them.  |
| SIDEWALKS BRIDGES<br>LANES | (9) The regulation, control or prohibition of pedestrian traffic, ridden or herded animals, vehicular traffic, and cycle traffic on sidewalks, bridges, walkways, boulevards, or in lanes.  |
| SIGNS                      | (10) The regulation, control or prohibition of the stopping, standing or parking of vehicles.   |
| SKATES                     | (11) The regulation, control or prohibition of persons using roller blades, sleighs, skates, skis, skateboards, or other similar means of conveyance on a highway.  |
| TAXI ZONES                 | (12) The establishment and use of taxi stands and their designation.  |

## 18. Placing of Traffic Control Devices

The Operations Manager is authorized to issue orders for the placing of traffic control devices as he or she deems appropriate to give effect to the provisions of this bylaw and the *Motor Vehicle Act*, including:

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| WARNING          | (1) To warn traffic of hazardous conditions, either on or adjacent to the roadway or to prohibit traffic from using the roadway.   |
| BUS STOPS        | (2) At locations where a bus stops to pick up passengers.  |
| CROSSWALK        | (3) At locations where heavy pedestrian traffic crosses a roadway at locations other than an intersection.   |
| DO NOT ENTER     | (4) At the end of one-way roadways to prevent traffic entering the restricted area.  |
| DO NOT PASS      | (5) At the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous.   |
| FIRE ZONE        | (6) To indicate a fire zone.   |
| KEEP RIGHT       | (7) Within and at the end of median strips and traffic islands.  |
| MAXIMUM SPEED    | (8) 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.  |
| MAXIMUM WEIGHT   | (9) At 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 road. |
| NO PASSING       | (10) At locations approaching crosswalks, school and park zones indicating that passing is prohibited.   |
| ONE WAY          | (11) On highways upon which the traffic is required to travel in one direction only.   |
| ONE WAY TRAFFIC  | (12) At the transition from one-way to two-way roadways to indicate that travel is restricted to the right hand side of the roadway.   |
| TRAFFIC SIGNALS  | (13) At intersections and other locations where the existing traffic control devices are not adequate to control the traffic efficiently.  |
| TRUCK ROUTES     | (14) On streets designated as truck routes for movement of truck traffic through the District.   |
| TRUCK SIGNS      | (15) In locations where truck traffic is prohibited or restricted.   |
| TURN PROHIBITION | (16) At intersections and in advance of intersections where it is required to prohibit certain movements.  |

## 19. Signs

- (1) The Operations Manager may make orders respecting the regulation, control and prohibition of erection and maintenance of signs, advertisements and guideposts on or over highways and their alteration, repainting, tearing down, or removal.
- (2) 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.
- (3) 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.

20. Issuance and Variation of Orders

- (1) Where the Operations Manager issues orders under this bylaw, the Chief Administrative Officer shall affix the Corporate Seal to such order and certify the same 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.
- (3) The Operations Manager may rescind, revoke, amend or vary any order made by him or her in the same manner as an order is issued.

21. 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 Operations Manager, Fire Chief, or any peace officer, may close the highway, or portion thereof, or restrict or divert the traffic thereon or there-from, and for that purpose may effect traffic control devices.
- (2) Where a highway or portion thereof is temporarily closed, or the traffic thereon is restricted or diverted under (1), then no unauthorized person shall enter upon, or travel upon the highway or portion thereof in contravention of a traffic control devices

22. Temporary Traffic Control Devices

The Operations Manager, the Fire Chief, or any peace officer may place or cause to be placed temporary traffic control devices on a highway:

- (a) along the route of any parade;
- (b) in the vicinity of a large gathering or during special circumstances;
- (c) to permit proper action in an emergency;
- (d) to facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a highway; or
- (e) in the interest of public safety,

23. Highway Signs

Where traffic control devices have been authorized and placed or erected under the provisions of the *Motor Vehicle Act* by the Province of British Columbia, the same shall be deemed to have been properly placed or erected pursuant to the provisions of this Part.

24. Motor Vehicle Act

Traffic control devices erected pursuant to this part shall, where applicable, comply with the sign regulations as set out in the *Motor Vehicle Act*.

**PART 6 - OFFENCE, PENALTIES AND ENFORCEMENT**25. Penalty

Every person who violates any of the provisions of this bylaw, or who suffers or permits any act to be done in violation of any of the provisions of this bylaw, or who neglects to do anything required to be done by any provision of this bylaw, commits an offence punishable upon summary conviction and is liable to a fine not exceeding Two Thousand Dollars (\$2,000.00).

26. Inspection

Any peace officer may enter, at all reasonable times, upon any property subject to the regulations of this bylaw in order to ascertain whether such regulations or directions are being obeyed.

27. Removal of Notice

No person shall remove any notice or ticket affixed or placed on a vehicle by a peace officer unless he or she is the owner or operator of such vehicle.

**PART 7 - REMOVAL OF VEHICLES, CHATTELS, and RUBBISH and VEHICLE IMPOUNDMENT**

28. Tow-Away Zones

Without limiting section 28:

- (a) any vehicle, other than a bus operated by School District No. 59, or authorized by the District to provide public transportation, which is stopped, standing or parked on a portion of a highway designated as a bus stop as indicated by a traffic control device,
- (b) any vehicle which is stopped, standing or parked on a portion of a highway designated as a fire zone by a traffic control device ,
- (c) any vehicle, which is stopped, standing or parked on a highway in a no stopping zone, as indicated by traffic control device,
- (d) any vehicle which is stopped, standing or parked in an off-street parking facility in contravention of this bylaw,

is subject to immediate tow-away and impoundment by the District, or its contractors, at all times.

29. Removal of Chattel or Obstruction

Any vehicle, chattel or obstruction unlawfully occupying any portion of a highway or public place may be removed, detained and impounded by any person authorized to do so by the Operations Manager or a peace officer.

30. Removal and Impoundment

Any vehicle, chattel or obstruction removed, detained and impounded may be recovered by the owner upon presenting proof of ownership, and upon payment in full of all fees, costs and expenses levied pursuant to the provisions of this bylaw to:

- (a) The District's towing contractor or authorized agent, in the case of a vehicle.
- (b) The District during regular business hours, in the case of any chattel or obstruction.

31. Notice to Owner

If a motor vehicle is removed, detained or impounded, and not claimed by the owner within 48 hours, written notice shall be given by registered mail to the registered owner at his address as shown on the records of the Registrar of Motor Vehicles, advising the owner of the seizure and impoundment, the sum payable to release the motor vehicle and the date of advertising for sale by public auction if unclaimed.

32. Fees and Charges

The fees, costs and expenses which shall be paid by the owner of the chattel, obstruction or vehicle removed, detained or impounded pursuant to this Part are set out in Schedule "B" to this bylaw.

33. Public Auction

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

- (2) The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to all unpaid fees, costs and expenses levied in accordance with this bylaw and thirdly the balance, if any, shall be held by the District for one (1) year from the date of sale for the owner, without interest. If unclaimed at the end of the year, such sum shall be paid into the general revenue of the District.
- (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 District dump, or a place approved by the Operations Manager, 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 to the District from the owner.
- (4) Should a vehicle not be purchased at public auction held pursuant to (1), then the vehicle shall be disposed of pursuant to section 7 of the *Highways (Scenic Improvement) Act*.

34. Market Value Less Than \$100.00

- (1) Notwithstanding section 32, where any garbage, rubbish, or chattel or abandoned or unlicensed vehicle 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 District without notice to the owner and the full costs of removal and disposal shall be charged to the owner of the garbage, rubbish, chattel or abandoned or unlicensed vehicle.
- (2) Apparent market value shall be determined by the Operations Manager.

35. Removal of Snow, Ice and Rubbish

Owners and occupiers of real property shall remove snow, ice, or rubbish from the sidewalks bordering on the real property within 24 hours of the accumulation of such snow, ice or rubbish.

**PART 8 - USES REQUIRING PERMIT**

36. Restrictions

Except as authorized by a permit issued by the Operations Manager pursuant to Part 9 of this bylaw, no person shall:

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| CONSTRUCTION               | (1) Construct a boulevard, sidewalk, curb or ditch.   |
| 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 District on a highway.                 |
| DEFACING                   | (3) Mark, imprint or deface in any manner whatsoever a highway or a structure situated upon a highway.  |
| EFFLUENT FROM DRAIN        | (4) Construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a highway.  |
| EXCAVATIONS CUTTING TIMBER | (5) 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.  |
| SIGNS                      | (6) 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. |
| STOPPING WATER             | (7) 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 (8) Place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, or any other structure or thing on a highway or any portion of a highway.
- TRACKED VEHICLES (9) 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 (10)  
(11) 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 or, in the case of any area of the District designated as a Rural Resource 1 Zone under the District's Zoning Bylaw.

## **PART 9 - APPLICATION FOR AND CONDITIONS OF PERMIT**

### 37. Permit

The Operations Manager may issue a permit to do any of those things otherwise prohibited in Part 8 of this bylaw.

### 38. Permit Fee

Permits shall be in the form set out in Schedule "C" to this bylaw, and the fee for the permit shall be as set out in Schedule "E", and the permit shall be subject to the conditions set out in this Part.

### 39. Plans

The applicant shall provide four complete copies of satisfactory plans and specifications of any work to be undertaken, and when such are supplied and approved by the Operations Manager and the necessary permit issued, the work shall conform in every way to the plans and specifications so provided.

### 40. Standard Conditions to Apply

All work carried out under a permit issued under this Part shall conform to all other regulations of the District in force from time to time.

### 41. Deposit

Prior to the issuance of a permit under this Part, the applicant shall deliver to the District a deposit equivalent to ten (10) percent of the total value of the work to be carried out, in the form of cash or a certified cheque. The deposit shall be held by the District as security to insure that all obligations under the permit are fulfilled, and may be used by the District to cover all costs incurred by the District in completing any requirements in the permit that the permit holder fails to complete.

### 42. As Built Plans

Following completion of the work, the applicant shall provide satisfactory plans of the works installed by the applicant and such plans shall be drawn to a scale satisfactory to the Operations Manager, 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 of the deposit posted pursuant to section 41.

### 43. 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 the District has conducted an inspection of the work.

44. Default

Failure by the permit holder to repair damage or fulfill such obligations as are set out in the permit within the specified times shall enable the District 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 deposit, and should there be an insufficiency of monies on deposit then the applicant shall pay the balance forthwith, upon invoice, that amount required by the District to carry out the works or fulfill the obligation, and such balance shall be paid in addition to the inspection charge of Twenty-Five Dollars (\$25.00).

45. Insurance

The applicant shall provide evidence satisfactory to the Operations Manager of insurance 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 District.

46. Materials

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

**PART 10- VEHICLE REGULATIONS**47. General Regulations

Except as authorized by a permit issued by the Operations Manager under this Part, no person shall drive or operate on a highway:

## LOAD

(1) A vehicle or combination of vehicles carrying a load unless the load is secured in a manner so 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 there-from, except 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.

(2) A vehicle carrying a load unless the load and any covering thereon is securely fashioned so as to prevent the coverings or load from becoming loose, detached, or in any manner hazardous to other users of the highway.

(3) A vehicle so loaded that any part of the load extends beyond the sides of the vehicle.

(4) A vehicle or combination of vehicles the load of which extends more than 185 cm beyond the back of the vehicle or combination of vehicles.

(5) A combination of vehicles consisting of more than 2 vehicles.

## PNEUMATIC TIRES

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

## SOLID TIRES

(7) 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	(8) A solid rubber tired vehicle at a greater rate of speed than 20 km/h.
SPEED UNLOADED POLE TRAILER	(9) A vehicle and unloaded pole-trailer at a greater rate of speed than 60 km/h, unless the weight of the pole-trailer is carried completely upon the towing vehicle.
SPIKES, CLEATS, OTHER ATTACHMENTS	(10) A vehicle having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs, or other attachments or projections which extend beyond the tread or traction surface of the wheel, tire, or track, except that this prohibition does not apply to a vehicle equipped with tire chains of reasonable proportions when required for safety.

#### 48. Insecure Load

- (1) No person shall operate upon a roadway a vehicle carrying any materials or goods unless the materials or goods are secured in such a manner that the materials or goods are unable to fall from the vehicle upon a roadway.
- (2) No one operating a vehicle shall permit any materials or goods which fall from the vehicle to remain upon a highway.

#### 49. Safety Equipment

The Operations Manager 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, winter tires or sanding devices, or a combination of these the Operations Manager considers adequate and necessary in view of prevailing road conditions.

#### 50. Size Regulations

Except as authorized by a permit issued by the Operations Manager under this Part, no person shall drive or operate on any highway:

MAXIMUM WIDTH	(1) A vehicle having a total outside width, including its load, in excess of 2.6 metres, 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 metres.
MAXIMUM HEIGHT	(2) A vehicle having a height, including its load, in excess of 4.15 metres.
OVER-ALL LENGTH	(3) (a) a single vehicle having an overall length, including any load, in excess of 12.5 metres, except as provided in (b) and (c);  (b) a trailer the overall length of which exceeds 12.5 metres, but not including the following as part of that length: <ol style="list-style-type: none"> <li>(i) an air deflector, heater or refrigerator unit attached to the front of the trailer;</li> <li>(ii) the draw bar of the trailer if the draw bar articulates in the horizontal plane relative to the main load-carrying structural component of the trailer;</li> <li>(iii) non-load carrying equipment such as an air connector, electrical connector, hydraulic connector, roller, pickup plate, bumper, ladder, glad hand, load securement device or dangerous goods placard if the connector, roller, plate, bumper, ladder, glad hand, device or placard does not extend more than 30 cm beyond the front or 10 cm beyond the rear of the vehicle; and</li> <li>(iv) a platform mounted on the front upper portion of the trailer if the platform is used exclusively to assist in the installation or securing or both of load securement devices;</li> </ol>

- (c) a semi-trailer the overall length of which exceeds 14.65 metres, or having more than 2 axles the tires of which are in contact with the ground, having an overall length in excess of 14.0 metres; but not including as part of that length anything described in paragraph (b)(i), (iii) or (iv);
  - (d) a bus with an articulation point between the passenger carrying sections of the bus unless:
    - (i) the overall length of the bus does not exceed 20.0 metres;
    - (ii) the distance from the articulation point to the front or rear of the bus does not exceed 12.5 metres; and
    - (iii) movement of passengers between the articulated sections of the bus is possible at all times while the bus is being operated on a highway;
  - (e) a combination of 2 or more vehicles having an overall length, including any load, in excess of 20 metres, subsubject to section (4),
  - (f) a combination of three vehicles consisting of a 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, including any load, in excess of 22 metres, provided that the distance from the kingpin of the first semi-trailer or its load does not exceed 16.75 metres, and
  - (g) a 3 vehicle combination consisting of a truck and 2 trailers, or a logging truck combination which includes 2 pole trailers.
- (4) Subsection 3(e) does not apply where the combination of vehicles:
- (a) is a logging truck 2 vehicle combination that has a single articulation point, has an overall length, including its load, of not more than 21.5 metres and is carrying a load of logs, woodpoles or wood pilings and the length of the load cannot be reduced without cutting the wood;
  - (b) is a combination of vehicles that contains more than one articulation point and has an overall length, including its load, of not more than 23.0 metres; or
  - (c) is a combination of vehicles that:
    - (ii) contains a licensed booster axle assembly mounted to the rear of a semi-trailer lowbed, and
    - (iii) has an overall length, including its load, of not more than 23.0 metres.

#### 51. Trucks Max Weight

No person shall operate a truck with a gross vehicle weight in excess of 13,700 kg upon a highway that is not designated as a truck route, except municipal or utility vehicles while engaged in work upon highways, or trucks delivering goods and materials to properties on a street or streets directly serviced by the roadway.

#### 52. Exemptions

Section 50 shall not apply to:

- (1) Farm equipment 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 District.
- (3) A vehicle operated by or on behalf of the Ministry of Transportation and Highways or the District, which is engaged in road maintenance or snow removal.

53. Weight Restrictions

Notwithstanding any of the provisions of this bylaw, no person shall, except as authorized by a permit issued under this Part, drive or operate on a highway, or a portion of a highway including a bridge, a vehicle or axles, or a gross vehicle weight, in excess of any load limit as may be indicated by a traffic control device.

54. Power to Issue Permit

- (1) The Operations Manager may issue a written permit in the form specified in Schedule "D" to this bylaw to authorize the driving or operation on a highway of a commercial vehicle that does not conform to section 47 or section 50, and the fee for the permit shall be as set out in Schedule "E" to this bylaw.
- (2) The Operations Manager 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.

**PART 11 – REPEAL**

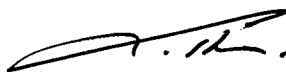
55. Traffic and Highways Regulation Bylaw No. 88, 1984, as amended, is hereby repealed.

Introduced and Read a First Time This 7<sup>th</sup> Day Of October, 2002.

Introduced and Read a Second Time This 7<sup>th</sup> Day Of October, 2002.

Introduced and Read a Third Time This 4<sup>th</sup> Day Of November, 2002.

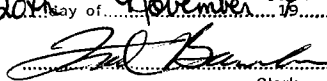
Introduced and Finally Adopted This 18<sup>th</sup> Day Of November, 2002



Clay Iles  
Mayor



Fred Banham  
Chief Administrative Officer

I hereby certify that this is a true and correct	
copy of District of Tumbler Ridge	<u>Traffic</u>
<u>control</u>	By-Law No. <u>454</u>
as adopted by the District of Tumbler Ridge Council	
on the <u>18th</u> day of <u>November</u> <u>2002</u>	
Signed this <u>20th</u> day of <u>November</u> <u>2002</u>	
	Clerk

SCHEDULE "A"

DISTRICT OF TUMBLER RIDGE TRAFFIC AND HIGHWAYS BY-LAW

OFF-STREET PARKING FACILITIES

The following are designated as off-street parking facilities, pursuant to Section 5 of this by-law, and District of Tumbler Ridge Specified Area By-law No. 6, 1982':

- (a) Southgate Parking Lot, situated on Lot R, D.L. 3164, plan 28445, Peace River Land District.
  
- (b) Northgate Parking Lot, situated on Lot L, D.L. 3164, plan 28445, Peace River Land District.

SCHEDULE "B"

DISTRICT OF TUMBLER RIDGE TRAFFIC AND HIGHWAYS BY-LAW

FEE SCHEDULE – REMOVAL OF CHATTELS, OBSTRUCTIONS AND VEHICLES

The following fees, costs and expenses shall be paid by the owner of any vehicle, chattel or obstruction removed, detained or impounded pursuant to Part 7 of this By-law:

1. REMOVAL OF ANY VEHICLE TO STORAGE	\$ 50.00
(a) Flat rate includes vehicle storage to 12:00 midnight of the day of pick up	
1. STORAGE OF ANY VEHICLE	
(a) Rate per day after the period of storage included in 1(a) above	\$ 10.00

	STORAGE FEE PER DAY	REMOVAL FEE	COST OF DISPOSAL
2. CHATTELS & OBSTRUCTIONS			
(a) Any chattel	\$ 10.00	Actual Cost	Actual Cost
(c) Any obstruction	\$ 10.00	Actual Cost	Actual Cost

SCHEDULE "C"

DISTRICT OF TUMBLER RIDGE

APPLICATION AND PERMIT FOR WORK ON OR WITHIN CITY STREETS, EASEMENTS, OR PROPERTY OR FOR OTHER MATTERS SET OUT IN PART 8 OF THIS BYLAW

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

4. Starting Date (Yr/Mo/Dy) 5. Completion Date (Yr/Mo/Dy) 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

11. Purpose of Construction

I (We) hereby agree to be bound by the provisions of all applicable District of Tumbler Ridge bylaws which may govern work in or under municipal streets, easements and property; as well as to such additional conditions, restrictions, and regulations as may be imposed by the Operations Manager.

SEE CONDITIONS AND REGULATIONS ATTACHED HERETO

Applicant's Signature

Date of Application

Fee for permit - \$10.00

DO NOT WRITE BELOW THE DOUBLE LINE - FOR DEPARTMENT USE ONLY

12. Plans approved by 13. Date Application Approved (Yr/Mo/Dy)

14. Deposit and Refund Information 15. Insurance Needed

Amount Deposited Receipt No. Inspection Fee Amount Refunded Yes No Date (Yr/Mo/Dy) Received

16. Date of Refund (Yr/Mo/Dy) 17. Restoration Date (Yr/Mo/Dy)

5. Date of Refund (Yr/Mo/Dy)

19. Reason Permit Revoked By Whom Date Revoked (Yr/Mo/Dy)

21. Final Inspection Approval

Yes No

20. As-builts Received.....

Date.....  
(Yr/Mo/Dy)

The applicant is hereby authorized to work on or within City 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 District's Bylaws, the District of Tumbler Ridge Land Use Bylaw 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 .....

Signature for Operations Manager

SCHEDULE "D"

DISTRICT OF TUMBLER RIDGE

PERMIT FOR OVERSIZED OR PROHIBITED VEHICLE

1. Permission is hereby granted to  
(Name of applicant) \_\_\_\_\_ (Registered owner) \_\_\_\_\_  
(Address) \_\_\_\_\_ (Address) \_\_\_\_\_  
\_\_\_\_\_

to operate an oversized/prohibited vehicle for the purpose, upon the highways and in the manner set out in this Permit..

THIS PERMIT IS VALID FROM \_\_\_\_\_, 20\_\_\_\_ TO \_\_\_\_\_, 20\_\_\_\_

2. DESCRIPTION OF HIGHWAYS TO BE USED

Name of Highways	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 \_\_\_\_\_

DATE \_\_\_\_\_ AGENT FOR \_\_\_\_\_

**NOTE:**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  
Operations Manager

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

THIS PERMIT MUST BE IN VEHICLE

CONDITIONS OF PERMITS

1. a Permit may 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 sections 46 or 49 of the Bylaw.
2. Permits will be valid only for the single movement and specific loads indicated on the application. A Permit cannot authorize scheduled or repetitive trucking operations.
3. This permit shall in no way be construed as giving permission for the operation of a vehicle on any highway in contravention of any regulation, limitation or prohibition which may be made from time to time By the District, other than that specific regulation, limitation or prohibition which may be named in the 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 or District property which may result from the operation of the vehicle under the authority of the permit. The holder of the permit shall release and save harmless the District from all loss, damage, or injury resulting, directly or indirectly, from the operation of the vehicle.

5. The following regulations apply to the making 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 3.5 m the load shall be preceded and followed by waning vehicles bearing red flagging and conspicuous signs reading "Wide Load Following"

on the preceding vehicle, and “Wide Load Aged” on the following vehicle. Such wide loads shall be moved during daylight.

### 3. Clearance Lights

Every commercial vehicle having a width in excess of 2.5m, or a length in excess of 18m including any load, 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 or load, and as near the top as practicable.
  - (b) On the rear of the vehicle, two (2) amber lights, one at each extreme width of the vehicle or load, and as near the top as practicable.
  - (c) In the case of a vehicle where it is impracticable to have clearance lights mounted at either the front or the rear of the body of the vehicle, then the said required clearance lights may be carried at the ends of a bar of pipe securely attached to the top or the rear of the cab of the vehicle in such a manner that the extreme width of the truck and/or load may be plainly indicated from the front of the vehicle.
  - (d) All 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 10.5 in length, then in addition to the above requirements, a red lateral light shall be located as near the centre as possible on the left side of the 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 separate from the head and tail light circuit of the vehicle.
  - (f) All clearance lights shall be such and so placed that they shall be visible from a distance of at least 150 m 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 100 m, the clearance lights shall be alight.
8. Before commencing to move an object or load, the vehicle 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 the vehicle might have to pass. Under no circumstances shall such posts or railings be removed without permission from the Operations Manager.
  9. The operator shall also 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.
  10. If, in the opinion of the Operations Manager, 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 Operations Manager may suspend or cancel the permit.
  11. It shall be sufficient notice that the permit is suspended if such notice is given by the Operations Manager or by any person authorized by the Operations Manager, verbally or otherwise, to the person owning or to the person driving or operating the vehicle, and no further notice of suspension shall be required.
  12. THIS PERMIT SHALL BE PRODUCED FOR INSPECTION UPON DEMAND OF ANY PEACE OFFICER OR ANY PERSON AUTHORIZED BY THE OPERATIONS MANAGER.
  13. No person shall change or alter this permit in any manner, unless Authorized to do so by the Operations Manager.

SCHEDULE "E"

DISTRICT OF TUMBLER RIDGE TRAFFIC AND HIGHWAYS BY-LAW

**SCHEDULE OF PERMIT FEES**

The following are the fees for the permits specified in this bylaw:

Vehicle prohibited under section 46	\$ <u>20.00</u>
Vehicle prohibited under section 49	\$ <u>20.00</u>
Permit pursuant to Part 9	\$ <u>20.00</u>