



DISTRICT OF HOPE

TRAFFIC BYLAW NO. C020

(CONSOLIDATED TO AUGUST 2013)

All persons making use of this consolidation are advised that it has no legislative sanction; that the amendments have been embodied for convenience of reference only, and that the original bylaw and all amending bylaws must be consulted for all purposes of interpreting and applying the law.

Any parts of the original bylaw or original bylaw as amended and schedules which have been repealed have not been included in this consolidation.

SCHEDULE OF AMENDMENTS

TEXT

Amending Bylaws are identified by a Bylaw Number in the left hand margin. For the exact amendment wording, refer to the amending bylaw.

| BYLAW | ADOPTED | AMENDMENT |
|--------------|--------------------|---|
| 967 | January 27, 1997 | Schedule E |
| 987 | June 9, 1997 | Schedule E – Add Item 12 |
| 1117 | August 25, 2003 | Section 4.19 |
| 1158 | September 27, 2004 | Schedule A – Add Item 7 |
| 1307 | October 24, 2011 | Preamble, Sections 2 - 5 |
| 1341 | August 25, 2013 | Section 2, subsection 2.2 Section 4.11 (xxi) (1) & (2) |



THE DISTRICT OF HOPE

BYLAW NO. 17/95

District of Hope Traffic Bylaw

WHEREAS, pursuant to relevant sections of the *Motor Vehicle Act* RSBC 1996, and Part 3, Division 5 of the *Community Charter*, the Council is authorized to regulate traffic and the use of highways within the municipality;

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

1. TITLE

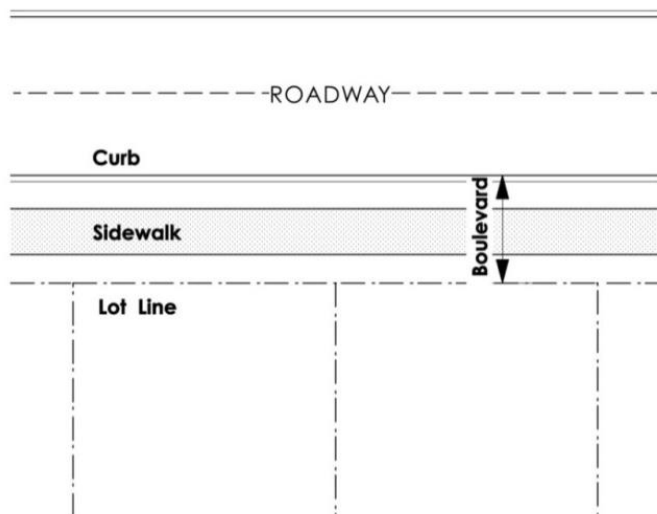
1.1 This bylaw may be cited as “Traffic Bylaw No. 17/95”

2. INTERPRETATION (AM#1307)

2.1 In this bylaw, unless the context otherwise requires, the definitions contained in the “Motor Vehicle Act” shall apply.

2.2 In this bylaw:

(AM #1341) “**Boulevard**” means that portion of any highway between the lot line and the traveled portion of a highway, including, but not limited to, curbs, sidewalks, ditches, and bicycle paths. For guidance see Diagram 1 – Example of a Boulevard:



“(Bylaw Enforcement Officer)” means the person or persons appointed by Council as Bylaw Enforcement Officer pursuant to the *Police Act* and *Community Charter*;

“Chief of Police” means the senior member of the Royal Canadian Mounted Police in the District of Hope or designate;

“Commercial Passenger Vehicle” in accordance with the *Passenger Transportation Act* means a motor vehicle operated on a highway by or on behalf of a person who charges or collects compensation for the transportation of passengers in that motor vehicle;

“Commercial Vehicle” means a commercial vehicle as defined in the *Commercial Transport Act*.

“Council” means the Municipal Council of the District of Hope.

“Courtesy Card” means a warning notice to alert tourists to parking restrictions.

“Curb” means any curb constructed of concrete or other material and, in the absence of such, the line of demarcation between the roadway and boulevard, and, in the absence of any such boulevard, the line of demarcation between the roadway and sidewalk.

“District” means the area comprised within the boundaries of the District of Hope.

“Emergency vehicle” in accordance with the *Motor Vehicle Act* means any of the following:

- (a) a motor vehicle or cycle as defined in Part 3, carrying rescue or first aid equipment if there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this Act;
- (b) a motor vehicle or cycle as defined in Part 3, driven by a member of a fire department in the discharge of his/her duties;
- (c) a motor vehicle or cycle as defined in Part 3, driven by a Peace Officer, Bylaw Enforcement Officer, constable or member of the police branch of Her Majesty’s Armed Forces in the discharge of his/her duty;

“Extraordinary Traffic” in this section has the same meaning as in the *Transportation Act*.

“Highway” includes every highway within the meaning of the *Transportation 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 District of Hope for the purpose of providing off-street parking or for the use of pedestrian or cycle traffic.

“**Loading Zone**” means the area or space on a roadway established under the authority of this bylaw for the loading or unloading of materials or passengers.

“**Director of Operations**” means the persons duly appointed to the office of Director of Operations of the District of Hope or designate to carry out the duties ascribed to the Director of Operations under the provisions of this bylaw.

“**Operator**” means any individual who has the possession and control of a vehicle whether or not he/she is the registered owner.

“**Owner**” shall have the meaning assigned to it under the *Community Charter* and for the purpose of this bylaw, shall include the registered owner of a motor vehicle.

“**Parade**” means any organized procession of more than four pedestrians if the formation and movement of the procession is confined to the use of the sidewalk, and an organized procession of pedestrians, or of more than four vehicles, if the formation or movement of the procession takes place upon a roadway.

“**Parking Space**” means a section of the roadway indicated by markings as a parking place for one vehicle.

“**Peace Officer**” means a member of the Royal Canadian Mounted Police.

“**Person**” means and includes every individual, firm, partnership or corporation.

“**Private Road**” means every road or driveway, the title to or possession of which is not vested in the Crown or in the District.

“**Recreational Vehicle**” means a motor vehicle designed or used primarily for accommodation during travel or recreation and includes a motor vehicle that has attached to it a structure which was designed or intended for use primarily for accommodation during travel or recreation and designed or intended to be detached.

“**RCMP**” means the the Royal Canadian Mounted Police.

“**Sidewalk Crossing**” means the section or part of a sidewalk or boulevard, marked and permanently improved, or designed for the passage of vehicular traffic.

“**Street Line**” means the line of demarcation between any private property or any property not a street, and the adjoining street.

“**Tag Day**” means a day for which a charitable organization has been given permission by Council to solicit donations from the public on the streets of the municipality.

3. TRAFFIC CONTROL (AM#1307)

3.1 Traffic Control Devices

- (a) This section does not apply to arterial highways as defined in the *Transportation Act*.
- (b) The Director of Operations is hereby authorized to maintain the placement of traffic control devices as approved by the Council prior to the adoption of this bylaw, and to direct the placement of suitable traffic control devices for the regulation of traffic at such places, or in such manner, as he/she shall designate in order to give effect to the provisions of this bylaw and the *Motor Vehicle Act* and the regulations thereunder.
- (c) Such traffic control devices shall meet the provisions of the Manual of Uniform Traffic Control Devices for Canada as prepared by Transport Canada and as amended from time to time, and may include any or all signs contained in applicable B.C. Regulations, but where there is a conflict between the provisions of the Manual and regulations under the *Motor Vehicle Act*, the latter shall prevail.
- (d) The Director of Operations, in the exercise of his/her powers granted under this section, shall issue a written order directing the placement of such traffic control devices. Such order shall be dated, signed by the Director of Operations, and the date on which the work or thing was completed shall be entered on the order. A single order may contain any number of directions related to traffic control devices.
- (d) Where, in the opinion of the Director of Operations, any highway is liable to damage because of the gross weight, size of the vehicle or load, or frequency thereon, he/she may regulate, limit or prohibit the use of the highway by any person owning, operating or in charge of the vehicle used therein or the goods carried therein and he/she may post notices or signs to inform the general public of these regulations.
- (e) During any period of traffic and load restrictions as outlined in subsection (d), any peace officer or bylaw officer may intercept any vehicle or combination of vehicles and trailers which, together with its load, such peace officer or bylaw officer believes to exceed the said load limit, as set forth in this bylaw, and require the driver of such vehicle or combination of vehicles and trailers to proceed to weighing scales to properly determine the weight of such vehicle or combination of vehicles and trailers together with its load.

- (e) The Director of Operations may order the alteration, repainting, tearing down, or removal of any sign, advertisement, or guidepost placed 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 guidepost placed upon or over any highway.
- (f) The Director of Operations 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*.

3.2 Placement of Temporary Signs

The Director of Operations, Fire Chief, Chief of Police or any peace officer may place temporary traffic signs or other applicable traffic control devices at any time or place in the interest of public safety.

3.3 Obedience to Traffic Control Devices or Emergency Personnel

No person shall disobey the directions or instructions on or indicated by any traffic control device or traffic control signal placed in accordance with this or any bylaw of the District unless otherwise directed by any Peace Officer, Bylaw Enforcement Officer, member of the Fire Department or member of a District public works crew, and shall obey the directions of any Peace Officer, Bylaw Enforcement Officer, member of the Fire Department or member of a District Public Works crew whose direction shall take precedence over any traffic control device.

3.4 Closing Streets

When, for any reason, any street or section thereof is unsafe or unsuitable for traffic, or it is deemed advisable that traffic should be restricted thereon or diverted therefrom, the Director of Operations, Chief of Police or any person duly authorized by either may close such street or section thereof or restrict or divert the traffic thereon or therefrom. For that purpose, lamps, barriers, signboards, notices or other warning devices may be erected or placed. No person shall enter upon or travel such street or section thereof so closed or interfere in any way with any of the warning devices so placed.

3.5 Groups Obstructing Traffic

- (a) No person shall be part of a group of persons congregated on a street or sidewalk in such manner as to obstruct the free passage of pedestrians or vehicles, except with the written permission of the Director of Operations.
- (b) No person shall do anything which will direct the attention of persons and cause them to congregate in a group upon any street in such a manner as to obstruct the free passage of pedestrians or vehicles, or in such a manner that

the persons so congregated might thus be in danger of injury from traffic, except with the written permission of the Director of Operations.

3.6 Parades

- (a) The Director of Operations is hereby authorized, by order made by him, to regulate and control parades upon highways within the Municipality.
- (b) No person shall be a member of, or take part in, any parade unless:
 - (i) Such parade is under the direction and control of a marshall or organizer; and
 - (ii) No parade shall be held on any street or highway unless such marshall or organizer has first received the permission of the Director of Operations and has a written application signed by him for a permit for the holding of such parade. Such application shall specify the nature of the parade, the day and hour on or at which such parade is to be held, the place or places of formation or commencement thereof, the route intended to be taken, the point of disbandment or dispersal of same, and the approximate length thereof.
- (c) The provisions of this section shall not apply to any parade of the armed forces, or to any funeral procession.

4. OPERATION OF VEHICLES (AM#1307)

4.1 Speed Limit of Vehicles

No person shall drive or operate a motor vehicle on any highway within the District at a greater rate of speed than:

- (a) the “Posted Speed Limit” as prescribed on Schedule “A”, District of Hope Posted Speed Limits, as attached hereto and made part of this bylaw;
- (b) 50 km/h, as prescribed under Section 151(1) of the *Motor Vehicle Act*, as amended, on any other highways or portions thereof not listed in Schedule “A”; or
- (c) 80 km/h in rural areas as prescribed by the *Motor Vehicle Act*.

4.2 Driving on Sidewalks

No person shall ride, drive, or lead any animal other than a household pet, or move, drive, run or propel any bicycle, skateboard, or vehicle, except light carriages or chairs for the conveyance of children or the physically challenged, or

travel on in-line rollerblades or roller-skates along, over or across any sidewalk, curb or boulevard except at:

- (a) lane crossings or sidewalks specially constructed for vehicular traffic;
- (b) locations for which a valid and subsisting permit in writing has been granted by the Director of Operations and then subject only to the conditions contained in the permit.
- (c) the Director of Operations may, as one of the conditions of such permit, require that security be furnished guaranteeing the replacement of the sidewalk or boulevard to its original condition in case of damage thereto.

4.3 Noise-Making Devices

- (a) No person shall operate upon or from a motor vehicle any loud-speaker or other noise-making device on the streets of the District of Hope for advertising or other purposes, unless that person has the written permission of the Director of Operations or Council.
- (b) No person shall operate a motor vehicle on any highway in the District in a manner which causes excessively loud noise, resulting from rapid vehicle motion or from the starting, stopping or turning of the motor vehicle.

Without limiting the generality of the foregoing, the operation of a motor vehicle so as to cause the vehicle to emit a loud noise from its engine exhaust or tires is hereby prohibited.

4.4 Clinging to Moving Vehicles

No person while riding any device shall cling to any motor vehicle in motion in or upon any street, and no driver of any such motor vehicle shall permit such action.

4.5 Passengers' Conduct

No person, while riding in or on any vehicle, shall do any act which will interfere with the driver's proper control of such vehicle.

4.6 Passengers in Motor Vehicles

- (a) No person shall drive a motor vehicle with more persons in the front seat than three, including the driver.
- (b) No person shall ride in or on any part of a vehicle except that provided for passenger carrying purposes, nor shall any person permit any part of his/her body to extend beyond the side, front or back of a motor vehicle, except when required to indicate an intention to turn, slow down, stop or start from the curb. This section shall not apply to motorcycles or to Fire Department vehicles.

- (c) No driver shall permit any person in or on the vehicle which he/she is driving to commit any of the acts prohibited by the preceding paragraph.

4.7 Illegal Turns

- (a) No driver of any vehicle shall turn such vehicle so as to proceed in the opposite direction, i.e. U-turn or reverse turn, on any street or lane or at any intersection.
- (b) No driver of any vehicle shall make a left turn, U-turn or reverse turn to access an angle parking stall on the opposite side of the street.

4.8 Fire Emergencies

- (a) No person driving or operating any vehicle other than an emergency vehicle or such vehicles as are conveying authorized persons who may have duties to perform in connection with a fire shall follow closer than 160 metres to any vehicle of the Fire Department travelling in response to any fire alarm, or to drive or stop any such vehicle within 160 metres of the place on the same street on which fire apparatus has stopped in answer to a fire alarm.
- (b) No person driving or operating any vehicle shall drive such vehicle over an unprotected hose of the Fire Department when laid down on the street or driveway at a fire unless directed to do so by a Peace Officer, Bylaw Enforcement Officer or a member of the Fire Department.

4.9 Funeral Processions

- (a) No driver of a vehicle shall drive between the vehicles comprising a funeral or authorized procession while it is in motion on any street. This provision shall not apply at intersections where traffic is being controlled by a Peace Officer, Bylaw Enforcement Officer or by traffic control signals.
- (b) The driver of each vehicle in a funeral procession shall keep the headlights of his/her vehicle on unless the funeral procession is identified by some other insignia or pennant authorized by the Chief of Police.

4.10 Hospital or Quiet Zone

Council may, by resolution, establish quiet zones and the Director of Operations shall thereupon indicate such zones by appropriate signs. No person operating a motor vehicle within such zone shall sound the horn or other warning device of the vehicle except in an emergency.

4.11 Parking Prohibitions

- (a) Except when necessary to avoid conflict with traffic or to comply with the law or the direction of a Peace Officer, Bylaw Enforcement Officer or traffic control device, no person shall stop or park a vehicle:
 - (i) on a sidewalk or boulevard,
 - (ii) in front of a public or private driveway,
 - (iii) within an intersection,
 - (iv) within five (5) metres of a fire hydrant,
 - (v) on a crosswalk,
 - (vi) within six (6) metres of the approach side of a crosswalk,
 - (vii) within six (6) metres of any flashing beacon, stop sign or other traffic control signal located at the side of a roadway.
 - (viii) within six (6) metres either side of the entrance to any hotel, theatre, public meeting place, dance hall, fire hall or playground,
 - (ix) within sixteen (16) metres of the nearest rail of a railway crossing,
 - (x) upon any highway for the principal purpose of, but not limited to, the following:
 - (1) displaying a vehicle for sale,
 - (2) advertising, greasing, painting, wrecking, storing or repairing any vehicle except where repairs are necessitated by an emergency,
 - (3) displaying signs, or
 - (4) selling flowers, fruit, vegetables, sea foods, or other commodities or articles,
 - (xi) alongside or opposite a street excavation or obstruction when stopping, standing or parking tends to obstruct traffic,
 - (xii) on the roadway side of a vehicle stopped or parked at the edge or curb of a street,
 - (xiii) upon a bridge or other elevated structure upon a highway or within a highway tunnel,

- (xiv) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking is there prohibited or restricted,
- (xv) in such a manner as to obstruct the visibility of any standard traffic sign erected by or with the authority of the Province or the Director of Operations,
- (xvi) in any lane in such a position or manner as to obstruct the free movement of vehicular traffic,
- (xvii) in any space or area where the adjacent curb, sidewalk or road surface has been painted or marked with a solid yellow line,
- (xviii) anywhere within the public park, surrounded by Wallace Street, Fourth Avenue, Park Street, and Third Avenue,
- (xix) in any area designated in Schedule “G” of this bylaw and marked by an appropriate sign or curb paint as a no parking area,
- (xx) No person shall move a vehicle that is not lawfully under his/her control into any of the places mentioned in the preceding subsection.
- (xxi) No person shall stop, stand, or park (AM #1341)
 - (1) A commercial vehicles, (except passenger cars), in any residential area (RS-1, RS-1S, RS-1T, RS-2, RT-1, RM-1, RM-2, MHP-1, CHP-1) between the hours of 7:00 pm and 7:00 am the following day;
 - (2) The provision of this bylaw regulating commercial vehicles shall not apply for the purpose of loading or unloading passengers or materials or trucks or equipment required for construction, repair, servicing or maintenance of premises located on the lot when parking during normal working hours; or those commercial vehicles less than 5,000 kg provided such vehicle is not a commercial trailer or vehicle used for the hauling of solid waste, sewage, or hazardous material.

4.12 Parking Restrictions

- (a) No driver of any vehicle, having an overall length, including load and any trailer, of six (6) metres or greater shall park such vehicle in any area marked or designated for angle parking.
- (b) No driver of any vehicle with a camper attached shall park such vehicle in any area marked or designated for angle parking.

- (c) The streets or portions of streets set forth in Schedule “B” attached hereto are designated streets upon which angle parking shall be permitted.
- (d) All other streets or portions of streets not included in Schedule “B” are designated streets upon which parallel parking shall be permitted.
- (e) Except where authorized by law, it shall be unlawful for the driver of any vehicle to park such vehicle on any street designated for angle parking, other than at an angle of forty-five (45) degrees to the curb, or parallel to and between guiding lines, when painted on the pavement of the street, and in both cases with the right front wheel of such vehicle against the curb.
- (f) Except where authorized by law, it shall be unlawful for the driver of any vehicle to park such vehicle on any street not designated for angle parking other than parallel to and within twelve (12) inches of the curb-line or curb of such street.
- (g)
 - (i) The locations specified in Schedule “C” to this bylaw are designated loading zones.
 - (ii) The Director of Operations shall indicate such loading zones by clearly lettered signs bearing the words “Loading Zone”.
 - (iii) No person shall stop or park any vehicle in a loading zone for any time longer than is necessary to load or unload passengers or goods in an expeditious manner and, in any event for no longer than five minutes in the case of passenger vehicles and thirty minutes in the case of trucks.
- (h) No driver of any vehicle shall stop or park a vehicle in any lane, except while actually engaged in the loading or unloading of passengers or materials.

4.13 Timed Parking

- (a)
 - (i) The streets or portions of streets named in Schedule “D” to this bylaw are designated as two-hour parking areas between the hours of 8:00 a.m. and 6:00 p.m.
 - (ii) No person having the control of any vehicle shall park the same or allow the same to be parked for more than two hours in any two-hour parking area.
- (b)
 - (i) The streets of portions of streets named in Schedule “E” to this bylaw are designated as fifteen minute parking areas between the hours of 8:00 a.m. and 6:00 p.m.

- (ii) No person having control of any vehicle shall park the same or allow the same to be parked for more than fifteen minutes in any fifteen minute parking area.
- (c) (i) The streets or portions of streets named in Schedule “F” attached hereto and forming part of this bylaw are designated as no parking areas for commercial and recreational vehicles and trailers over six metres in length between the hours of 8:00 p.m. and 6:00 a.m.
- (ii) No person having control of any commercial or recreational vehicle or trailer over six metres in length shall park same or allow same to be parked in the no parking areas designated in Schedule “F” between the hours of 8:00 p.m. and 6:00 a.m.
- (d) (i) The streets or portions of streets named in Schedule “G” attached hereto and forming part of this bylaw are designated as no parking areas for vehicles between the hours of 8:00 p.m. and 6:00 a.m.
- (ii) No person having control of any vehicle shall park same or allow same to be parked in the no parking areas designated in Schedule “G” between the hours of 8:00 p.m. and 6:00 a.m.
- (e) The Director of Operations shall erect suitable signs in the scheduled no parking areas setting out the hours and days in which the no parking restrictions apply.

4.14 Parking Violations

It shall be the duty of any Bylaw Enforcement Officer or other person appointed pursuant to the provisions of this bylaw,

- (a) to record:
 - (i) the location of the parking space where a vehicle has been parked in violation of any of the provisions of this bylaw;
 - (ii) the license number, the make, and colour of the vehicle;
 - (iii) the time at which such vehicle is parked in violation of any of the provisions of this bylaw;
 - (iv) any other facts which may be necessary to understand the circumstances regarding the violation;
- (b) to attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this bylaw and instructing such owner or operator to report at the District of Hope office in regard to such violation. No person other than the owner or operator of

a vehicle shall remove any notice placed thereon or affixed thereto by any Peace Officer, Bylaw Enforcement Officer and,

- (c) to take a vehicle into custody as provided in Section 4.19 of this bylaw if it is determined that the vehicle has been parked in violation a second time and payment of an initial fine has not been made after reasonable notification to the owner thereof.

4.15 Payment

- (a) Each owner or operator shall pay to the District of Hope as a penalty for and in full satisfaction of such violation notice attached to his/her vehicle, the penalty fee as set forth in the District's Bylaw Enforcement Notice Bylaw or Municipal Ticket Information Bylaw. Failure by an owner or operator to make such payment shall render the owner or operator subject to the penalties hereinafter provided for violation of the provisions of this bylaw. Where there is a violation by any person, whether known or unknown, of the provisions of this bylaw, the person licensed as the owner of the motor vehicle shall be deemed to be guilty of such violation and shall incur the penalties provided therefore. Nothing in this section shall relieve from liability the person by whom the violation was, in fact, committed.

4.16 Courtesy Cards

The Bylaw Enforcement Officer may attach courtesy cards to vehicles of tourists that are parked in violation of the provisions of this bylaw.

4.17 Parking Exemptions

- (a) The provisions of this bylaw regulating the parking of vehicles shall not apply to any emergency vehicle while attending 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.
- (b) The provisions of this bylaw prohibiting the parking or stopping shall not apply to Municipal or Provincial utility vehicles, vehicles of a public utility corporation, or wrecking vehicles while such vehicles are actually engaged in works of necessity requiring them to be stopped or parked in contravention of any of such provisions.
- (c) The Council may, by resolution, exempt any class of vehicles from such provisions of this bylaw relating to parking and stopping as Council may deem fit and under such conditions as Council may impose and may provide for the identification of such vehicles so exempted. No person shall display on any vehicle any identification card or sticker purporting to provide for such exemption unless such card or sticker has been duly authorized by Council.

- (d) Should an accident occur to any vehicle upon a street, the person in charge thereof shall forthwith, after receiving permission from a Peace Officer, Bylaw Enforcement Officer, move the vehicle to the side of the street out of the line of traffic until arrangements can be made for its removal from the street. Should it be necessary for such vehicle to remain at the side of the street during the hours of darkness, any person in charge thereof shall maintain a clearly visible red light or reflective device at each end of the vehicle. The person in charge of such vehicle shall cause the same to be removed from the street in any event not later than twenty-four (24) hours after the accident.
- (e) The person in charge of any wrecked or damaged vehicle shall, remove or cause to be removed from the street all glass, debris and other material resulting from the wreck or damage.

4.18 Prohibitions to Permit Ice and Snow Removal

The Director of Operations is hereby authorized, whenever in his/her opinion such action is necessary to facilitate snow removal from any street or streets, to prohibit the stopping or parking of any vehicle on any street or portion thereof and to erect temporary signs accordingly. Any person in charge of any vehicle which stops or parks such vehicle contrary to the directions of any such signs shall be guilty of an offence against this bylaw.

4.19 Powers to Impound Vehicles

- (a) When a vehicle is stopped or parked:
 - (i) in contravention of Sections 4.11, 4.12 and 4.13 of this bylaw, or
 - (ii) in a position that causes it to interfere with removal of snow from a highway by a person authorized to do so by the Province or the Director of Operations, or
 - (iii) in a position that causes it to interfere with fire fighting, or
 - (iv) in a position that causes it to interfere with the normal flow of traffic on a highway, or
 - (v) in a position that causes it to interfere with the construction, improvement, alteration, extension, widening, marking, or repair of a highway, a Peace Officer or Bylaw Enforcement Officer may cause the vehicle to be towed, or require the driver or person in charge of the vehicle to move it to a position determined by the Peace Officer or Bylaw Enforcement Officer.
- (b) When an unattended vehicle is parked or stopped in contravention of any provision of this bylaw or any Act of the Legislature, or any regulations under such Act, a Peace Officer or Bylaw Enforcement Officer may

impound the vehicle and cause it to be taken to and stored in a safe and suitable place.

- (c) All costs and charges for the removal, care, or storage of a motor vehicle removed under this section shall be paid by the owner of the motor vehicle, and shall be a lien thereon in favour of the keeper of any repair shop, garage, or storage place in which that motor vehicle is stored, and the same may be enforced by the keeper in the manner provided by the *Repairers' Lien Act* or the *Warehouse Lien Act*.

5. EXTRAORDINARY TRAFFIC (AM#1307)

- 5.1 When, in the opinion of the Director of Operations, any highway is liable to damage through extraordinary traffic thereon, the Director of Operations may regulate, limit or prohibit the use of such highway by any person operating or in charge of the extraordinary traffic, or owning the goods carried thereby or the vehicles used therein. Subject to any agreement for the payment of compensation in respect of damage or expense which may be caused by the extraordinary traffic, every person driving on or using the highway in contravention of such regulation, limitation or prohibition shall be guilty of an offence against this bylaw.

6.0 USE OF HIGHWAYS (AM#1307)

6.1 No Structures Allowed Without Permission

No person shall construct, place or maintain, or cause to be constructed, placed or maintained, any structure or thing in, upon or over any highway except as otherwise provided in the bylaw unless that person holds a valid and subsisting written permit which has been granted to him under authority of this or some other bylaw of the District.

6.2 No Waste Matter Allowed on Streets

No person shall place or deposit, or cause to be placed or deposited, any goods, waste, matter, debris, dirt, mud, dust, garbage or other thing upon any highway, or allow any goods, waste matter, garbage or other thing to fall, flow or drift onto any highway from any premises owned or occupied by him or allow any substance or thing to fall upon any highway from any vehicle or following an accident, allow any substance or thing to remain upon any highway longer than is necessary to remove, or to make arrangements for the removal thereof.

6.3 For Normal Use Only Unless Otherwise Permitted

- (a) Except as herein provided to the contrary, no person shall use any highway for the purpose of performing any work or doing any act not associated with the normal use of any such highway for traffic purposes, and without limiting the generality of the foregoing, no person shall wash, service, or do any work to any vehicle upon any street except for the purpose of

carrying out such temporary repairs as are necessary for the removal of a disabled vehicle from any street.

- (b) No person shall cut, saw, break, split or deal with any firewood, lumber, blocks, rocks, stones, or bricks or other material on any highway unless authorized to do so by the, Director of Operations, Peace Officer, or a Bylaw Enforcement Officer.
- (c) No person shall deposit , push, pile or place any debris, snow, ice or other material on any highway, and should any such material be so placed in contravention of this section, the Director of Operations may remove the same or cause the same to be removed. The cost of such removal shall be charged to the person at fault and the District may recover the same from such person in any Court of competent jurisdiction.
- (d) No person shall use any highway for the purpose of storing any material or substance except with the written permission of the Director of Operations.

6.4 Streets Not To Be Used For Display

No person shall engage in selling or displaying any article or thing on any highway except with the written permission of the Director of Operations.

6.5 Permission To Excavate Streets

No person shall break, tear up or remove or otherwise interfere with any sidewalk, curb or surfacing of any street, or under any street without having first obtained the written permission of the Director of Operations. Any person acting under authority of such permission shall carry out any such works under the direction and supervision of the Director of Operations and shall upon completion of the work, refill and thoroughly consolidate any excavation, and put the street in as good order and repair as it was before the work was done to the satisfaction of the Director of Operations.

6.6 Permission For Sidewalk Crossings

Upon application, the Director of Operations may grant to any person a permit to construct or alter a sidewalk crossing in accordance with the particulars of construction supplied in the application, and the work shall be carried out in compliance therewith to the satisfaction and subject to the direction of the Director of Operations.

6.7 Permission Necessary For Sidewalks or Curbs

No person shall construct or reconstruct any sidewalk, curb or roadway on any street except with the written permission of the Director of Operations.

6.8 Barricades Must Be Provided

The person to whom permission is granted to do any work upon any street shall construct and maintain a good and sufficient fence or other barrier around the work so being done, in such manner as to prevent accidents. That person shall place and maintain upon such barrier suitable and sufficient warning signs and red lights or flares for visibility at night. All work done under such permission, and all precautions taken for the protection of the public, shall be subject to the direction and supervision of the Director of Operations. The person to whom such permission is given shall also indemnify the District against loss or damage by reason of such work and shall give such security therefore as may be required of him by the Director of Operations. No work shall be commenced by such person until security has been provided to the satisfaction of the Director of Operations.

6.9 Trees and Shrubs

No owner or occupier of property adjacent to any street shall permit trees or shrubs on such property to extend over the street at a height of less than three metres above the sidewalk.

6.10 Defacing Sidewalk or Traffic Control Device

No person shall mark or imprint upon, or in any other manner whatsoever, deface any sidewalk or traffic control device in the District, or place thereon any advertising device or sign in any manner whatsoever.

6.11 Tag Days

No person shall hold a tag day or otherwise solicit for donations of money or in kind or for material assistance upon any street except with written permission of Council.

6.12 Conditions of Permits Must Be Complied With

All permits granted under the provisions of this bylaw shall be subject to all the terms and conditions contained in such permit, and it shall be an offence against the provisions of this bylaw for any person to act upon any permit except in compliance with the terms and conditions of such permit.

6.13 All Permits Revocable

All permits granted under any of the provisions of this bylaw shall be revocable by Council, or the Director of Operations. The Director of Operations or RCMP may cancel any permit issued pursuant to the provisions of this bylaw if any of the terms or conditions of the permit or of the provisions of this bylaw are violated by the holder of a permit.

6.14 Removal of Snow from Sidewalks

The owner or occupier of any business premises in the District shall remove all snow and ice from any sidewalk in front or adjacent to such premises not later than 10:00 a.m. of any day except Sunday or statutory holidays. In the event of such owner or occupier failing to remove such snow or ice as herein provided, the District may remove the same at the expense of such owner or occupier; and the District may recover the cost or expense thereof from such owner or occupier in any Court of competent jurisdiction.

7. PENALTIES AND LIMITATION (AM#1307)

- 7.1 Every person who contravenes this bylaw by doing an act that it forbids, or omitting to do an act that it requires to be done, commits an offence against this bylaw and, if convicted of an offence, is liable to a fine of not more than \$2,000.00.

No action or suit shall be brought for a penalty or forfeiture pursuant to this bylaw except within 6 months after the cause of action arises.

8. REPEAL

- 8.1 The Town of Hope Traffic Bylaw No. 463, 1970, and subsequent amendments thereto, are hereby repealed.

READ a first time this 11th day of September, 1995.

READ a second time this 14th day of November, 1995.

READ a third time this 25th day of March, 1996.

ADOPTED this 9th day of April, 1996.

MAYOR

CLERK

SCHEDULE "A" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "A"

SECTION 4.1

Posted Speed Limit

1. The Director of Operations may, by causing a sign to be erected or placed on a highway limiting the rate of speed of motor vehicles or a category of motor vehicles driven or operated on that portion of the highway, increase or decrease a motor vehicle or a category of motor vehicle on that portion of the highway, but the rate of speed shall not be greater than eighty (80) km/h.
2. The rate of speed of motor vehicles shall be limited to 30 km/h between 8:00 a.m. and 5:00 p.m. in all school zones within the District.
3. The rate of speed of motor vehicles shall be limited to 20 km/h in all lanes within the District.
4. The rate of speed of motor vehicles shall be limited to 40 km/h on Wallace Street, from Water Avenue to Sixth Avenue.

SCHEDULE "B" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "B"

SECTION 4.12 (c)

Angle Parking

1. Wallace Street, both sides from Water Avenue to Sixth Avenue.
2. Fraser Avenue, both sides from Park Street to Hudson Bay Street.
3. Third Avenue, west side from Park Street to Hudson Bay Street.
4. Third Avenue, east side from Park Street to Odd Street.
5. Fourth Avenue, both sides from Park Street to Fort Street.
6. Commission Street, both sides from Water Avenue to Third Avenue.
7. Park Street, both sides from Fourth Avenue to Fifth Avenue, plus ten stalls on north side between Fifth and Sixth Avenue.
8. Douglas Street, south side from Water Avenue to lane.

SCHEDULE "C" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "C"

SECTION 4.12 (h) (i)

Loading Zones

SCHEDULE "D" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "D"

SECTION 4.13 (a) (i)

The streets or portions of streets named in this schedule are designated and constituted as two-hour parking areas between the hours of 8:00 a.m. and 6:00 p.m.

1. Wallace Street, both north and south side from Water Avenue to Sixth Avenue
2. Fraser Avenue, west side from Commission Street to Wallace Street
3. Fraser Avenue, east side from 20 metres south of Wallace Street to 35 metres north of Wallace Street.
4. Third Avenue, west side from Commission Street to Fort Street
5. Third Avenue, east side from Fort Street to 30 metres north of Wallace Street
6. Fourth Avenue, east side from Wallace Street to 25 metres north of Wallace Street.
7. Fifth Avenue, both sides from Fort Street to Commission Street
8. Commission Street, both sides from Water Street to Fraser Avenue
9. Commission Street, north side from Fraser Avenue to lane east of Fraser Avenue

SCHEDULE "E" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "E"

SECTION 4.13 (b) (i)

The streets or portions of streets named in this schedule are designated and constituted as fifteen minute parking areas between the hours of 8:00 a.m. and 6:00 p.m. Monday - Friday

1. Fraser Avenue, east side from Commission Street to a point 35 metres south thereof
2. Commission Street, south side from Fraser Avenue to the lane east of Fraser Avenue

SCHEDULE "F" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "F"

SECTION 4.13 (c) (i)

The street(s) or portion(s) of the street(s) named in this schedule are designated and constituted as no parking areas for commercial and recreational vehicles and trailers over twenty (20) feet long, between 8:00 p.m. and 6:00 a.m.

1. Sixth Avenue, east side between Wallace Street and Old Hope Princeton Way
2. Nelson Avenue, east and west sides between Raab Street and Old Hope Princeton Way
3. Park Street, between Third Avenue and Fourth Avenue.
4. Third Avenue, between Wallace Street and Park Street.
5. Fourth Avenue, between Wallace Street and Park Street.
6. Hope Golf and Country Club property, in its entirety. (Lot 1822 and Lot 466. Block A.)
7. Fraser Avenue, from Hudson Bay Street south.
8. Water Avenue, from Hudson Bay Street south.
9. Hudson Bay Street, from Water Avenue to Fraser Avenue.
10. Travel InfoCentre property, in its entirety. (Lot 48, Block 2)
11. The east side of Fraser Avenue, between Park Street and Douglas Street.
12. The east and west sides of Seventh Avenue, between Kawkawa Lake Road and Old Hope-Princeton Way.

SCHEDULE "G" (AM#1307)
attached to and forming
part of Bylaw No. 17/95

SCHEDULE "G"

SECTION 4.13 (d) (i)

The street(s) or portion(s) of the street(s) named in this schedule are designated as no parking areas for vehicles between 8:00 p.m. and 6:00 a.m.

1. Silverview Road, between Flood-Hope Road and Rosewood Avenue
2. Sixth Avenue, west side between Raab Street and Corbett Street