

**DISTRICT OF STEWART**  
**TRAFFIC REGULATION BYLAW No. 995, 2022**

A Bylaw providing for the regulation of traffic on highways in the District of Stewart

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The Council of the District of Stewart in open meeting assembled, enacts as follows:

This Bylaw is divided into seven parts dealing with the following subjects:

Part I	Interpretation
Part II	Application
Part III	Delegation of Powers
Part IV	Regulating Traffic
Part V	Regulating the Use of Highways
Part VI	Extraordinary Traffic
Part VII	Penalties

**Part I - Interpretation**

In this Bylaw, unless the context otherwise requires:

"ALL TERRAIN VEHICLE" has the meaning assigned to it under the Motor Vehicle (All Terrain) Act and includes a snowmobile as defined in the Snowmobile Regulation under the Motor Vehicle (All Terrain) Act

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

"AXLE SPACING" means the distance between the centers of the axles of a vehicle.

"BOULEVARD" means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjoining property or roadway, and includes curbs, sidewalks and ditches.

"BUS" means a motor vehicle which is designed, constructed and used for the transportation of nine (9) passengers or more.

"BYLAW" means this Bylaw and includes Resolutions passed pursuant to it.

"BUS ZONE" means a space on a highway marked by a sign or signs designating it as a space provided for buses to stop for the purpose only of loading and unloading passengers.

"BYLAW ENFORCEMENT OFFICER" means the person duly appointed from time to time as such by the Council and includes a Peace Officer and Police Officer.

"CHATTEL" means any article of movable, personal property

"CHIEF OF POLICE" means the officer in charge of the District of Stewart detachment of the Royal Canadian Mounted Police.

"COMMERCIAL VEHICLE" means a vehicle engaged in carrying or designed to carry goods, wares or merchandise

"COUNCIL" means the Council of the District of Stewart

"CROSSWALK" means:

- (a) Any portion of a roadway at an intersection or elsewhere, distinctly indicated as a pedestrian crossing by signs and lines or other markings on the surface of the roadway; or
- (b) That portion of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway, or within the extension of the lateral lines of the sidewalk on one side of the highway measured from the curb lines or, in the absence of curbs, from the edge of the roadway.

"CURB" means the line of demarcation between the roadway and the boulevard of any highway or, where no boulevard exists on the highway, the lines of demarcation between the roadway and the sidewalk.

"CURB LINE" means the boundary of a curb adjacent to the roadway.

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

"DELIVERY TRUCK" means a vehicle which is used for the purposes of delivering to or collecting from a specific premise within.

"DISTRICT" means the District of Stewart or its geographical area as the context may require.

"MANAGER OF PUBLIC WORKS" means the person duly appointed from time to time by the Council as the Manager of Public Works for the District of Stewart.

"DRIVER" means the person who is driving or in physical control of a vehicle.

"FIRE CHIEF" means the Chief of the Fire Department of the District of Stewart and includes the Local Assistant Fire Commissioner.

"FIRE LANE" means that portion of a highway or parking area restricted to the parking of vehicles for the safe egress of the public, as well as for use by emergency vehicles.

"FIRE ZONE" means that portion of a highway which is contained within the projected extension of the boundaries of any parcel of land upon which a Fire Hall or Fire Station is constructed.

"GROSS AXLE WEIGHT" or "GROSS WEIGHT CARRIED BY A SINGLE AXLE" means the total load transmitted to the road by all axles, the centres of which may be included between two parallel transverse vertical planes extending across the entire width of the vehicle.

"GROSS WEIGHT OF TANDEM AXLES" and "GROSS WEIGHT OF A GROUP OF AXLES" means the sum of the gross axle weights of all the axles comprising the tandem axles of the group of axles, as the case may be.

"GROSS WEIGHT OF A VEHICLE OR COMBINATION OF VEHICLES" means the sum of the individual gross axle weight of all the axles of the vehicle or combination of vehicles.

"HEAVY TRUCK" means a vehicle having a gross vehicle weight in excess of 23,000kg

"HIGHWAY" includes every street and highway over which the District has control within the meaning of the Highway Act, and every road, street, lane or right-of-way designed for use by the general public for the passage of vehicles, and every private place or passage way to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.

"IMPOUND" means the detention of any vehicle by a Peace Officer, Bylaw Enforcement Officer, or Police Officer.

"LANE" means a street which is not designed for general travel and which is used primarily as a means of access to the rear of residences and business establishments.

"LOADING ZONE" means the area on a street designated by this Bylaw for the loading and unloading of goods or passengers.

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

"MUNICIPAL VEHICLE" means any vehicle owned, leased by, or operated for or on behalf of the District of Stewart.

"NO TRUCKS ROUTE" means a portion of a highway, a highway or a series of connected highways, designated by Resolution of Council as a "No Trucks Route" from which heavy trucks are prohibited at all times.

"OVERLOAD" means the number of kilograms derived by subtracting from the actual gross vehicle weight of a commercial vehicle the licenced gross vehicle weight; or the number of kilograms derived by subtracting the weight authorized by this Bylaw to be carried on any one axle or combination of axles of a commercial vehicle, whichever is greater.

"ONE WAY STREET" means a highway or lane designated by Council as one upon which vehicles are allowed to move only in the direction indicated by signs placed on or adjacent thereto.

"OVERSIZE" means the amount derived by subtracting the permissible outside width, height or overall length prescribed under this Bylaw from the actual outside width, height or overall length of a commercial vehicle with its load.

"OWNER" as applied to a vehicle means:

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

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

"PASSENGER ZONE" means the area or space on a highway designated by this Bylaw for the loading and unloading of passengers.

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

"PERSON" includes a corporation, partnership or party and the personal or other legal representatives of a person to whom the context can apply according to the law.

"PERMIT" means a written document issued under this Bylaw.

"PROPERTY LINE" means the dividing line between any private property and the adjoining highway.

"RESIDENTIAL DISTRICT" means those residential zones created by the District of Stewart Zoning Bylaw.

"ROAD OR ROADWAY" means the portion of a highway that is improved, designed, or ordinarily used for vehicular traffic.

"SIDEWALK" means the area between the curb lines or lateral lines of a roadway and the adjacent property lines, that has been improved exclusively for pedestrian use, or any other area designated for pedestrian use exclusively.

"SIDEWALK CROSSING" means that portion of a sidewalk that has been improved or designated for the passage of vehicular traffic.

"STOP, STANDING, OR STOPPED" means:

- (a) When required by this Bylaw, a complete cessation of movement, and
- (b) When prohibited by this Bylaw, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Peace Officer or Traffic Control Device.

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

"TRAFFIC CONTROL DEVICE" means a regulatory or warning sign, signal, line, meter, marking space, barrier or device, placed by authority of Council or by any person duly authorized by Council to exercise such authority.

"TRAFFIC CONTROL SIGNAL" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.

"TRAILER" means a vehicle without motive power that is at any time drawn on a highway by a motor vehicle, except:

- (a) An implement of husbandry,
- (b) A side car attached to a motorcycle, and
- (c) A disabled motor vehicle that is towed by a tow car.

And includes a semi-trailer as defined in the "Commercial Transport Act".

"TRUCK ROUTE" means a portion of a highway, a highway or a series of connected highways, designated by Resolution of Council as a "Truck Route", on which heavy trucks may be present at all times.

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

"WALKWAY" means a path, whether fenced or not, designed for pedestrian use and constructed on its own right-of-way.

## **PART II -APPLICATION**

1. This Bylaw shall apply to all highways within the District of Stewart.
2. This Bylaw shall not apply in respect of the driving or operation of a mechanically propelled chair for a physically disabled person, the use of which is confined to the purpose of which it was designed.
3. The provisions of this Bylaw do not apply to persons, vehicles and other equipment while actually engaged in highway construction or maintenance work upon, under or over the surface of a highway while at the site of the work, but do apply to them when travelling to or from the site of the work.

## **PART III- DELEGATION OF POWERS**

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| Placing of Traffic Control Signals:   | 1. The Manager of Public Works is hereby authorized to place or install or cause to be placed or installed, all traffic control signals duly authorized by Council Resolution.   |
| Regulating Parking for Snow Removal:  | 2. The Manager of Public Works is hereby authorized to place or cause to be placed, control signs to prohibit parking on a highway for snow removal purposes.  |
| Designating One-Way Streets:          | 3. The Manager of Public Works is hereby authorized to install or cause to be installed, signs designating one-way streets, which have been so designated by Resolution of Council.  |
| Establishing Temporary Parking Signs: | 4. The Manager of Public Works and the Chief of Police or either of them are hereby authorized to place or cause to be placed, traffic signs indicating no parking for temporary periods not exceeding thirty (30) days at any one time: |
| At Places of Public Assembly:         | (a) At the entrance to a dance hall, funeral parlour or other place of public assemblage during the period of assembly therein;  |
| Along Parade Route:                   | (b) Upon either or both sides of any highway or portion thereof along the route of a parade or in the vicinity of a large gathering;   |
| Safeguard Traffic:                    | (c) At any location where it is deemed necessary due to special circumstances to facilitate or safeguard traffic;  |
| Construction:                         | (d) In front of any building or structure under construction, alteration, repair or demolition   |
| Parking for Handicapped:              | 5. The Manager of Public Works is hereby empowered to designate for handicapped persons exclusive parking upon highways or to otherwise reserve parking spaces for use by persons other than the general public                          |

## **PART IV- REGULATING TRAFFIC**

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| General Traffic:                                  | 1. Every person shall obey the instructions, regulations or prohibitions contained in or on any traffic control device placed under the provisions of this Bylaw.                 |
| Protection of Roads and Other Municipal Property: | 2. The Council may by Resolution set vehicle and speed restrictions and limitations as deemed necessary from time to time to offer protection to highways and municipal property. |
| Parking Prohibitions:                             | 3. No person shall park or stand a vehicle on a highway:  |
| Intersection:                                     | (a) Within six (6) meters of the imaginary projection of the property line of any intersecting highways, excepting lanes, unless otherwise directed by a traffic sign;            |

Intersecting Lanes:	(b) Within three (3) meters of the imaginary projection of the property line of any intersecting lane;
Crossing:	(c) In front of, or within two (2) meters of the nearest side of a private road or sidewalk crossing;
Hydrant	(d) Within five (5) meters of a fire hydrant, and the five (5) meters shall be measured from a point on the curb or edge of the roadway which is closest to the fire hydrant;
Fire Hall:	(e) Within five (5) meters of the nearest side of the driveway of a fire hall on that side of the street which the fire hall is located and on the opposite side of the street as may be indicated by traffic signs;
Fire Zone:	(f) Within any "fire zone" or "fire lane";
Excavation:	(g) Alongside or opposite any street excavation or obstruction when such stopping would obstruct traffic;
Bus Zone:	(h) Within an area designated by signs as a bus zone:
Obstructing Traffic on Roadway:	(i) In such a manner or under such conditions as to leave available less than three (3) meters of the travelled portion of a roadway, or opposite to, or in such close proximity to another vehicle already stopped on such roadway as to obstruct or unduly restrict the free movement of vehicular traffic on such roadway;
Vehicle Weight:	(j) Weighing more than 18,000 kg. on any highway within or contiguous to any residential zone of the District of Stewart;
Taxi Zone:	(k) On any portion of a highway where traffic signs are erected reserving a portion of that highway for the stopping or parking of any class of vehicle, which may include taxis, or any other class described on the traffic signs;
Lane:	(l) In any lane;
Narrow Roadway:	(m) On the paved portion of a roadway where the pavement is seven (7) meters or less in width;
Near Parked Vehicle:	(n) In such a manner as to block the exit of a vehicle already parked;
Parallel Parking:	(o) Where parking stalls have been marked parallel to any street, otherwise than between the lines or marking indicating the limits of a single stall, except in the case of a vehicle being of greater length than that of a parking stall, in which case such vehicle shall not occupy nor encroach upon more than two (2) stalls;
Angle Parking:	(p) Upon those streets which have been designated for angle parking, otherwise than between the lines or markings indicating the limits of a single stall. The driver of a vehicle shall park at the angle to the curb indicated by such lines or marking and parallel to and between the same and as closed to the curb as practicable;
Vehicle Length:	(q) (i) In a designated angle parking zone where the vehicle and/or trailer exceeds six (6) meters in length; (ii) Vehicles parking in all zones are to be a maximum of 10 meters in length;
Road Works, Snow Clearing, Sanding, etc.:	(r) On any highway to restrict snow clearing or other work considered necessary by Public Works;
Restricted Hours:	(s) On any portion of a highway between the hours of 2:00am and 6:00am in any residential zone in the District or for a longer period of time than that indicated on any traffic control device applicable to that portion of the street where such vehicle is parked, provided however, that this subsection shall not apply on Sundays or on those days other than Easter Monday, which are defined as holidays by the "Interpretation Act";
Boulevards:	(t) The parking or stopping of vehicles, parts or accessories, campers, trailers, or boats is not permitted on any boulevard, sidewalk or any municipal grassed area, or any other area where parking is prohibited under any section of the Bylaw;
Maximum Twenty-Four Hours:	(u) Upon any highway for any continuous period exceeding twenty-four (24) hours;

Loading Zone: (v) In any loading zone unless actually engaged in the loading or unloading of goods or passengers, and then in any event:  
i. In any commercial vehicle loading zone unless the vehicle bears a commercial licence pursuant to the Local Government Act and amendments thereto, and then only for a maximum period of thirty (30) minutes;  
ii. In any passenger zone for a period longer than three (3) minutes, provided however, that the driver of any armoured vehicle used for the purpose of conveying cash and other securities, may stop such vehicle in a passenger zone for the period required to pick up or make delivery of any cash or other securities.

Speed Restrictions: 4. (a) No person shall drive or operate a motor vehicle upon a highway, except a lane, within the District at a greater rate of speed than 50 Km per hour, unless otherwise posted;  
(b) No person shall drive or operate a motor vehicle upon a lane within the District in excess of 10km per hour.

Patrol: 5. (a) the driver of a motor vehicle shall obey the instructions of any person employed on a traffic patrol who directs the stopping of a motor vehicle in order to permit pedestrians to cross the highway

Obstructing Traffic: (b) No driver of a vehicle shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle being operated without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indicating to proceed.

School Zones: 6. (a) Where a portion of a highway is designated as a school or playground zone and appropriately worded signs are erected, no driver shall overtake or pass a vehicle going in the same direction within the zone marked by the school or playground signs, between the hours of 8:00am and 5:00pm on days when school is normally in session.

Parking: (b) No person shall park a vehicle on a highway within 15 meters of an unfenced portion of a school or playground or an opening in a fenced portion of a school or playground on the side adjacent to the school or playground on the side adjacent to the school or playground, except where a specially constructed pick-up area is provided or where the width of the shoulder available for parking is more than 5 meters, vehicles must pull as far off the roadway as possible and park parallel to the roadway, unless parking is restricted by signs.

Crosswalk: (c) No person shall stop, park or pass another vehicle on a highway within school zones commencing 15 meters from the approach side of a marked crosswalk and ending 6 meters from the far side of a marked crosswalk.

7. Other Regulations:

Driving Over Sidewalks and Boulevards: (a) No person shall allow or permit a vehicle to move, drive, run or propel along, over or across any sidewalk, walkway, or boulevard except at:  
i. Lane crossings or sidewalk crossings specially constructed for vehicular traffic;  
ii. Locations for which the Manager of Public Works has granted written permission and then subject only to the conditions contained in such permission. The Manager of Public Works may, as one of the conditions of such permission, require that security be furnished, guaranteeing the replacement of the sidewalk or boulevard to its original condition in case of damage thereto.

Driving Over Curbs: (b) No person shall drive a vehicle over or across any curb within the District unless such curb has been lowered or otherwise constructed or reconstructed to form a suitable crossing. Permission to lower, construct or reconstruct such curb or crossing must first be obtained in writing from the Manager of Public Works. No

planks or other material shall be placed in a gutter or ditch or against a curb within the District for the purpose of making a crossing except as a temporary expedient and with the written permission of the Manager of Public Works. A person desiring to construct works under this section shall furnish to the District, security for the due performance of the works proposed to be constructed to an amount equal to the estimated cost of construction, not to exceed the amount of the Manager of Public Works estimated cost of construction.

- Spillage (c) In the event that any article, substance or material shall, due to any cause, become loose or detached or blow, spill or fall from any vehicle onto any highway in the District, it shall be the duty of the driver of such vehicle forthwith to take all necessary precautions to safeguard traffic and to remove the material from the highway.
- Hospital Quiet Zone: (d) No person operating a vehicle on a highway within 150 meters of a hospital shall sound any horn, siren, or other warning device, except during a time of emergency.
- Splashing of Pedestrians: (e) When water, mud or slush is lying on any highway, the driver of every motor vehicle thereon shall so reduce the speed of his motor vehicle to avoid splashing any pedestrian.
- Trailers Parked: (f) No trailer designed for occupancy by persons or for the carriage of goods and merchandise shall be parked on any highway within the District unless it is attached to a motor vehicle mechanically capable of towing the trailer at all times.
- Living in Trailer: (g) No person shall occupy a trailer as a living quarters while it is parked upon any highway or in any other public place not specifically designated for the parking of trailers.
- Combined Trailer Length: (h) No person shall park upon any highway in any residential zone in the District any combination of vehicles, which shall include the motor vehicle, towing apparatus and trailers, with or without load, in excess of 18 meters in length.
- Racing: (i) No racing contest or other contest between persons or vehicles of any kind or description is permitted on any District highway without the temporary closing of the highway to public traffic and express permission in writing has been obtained from the District

#### 8. Vehicle Characteristics

- Permit Procedure: (a) No heavy truck, 23,000kg or over, either unladen or with load shall drive or operate on highway within any residential zone in the District not designated as "Truck Route". Delivery trucks are exempt from this regulation, but they shall take the shortest possible route off the Truck Route, to and from their destination.
- (b) No person shall operate or drive a vehicle with respect to which a permit has been issued, except in the conformity with the conditions stated therein.
- (c) The owner or driver of a vehicle with respect to which a current permit has been issued shall cause the permit to be carried in the vehicle at all times and produce it to a Peace Officer for inspection upon request.
- (d) Application for permit authorizing a single trip for one vehicle shall be made to the Manager of Public Works prior to any such trips being made.
- (e) A permit authorizing more than one trip for one vehicle which exceeds the limitations of this Bylaw regarding weights, loads and size shall be valid for a period not exceeding one (1) month.

- Indemnity: 9. Before any permit is issued, a bond of indemnity or a copy of an insurance policy to secure payment to the District of the cost of repairing or reconstructing any street or other property of the District damaged by reason of the driving or operating of the vehicle for which the permit is granted. Such bond or insurance policy shall be in

an amount estimated by the Manager of Public Works and the amount shall not exceed the cost of repairing or reconstructing said streets or property.

- Permit Fees: 10. The Manager of Public Works is hereby authorized to charge fees in accordance with the attached schedule.
- Weighting & Inspection: 11. The driver or operator of a vehicle on any highway shall, when required by a Peace Officer:
- i. Drive the vehicle to the place specified by the Peace Officer for the purpose of ascertaining its weight, height, length and other characteristics; or
  - ii. Drive the vehicle to the nearest public or Department of Commercial Transport stationary or portable scales for the purpose of weighing such vehicle and load.
- Securing Load: 12. No person shall drive or operate on any highway:
- i. A vehicle unless it is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway;
  - ii. A vehicle with any load, unless said load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the roadway.
  - iii. No person, being the driver or operator of a vehicle shall in the event that any article, substance or material, due to any cause whatsoever becomes loose or detached or blow, drop, spill or fall from the vehicle onto any street, fail to take all reasonable precautions to safeguard traffic from the consequences thereof or fail to remove such material from such highway.
  - iv. No driver or operator of any vehicle carrying loads of lumber or loads of a similar nature shall transport any loads unless such loads are stripped in conformity with the stripping regulations contained in the General Accident Prevention Regulations of the Workers' Compensation Board.

#### **PART V- REGULATING THE USE OF HIGHWAYS**

- General Regulations: 1. Except as permitted by a Bylaw of the District or under terms and conditions impose the Council:
- Debris from Accident: (a) Any person having driven a vehicle involved in an accident and which has been wrecked or damaged as a result thereof shall be responsible for the removal of any glass or other injurious substance which came to be upon the highway surface as the result of the accident or the removal of the vehicle. The removal may, by necessity, be carried out by an agent or hired person, but the responsibility remains the same.
- Gasoline: (b) Except as authorized in writing by the Manager of Public Works, no person shall drop, or permit to be dropped, any oil, gasoline, or grease or similar substance on any highway in the District.
- Littering: (c) No person shall place, throw or cause to be deposited or to flow upon a

highway or walkway, any noxious, offensive or filthy water or substance or any empty bottle, glass container or any other article, whether broken or intact, or any earth, refuse, debris, derelict motor vehicle or any other thing.

- Cave-Ins: (d) No person owning or occupying property abutting on or contiguous to a highway, shall allow or permit earth, rocks, stone, logs, stumps or other substances or materials to cave, fall, crumble, slide, accumulate or to be otherwise deposited from their property upon the highway, or having been so deposited, to remain there.
- Water Flow: (e) No owner or occupier of any land or premises shall permit any flow of water on or over any highway from any land or premises under his control.
- Effluent: (f) No person shall construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a highway or walkway
- Chattel & Obstructions (g) Unless permitted by the District no person shall place, deposit, or leave upon on in any street or public place any chattel, obstruction or any other thing which is, or is likely, to be a nuisance, cause damage to the street or impede traffic.
- Causing Damage to Highways: 2. Except in the course of construction or maintenance on a highway, whether by the Manager of Public Works or by a public utility company, no person shall:
- Boulevards: (a) Cause damage to a boulevard or to any pole or structure erected or placed on a boulevard.
- Utilities: (b) Cause damage to any underground utility in a highway or public right-of-way.
- Plants: (c) Cause damage to trees, shrubs, plants or hedges on or over a highway.
- Fences: (d) Cause damage to a fence adjacent to a highway, sidewalk, or walkway.
- Defacing: (e) Mark, imprint or deface in any manner whatsoever, a highway, sign or structure on a highway or walkway.
- Work on Highway Structures: 3. Except as authorized in writing by the Manager of Public Works, no person shall:
- (a) Build, construct, place or maintain, or cause to be built, constructed, placed or maintained in, upon or over any highway or lane, any structure, sign, building, fence or thing other than a temporary boarding during construction work on adjacent property, or plant any tree, shrub or plant other than grass upon any boulevard.
- Surfaces: (b) Break, tear up, remove or otherwise interfere with any sidewalk, curb or surfacing of any highway or lane, or excavate any highway or lane, or under any highway or lane, or remove trees or timber growing on a highway.
- Crossings: (c) Construct a boulevard crossing, including a curb, ditch or sidewalk crossing.
- Levels: (d) Change the level of a highway whatsoever, or stop the flow of water through any drain, sewer or culvert on or through a highway.
- Improvements: (e) Open up, construct or develop any roadway or boulevard, or improve any roadway or do works of any kind on any highway or lane allowance dedicated for public use by any plan, bylaw of the District or notice in the Gazette and under the jurisdiction and control of the District.
- Culverts, Sidewalks and Curb Crossings: 4. Construction on Highway: No person shall construct or install, or cause to be constructed or installed, any access culvert, sidewalk or curb crossing on any highway. Applications for such works shall be made on the appropriate form in the District office
- Construction Equipment on Highways: 5. No person shall interfere in any way with any barrier, lamp, sign or any other device authorized by the District, placed upon any highway at or near any excavation or other work being performed under the authority of the District.

- Obstructing Traffic Crews:
6. No person shall obstruct or interfere with the free flow of traffic or control or detour traffic in any highway or lane, whether by use of signs or flagmen or by barricades or other physical obstruction on the road, provided that this clause shall not apply to:
- (a) A Police Officer acting in the normal course of their duties;
  - (b) A student or adult school patrol acting under the authority of the Public Schools Act or authorized by the Chief of Police;
  - (c) Emergency vehicles or public utility or municipal and highway crews while making repairs or improvements to or on a highway or lane;
  - (d) Vehicles while legally parked on a highway or lane, or while obeying the instructions of a traffic control device or police officer.
- Excavations and Obstructions:
7. No person shall leave any excavation or other obstruction insufficiently fenced or barricaded and marked with warning lights in accordance with the Worker's Compensation Board Regulations.
- Merchandise on Highway:
8. No person shall place or cause or suffer to be placed by any person in his employ or under his control, any merchandise, chattel or wares of any nature on any highway or walkway for the purpose of sale or display, or for any other purpose whatsoever, except in the actual course of receipt or delivery, or to use any portion of any highway or walkway for the purpose of selling any goods, wares or merchandise of any nature or for measuring, packing or unpacking goods, wares or merchandise, unless otherwise authorized in writing by the Manager of Public Work
- Pedestrians:
9. Pedestrians shall have the same rights and duties given under the Motor Vehicle Act and shall also conform to the following regulations:
- Vehicle Right-of Way:
- (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection, shall give the right-of-way to all vehicles upon the roadway.
- Traffic Control device:
- (b) Where a traffic control device such as a crosswalk or signal is provided across a roadway, no pedestrian shall cross the roadway at any place other than at the traffic control device within a distance of one block or 200 meters from that device, whichever is less.
- Buses:
- (c) No person shall start to cross any highway in front of a bus which has stopped to load or unload passengers unless such crossing is made in compliance with traffic control signals, signs or markings, or the direction of a Police Officer. This provision shall not apply where such bus has stopped at its regular terminus.
- Emergency Vehicles:
- (d) Upon an emergency vehicle approaching a pedestrian on a roadway, the pedestrian shall immediately get off and keep off the roadway until such vehicle has passed him or stopped.
- Advertising Devices:
10. (a) No person shall drive or propel along any highway in the District, any vehicle or cycle bearing or carrying any advertising device of a temporary character or loud-speaker or other noise making device unless written permission has first been obtained from the Council
- Sign:
- (b) No person shall carry any advertising device on or along any highway without first having obtained written permission from the Council
- Soliciting:
11. No person shall, upon any highway or sidewalk, hold a tag day, or otherwise solicit for donations of money, or for material assistance, except with written permission from the Council.

- Washing on Highway: 12. No person shall stand or park any vehicle on any highway for the purpose of washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.
- Securing Animals: 13. (a) No person shall leave any horse or other animal upon any highway without being tethered in such manner as to prevent such horse or other animal from running away or from moving onto the roadway in any way or from obstructing any portion of the roadway or sidewalk.
- Tethering to Vehicles: (b) No person shall leave any horse, or other animal attached to any vehicle on any highway without being tethered in such manner as to prevent the horse, or other animal from running away or from moving on the highway in any way so as to obstruct or impede other traffic thereon
- Tethering to Other (c) No person shall tie or fasten any horse or other animal to any traffic Structures: meter, tree, or any object which can be pushed or dragged on a highway
- Banners: 14.(a) No person shall install a sign or banner over a highway without first having received written permission from the Council. Such a sign or banner must be installed at least 4.9 meters above the road surface and shall not remain in place longer than the time limit specified in the permit.
- Signs: (b) No person, other than the Manager of Public Works, or other person or persons authorized by the Council, shall place or maintain signs of any nature in any manner upon a highway or upon highway signs or upon any pole or structure on a highway.
- Duty to Repair: (c) The owner of any sign, awning, canopy or any other structure or thing, any part of which overhangs a highway, shall keep such a sign, awning or canopy, or any other structure or thing in a state of good repair, and if so ordered, he shall repair such sign, awning, canopy or any other structure or thing, in a manner and to the extent satisfactory to the Manager of Public Works.
- Removal of Ticket: 15. No person, other than the owner or operator of a vehicle shall remove any notice placed thereon or affixed thereto by a Peace Officer.
- Parades: 16. Parade or Procession:  
No person shall be a member of, or take part in any parade and no parade shall be held unless:
- Parade Marshall (a) such parade be under the direction or control and in charge of some one person as Marshall or Organizer; and
- Applying for Permission: (b) application therefor has been made in writing to the Council by the Marshall or Organizer at least two weeks before the parade commences, and such application receives the approval of the Manager of Public Works and the Chief of Police.
- Nature of Parade: (c) 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.
- Hour and Route: 17.(a) the Chief of Police shall fix the hour and route of the parade or procession and order the applicant for a permit to publish whatever notices of the parade or procession the Chief of Police deems necessary for the purpose of the diversion of traffic from the route thereof.
- Pedestrians: (b) During any parade or procession, all pedestrians not taking part therein shall remain on the adjoining sidewalks or footpaths.
- Vehicles: (c) No person driving or in charge of any vehicle shall drive through or across any parade or procession at rest or in motion, or in any way obstruct, impede or interfere with any person taking part in the parade.
- Permit: (d) Any permit granted under this section shall be void and of no effect unless the

terms and conditions therein are obeyed.

- Walkways: 18. Regulations Concerning Cycles  
(a) Where a walkway is more than two (2) meters wide, its use by cycles is not prohibited, provided however, that pedestrians shall have the right-of-way at all times.
- Dangerous Riding: (b) No person shall ride a cycle on a highway recklessly or negligently or at a speed or in a manner dangerous to the rider or to the public, or without having at least one hand on the handlebars, or without having both wheels on the roadway at the same time.
- Clinging to Moving Vehicles: (c) It shall be unlawful for any person while riding any cycle, roller skates, toy vehicle, or sleigh, to cling to any vehicle in motion on any highway.
- Maximum Load: (d) No person shall carry on a cycle a load of a greater weight than 25 kg. In addition to the weight of the operator (s), nor shall such load extend to a greater width than the handlebars of the cycle, or to such a height as to obstruct the clear vision in all directions of the rider of the cycle when seated on the seat of the cycle.
- Obstructing Traffic: (e) No person shall leave a cycle in a reclining position on a highway, sidewalk, or any public place where it may be a hazard to vehicles or pedestrians.
- Cycle Stands: (f) Where stands are provided for use by cycles, no person shall leave a cycle on any highway or public place except in an upright position in the cycle stand.
- Double File: (g) No person shall ride any cycle more than two (2) abreast.
19. Snowmobiles  
No person shall drive or operate a snow vehicle or snowmobile on a highway within the District unless he has obtained written permission from the Chief of Police authorizing the operation and subject to the limitation and conditions contained therein.
- Permit for Snowmobiles:
- Closing Highway: 20. When, in the opinion of the Manager of Public Works, Fire Chief of Police, any highway or section thereof is unsafe or unsuitable for traffic, or it is deemed advisable that traffic should be restricted or diverted therefrom, the Manager of Public Works, Fire Chief or Chief of Police may close such highway or section, or restrict or divert traffic, and for that purpose may place lamps, barriers, signboards, notices or other warnings upon such highway or section; and no person shall enter or travel upon such highway or section so closed, or interfere in any way with any lamp, barrier, signboard, notice or other warning.
- Exempt Vehicles: 21. (a) The provisions of this Bylaw regulating the operation, movement, stopping and parking of vehicles shall not apply to any emergency vehicle while it is responding to an emergency call and sounding its siren or while attending any emergency call.  
(b) The provisions of this Bylaw prohibiting stopping or parking shall not apply to:  
i. Municipal or provincial utility service vehicles;  
ii. Service vehicles of a public utility corporation;  
iii. Tow cars, while such vehicles are actually engaged in works of necessity requiring them to be stopped or parked in contravention of any such provision.  
(c) These exceptions shall not excuse the driver of any such vehicle from exercising due and proper care for the safety of other traffic.

**PART VI- EXTRAORDINARY TRAFFIC**

- Permit required
1. A person must obtain an overload or oversize vehicle permit to do any of the following:
    - (a) operate a commercial vehicle on a highway that does not conform to the dimension, load or weight restrictions imposed under this bylaw;
    - (b) cross a highway by an overload vehicle or an oversize vehicle;
    - (c) operate or be in charge of an overload or oversize vehicle on a highway.
- Conditions of permit
2. The Manager of Public Works must issue an overload or oversize vehicle permit to a person if the following conditions are met:
    - (a) the person submits an application for the overload or oversize vehicle permit in the form and manner required by the Manager of Public Works;
    - (b) the person pays the applicable fee under this bylaw;
    - (c) the person provides evidence satisfactory to the Manager of Public Works that:
      - (i) the applicant is insured against all claims for damages for personal injury and property damage which may arise out of or result from the activity covered by the overload or oversize vehicle permit,
      - (ii) the insurance coverage is for at least \$5,000,000 for each occurrence,
      - (iii) the District will be added to the insurance policy as a co-insured, and
      - (iv) the policy will contain a cross-liability clause and provide for 30 days' notice to the District of any termination or material alteration of the policy;
    - (d) the person enters into a written agreement with the District under section 4 of this part; and
    - (e) if in the opinion of the Manager of Public Works a security deposit is required, the person pays a security deposit in an amount sufficient, in the opinion of the Manager of Public Works, to pay the cost to assess, design and repair any damage that may be caused to a highway, public structure or bridge arising from the operation of the vehicle.
- Terms of permit
3. The following are terms and conditions of every overload or oversize vehicle permit:
    - (a) the overload or oversize vehicle permit must be carried in the vehicle at all times when the vehicle is in operation on a highway;
    - (b) the Manager of Public Works may amend, vary, rescind a overload or oversize vehicle permit if, in the opinion of the Manager of Public Works, the operation of the vehicle for which the overload or oversize vehicle permit was issued caused damage to a highway or the vehicle was operated in contravention of this bylaw or the overload or oversize vehicle permit;

- (c) the overload or oversize vehicle permit does not authorize a person to operate a vehicle on a highway in contravention of this bylaw;
- (d) a person must not use the overload or oversize vehicle permit to operate a vehicle other than the vehicle for which the overload or oversize vehicle permit was issued;
- (e) the gross vehicle weight of a vehicle, or a combination of vehicles, must not exceed the safe and practical carrying capacity of the vehicle, the combination of vehicles or component parts of the vehicle;
- (f) a permit holder must inspect the vehicle for which an overload or oversize vehicle permit is issued to ensure that the vehicle is mechanically sound to carry the additional load.

Agreements

- 4. In respect of overload or oversize vehicles, a person, with the approval of the Manager of Public Works, shall enter into an agreement with the District for extraordinary traffic which shall provide for the payment of reasonable compensation to the District for the damage to a highway or the resulting expense to the District which may, in the opinion of the Manager of Public Works, be caused by the overload or oversize vehicle.

Prohibition or penalties

- 5. A prohibition or a penalty for an overload or oversize vehicle does not apply to a person who enters into an agreement under section 4 provided that person abides by the agreement.

**PART VII- FINES**

1. Violation of Bylaw

Guilty of Infraction:

- (a) Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw or who neglects to do so or refrains from doing anything required to be done by any of the provision of this Bylaw or who does any act which violates any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction thereof and liable to the penalty hereinafter provided.

Fines:

- (b) A person convicted of a violation of this Bylaw shall be liable upon summary conviction to pay a fine not exceeding the sum of Two Thousand Dollars (\$2,000.00).

Notice:

- 2. (a) The Chief of Police and/or the Bylaw Enforcement Officer is hereby authorized to issue a "Municipal Bylaw Ticket Information" (herein called a "Notice"), generally in the form as attached hereto, for any chattel (which includes any motor vehicle) which is found to be in violation of any provision of the Stopping Prohibitions or Parking Prohibitions of this Bylaw or for any alleged violation of this Bylaw.
- (b) An automatic monetary penalty (herein called a "Fine" or "Fines") shall be immediately due and payable to the District of Stewart by the owner of any chattel for which a Notice has been issued or by the person to whom a Notice has been directed.

Impound:

- (c) The location of impoundment shall be as designated from time to time by Council resolution.
- (d) The Bylaw Enforcement Officer may remove, detain or impound

any chattel or obstruction which occupies any portion of a public place or highway in violation of this bylaw. The owner of such chattel or obstruction shall pay all fees, costs and expenses thereby incurred by the District within thirty (30) days of the date upon which expenses are incurred. Failure by the owner to so pay within the time provided herein shall result in the sale of the chattel or obstruction at public auction and the application of the proceeds of sale to paying all such fees, costs and expenses, including all costs of conducting the said sale.

Failure to Pay:

- (e) If the owner of the chattel or obstruction of the person charged with the violation fails to pay the appropriate fine to the District within thirty (30) days of the issuance of the Notice, such owner shall be in violation of the bylaw and penalty sections herein shall apply.

This bylaw may be cited for all purposes as the "District of Stewart Traffic Regulation Bylaw No. 995, 2022".

### REPEAL

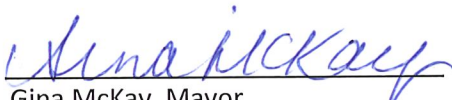
Upon adoption of this bylaw, "District of Stewart Traffic Regulation Bylaw No. 966,2020" is hereby repealed.

**READ A FIRST TIME** this 14<sup>th</sup> day of March, 2022.

**READ A SECOND TIME** this 14<sup>th</sup> day of March, 2022.

**READ A THIRD TIME** this 14<sup>th</sup> day of March, 2022.

**ADOPTED** this 28<sup>th</sup> day of March, 2022.

  
Gina McKay, Mayor

  
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Tammy McKeown, Corporate Officer