



Traffic Bylaw 650

CONSOLIDATED FOR PUBLIC CONVENIENCE

(Includes updates to May 2021)

The text of Traffic Bylaw 650 has been amended by the following:

<i>Traffic Control Amendment Bylaw No. 1025, 2002</i>	
<i>Traffic Amendment Bylaw 1283</i>	
<i>Bylaw 650.01 Adopted February 27, 2017</i>	<i>Adding Section 15(j), Amending Section 22(c)(iii)</i>
<i>Bylaw 650.02 Adopted May 25, 2021</i>	<i>Adding definitions for recreational vehicle, trailer, and vehicle. Amending Section 15(g), Adding Section 15(k) and 15(l)</i>
<i>Bylaw 650.03 Adopted January , 2023</i>	<i>Replacing Section 22 (a) of (Part 5 – Regulation of Traffic)</i>

TOWN OF OLIVER
BYLAW No. 650

A bylaw to regulate traffic and street use within the boundaries of the Town of Oliver

WHEREAS Pursuant to the *Motor Vehicle Act* R.S.B.C. 1979 C.288, and pursuant to the *Municipal Act* R.S.B.C. 1979 C.290, Council is authorized to regulate traffic and the use of streets within the Town;

NOW THEREFORE, the municipal council of the Corporation of the Town of Oliver, in open meeting assembled, ENACTS AS FOLLOWS:

PART 1 -- CITATION

1. This Bylaw may be cited for all purposes as "Traffic Bylaw No. 650, 1992."

PART 2 -- DEFINITIONS

2. Words and phrases defined in the *Motor Vehicle Act* shall have the same meaning in this bylaw, unless otherwise defined in this Bylaw.
3. In this Bylaw:

"Angle Parking" means the parking of a vehicle other than parallel to the curb or lateral boundary of a roadway.

"Arterial Highway" means an arterial highway as defined in the *Highway Act*

"Boulevard Tree" means any ornamental or shade tree growing such that its trunk is wholly or partly on a boulevard or within one metre of any street, but shall not include trees grown by private individuals for the production of edible fruit.

"Driveway" means any curbing, paving, culvert, grading or other physical improvement installed across a boulevard to facilitate access between a roadway and the adjacent property.

"Clearance Area" means a polygon formed by two or more white lines painted on a roadway and the edge of the roadway, such area being defined for the purpose of prohibiting stopping or standing of vehicles.

"Commercial Loading Zone" means a section of street designated by one or more traffic control devices for loading or unloading exclusively by commercial vehicles.

"Commercial Property" means any real property used in whole or in part for commercial or industrial purposes.

"Council" means the municipal council of the Town.

"Curb" means the vertical or rising portion of a portland cement concrete structure delineating the outside edge of a paved roadway and shall include the edge of a sidewalk closest to the roadway on streets where there is pavement extending to within 30 centimetres of the sidewalk.

"Disabled Parking Zone" means a parking zone identified by the disabled parking sign referred to in Schedule 2 of Division 23 of the Regulations.

"Disabled Parking Permit" means a permit issued under Division 38 of the Regulations.

"Lane" means any street not exceeding eight metres (8m) in width between property lines.

"Loading Zone" means a section of street designated by one or more traffic control devices for loading or unloading.

"Ministry" means the Minister of Transportation and Highways or his duly appointed designate.

"Passenger Zone" means a section of street designated by one or more traffic control devices for loading or unloading of passengers.

"Parade" means any procession of more than thirty pedestrians or more than ten vehicles or more than 10 cycles standing or travelling as a group on any street and shall include a special community event which obstructs movement of traffic on a street but shall not include a funeral procession.

"Recreational Vehicle" means a transportable conveyance intended as a temporary accommodation for travel, vacation, or recreational use and includes motorhomes, travel trailers, motorized homes, slide-in campers, chassis-mounted campers and tent trailers.

"Residential Area" means any area zoned residential in the applicable Zoning Bylaw of the Town in force and shall include streets abutting such zones, and where the zone is different on the two sides of the street, the dividing line shall be taken as the centre line of the street.

"Regulations" means the Motor Vehicle Act Regulations, B.C. Reg. 26/58.

"Roller-skates" means a pair of boots or clamps securely attached to each foot which have affixed to them any number of wheels, and shall specifically not include boards with any number of wheels which are ridden by standing on and are not securely attached to a person's feet.

By Amendment 650.02
Adopted May 25, 2021

"Street" means every road, highway, alley, lane, pedestrian walkway right-of-way or other corridor designed or intended for public use in the movement of any traffic, whether such corridor is physically developed or not, and shall extend to the lateral property lines of such corridor, including all roadways, sidewalks, boulevards or other features constructed therein.

"Superintendent" means the Operations Manager of the Town or the Public Works Superintendent of the Town.

"Town" means the Corporation to the Town of Oliver or the area within the boundaries of the Town of Oliver as the context may require.

By Amendment 650.02
Adopted May 25, 2021

"Trailer" means a vehicle without motive power designed to be drawn by or used in conjunction with a motor vehicle. This includes semi-trailers, utility trailers, and trailers carrying boats, all-terrain vehicles and snowmobiles.

By Amendment 650.02
Adopted May 25, 2021

"Vehicle" means a device in, upon, or by which a person or thing is or may be transported or drawn upon a highway. This includes recreational vehicles or trailers.

PART 3 -- DELEGATION OF POWERS

4. The Superintendent is hereby authorized to order the placement or erection of traffic control devices at such locations in the Town as he deems appropriate to regulate or control the following matters, and by those orders exercise the various powers of the Town under this Bylaw, provided however, that on an arterial highway, the Superintendent shall not erect or place any traffic control device that is contrary to an order issued by the Ministry.
- (a) regulation, control, or prohibition of pedestrian traffic, ridden, herded or driven animals, vehicular traffic and cycle traffic on sidewalks, walkways, boulevards, lanes and roadways;
 - (b) regulation, control, or prohibition of the stopping, standing or parking of vehicles;
 - (c) setting apart or allotting portions of streets adjacent to Federal, Provincial or Municipal buildings for the exclusive use of officials and officers engaged therein for the purpose of parking of vehicles or regulation of such parking;
 - (d) establishment and use of loading, commercial and passenger zones and designation of such zones;
 - (e) prohibition, regulation or control of pedestrian traffic on streets other than at crosswalks;
 - (f) prohibition, regulation or control of traffic on a street in the vicinity of construction,

reconstruction, widening, repair, marking or other work is being carried out; and

5. The Superintendent may rescind, revoke, amend or vary an order made by him under this section.
6. The Superintendent may place or erect traffic control devices to give effect to any provision of this bylaw or any resolution of Council.
7. Any vehicle unlawfully occupying any portion of a street or public place may be removed, detained or impounded by order of the Superintendent or a Bylaw Enforcement Officer. A removal fee of \$50.00 and an impoundment fee of \$10.00 for each day or part of a day for which the vehicle is impounded shall be paid by the owner before release of the vehicle and such fees may be recovered by sale of the vehicle at public auction not less than 30 days after the date of impoundment, or by action in a court of competent jurisdiction.
8. Reserved for future use.
9. Reserved for future use.
10. Reserved for future use.

PART 4 -- STOPPING AND PARKING REGULATIONS

11. The provisions of this Bylaw prohibiting stopping, standing or parking shall not apply to:
 - (a) emergency vehicles;
 - (b) municipal vehicles;
 - (c) provincial, federal or public utility service vehicles when engaged in work which requires the vehicles to stop, stand or park in a manner contrary to this Bylaw;
 - (d) tow trucks while such vehicles are engaged in work requiring them to be stopped or parked in a manner contrary to this Bylaw, provided that this exemption shall not relieve the operators of such vehicles from taking due precautions to indicate the presence of such vehicles on the street while so stopped; or
 - (e) any vehicle stopped or parked on the highway while being repaired where that repair is necessitated by an emergency, provided that this exemption shall not relieve the operators of such vehicles from taking due precautions to indicate the presence of such vehicles on the street while so stopped, and provided that where such a vehicle is stopped in a manner which obstructs traffic or poses a risk to other traffic, the owner or operator of such vehicle shall immediately arrange for the removal of such vehicles;

12. No person shall stop or stand a vehicle on any street:

- (a) wherever prohibited by a traffic control device;
- (b) on the roadway side of any vehicle stopped or parked at the edge or curb of a roadway;
- (c) in an intersection with a lane or within two metres (2m) of the nearest property line of an intersecting lane;
- (d) in front of or within two meters (2m) of any driveway;
- (e) on or within six meters (6m) of a painted crosswalk;
- (f) in front of or within five meters (5m) of a fire hydrant measured either side from a point at the curb or edge of roadway closest to the hydrant;
- (g) other than parallel to the edge of roadway, and facing the direction of traffic unless angle parking is specified by signs or lines painted on the roadway;
- (h) in an area of street designated for angle parking if the vehicle or combination of vehicles is over six (6) metres in length;
- (i) with wheels located further than three tenths of a metre (0.3m) from a curb where a curb exists;
- (j) in a manner which will interfere with the free passage of traffic;
- (k) in a manner such that any part of the vehicle is located on or overhanging above a clearance area painted on a roadway;
- (l) either partly or entirely within the travelled portion of a roadway as indicated by white shoulder lines painted on the roadway where such lines exist;
- (m) on a sidewalk or on a boulevard where a curb exists;
- (n) within a commercial loading zone, except that this subsection shall not apply to commercial vehicles and that this subsection shall not apply in general between the hours of 6:00 pm and 9:00 am of the following day and on those holidays other than Easter Monday, which are defined in the *Interpretation Act*; or
- (o) in a disabled parking zone without a disabled parking permit that is displayed on the dashboard or the inside rear view mirror of that vehicle and which is clearly visible inside the vehicle by any person looking through the vehicle's front windshield, or unless the vehicle is being actively loaded or unloaded with a physically disabled passenger, provided however, that if a vehicle is parked in a disabled parking zone to load or unload a disabled passenger and does not

display a valid disabled parking permit, it shall not remain stopped for longer than 5 minutes.

13. No person shall stop or stand a vehicle on a street other than a lane:

- (a) inside any intersection with another street other than a lane, or within six metres (6m) of the nearest property line of any intersecting street other than a lane.

14. No person shall stop or stand a vehicle on a lane:

- (a) inside any intersection with another street, or within two metres (2m) of the nearest property line of any intersecting street;
- (b) on either side of a lane abutting commercial property except while actually engaged in loading or unloading of passengers or materials;
- (c) in a manner which leaves less than three metres (3m) of unobstructed roadway or which will interfere with the free passage of other vehicles;

15. No person shall park a vehicle on any street:

- (a) wherever or whenever prohibited by a traffic control device;
- (b) in a manner such that any part of the vehicle is located on or overhanging above a line painted on a roadway delineating separate parking stalls;
- (c) for a period of time exceeding the posted time limit on a traffic control device except that this subsection shall not apply between the hours of 6:00 pm and 9:00 am of the following day and on those holidays other than Easter Monday, which are defined in the *Interpretation Act*, unless specified otherwise by a traffic control device;
- (d) For the purpose of calculating time in subsection (c) of this section, a vehicle shall be considered continuously parked unless it is moved from its parking space and not returned to the same side of the street in the same block for a period equal or greater than the posted time limit;
- (e) in a loading zone or commercial loading zone other than for the purpose of and while actually engaged in loading or unloading, and in any event not for a period exceeding 30 minutes except that this subsection shall not apply between the hours of 6:00 pm and 9:00 am of the following day and on those holidays other than Easter Monday, which are defined in the *Interpretation Act*, unless specified otherwise by a traffic control device;
- (f) in a passenger zone for a period exceeding five minutes;

By Amendment 650.02
Adopted May 25, 2021

(g) for a continuous period in excess of twenty-four hours unless such vehicle is legally parked by the owner or occupier of real property on a section of street abutting the property he or she owns or occupies. This exemption does not apply to recreational vehicles or trailers.

(h) between the hours of 9:00 pm and 6:00 am of the following day on any street in a residential area, a commercial vehicle in excess of five thousand six hundred kilograms (5,600 kg) licensed gross vehicle weight.

(i) For the purpose of taking up temporary residence or overnight accommodation between the hours of 9:00 pm and 6:00 am. ^{Bylaw 1283}

Amended by
Bylaw 650.01
February 27, 2017

(j) that is leaking excessive amounts of gasoline, engine oil or any other vehicular fluids

By Amendment 650.02
Adopted May 25, 2021

(k) unless such vehicle is displaying a valid number plate licensed for the current year.

By Amendment 650.02
Adopted May 25, 2021

(l) a recreational vehicle, trailer, or any other vehicle which has been detached from the vehicle which is used to draw it.

16. Reserved for future use.

17. Reserved for future use.

18. Reserved for future use.

19. Reserved for future use.

PART 5 -- REGULATION OF TRAFFIC

20. No person shall drive or operate a vehicle upon any lane within the Town at a rate of speed greater than twenty kilometres per hour (20 km/h).

21. No person shall drive or operate a vehicle upon any street other than an arterial highway within the Town contrary to restrictions on vehicle type or weight which council may implement by resolution from time to time.

22. No person shall:

By Amendment 650.03
Adopted January 9, 2023

(a) operate a bicycle, skateboard or electric kick scooter on any sidewalk, crosswalk, walkway or boulevard within the Town except in areas where such use is permitted by a traffic control device, except that this section shall not apply to: ^{Bylaw 1025}

Bylaw 1283

[Traffic Amendment Bylaw 1283](#)

Bylaw 1025

[Traffic Control Amendment Bylaw 1025, 2002](#)

- (i) roller-skates used in a responsible manner, in full control and not interfering with pedestrian traffic;
 - (ii) a wheelchair designed to carry a physically disabled person while it is actually being ridden by a disabled person;
 - (iii) a stroller, baby buggy or other device designed to carry infants and young children while it is being used for its intended purpose; or
 - (iv) a child's tricycle when it is ridden by a child who is under the age of six (6) years.
- (b) stand or loiter or congregate in such a way as to interfere with or disrupt the movement of traffic unless he is participating in a parade or special event for which required permits have been issued as stated in this Bylaw;
- (c) ride, herd or drive any animal on a sidewalk, boulevard or walkway except that this subsection shall not apply to:
- (i) dogs led by a leash;
 - (ii) horses along the Okanagan River Flood Control right of way provided they are not ridden or driven contrary to any traffic control device;
 - (iii) horses along:
 - a. Tucelnuit Drive north of McKinney Road
 - b. Park Drive between Fairview Bridge and Merlot Avenue
 - c. McKinney Road between Park Drive and Tucelnuit Drive
 - d. Fairview Road west of the Okanagan River; provided they are not ridden, herded or driven in a manner which causes any damage to sidewalks or boulevards
- (d) operate on any street, any loudspeaker, instrument or other noisemaking device for the purpose of advertising, unless he has first obtained a written permit from the Superintendent, which permits may only be issued to charitable or non-profit organizations.

Amended by
Bylaw 650.01
February 27, 2017

23. No person:

- (a) shall organize or sponsor a parade or special event on any street, unless he first obtains a written permit for such parade or special event from the Superintendent.
- (b) who is taking part in any parade or special event on any street shall stop, block, disrupt or in any way interfere with traffic unless such action is allowed as a condition of a permit issued under subsection (a) of this section.

24. No person shall drive a vehicle in any parade unless he is a part of the parade nor interfere in any manner with any parade or special event that is being conducted in compliance with a permit issued under section 23 of this Bylaw.

25. No person shall alter, remove or otherwise damage any traffic sign or other traffic control device. ^{Bylaw 1283}
26. Reserved for future use.
27. Reserved for future use.
28. Reserved for future use.

PART 6 -- USE OF STREETS

29. The owner or occupier of any real property within the Town shall perform or arrange for the performance of the following works on their property and on streets abutting their property:
- (a) maintenance of boulevards to include grass, weed control and rubbish removal;
 - (b) irrigation and care of boulevard trees, except that pruning of boulevard trees shall be done by the Town;
 - (c) where the property is a commercial property, remove any snow or ice from adjacent sidewalks by not later than 10:00 am each day;
 - (d) where directed by the Superintendent, cut, trim or remove any tree, shrub, fence, hedge or other item which obstructs the vision of persons using streets adjacent to the property.
30. Notwithstanding the above, no person shall perform or cause to be performed, any of the following without first obtaining written permission from the Superintendent and in the case of an arterial highway, permission from the Ministry:
- (a) alter any grades on any part of any street;
 - (b) construct a driveway on any street;
 - (c) plant or install any landscaping other than grass, turf, flowers, bedding plants or low shrubs on any street;
31. No person shall remove, damage, kill or cut any boulevard tree unless ordered or permitted to do so by the Superintendent.

32. No person shall erect or place any sign, sign board, advertisement, advertising device, either permanent or portable, on any street unless a permit for such placement has first been obtained from the Superintendent, or unless such sign is a temporary or permanent traffic control device installed under authority of this Bylaw.
33. No person shall discard, place, store or display any refuse, garbage, chattel or obstruction on any street other than in compliance with Waste Collection Bylaw No. 411, 1981, as amended or in compliance with a written permit issued by the Superintendent or in compliance with a resolution of Council authorizing special events which involve placement of goods on streets.
34. The Superintendent may issue permits for the placement, storage or display of any chattels or obstructions on over any street if:
- (a) placement of the chattels leaves more than a one and one half metre (1.5 m) wide unobstructed corridor on the sidewalk or boulevard for passage of pedestrians and wheelchairs, except on 97th Street between 356th Avenue and 362nd Avenue, where a minimum two metre (2 m) wide corridor shall be provided.
 - (b) placement of the chattels shall not restrict vehicular or pedestrian traffic and shall not interfere with, or reduce the visibility of any traffic control device, or in appearance possibly be confused with a traffic control device.
35. The Superintendent and the Bylaw Enforcement Officer are each authorized to remove, detain or impound any chattel or obstruction unlawfully occupying any highway or public place.
36. Where any obstruction or chattel impounded under authority of this Bylaw consists of any sign, advertising or guide post, it may be removed and disposed of with no compensation to any person.
37. Any obstruction or chattel not claimed by its owner within thirty (30) days of its impounding may be sold at public auction and the proceeds of such auction sale shall be applied firstly to the costs of the sale, secondly to the fees and expenses of the Town and the balance, if any, shall be held for ninety days from the date of sale for the owner, and if unclaimed by that time, shall be paid into the general operating fund of the town.
38. No obstruction or chattel shall be released until the Town has received payment for:
- (a) any fines and penalties legally due to the Town in respect of the unauthorized use or placement of such chattels on a street; and
 - (b) any fees or storage charges prescribed by resolution of council.

39. The Town, its members of Council, employees, officers or agents shall not be liable for damage to any vehicles or chattels removed, detained or impounded under authority of this Bylaw.
40. No owner or occupier of real property shall place snow or ice from their property onto any paved portion or sidewalk of any Street.^{Bylaw 1283}
41. Reserved for future use.
42. Reserved for future use.
43. Reserved for future use.

PART 6 -- GENERAL

44. If any section, subsection or clause of this Bylaw is held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and shall not effect the validity of the remainder of this Bylaw.
45. Every person who violates any provision of this Bylaw is guilty of an offence and shall be liable on summary conviction to a fine of not more than two thousand dollars (\$2,000.00) plus the cost of prosecution for each offence.
46. Every day or portion of day for which an offence continues shall constitute a new offence, provided however that where an offense consists of leaving a vehicle stopped or parked in excess of a specified time limit, the continuation of an offence beyond each elapsed period of time so specified shall constitute a new offence, and separate charges may be laid for each such time period in which an offence occurs.
47. Oliver Traffic Control Bylaw No. 370, 1979 is hereby repealed.

READ A FIRST TIME, the 13th day of April, 1992.

READ A SECOND TIME, the 27th day of April, 1992.

READ A THIRD TIME, the 11th day of January, 1993.

Approved the 2nd day of December, 1992 by the Minister of Transportation and Highways pursuant to Section 120(8) of the *Motor Vehicle Act*.

RECONSIDERED AND FINALLY PASSED, the 25th day of January, 1993.

"Original Signed by Mayor"

"Original Signed by Clerk"

Mayor

Clerk