

CITY OF ARMSTRONG
TRAFFIC AND PARKING REGULATION BY-LAW
BY-LAW NO. 1370, 1999

**A By-law to Regulate Traffic, Parking and the use of
Highways within the City of Armstrong.**

<p>CONSOLIDATED FOR CONVEINENCE TO INCLUDE: Amended by Bylaw No. 1749, 2014 – Adopted July 14, 2014 Amended by Bylaw No.1823, 2018 – Adopted April 23, 2018.</p>

Whereas the Council of the City of Armstrong is empowered and authorized to regulate the development, management, maintenance, operation, control and use of the City highways and parking facilities; and

Whereas the Council deems it desirable and expedient to provide for such legislation and it's enforcement.

Now Therefore the Council of the City of Armstrong, in the Province of British Columbia, in an open meeting assembled **Hereby Enacts as Follows:**

1. Title

This Bylaw shall be known and cited for all purposes as the "City of Armstrong Traffic and Parking Regulation By-law No. 1370, 1999".

2. Definitions

In this by-law:

Access means a driveway intended for ingress and/or egress to abutting property from a highway.

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

Axle means a structure that is wholly in the same, or approximately the same transverse plane and that is supported by wheels on which, or with which, it revolves.

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Axle Unit means a single, tandem or tridem axle.

Boulevard means that portion of the 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 designed and used for the transportation of more than 10 persons.

Bylaw Enforcement Officer means the person duly appointed by Council to enforce the regulations of this by-law.

Chattel means any fuel, lumber, landscaping material, gravel, debris, merchandise, chattel or ware of any nature.

City means the City of Armstrong.

City Property means all City owned property, parks, open spaces, all road allowances and land easements with all works and appurtenances.

Combination of Vehicles means a combination of vehicles and trailer, or motor vehicle and trailers.

Commercial Motor vehicle means vehicles required by law to obtain a municipal motor vehicle license plate, and any motor vehicle not so licensed which is used for the collection or delivery or both of goods, wares, merchandise and other commodities in the ordinary course of a business undertaking.

Construction may include utility, road and or other works, encompassing but not limited to installation, repair and maintenance. (1823)

Construction Zone – An area of roadway indicated by signage where construction, reconstruction, training, widening, repair, marking or other roadside work is being carried out to regulate or prohibit traffic. (1823)

Council means the municipal Council of the City of Armstrong.

Crosswalk means:

- a) any portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the roadway surface, or
- b) any portion of the roadway at an intersection or elsewhere in the vicinity of a school, distinctly indicated for pedestrian crossing by a Traffic Patrol, or
- c) the portion of the highway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sides of the highway, or within the extension of the lateral lines of the sidewalk on one side of the highway, measured from the curbs,

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or in the absence of curbs, from the edges of the roadway.

Curb means the raised structural element which may be installed at the outside edge of a highway or median parking area.

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

Drive Axle means an axle that is or may be connected to the power source of a towing motor vehicle and transmits tractive power to the wheels.

Driver means any person who drives, operates, propels or who is in the physical control of a motor vehicle and shall be deemed to also include the person in whose name the motor vehicle is registered.

Emergency Motor Vehicle - means any motor vehicle of a fire department, police department or an ambulance service used in the discharge of regular duties.

Farm Vehicle means a commercial vehicle owned and operated by a farmer, rancher, or market gardener, the use of which is confined to purposes connected with his farm, ranch, or market garden, including use for pleasure and is not used in connection with any other business in which the owner may be engaged.

Government Motor Vehicle means a motor vehicle operated by the City, the Province of B.C. or the Government of Canada.

Highway means every highway or boulevard within the meaning of the Highway Act and every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles and every place or passageway to which the public, for the purpose of parking, pedestrian or cycle traffic has access or is invited.

Lane means a highway not exceeding 7.6 metres in width, intended to provide a "secondary access" to parcels of land.

Motor Vehicle means a motor vehicle, except motorized wheel chairs, not run upon rails that is designed to be self-propelled.

Off-Street Parking Facility means any real property owned or leased by the City for the purpose of providing off the street parking.

Owner shall have the meaning given to it by Part 1 of the Municipal Act.

Parade means a procession consisting of pedestrians, cyclists, livestock, domesticated animals and/or vehicles, moving in a group or organised fashion and large enough to require RCMP highway traffic control along any highway, roadway or lane.

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

Pedestrian means a person afoot or an invalid in a wheelchair or other devise designed and used to transport a person with impaired mobility, or a child in a carriage.

Permit means a written document issued pursuant to this by-law.

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 law.

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

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

Tow Away means to mechanically remove a motor vehicle or chattel from it's location by means of a tow truck with a crane or other device.

Tow Away Zone means any area designated by a traffic control device where parking or stopping of a motor vehicle or chattel is unlawful at any time.

Traffic means the flow of vehicles, cycles, herded or ridden animals, pedestrians or any other conveyances, either singly or together, while using a highway for the purposes travel.

Traffic Control Device means a sign, signal, painted marking on the pavement or curb, barricade, parking space, parking meter or any other device placed or erected under the authority of this by-law and/or the Motor Vehicle Act.

Traffic Patrol - means an adult school crossing guard or a school pupil acting as a member of a school patrol where such guards or pupils are provided.

Trailer means:

- a) a trailer, flat deck or platform of any size on wheels, either open or enclosed, used to transport or convey goods,
- b) a boat trailer used to transport a boat, canoes, kayaks, jet skis or the like,
- c) a trailer or 5th wheel used for camping, tenting or any other temporary accommodation,

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that is at any time drawn on a highway by a motorised vehicle except an implement of husbandry; a side car attached to a motorcycle; or a disabled motor vehicle that is being towed.

Tridem Axle means 3 equally spaced consecutive axles, having an axle spread of not less than 2.4 meters nor more than 3.7 meters on semi-trailers or having an axle spread of not less than 2.4 meters nor more than 2.5 meters on pony trailers.

Truck means a motor vehicle, other than a bus, that is either permanently fitted with special equipment or is designed to and normally used to carry a load, and that may operate as a single unit or may pull a full trailer or pony trailer.

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

Yellow Curb means a traffic control device that, in accordance with the regulations pursuant to the Motor Vehicle Act, prohibits the stopping, parking, leaving or standing of any motor vehicle, either attended or unattended.

3. Regulations and Offences Other Than Parking

Except where otherwise directed by a Bylaw Enforcement Officer, **NO PERSON SHALL:**

- 3.1 **Advertisements** - Place any type of advertising material on or deface in any way, any telephone pole, power pole, fence, fire hydrant, traffic control device or other fixture along any highway.
- 3.2 **Backing Up Commercial Motor Vehicle** - Being the driver of a commercial motor vehicle, back up a commercial motor vehicle, having a length greater than 6 meters, in such a manner as to block a roadway or any sidewalk without providing a safety spotter or traffic control person at the rear of the commercial motor vehicle.
- 3.3 **Chattel on Highway** - Place or permit to be placed any fuel, lumber, landscaping material, gravel, debris, merchandise, chattel or ware of any nature on a highway.
- 3.4 **Commands** - Disregard any direction, signal or command made or given by a police officer, bylaw enforcement officer, fireman, construction flagman, ambulance attendant or school traffic patrol.
- 3.5 **Crosswalk Area** - Drive through a crosswalk while the crosswalk is being used by a pedestrian to cross the highway.
- 3.6 **Drag or Skid any Object on Highway** - Drag or skid any object along or over a highway in such a manner that the object damages or may damage the surface of the

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highway.

- 3.7 **Debris Left on Highway** - Leave any glass or other debris from an accident or any material that falls from an unsecured load upon a highway.
- 3.8 **Distribute Leaflets** - Distribute leaflets on any highway by placing them on the windshield of a motor vehicle parked upon the highway.
- 3.9 **Drive within Parks** - Drive a motor vehicle other than a government motor vehicle or utility motor vehicle engaged in work within any municipal park or open space, except upon roadways provided and signed for that purpose.
- 3.10 **Earth, Mud or Rocks on Highway** - Being the owner or occupier of property abutting a highway allow or permit any earth, mud, rocks, stones, logs, stumps or other things to cave, fall, crumble, flow, drift, slide or accumulate or to be tracked or carried from the property onto the highway; or being there, to remain thereon.
- 3.11 **Engine Retardant Brakes** - Use engine valve retardant brakes on any highway.
- 3.12 **Erratic Behaviour** - in areas where a traffic control device allows for roller skates/blades, skate boards, sleighs, skis or other similar means of conveyance along any sidewalk or boulevard, act in an unsafe manner such as:
 - a) weaving in or around pedestrians so as to disturb pedestrian traffic;
 - b) at any speed so as to be unable to stop quickly;
 - c) in groups or in such a way that pedestrian traffic is impeded in any way;
 - d) using objects on or along any sidewalk or boulevard as jumps or to create jumps.
- 3.13 **Exceed 20 km/hr - Lane** - Drive a motor vehicle upon a lane in excess of 20 kilometres per hour unless otherwise indicated by a traffic control device.
- 3.14 **Exceed posted Speed Limit – Construction Zone** – Drive a motor vehicle in excess of the posted speed limit in a zone where a reduced speed limit is posted in an advance distance; by the enacting body performing the works of the construction, thus indicating the construction zone, unless otherwise indicated by a traffic control device. **(1823)**
- 3.14 **Exceed 30 km/hr - School Zone** - Drive a motor vehicle in excess of 30 kilometres per hour in a zone where signs are posted indicating a school zone, unless otherwise indicated by a traffic control device.
- 3.15 **Exceed 50 km/hr - Speed Limit** - Drive a motor vehicle in excess of 50 kilometres per hour on any highway, unless otherwise indicated by a traffic control device.
- 3.16 **Funeral Procession/Parade** - Drive or operate a motor vehicle between the persons or vehicles comprising a funeral procession or parade unless the motor vehicle is part of the funeral procession or parade.

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- 3.17 **Garbage Containers** - Being the owner or occupier of property abutting a highway, allow any garbage containers or other facilities related to garbage collection to be upon any portion of the highway, except as may be specifically permitted in the City's Garbage By-law.
- 3.18 **Litter** - Deposit or leave any litter, bottles, glass, nails, wood, leaves, grass or other refuse upon any highway or City property or allow any horse or dog under their supervision/control to leave any excreta upon any highway or City property.
- 3.19 **Noise Making Devices** - Being the driver of a motor vehicle,
- a) operate any motor vehicle that is not adequately muffled, so as not to exceed a noise level which will distract, or which tends to disturb the quiet enjoyment of the neighbourhood within which the motor vehicle is operating;
 - b) operate from within or upon a motor vehicle any calliope, loudspeaker, or other noise-making device upon the highways;
 - c) operate from within a motor vehicle any stereo system so as to exceed a noise level which will distract, or which tends to disturb the quiet enjoyment of the neighbourhood within which the motor vehicle is operating.
- 3.21 **Obstruct Ditches/Water Flow** - Construct, fill or modify a ditch along or adjacent to any highway that would cause water damage to a highway.
- 3.22 **Obstruct Traffic** - Stand or loiter in such a manner as to obstruct, impede or interfere with traffic on a roadway.
- 3.23 **Open Excavation** - Leave an excavation or other obstruction upon a highway, without sufficient signage, fencing, barricading or marking with warning lights.
- 3.24 **Pass a School Bus** - Being the driver of a motor vehicle, pass a school bus with lights flashing while it is unloading or loading passengers.
- 3.25 **Passing in School Zone** - Overtake and pass another motor vehicle in a designated school or playground zone or at a crosswalk, as indicated by a traffic control device.
- 3.26 **Removal of Notice** - Remove any notice or ticket affixed or placed on a motor vehicle by the Bylaw Enforcement Officer, unless that person is the owner or operator of the motor vehicle.
- 3.27 **Sidewalk or Boulevard** - Drive a motor vehicle or cycle; ride or herd any large animal; or use roller skates/blades, skate boards, sleighs, skis or other similar means of conveyance along or across any sidewalk or boulevard unless otherwise permitted to do so by an applicable traffic control device or without written authorization of the Bylaw Enforcement Officer.

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- 3.28 **Tracked Motor Vehicle** - Operate any tracked motor vehicle on any sidewalk, boulevard, roadway or lane.
- 3.29 **Traffic Control Device** - walk or operate a motor vehicle or cycle contrary to the instructions of an applicable traffic control device erected or applied pursuant to the provisions of this by-law and/or the Motor Vehicle Act.
- 3.30 **Unsecured Load** - Operate upon a roadway a motor vehicle carrying any materials, goods or animals which are not secured in such a manner that the materials, goods or animals are able to fall from the motor vehicle while the motor vehicle is proceeding down the highway.

4. Parking Regulations and Offences

Except when necessary to avoid conflicts with traffic; to comply with directions of the Bylaw Enforcement Officer or traffic control device; or while operating government or emergency vehicles while engaged in their duties; **NO DRIVER SHALL STOP, STAND OR PARK A MOTOR VEHICLE:**

- 4.1 **Angle Parking** - in a designated angle parking space where the length of the motor vehicle and any trailer attached thereto exceeds 6 metres, or occupy more than 1 designated angle parking space.
- 4.2 **Bridge** - upon a bridge except as permitted by the applicable traffic control device.
- 4.3 **Commercial/Farm Motor Vehicle** - being a commercial vehicle, having a gross vehicle weight in excess of 4,536 kilograms, or a farm vehicle on any highway between the hours of 7 p.m. of one day and 8 a.m. of the following day.
- 4.4 **Construction** - alongside or opposite any street excavation, construction and/or repairs.
- 4.5 **Crosswalk** - on a crosswalk or within 6 metres of the approach of a crosswalk
- 4.6 **Distance from the Curb** - more than 30 centimetres from the curb of a roadway, if a curb has been constructed.
- 4.7 **Double Parking** - beside another motor vehicle stopped or parked parallel to the highway.
- 4.8 **Driveway** - in front of a public or private driveway or within 2 metres of the driveway.
- 4.9 **Exit** - within 6 metres on either side of the entrance or exit from a hotel, theatre, firehall, playground or other public meeting place.
- 4.10 **Fire Zone** - in a fire zone designated by a traffic control device, except for emergency vehicles which are in actual use for official duties.

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- 4.11 **Handicapped/Disabled Parking Zone** - in a designated handicapped/disabled parking stall unless displaying a valid Handicapped/Disabled Parking Permit.
- 4.12 **Hydrant** - within 5 metres of a fire hydrant measured from a point on the curb or edge of the roadway which is closest to the fire hydrant.
- 4.13 **Intersection/Stop Sign** - within 20 metres of an intersection and/or stop sign, except as permitted by a traffic control device.
- 4.14 **Lane** - in any lane or within 3 metres of the entrance or exit of any lane, except an attended commercial motor vehicle actually loading or unloading and providing the motor vehicle is so placed as to leave 3 metres of clearance between the commercial motor vehicle and the centre line of the roadway.
- 4.15 **Loading Zone** - in a loading zone designated by a traffic control device unless the motor vehicle is actually in the process of being loaded or unloaded.
- 4.16 **Obstructing Traffic**
- a) Upon a roadway with a centre line except in a designated parking space; (1749)
 - b) Upon a roadway without a centre line in such a manner as to obstruct the free passage of traffic or opposite another parked motor vehicle such that the distance between motor vehicles leaves less than 5.0 meters of travelling surface of roadway.” (1749)
- 4.17 **Obstruct Visibility** - in such a manner as to obstruct the visibility of any traffic control device.
- 4.18 **Overtime Parking** - on a highway where traffic control devices indicate the length of time allowed for parking, in contravention of the length of time indicated on the applicable traffic control device.
- 4.19 **Parking Space** - upon any portion of the highway where traffic control devices consisting of lines painted upon the surface of the highway to designate parking areas except within one such designated space or area.
- 4.20 **Parks, Open Spaces** - within any park except in parking areas provided and signed for that purpose.
- 4.21 **Railroad Crossings** - within 15 metres of the nearest rail of a railway crossing.
- 4.22 **Reserved Parking** - in a space designated by a traffic control device on any highway adjacent to any Federal, Provincial or Municipal public building which is designated as being reserved for the use of officials, unless the operator of the motor vehicle is such an official.

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- 4.23 **Sales** - upon any highway for the principal purpose of:
- a) displaying a motor vehicle for sale,
 - b) advertising, greasing, painting, wrecking or repairing a motor vehicle, except where repairs are of an emergency nature,
 - c) displaying signs
 - d) selling flowers, fruits, vegetables, seafood or other commodities or articles.
- 4.24 **School Ground/Playground** - on a highway abutting a school ground or playground from dawn until dusk unless the school ground or playground is separated from the highway by a fence.
- 4.25 **Sidewalk/Boulevard** - on any sidewalk, boulevard or any portion of a highway that has been improved for the travel of pedestrians or cycles or landscaped and/or treed for visual appearances.
- 4.26 **Taxi or Bus Zone**- in a zone designated by a traffic control device for taxi cabs or buses, unless such motor vehicle is a Taxi or Bus.
- 4.27 **Tow Away Zone** - in a tow away zone designated by a traffic control device.
- 4.28 **Trailers/Motor Homes** -
- c) any trailer on any portion of a highway when not attached to a motor vehicle,
 - d) any trailer or motor home on any portion of any highway, for accommodation purposes.
- 4.29 **24 Hour Parking** - except where a shorter time frame is indicated by a traffic control device, on any highway for a continuous period exceeding twenty-four (24) hours.
- 4.30 **Where Prohibited By Traffic Control Device** - in any place in contravention of a traffic control device that gives notice that stopping, standing or parking is prohibited or restricted in that place.
- 4.31 **Wrong Side/Facing Wrong Direction** - upon a highway, other than on the right side of the highway with the right-hand wheels of the motor vehicle parallel to that side; except where there is provision for angle parking, as signified by the appropriate traffic control device or lines painted on the surface of the highway.

5. Snow and Ice Removal/Street Sweeping

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- 5.1 The City will place a notice in the local newspaper, in the fall of each year, advising local residents that municipal snow removal operations will commence once snow starts to fall and that no parking will be allowed along any highway.
- 5.2 Pursuant to this section, no person shall stop, stand or park a motor vehicle on any highway or boulevard during municipal snow plowing, snow removal, snow hauling or sanding operations. Motor vehicles in contravention of this section will be subject to immediate removal pursuant to Section 8 of this by-law.
- 5.3 The City will place a notice in the local newspaper, in the spring of each year, advising local residents that municipal street sweeping will commence once the snow, slush and/or ice has been removed from the highway and that no parking will be allowed along any highway.
- 5.4 Pursuant to this section, no person shall stop, stand or park a motor vehicle on any highway or boulevard during municipal street sweeping operations. Motor vehicles in contravention of this section will be subject to immediate removal pursuant to Section 8 of this by-law.
- 5.5 No owners or occupiers of real property shall plow, throw, blow or shovel any snow from real property onto or across a highway.
- 5.6 Owners or occupiers of real property shall immediately remove any snow, ice or rubbish from the roof or other part of any structure situated adjacent to, abutting on, or hanging over any portion of a highway if it constitutes a danger to persons using the highway by presenting a threat of falling upon the highway.

6. Municipal Off Street Parking Facilities

- 6.1 The Council may from time to time provide certain off street public parking facilities, at locations approved by Council.
- 6.2 Rates for parking, if established, shall be by Council by-law.
- 6.3 Signs limiting use of off-street parking facilities shall be erected and the Council may set time restrictions and regulations controlling parking.

7. Handicapped/Disabled Parking Permits

- 7.1 Any motor vehicle displaying a handicapped/disabled parking permit, issued by Social Planning and Review Council (SPARC) of B.C. or a member municipality, is authorized to park in a designated Handicapped/ Disabled parking space, but only when that handicapped or disabled person is using the motor vehicle or in attendance.

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- 7.2 The handicapped/disabled parking permit must be displayed inside the motor vehicle while parking in a handicapped/disabled parking stall by suspending it from the rear view mirror or by placing it on the driver's side of the dashboard so that it is in plain view of any person looking through the windshield of the motor vehicle.
- 7.3 No person shall lend or transfer a handicapped/disabled parking permit to another person, whether or not that person is handicapped or disabled.
- 7.4 Use of the handicapped/disabled parking permit contrary to the provisions of this subsection shall render the permit void.

8. Removal and Impoundment of Motor Vehicle, Chattel or Trailers

- 8.1 A Bylaw Enforcement Officer may require the driver or person in charge of a motor vehicle, chattel or trailer to move it or take the motor vehicle, chattel or trailer into custody and have it towed and/or impounded where a motor vehicle, chattel or trailer is:
- a) stopped, standing or parked in violation of the Motor Vehicle Act or this by-law;
 - b) in a position that causes it to interfere with fire-fighting;
 - c) in a position that causes it to interfere with the normal flow of traffic on a highway;
 - d) in a position that causes it to interfere with the construction, improvement, maintenance, alteration, extension, widening, marking, or repair of a highway;
 - e) in a position that causes it to interfere with snow plowing, snow removal, snow hauling, sanding or street sweeping of a highway;
 - f) apparently abandoned on a highway; or
 - g) a motor vehicle or trailer without proper vehicle license plates;
- 8.2 Any motor vehicle, trailer or chattel towed and/or impounded may be released or recovered by presenting proof of ownership and by paying the fines, fees and penalties which may be levied pursuant to the provisions of this by-law and the Municipal Ticketing Information System By-law. The proof of ownership and a receipt must also be presented at the impound or storage yard.
- 8.3 Written notice shall be given by registered mail to the registered owner of the motor vehicle or trailer, as shown on the records of the Registrar of Vehicles, advising him of seizure and impoundment, the sum payable to release the motor vehicle or trailer and the date of advertising for sale by public auction, if unclaimed.
- 8.4 The registered owner shall be responsible for all fees, fines or penalties in respect of the

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10. Highway Uses Requiring a Permit

- 10.1 The following restrictions apply for any highway within the City and except as authorized by a permit issued pursuant to this section of the bylaw **NO PERSON SHALL:**
- a) **Boulevard** - Construct a boulevard crossing, including a curb, ditch or sidewalk crossing.
 - b) **Damage to Boulevards** - Cause damage to, cut down or remove trees, grass, shrubs, plants, bushes and hedges, fences, signs or other things erected, planted or maintained by the City on the highway.
 - c) **Excavations** - Dig up, break or remove any part of any highway; excavate in or under any highway.
 - d) **Structures** - Place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a highway or any portion of a highway.
- 10.1 The Bylaw Enforcement Officer may issue a permit to a public utility company permitting such company, over the calendar year for which the permit is applicable, to carry out such work as may be necessary in the case of an emergency to repair any break or damage to the utility under its control, and subject to the terms of any franchise or other agreement between such utility company and the City.
- 10.2 The Bylaw Enforcement Officer may issue a permit to do any of those things otherwise prohibited in Section 10.1 of this by-law. A permit issued pursuant to this section shall be issued subject to:
- a) Payment of the application fee specified in Schedule A, attached to and forming part of this by-law;
 - b) Construction and maintenance of the said works shall be carried out to the satisfaction of the Bylaw Enforcement Officer;
 - c) Before commencing any work on City property notice in writing of the intention to do so must be given to the Bylaw Enforcement Officer not less than 2 clear working days before the work is to begin;
 - d) Any person or persons appointed by the Bylaw Enforcement Officer to carry out inspections shall have free access to all parts of any work for the purpose of inspecting the same. The Bylaw Enforcement Officer may make such inspections as are reasonably necessary in the enforcement of this bylaw. All inspection costs shall be borne by the applicant.

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- e) The person or persons for whom the works are being constructed, or by whom the works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property caused directly or indirectly by those works, and shall save harmless and indemnify the City from all claims and demands whatsoever in respect of such works.
 - f) The permission granted shall not be construed as being granted for all time, and shall not be deemed to vest in the Applicant any right, title or interest in or to the lands upon which the works are constructed. Should the lands affected at any time be classified as an arterial or primary highway, permission shall become void.
 - g) The permission granted to construct, use and maintain works is granted subject to, and without prejudice to, the provisions of the Highway Act, or any other act governing City lands and public works or their use by the public, and subject to and without prejudice to any City bylaws.
 - h) All works, both surface and underground, carried out in, on, or through any City lands, except the works of any private or public utility company and works completed pursuant to an Highway Encroachment Agreement shall, upon completion, become the property of the City and shall not be further added to, modified, destroyed or removed without obtaining a further permit from the City.
 - i) A permit shall be valid only for the work specified therein, and any alteration or addition to that work shall be covered by a separate permit.
 - j) A permit may be cancelled at the sole discretion of the Bylaw Enforcement Officer without recourse should the applicant fail to comply with all the terms of the permit.
- 10.4 The applicant shall provide 4 complete copies of plans and specifications of the work to be undertaken, and when such plans and specifications are considered satisfactory and are approved by the Bylaw Enforcement Officer and the necessary permit has been issued, the work shall conform in every way to the plans and specifications so provided.
- 10.5 All work carried out under a permit issued pursuant to the provisions of this Section shall conform to good engineering practices, and if the Bylaw Enforcement Officer deems it necessary, designed and certified by a Professional Engineer.
- 10.6 Prior to the issuance of any permit under this Section, the applicant shall deposit with the City, in the form of cash or a certified cheque, an amount sufficient to pay for the cost of repairing any damage likely to be done to the highway, and as security that the obligations imposed by the permit are fulfilled within the time specified in the permit.
- 10.7 Notwithstanding the above, if the sum required to be deposited is greater than \$500.00, the application may deposit with the City an irrevocable letter of credit from a chartered bank in the City's standard form.

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- 10.8 Following completion of the work authorized by a permit, the applicant shall provide satisfactory plans of the works installed by or on behalf of the applicant. Such plans shall be drawn to a scale satisfactory to the Bylaw Enforcement Officer, and shall show the location, size, and description of the works and the date of installation. The plans shall be supplied prior to the return or refund of any deposit or security posted as a condition of issuance of the permit.
- 10.9 Where the applicant fails to repair damage to fulfil such obligations as set out in the permit within the time specified in the permit, the City may carry out such repairs or fulfil such obligations as have not been met under the terms and conditions of the permit, and may deduct the cost thereof from the monies on deposit, or call on the irrevocable letter of credit and pay the costs therefrom. Should there be insufficient monies on deposit or available under the letter of credit, then the applicant shall pay the balance forthwith upon receipt of an invoice from the City and an administration charge of \$25.00 shall be payable in addition to such balance.
- 10.10 Any person doing work on, in, over or under any highway shall provide and place appropriate barricades, lights and other safety devices as may be required to protect the public under the Worker's Compensation Act or regulations, and as may be directed by the Bylaw Enforcement Officer.
- 10.11 Prior to commencing work authorized by a permit, the applicant shall provide evidence satisfactory to the City that he is insured against all claims for damages for personal injury and property damage which may arise out of the performance of the work authorized by the permit, and such insurance shall be in an amount not less than \$2,000,000.00 for each occurrence, and the applicant shall waive all rights of subrogation to the City.
- 10.12 Prior to commencing work authorized by a permit, the applicant shall provide evidence satisfactory to the Bylaw Enforcement Officer that all materials, labour and equipment which will be required to complete the work with reasonable dispatch are available.

11. Motor Vehicle Restrictions

General

- 11.1 The following restrictions apply for any highway within the City and except as authorized by a permit issued pursuant to Sections 11.7 to 11.9 of this by-law, **NO PERSON SHALL DRIVE OR OPERATE ON ANY HIGHWAY:**
- a) **Pneumatic Tires** - A motor vehicle or a horse-drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order.
 - b) **Spikes, Cleats, Other Attachments** - A motor vehicle or a horse-drawn vehicle having wheels, or tracks constructed or equipped with projecting spikes, cleats, ribs,

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clamps, flanges, lugs or other attachments or projections which extend beyond the tread or traction surface of the wheel, tread or track but excluding tire chains of reasonable proportions when required for safety and winter studded tires between October 1 and April 30.

- c) **Uncovered Load** - A motor vehicle with any load unless the load and any covering therein is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner hazardous to other users of the highway.
- d) **Unsecured Load** - A motor vehicle unless so constructed and loaded as to prevent any of its load; from shifting or swaying in such manner as to affect the operation of the motor vehicle; or from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, and water may be sprinkled on the roadway in cleaning or maintaining the roadway.

Size

11.1 The following restrictions apply for any highway within the City and except as authorized by a permit issued pursuant to Sections 11.7 to 11.9 of this by-law, **NO PERSON SHALL DRIVE OR OPERATE ON ANY HIGHWAY:**

- a) A motor vehicle having a height, with or without load in excess of 4.15 metres.
- b) A motor vehicle having a total outside width, with or without load, in excess of 2.6 metres.
- c) A single motor vehicle having an overall length which exceeds 11 metres, except that the overall length may be extended to include the refrigeration or heating unit.
- d) A trailer, the overall length of which exceeds 16.2 metres, except that the overall length may be extended to include the refrigeration or heating unit.
- e) A bus, the overall length of which exceed 12.5 metres.
- f) A combination of vehicles having an overall length, with or without a load in excess of 23 metres.
- g) A combination of three vehicles consisting of a 3 axle tandem drive truck-tractor, semi-trailer and trailer, or a 3-axle tandem drive truck-tractor and two trailers, having an overall length, with or without load, in excess of 22 metres provided that the distance from the kingpin of the first trailer and its load does not exceed 16.75 metres.
- h) A combination of vehicles carrying a load of non-reducible logs, poles or pilings in excess of 21.5 metres.

Weight

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- 11.1 The following restrictions apply for any highway within the City and except as authorized by a permit issued pursuant to Sections 11.7 to 11.9 of this by-law, **NO PERSON SHALL DRIVE OR OPERATE ON ANY HIGHWAY** a motor vehicle or combination of motor vehicles:
- a) having a gross weight on any axle or group of axles, or a gross vehicle weight, in excess of any load limit prescribed by any traffic control device.
 - b) having a gross weight in excess of its licensed gross vehicle weight.
 - c) having a gross weight in excess of its legal axle loading limit.
 - d) having a gross weight in contravention of the Commercial Transport Act.
 - e) when the gross weight on a tire exceeds 100 kilograms per 1 centimetre of tire width in the case of pneumatic tires.
 - f) when the gross axle weight on a steering axle consisting of an axle and two tires exceeds 5500 kilograms.
 - g) when the gross axle weight on a single axle equipped with dual tires on each side exceeds 9100 kilograms.
 - h) when the gross axle weight on a tandem axle consisting of 2 axles and dual tires on both sides of the axle assemblies exceeds 17000 kilograms.
 - i) when the gross axle weight on a tridem axle exceeds 24000 kilograms.
 - j) when the sum of the gross axle weights on an A Train or C Train full trailer exceeds 16000 kilograms.

Weighing

- 11.1 The driver of a motor vehicle shall, when so required by the Bylaw Enforcement Officer:
- a) drive the motor vehicle to the nearest stationary or portable scale designated by the Bylaw Enforcement Officer for the purpose of weighing the vehicle and load.
 - b) rearrange or remove the load from the motor vehicle in order to comply with the provision of this by-law.
- 11.1 It shall be considered an offence under the provisions of this by-law should the driver of the motor vehicle refuse to comply with Section 11.4 of this by-law.

Exceptions

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11.2 This section does not apply:

- a) To an implement of husbandry temporarily operated on a highway during daylight hours.
- b) To a commercial vehicle engaged in construction of and operating within the limits of a highway construction project as established and posted by the Ministry of Transportation and Highways or the City.
- c) To a motor vehicle operated by the Ministry of Transportation and Highways or the City, engaged in road maintenance or snow removal.
- d) Where a traffic control device expressly limits the maximum height, length or width of a motor vehicle or load allowable on a highway or a portion of a highway, including a bridge, the limits prescribed in the traffic control device shall prevail over the preceding Sections headed up Highway Uses Requiring a Permit.

Motor Vehicle Restriction Permit

- 11.1 The Bylaw Enforcement Officer may issue a permit to do any of those things otherwise prohibited in Sections 11.1 to 11.3 of this by-law.
- 11.2 A permit issued pursuant to this Section must be carried in the motor vehicle at all times when operated upon a highway, and be produced at the request of the Bylaw Enforcement Officer.
- 11.3 The Bylaw Enforcement Officer may specify in a permit issued pursuant to this section, the conditions under which the permit was issued, the hours of day during which the permit shall be valid, the date or dates on which the permit shall be valid, and the route which shall be followed.

12. Bonding Against Damage to Highway

- 12.1 Where an applicant for a building permit to be issued under the Building By-law will, in the course of construction authorized by the permit:
 - a) be excavating a foundation or otherwise upon the property;
 - b) be bringing heavy equipment onto the site from the adjacent roadway; or
 - c) be transporting materials from or to the site across a curb or ditch where no boulevard crossing has been constructed;

the Bylaw Enforcement Officer may require the applicant to provide a security deposit by

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way of a certified cheque or cash, an amount sufficient to pay for the cost of repairing any damage likely to be done to the highway, or cleaning up mud or other debris tracked onto the highway.

- 12.1 Return of the security deposit shall occur when all works, including repairs to damaged City property, have been completed to the satisfaction of the Bylaw Enforcement Officer.
- 12.2 Repairs, not completed within seven days of notification of the damage, shall be undertaken by the City, the cost of which shall be deducted from the security deposit.
- 12.3 Should there be insufficient monies on deposit with the City to cover repair or clean up costs, then the registered owner of the land at the time at which payment of these monies becomes due shall be liable for the remaining costs.

13. Commercial Signage, Display, Tables and Chairs or Benches

- 13.1 The following restrictions apply for any sidewalk, boulevard or highway within the City and except as authorized by a permit issued pursuant to Section 13.3 of this by-law, **NO PERSON SHALL:**
 - a) Erect or place any type of signage along any sidewalk, boulevard or highway.
 - b) Place any display table, flower box, shelf, furniture, clothes rack or display of any kind along any sidewalk, boulevard or highway.
 - c) Place any tables, chairs or benches along any sidewalk, boulevard or highway.

Permit

- 13.2 The Bylaw Enforcement Officer may issue a permit to allow those things otherwise prohibited in Section 13.1 of this by-law for applicants located in designated commercial zones of the City.
- 13.3 A permit issued pursuant to this Section shall be issued subject to:
 - a) Payment of the application fee specified in Schedule “A” of this by-law.
 - b) The permit must be available for inspection at all times and be produced at the request of the Bylaw Enforcement Officer.
 - c) A permit shall be valid only for the signage, display, tables and chairs or benches specified therein, and any alteration or addition to the type or amount of signage, display, tables and chairs or benches shall be covered by a separate permit.

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- d) The applicant shall provide a complete set of specifications for the signage, display, tables and chairs or benches, and when such specifications meet the requirements set out in this section and the necessary permit has been issued, the signage, display, tables and chairs or benches shall conform in every way to the specifications so provided.
- e) A permit may be cancelled at the sole discretion of the Bylaw Enforcement Officer should the applicant fail to comply with all the terms of the permit.
- f) The permission granted shall not be construed as being granted for all time, and shall not be deemed to vest in the applicant any right, title or interest in or to the lands upon which the signage, display, tables and chairs or benches is situated.
- g) The person or persons for whom the permit is approved, shall check the placement of signage, display, tables and chairs or benches on a regular basis to ensure compliance with permit requirements.
- h) The person or persons for whom the permit is approved, shall keep the signage, display, tables and chairs or benches maintained and in good condition at all times.
- i) The person or persons for whom the permit is approved, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property caused directly or indirectly by the signage, display, tables and chairs or benches, and shall save harmless and indemnify the City from all claims and demands whatsoever in respect of such signage, display, tables and chairs or benches.
- j) The applicant shall provide evidence satisfactory to the City that he is insured and such insurance shall be in an amount not less than \$2,000,000.00 for each occurrence, and the applicant shall add the City as an additional named insured.
- k) **Signage** - Maximum of one sandwich board sign not to exceed .56 square meters (6 square feet) in area with a maximum outside width of .6 metres will be allowed per real property lot or per 15 linear meters of lot frontage for larger properties with more than one business. The outside measurement shall include any projections, legs, stand or the like. The sandwich board sign shall not be constructed of materials or contain projections that may pose a hazard to pedestrians; shall not be illuminated in any way; and must be lettered, coloured and designed so that it is consistent and is complementary with the building in which the commercial business is being promoted. Temporary signs are not allowed and those businesses that already have a sandwich board sign located on their property and approved pursuant to the Zoning Bylaw will not be eligible for any additional sandwich board sign.
- l) **Displays** - Maximum of one display unit with a maximum width of .6 metres consisting of a table, rack, shelf or the like that displays merchandise available for sale within the commercial business being promoted.

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- m) **Tables and Chairs or Benches** - Tables and chairs or benches that will fit into the area available. Liquor sales are not to be allowed in the outdoor seating area.
 - n) No signage, display, tables and chairs or benches shall be placed on or extend into any travelled portion of any sidewalk or boulevard such that there remains less than 1.2 metres of clearance between the signage, display, tables and chairs and/or benches and the roadway or other obstruction such as garbage containers, telephone poles, or the like, and in addition cannot be placed within the obvious travelled portion of any sidewalk or boulevard and shall not obstruct or impede access to or from parked vehicles.
 - o) No signage, display, tables and chairs or benches shall be allowed when the commercial business being promoted is closed for business.
 - p) The signage, display, tables and chairs or benches being immediately adjacent to the commercial business being promoted.
- 13.4 The Bylaw Enforcement Officer may order the alteration, repainting, tearing down or removal of any sign, display, tables, chairs and/or benches erected or maintained on or over any highway and in exercise of this authority no compensation shall be paid any person for loss or damage.

Traffic Control Devices

14. Placement

The Bylaw Enforcement Office is hereby authorized to order the placing or erection of applicable traffic control devices at the places as he designates for the purpose of giving effect to the requirements of this By-law and the Motor Vehicle Act. Such traffic control devices shall include all signs contained in the Motor Vehicle Act, as amended from time to time, and without limiting the generality of the foregoing, shall also include the following:

- 14.1 **Angle Parking** - Signs or lines in locations where it is permissible to angle park.
- 14.2 **Construction Zone** - Signs where construction, reconstruction, widening, repair, marking or other work is being carried out to regulate or prohibit traffic in the vicinity of such works.
- 14.3 **Crosswalk** - Signs or lines at locations where heavy pedestrian traffic crosses a roadway and at locations other than an intersection such as at schools, playgrounds and public buildings where it is required to control pedestrian traffic.
- 14.4 **Do Not Enter** - Signs at the end of a one-way roadways to prevent traffic entering the restricted area.

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- 14.5 **Do Not Pass** - Signs at the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous.
- 14.6 **Fire Zone** - Signs at locations where standing, stopping or parking of a motor vehicle would impede the passage or operation of fire fighting equipment, indicating that the area is a "Fire Zone" and that standing, stopping or parking is prohibited in that area.
- 14.7 **Hospital Zone** - Signs at locations where, due to the location of a hospital, it is desirable to regulate traffic in the vicinity of such buildings.
- 14.8 **Keep Right** - Signs within and at the end of median strips and traffic islands.
- 14.9 **Loading Zones** - Signs at locations where due to adjacent commercial facilities or other types of loading operations, it is desirable to reserve space for loading and unloading vehicles.
- 14.10 **Maximum Speed** - Signs at locations where due to limitations of sight distances, road surfaces, traffic flows and frequency of intersections, speeds in excess of those prescribed on the signs constitute a hazard to traffic or may cause excessive damage to the roads.
- 14.11 **Maximum Weight** - Signs at locations where due to seasonal weakening of road surfaces, obsolescence of bridges or pavements, or roadway repairs, loads in excess of those prescribed on the signs constitute a hazard to traffic or excessive damage to the roads.
- 14.12 **Crew Working** - Signs where construction, reconstruction, widening, repair, marking or other work is being carried out indicating that crew, or equipment are working upon the highway.
- 14.13 **No Passing** - Signs at locations approaching crosswalks, school and park zones indicating that passing is prohibited.
- 14.14 **No Stopping** - Signs at locations where the free flow of traffic is required for the roadway.
- 14.15 **One Way** - Signs on highways upon which traffic is required to travel in one direction only.
- 14.16 **Parking** - Signs for the regulation, control or prohibition of standing or parking of vehicles and signs at the entrance to a highway or upon highways where provision is made for parking of vehicles in public parking lots.
- 14.17 **Pedestrians** - Signs to regulate or prohibit pedestrian traffic on highways, other than at crosswalks.
- 14.18 **Playground** - Signs at locations where it is required to give advance information of a

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playground adjacent to a roadway, or its maximum speed zone.

- 14.19 **Public Buildings** - Signs to set apart and allot portions of highways adjacent to government buildings for the exclusive use of Officials and Officers engaged therein for the parking of vehicles and the regulation of such parking.
- 14.20 **School** - Signs at locations where it is required to give advance information such as the presence of a school adjacent to a roadway, a school crosswalk, or a school maximum speed zone.
- 14.21 **Sidewalks** - Signs to regulate, control or prohibit pedestrian traffic, ridden or herded animal traffic, vehicular traffic and cycle traffic on sidewalks, bridges, walkways, boulevards or lanes.
- 14.22 **Skates/Skateboards** - Signs to regulate, control or prohibit persons using roller skates, roller blades, skates, sleighs, skateboards or other similar means of conveyance upon a highway or sidewalk.
- 14.23 **Stop** - Signs to regulate, control or prohibit the stopping of vehicles.
- 14.24 **Taxi or Bus Zones** - Signs at locations where a taxicab, bus or other transit vehicle stops to pick up passengers and it is desirable to restrict stopping, standing and parking to such vehicles.
- 14.25 **Traffic Signals** - Signs at intersection and other locations where the existing traffic control devices are not adequate to control the traffic efficiently.
- 14.26 **Truck Signs** - Signs in locations where truck traffic is prohibited.
- 14.27 **Turn Prohibition** - Signs at intersections and in advance of intersections where it is required to prohibit certain movements.
- 14.28 **Two Way Traffic** - Signs at the transition from one-way to two-way roadways to indicate that normal travel is restricted to the right hand side of the roadway.
- 14.29 **Warning** - Signs at locations where it is required to warn traffic of hazardous conditions, either on or adjacent to the roadway or to prohibit traffic from using the roadway.

15. Management

- 15.1 No person, other than a Bylaw Enforcement Officer shall place or erect a sign which purports to regulate a highway.
- 15.2 When, for any reason, any highway or portion thereof is unsafe or unsuitable for traffic or it is deemed advisable that traffic should be restricted therein and diverted therefrom, the

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Bylaw Enforcement Officer, may close the highway or portion thereof or restrict or divert traffic therein or therefrom temporarily, and for that purpose may erect traffic control devices pursuant to this By-law.

- 15.3 When a highway or portion thereof is temporarily closed or the traffic therein is restricted or diverted, pursuant to Section 15.2 then no unauthorised person shall enter upon, or travel upon the highway or portion thereof in contravention of the applicable traffic control device.
- 15.4 A Bylaw Enforcement Officer may place, or cause to be placed, temporary No Parking signs, barricades or other applicable traffic control devices on a highway:
- a) along the route of any parade
 - b) in the vicinity of a Special Event
 - c) to facilitate the fighting of fires or in the interest of public safety
 - d) to facilitate the completion of work upon a highway

16. Bylaw Enforcement Officer

- 16.1 A Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions prescribed in this by-law be carried out.
- 16.2 For the purposes of this by-law, Bylaw Enforcement Officer means any of the following:
- Administrator of the City of Armstrong,
Bylaw Enforcement Officer of the City of Armstrong,
Superintendent of Public Works of the City of Armstrong,
Fire Chief,
RCMP Officers,
- or their duly appointed designate
- 16.3 No person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his duties as prescribed in this by-law.

17. Offences

- 17.1 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed. Each day that such violation is permitted to continue shall constitute a separate offence. **(1823)**
- 17.2 Any person who violates any of the provisions of this bylaw shall, upon summary

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conviction, be liable to a penalty of not more than \$10,000 or a term of imprisonment not exceeding sixty days or both. **(1823)**

17.3 Wherein this by-law any matter or thing is required to be done by any person in default of it being done by such person, such matter or thing shall be done at the expense of the person in default and the expense thereof may be recovered, with costs in like manner as municipal taxes.

18. Severance

18.1 If any portion of this bylaw is declared ultra vires by a Court of Competent Jurisdiction, that portion shall be deemed to be severed from the bylaw to the extent that the remainder of the bylaw shall continue in full force and effect. **(1823)**

19. By-laws Repealed

19.1 The following By-laws are hereby repealed:

- a) City of Armstrong Traffic Regulation By-law No. 769, 1980
- b) City of Armstrong Snow and Ice Removal By-law No. 19, 1913

READ A FIRST TIME this _____ day of _____, 1999.

READ A SECOND TIME this _____ day of _____, 1999.

READ A THIRD TIME this _____ day of _____, 1999.

RECONSIDERED AND FINALLY PASSED AND ADOPTED this _____ day of _____, 1999.

Clerk

Mayor

City of Armstrong Traffic & Parking Regulation By-law No. 1370, 1999

SCHEDULE "A"

ATTACHED TO AND FORMING PART OF BY-LAW NO. 1370, 1999

TRAFFIC FEE SCHEDULE

Highway Use Permit Application Fee	\$25.00
Motor Vehicle Restriction Permit	\$25.00
Commercial Signage, Display, Tables and Chairs or Benches Permit Application	\$50.00

**CITY OF ARMSTRONG
TRAFFIC AND PARKING REGULATION BY-LAW
BY-LAW NO. 1370, 1999**

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