



CORPORATION OF THE DISTRICT OF TOFINO

District of Tofino Traffic and Parking Regulation Bylaw No. 1091, 2009

Consolidated for Convenience Only

This is a consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

Amendment Bylaw	Effective Date
Bylaw No. 1104, 2009	November 10, 2009
Bylaw No. 1108, 2010	January 26, 2010
Bylaw No. 1091.03, 2016	April 26, 2016
Bylaw No. 1091.04, 2016	June 28, 2016
Bylaw No. 1091.05, 2018	June 1, 2018
Bylaw No. 1091.06, 2020	May 1, 2020
Bylaw No. 1091.07, 2021	July 15, 2021
Bylaw No. 1325, 2022	November 24, 2022
Bylaw No. 1091.08	June 16, 2023
Bylaw No. 1091.09	May 1, 2024
Bylaw No. 1091.10	August 1, 2024

This consolidation is for convenience and reference purposes only. Persons making use of this consolidated version of Bylaw No. 1091 are advised that it is not a legal document. For the purposes of interpreting and applying the law, the original Bylaw No. 1091 and all amending bylaws must be consulted.

Bylaw numbers appearing in the margin of this consolidated version refer to the applicable amendment bylaw.

**DISTRICT OF TOFINO
TRAFFIC AND PARKING REGULATION BYLAW
BYLAW NO. 1091, 2009**

Table of Contents

1. Title	2
2. Definitions	2
3. Enforcement	5
3.1. Regulations and Offences Other Than Parking	5
3.2. Parking Regulations and Offences.....	6
3.3. Removal of Vehicles and Chattels	7
4. Time Limit Parking	8
5. Pay Parking	8
6. Municipal Off-Street Parking Facilities	8
7. Offshore-Resident Permit Parking	8
8. Commercial Motor Vehicles	8
8.1. No person shall park any commercial vehicle on any highway in the Municipality, except:.....	8
9. Disabled Parking Permits	9
10. Bylaw Enforcement Officer.....	9
11. Offences.....	9
12. Motor Vehicle and Chattel Impoundment	9
13. Public Auction	10
14. Posting Notices	10
15. Highway Restrictions	10
16. Bonding Against Damage to Highway.....	11
17. Traffic Control Devices	11
17.1. Placement	11
17.2. Management.....	12
18. Motor Vehicle Restrictions	13
19. Exemption Permit.....	14
20. Severability	14
21. Bylaws Repealed.....	14
SCHEDULE "A"	15
SCHEDULE "B"	16
SCHEDULE "C"	17
List of Amendments.....	21

**DISTRICT OF TOFINO
TRAFFIC AND PARKING REGULATION BYLAW
BYLAW NO. 1091, 2009**

**A Bylaw to Regulate Traffic, Parking and the Use of
Streets within the District of Tofino.**

WHEREAS The Council of the District of Tofino is empowered and authorized to regulate the development, management, maintenance, operation, control, and use of District highways and parking facilities;

AND WHEREAS The Council deems it desirable and expedient to provide for such Regulation and its Enforcement;

NOW THEREFORE The Council of the District of Tofino, 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 "**District of Tofino Traffic and Parking Regulation Bylaw No. 1091, 2009**".

2. Definitions

In this Bylaw:

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

Bylaw
1091.07 →

Annual Beach Parking Permit – means a writing issued under the authority of the District of Tofino which grants a permission to its authorized holder to park a designated vehicle in specific locations, for an annual time period as prescribed in the "District of Tofino Fees and Charges Bylaw No. 1271, 2019," as amended from time to time.

All Terrain Vehicles - means any 2, 3 or 4 wheeled motorized bike used for sport or transportation off road, and not requiring Motor Vehicle licences under Provincial Legislation.

Arterial Highway - Any highway designate by the Provincial Government as an Arterial Highway.

Boulevard - means the area between the curb lines, the lateral lines, or the shoulder of a highway and the adjacent property line and includes curbs, sidewalks and ditches.

Building Inspector - means the person duly appointed as such from time to time by Council.

Bus - means a motor vehicle designed to carry more than 10 persons.

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

Combination of Vehicles - means a combination of motor vehicles and trailer.

Bylaw
1091.07 →

Commercial Vehicle - means a vehicle engaged in carrying or which is designed to carry goods, customers, wares or merchandise, and which is licensed as a commercial vehicle under the appropriate municipal or provincial laws or regulations, including:

- a) Every vehicle used for the collection, delivery or transportation of goods or passengers in the course of a business; and
- b) Every tradesperson's vehicle and every other vehicle which displays a commercial parking decal issued under Section 11(c) of this bylaw,
- c) A motor vehicle having permanently attached to it a truck or delivery body,
- d) An ambulance, casket wagon, fire apparatus, hearse, motor bus, tow car, road building machine, taxi, and a tractor,
- e) A combination of vehicles, and
- f) Other vehicles as specified by regulation of the Lieutenant Governor in Council;

Council - means the Municipal Council of The Corporation of the District of Tofino.

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 surface, or
- b) The portion of the highway at an intersection that is included within the extension of the lateral lines of

the sidewalk on one side of the highway, measured from the curbs, or in the absence of curbs, from the edges of the roadway.

Curb - means a raised portion of highway forming a line of demarcation between the roadway and the boulevard of a highway, street or road.

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

Dangerous Article - means any inflammable, explosive or corrosive liquids and liquefied petroleum gas.

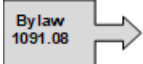
Derelict Vehicle - means any vehicle incapable of being driven, including construction and farm machinery, whether or not licenses are normally required, or a vehicle not licensed for a period exceeding twelve months.

Disabled Persons - Parking Permit - means a permit issued for the parking of vehicles in accordance with Provincial Legislation.

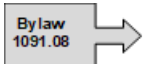
Disabled Persons - Parking Zone - means that portion of a highway designated by a traffic control device for the exclusive use of vehicles displaying a valid disabled persons parking permit.

District - means the Corporation of the District of Tofino.

District Property - means all District owned property, parks, open spaces, parking lots, road allowances and land easements inclusive of all works and appurtenances.



Downtown Resident - means someone who resides in a housing unit contiguous with a street or location subject to the regulations of the downtown pay parking program.



Downtown Resident Permit - means a writing issued under the authority of the District of Tofino which grants a permission to park a maximum of two designated vehicles per residential housing unit in specific locations, for an annual time period as prescribed in the "District of Tofino Fees and Charges Bylaw No. 1271, 2019," as amended from time to time.

Driver - means any person who drives, operates, propels, or who is in the physical control of a vehicle.

Emergency Motor Vehicle - means:

- a) a motor vehicle carrying rescue or first aid equipment if there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this bylaw, or
- b) a motor vehicle driven by a member of the Fire Department in the discharge of his duties, or
- c) a motor vehicle driven by peace officer, constable, RCMP Officer or member of the police branch of the Armed Forces in the discharge of his duties.

Exemption Permit - means a permit issued to grant an exemption in accordance with the terms of this bylaw.

Extraordinary Traffic - means the carriage of goods or persons over a highway, at either one or more times, and whether in motor vehicles drawn by animal power or propelled by some other means, that when taken in conjunction with the nature or existing condition of the highway is so extraordinary or improper in the quality or quantity of goods or the number of persons carried, or in the mode or time of use of the highway, or in the speed in which the motor vehicles are driven or operated, as to in the opinion of the Council, to substantially alter or increase the burden imposed on the highway, over that imposed through its proper use by ordinary traffic, and to cause damage and expense in respect of the highway, beyond what is reasonable or ordinary.

Farm Motor Vehicle - means a motor vehicle designed and used primarily as an implement of husbandry for drawing agricultural equipment;

Fire Chief - means the person duly appointed as Fire Chief by Council.

Fire Lane - means that portion of a highway designated as such by a traffic control device and reserved for unobstructed access by the Fire Department.

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

Highway – includes:

- a) every highway within the meaning of the *Transportation Act*,
- b) every road, street, lane or right of way designed or intended for or used by the general public for the passage of vehicles, and
- c) every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited,

but does not include an industrial road;

Insurance – Means a valid numbered plate as defined in the Motor Vehicle Act, displaying any required validation decals, displayed in the manner prescribed under that Act and its Regulations, as amended from time to time.

Intersection - means the area embraced within the extension of the lateral property lines of streets which join one another, whether such streets at the junction cross each other or merely meet at an angle without crossing each other.

Lane - means a secondary highway more than 3 metres, but not exceeding 8 metres, in width, intended to provide a "secondary access" to parcels of land.

Licence Plates - means the licence issued in accordance with provincial legislation for the registration of vehicles, as well as validation decals for attachment to the numbered plates.

Loading Zone - means that portion of a highway designated as such by a traffic control device and reserved for the exclusive use of loading or unloading of commercial vehicles.

Motor Cycle - means a motor vehicle running on 2 or 3 wheels and having a saddle or seat for the driver to sit astride.

Motor Home - means a motor vehicle designed and used primarily for accommodation during travel or recreation.

Motor Vehicle - means a vehicle, not run on rails, that is designed to be self propelled or propelled by electric power obtained from overhead trolley wires, but does not include a motor assisted cycle;

Multi-Use Path (MUP) - means that public pathway running along the side of the Pacific Rim Highway that has been constructed for the use of pedestrians and bicycles.

Municipality - means the District of Tofino.

No Parking Zone - means that portion of a highway designated as such by a traffic control device that specifies that parking is prohibited, either generally or at specified times.

No Stopping Zone - means that portion of a highway designated as such by a traffic control device that specifies that stopping is prohibited, either generally or at specified times.

Bylaw
1104

Offshore-Resident – means a person residing in Tofino or in Area C of the Alberni-Clayoquot Regional District.

Off-Street Parking Facility - means any real property utilized for the purpose of providing for parking off the street.

Owner – means

a) A person in possession of a motor vehicle under a contract by which he or she may become its owner on full compliance with the contract.

b) the tenant, lessee, agent, licensee and any other person who has the right of access to, and control of, any land, building or premises to which any of the provisions of this bylaw apply.

Parade - means a procession consisting of pedestrians, cyclists, livestock, domesticated animals and motor vehicles, moving in a group or organized fashion, and large enough to require highway traffic control.

Parked - means the standing of a motor vehicle, whether occupied or not, upon a highway, except when standing temporarily for the purpose of loading and unloading merchandise or passengers or in obedience of traffic control devices.

Parking Enforcement Officer - means a person appointed to that position by the municipality from time to time.

Parking Lot - means a lot designated and used for the temporary parking of motor vehicles either as a principal use or as a secondary use.

Bylaw
1091.07

Parking Permit – means a writing issued under the authority of the District of Tofino which grants permission to the authorized holder to park a designated vehicle in designated locations, in accordance with prescribed time periods and District regulations.

Parking Rates – the fees established for issuance of Pay Parking Permits.

Parking Space - means any space within any building, premises or parking lot which is intended to be used as parking for one motor vehicle, but excludes driveways, ramps, columns, office and work areas.

Bylaw
1091.07

Pay Parking Zone - means a parking lot, highway or boulevard designated by a traffic control device as being "pay parking" requiring payment and registration of a licence plate number or requiring the display of a Pay

Parking Permit or coupon.

Pedestrian - means a person moving independently on foot or with 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 law;

Bylaw
1091.07

Resident - means a person that normally has a fixed place of abode within a specific geographic area as their primary residence from which they are absent only as a part of a domestic routine including, without limitation, work and vacations.

Roadway- means the portion of the highway that is improved, designed for or ordinarily used for, vehicular traffic, but does not include the shoulder.

School Bus - means a motor vehicle used to convey children to or from school by or under contract with the School Authority.

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

SPARCS - means the Social Planning and Research Council of B.C.

Superintendent of Public Works - means the person duly appointed as such from time to time by Council and includes any person appointed or designated by the Superintendent of Public Works to act on his behalf.

Taxi - means a motor vehicle designed to carry not more than ten persons and operated for hire, with a driver.

Time Parking Zones – means a designated area where parking is limited to a specified length of time.

Tow Away - means to mechanically remove a motor vehicle or chattel from its location by means of a tow truck.

Tow Away Zone - means any area designated by a traffic control device where parking or stopping of a vehicle or chattel is unlawful at any time, and offending vehicles shall be removed by towing.

Tow Truck - means a motor vehicle designed and used primarily for towing other vehicles and or chattels.

Tradesperson's Vehicle - means any vehicle, the owner or operator of which holds a valid business license in the municipality as a tradesman which displays a valid commercial parking decal.

Bylaw
1091.07

Trailer – means a vehicle that is 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,

Traffic - means the flow of motor vehicles, cycles, and pedestrians on the highway for the purposes of travelling from one point to another.

Traffic Control Device - means a sign or signal, painted marking on the pavement, a barrier or device placed or erected by the District or other Government agency.

Uninsured Vehicles / Trailers – means any vehicle or trailer that is not displaying valid insurance.

Yellow Curb – means a designated area that is deemed a No Parking or No Stopping zone at any time.

Vehicle - means a device in, on, or by which a person or thing is or may be transported or drawn on a highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks, or a motor assisted cycle.

Bylaw
1091.07

Vehicle Licence Plate – means a valid numbered plate as defined in the *Motor Vehicle Act*, displaying any required validation decals, displayed in the manner prescribed under that *Act* and its Regulations, as amended from time to time.

3. Enforcement

3.1. Regulations and Offences Other Than Parking

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

- a) **Driving on Sidewalk, Boulevard or The MUP** - Drive a motor vehicle, all terrain vehicle, or ride any bike or herd any large animal along any sidewalk, boulevard or the MUP, unless permitted to do so

by an applicable traffic control device.

- b) **Debris Left on Highway** - Leave any glass or other debris or any material upon a roadway.
- c) **Open Excavation** - Leave an excavation or other obstruction upon a highway without sufficient fencing, barricading, or warning devices.
- d) **Person Obstructing Traffic** - Stand or loiter in such a manner as to obstruct, impede, or interfere with traffic on a roadway.
- e) **Tracked Vehicle** - Operate any tracked vehicle on sidewalks, boulevards, or highway except where specifically authorized by order of a Bylaw Enforcement Officer.
- f) **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.
- g) **Exceed 20 km/hr - Construction Zone** - Drive a motor vehicle in excess of 20 kilometres per hour in a construction zone where signs are posted, unless otherwise indicated by a traffic control device.
- h) **Chattel on Highway** - Place or permit to be placed any fuel, lumber, merchandise, chattel or ware of any nature on a highway.
- i) **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 the surface of the highway.
- j) **Earth, Mud or Rocks on Highway** - allow or permit any earth, mud, rocks, stones, logs, stumps, or other things to cave, fall, crumble, flow, drift, slide, accumulate, or be tracked or carried, from property owned or occupied abutting a highway, onto the highway and remain there.
- k) **Obstruct Visibility** - construct or permit a fence, hedge, vehicle, or chattel to be built or placed so that the fence, hedge, vehicle, or chattel obstructs visibility.
- l) **Removal of Notice** - Remove any notice or ticket affixed or placed on a motor vehicle by the Bylaw Enforcement Officer, unless he is the owner or operator of the motor vehicle.
- m) **Drive within Parks or on Beaches** - Drive a motor vehicle, ATV, or motorized cycle other than a government motor vehicle within any municipal park, open space, or on any public beach, except upon highways provided and signed for that purpose.
- n) **Obstruct Ditches/Water Flow** - Construct, fill, or modify a ditch.
- o) **Distribute Leaflets** - Distribute leaflets on any highway by placing them on the windshield of a motor vehicle parked upon the highway.
- p) **Unsecured Load** - Operate a motor vehicle carrying any materials or goods which are secured in such a manner that the materials or goods are able to fall from the motor vehicle while the motor vehicle is proceeding down the highway.
- q) **Passing in Controlled Zone** - Overtake and pass another motor vehicle in a designated school or playground zone or at a Crosswalk.
- r) **Crosswalk Area** - Drive through a crosswalk that is occupied by a pedestrian to cross the highway

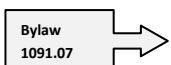
3.2. Parking Regulations and Offences

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, public utility or emergency motor vehicles while engaged in their duties; or a motor vehicle so mechanically disabled so as to render it immobile; **NO PERSON SHALL STOP, STAND OR PARK A MOTOR VEHICLE:**

- a) **Sidewalk/Boulevard** - on any sidewalk, boulevard, the MUP, or any portion of a highway that has been improved for the travel of pedestrians or cycles.
- b) **Driveway** - in front of a public or private driveway.
- c) **Lane** - in any lane or within 3 metres of the entrance or exit of any lane.
- d) **Intersection** - within an intersection, except as permitted by a traffic control device.
- e) **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.
- f) **Crosswalk** - on a crosswalk or within 6 metres of the approach of a crosswalk.

- g) **Exit** - within 6 metres on either side of the entrance or exit from a hotel, theatre, fire hall, playground, or other public meeting place.
- h) **Stop Sign** - within 6 metres of a stop sign or traffic control device located on any highway.
- l) **Sales** - upon any highway for the principal purpose of:
 - i) Displaying a motor vehicle for sale;
 - ii) Advertising, greasing, painting, wrecking or repairing a motor vehicle, except where repairs are of an emergency nature;
 - iii) Displaying signs; or
 - iv) Sale of flowers, fruits, vegetables, seafood or other commodities or articles.

- j) **Obstruction** - in a manner which obstructs, impedes, or otherwise alters the normal flow of traffic on a roadway;
- k) **Double Parking** - beside another motor vehicle stopped or parked parallel to the highway.
- l) **Bridge** - upon a bridge except as permitted by the applicable traffic control device.
- m) **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.
- n) **Obstruct Visibility** - in such a manner as to obstruct the visibility of any traffic control device.
- o) **Parked Facing Wrong Direction** - on the curb side of a two-way roadway with the vehicle facing towards the oncoming traffic;
- p) **Distance from the Curb** - more than 30 centimetres from the curb of a roadway, if a curb has been constructed, or the edge of a roadway.
- q) **Angle Parking** - in a designated angle parking zone where the length of the motor vehicle, motor home or combination of vehicles and or any trailer attached thereto exceeds 6 metres.
- r) **Reserved Parking** - in any space designated by a traffic control device which designates the space as being reserved for use.
- s) **Trailers/Motor Homes/Vehicles** -
 - i) Any trailer on any portion of a highway, boulevard, or parking lot when not attached to a motor vehicle; or
 - ii) Any vehicle, trailer or motor home on any portion of any highway, boulevard, or District property or parking lot, for accommodation purposes, including camping or sleeping.
- t) **Commercial Motor Vehicle** - a commercial motor vehicle, having a gross vehicle weight in excess of 4,500 kilograms, on any highway in a residential area, between the hours of 11 pm of one day and 8 am of the following day.
- u) **Parked Where Prohibited Between 11pm and 6am** – where prohibited by traffic control device between the hours of 11:00 pm and 6:00 am the following day.
- v) **Loading Zone** - in a loading zone designated by a traffic control device except when the motor vehicle is actually in the process of being loaded or unloaded.
- w) **Fire Zone** - in a fire zone designated by a traffic control device, except for emergency vehicles that are being utilized in the performance of their duties.
- x) **Taxi or Bus Zone** - in a zone reserved for taxi cabs or buses designated by a traffic control device.
- y) **Disabled Persons Parking Zone** - in a designated handicapped/disabled parking stall unless displaying a valid Disabled Persons Parking Permit.
- z) **Tow Away Zone** - in a tow away zone designated by a traffic control device.
- aa) **Park, Open Spaces, or Beaches** - within any park, public place or on any beach, except in parking areas provided and signed for that purpose.
- bb) **Time Parking** – longer than the posted time shown by a traffic control device.
- cc) **Yellow Curb** – in any designated area that is painted yellow which is a No Parking or No Stopping zone at any given time of the day.
- dd) **Display of Pay Parking Permit** – within a pay parking zone except when the Pay Parking Permit or coupon is displayed face up upon the dash board or rear view mirror on the inside of the windshield of the motor vehicle. Should the Parking Permit or coupon not be so displayed or should the Parking Permit or coupon have expired, the vehicle shall be deemed to be parked without a permit or coupon.
- ee) **Uninsured or Unlicensed Vehicle** – Any vehicle that does not display or have valid insurance.
- ff) **Parking Permit Required** – in any space designated by a traffic control device as being reserved for Parking Permit use only.



3.3. Removal of Vehicles and Chattels

All motor vehicles, trailers or chattels standing or parked on a highway, boulevard, parking lot, or other

CONSOLIDATED FOR CONVENIENCE PURPOSES ONLY. Should be read in conjunction with the complete document

District owned property are subject to the requirements of this Bylaw and any traffic control device erected pursuant to the provisions of this bylaw, and are subject to towing and impoundment by the District or its agents.

Whenever any vehicle is parked in contravention of this bylaw, a Bylaw Enforcement Officer, peace officer, or a Parking Enforcement Officer may authorize the removal and impoundment of that vehicle until all costs of removal and impoundment, together with all other lawfully imposed fees and penalties have been paid in full by the owner of the vehicle.

The Superintendent of Public Works, Fire Chief, Public Works Foreman, a Bylaw Enforcement Officer, Peace Officer, or a Parking Enforcement Officer may also order any parked vehicle removed or impounded if the vehicle interferes with:

- a) Firefighting operations;
- b) Snow removal operations;
- c) Emergency access to any building or property;
- d) The construction, reconstruction, maintenance or repair of any highway, or public utility;
- e) Public Safety; or
- f) The normal flow of traffic.

4. Time Limit Parking

No person shall park any vehicle on any parking lot or in a parking space:

- a) For a period longer than the posted maximum time restriction on the adjacent traffic control device.
- b) During any time period for which posted parking regulations designate the parking lot or parking space as a "no parking zone"; or
- c) Such that any portion of the vehicle:
 - i) Extends into the roadway or parking lot beyond the markings delineating the parking space; or
 - ii) Occupies more than one parking space.

5. Pay Parking

Bylaw
1091.07

The rates for Parking Permits/Coupons shall be as provided in Schedule "A" and shall be purchased from District of Tofino's authorized parking portals and facilities.

6. Municipal Off-Street Parking Facilities

Bylaw
1091.07

a) Council may from time to time provide certain off-street public parking facilities at locations approved by Council.

b) Parking shall be controlled by Traffic Control Device in accordance with this bylaw.

c) Municipal Pay Parking Zones are outlined in Schedule "C."

Bylaw
1091.08

d) Beach Pay Parking Zones are in effect at the District year-round.

Bylaw
1091.09

e) Downtown Pay Parking Zones are in effect from May 1 to October 31.

7. Offshore-Resident Permit Parking

Bylaw
1104

a) Offshore-Residents may obtain an Offshore-Resident Parking Permit to park in Offshore-Resident Permit Parking Areas as outlined in Schedule E.

Bylaw
1104

b) Offshore-Resident Parking Permit holders displaying their permits are exempt from paying to park in Parking Lot 2 as outlined in Schedule D from October 1st of each year to April 30th of the following year.

Bylaw
1091.07

8. Loading Zones

8.1. No person shall park any commercial vehicle on any highway in the Municipality, except:

- a) In a loading zone, in accordance with Section 3.2 of this bylaw;

- b) When the commercial vehicle is standing temporarily while the operator is actually engaged in loading or unloading goods or passengers; or
- c) While the operator of the commercial vehicle is actually engaged in providing a tradesman's service, moving service, or other commercial service to another person, on land adjacent to the highway where the vehicle is parked.

9. Disabled Parking Permits

- a) Any vehicle displaying a disabled parking permit issued by SPARCS of B.C. or a member municipality is authorized to park in a designated Handicapped/Disabled Parking Stall.
- b) The handicapped/disabled parking permit must be displayed in or on the motor vehicle while parking in a handicapped/disabled parking stall by suspending it from the rear view mirror inside the motor vehicle so that it is in plain view of any person looking through the windshield of the motor vehicle from the sidewalk or roadside, or by placing it on the driver's side of the dashboard of the motor vehicle so that it is visible from outside the motor vehicle.
- c) No person shall lend or transfer a handicapped/disabled parking permit to another person, whether or not that person is handicapped or disabled.

Bylaw
1091.07

10. Bylaw Parking Enforcement Officer

- a) A Bylaw Parking Enforcement Officer is authorized and empowered to inspect, compel, and require that all the regulations and provisions prescribed in this bylaw be carried out.
- b) For the purposes of this by-law, the Bylaw Parking Enforcement Officer means any of the following: CAO of the District of Tofino
Bylaw Enforcement Officer of the District of Tofino
Superintendent of Public Works of the District of Tofino
Persons contracted for the enforcement of this bylaw
RCMP Officers
RCMP Auxiliary Officers
Or their duly appointed designate
- c) No person shall unreasonably obstruct or prevent a Bylaw Parking Enforcement Officer from carrying out his or her duties as prescribed in this bylaw.

Bylaw 1108

11. Offences

Every person who contravenes any provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfil, observe, carry out, or perform a duty or obligation imposed by this bylaw, shall be deemed to have committed an offence against this bylaw and:

- a) shall be liable to a fine set out in the District of Tofino Municipal Ticket Information System Bylaw No. 1088, 2009 as amended from time to time; or
- b) shall be liable to a penalty set out in the District of Tofino Bylaw Notice Enforcement and Dispute Adjudication System Bylaw No. 1107, 2009 as amended from time to time; or
- c) shall be liable, upon summary conviction, to the penalties provided under the Offence Act and amendments thereto; or
- d) any combination of 11 a), b), and c).

12. Motor Vehicle and Chattel Impoundment

- a) Any chattel, trailer or motor vehicle in violation of any portion of this bylaw may be towed away and impounded by the Bylaw Enforcement Officer or an agent on behalf of the District.
- b) No motor vehicle, trailer or chattel will be released until all provisions of this bylaw are met, upon presenting proof of ownership, and upon payment in full of any fines, fees, and penalties which may be levied pursuant to the provisions of this bylaw and the Municipal Ticketing Information System Bylaw.
- c) Written notice shall be given by registered mail to the registered owner of the motor vehicle, as shown on the records of the Registrar of Motor Vehicles, advising him/her of seizure and impoundment, the sum payable to release the motor vehicle, and the date of advertising for sale by public auction, if unclaimed.
- d) The registered owner shall be responsible for all uncollected fees, fines or penalties in respect of an impounded motor vehicle, trailer, or chattel, whether or not he/she affects the release of the motor vehicle, trailer, or chattel.

13. Public Auction

- a) Any motor vehicle, trailer, or chattel not claimed by its owner within fourteen (14) days of its impoundment and after the registered owner has been notified of the impoundment pursuant to **Section 12 (c)** shall be advertised for public auction at least once in a newspaper circulating in the area.
- b) All proceeds of such auction shall be applied in the following order against:
 - i) Fines, fees, and penalties pursuant to the Municipal Ticketing Information System Bylaw.
 - ii) Fines, fees, and penalties pursuant to the Administrative Fees, Terms and Conditions Bylaw.

The balance of the proceeds, if any, shall be held by the District for a period of one year from the date of sale, for the owner. If unclaimed at the end of the year, such sum shall be paid into the General Revenue Account of the District.

- c) Should any chattel not be purchased at public auction, the chattel shall be disposed of by the CAO.
- d) Notwithstanding **Section 13 (a)**, where any chattel with an apparent market value of less than three hundred dollars (\$300.00) is left on the highway, such article or articles may be removed and/or disposed of by the District. Full costs of removal or disposal shall be charged to the owner of the chattel.
- e) Apparent market value shall be determined by the District.

14. Posting Notices

- a) No person shall post or exhibit any poster, playbill, card, or placard of any kind upon a highway except an arterial highway, or upon any structure or utility pole, by means of paste, glue or similar adhesive or by nailing, stapling, or similar method except upon Council approval of a Special Events Permit.
- b) No person shall erect or maintain a sign, advertisement, or guide-post on or over a highway, or alter, repaint, tear down, or remove any sign, advertisement, or guide-post erected or maintained on a highway.
- c) This section shall not apply to election signs, real estate signs, traffic control devices, or District directional signs.

15. Highway Restrictions

- a) The following restrictions apply to any highway, other than arterial highways, within the District and except with the written approval of Council: **no person shall:**
 - i) Damage any highway by operating extraordinary traffic. The Bylaw Enforcement Officer may regulate, limit, or prohibit the use of the highway by any person operating or in charge of the extraordinary traffic, or owning the goods so carried or the motor vehicles used.
 - ii) Use or operate any megaphone, loudspeaker, or other sound amplifying device, instrument, or system on any highway for the purpose of broadcasting a message or advertising.
 - iii) Dig up, break, or remove any part of any highway; excavate in or under any highway; or cut down or remove trees or timber growing on a highway.
 - iv) Cause damage to, cut down, or remove trees, grass, shrubs, plants, bushes, and hedges, fences, signs, or other things erected, planted or maintained by the District on the highway.
 - v) Change the level of a highway in any manner whatsoever, or stop the flow of water through any drain, sewer, or culvert on, through, or under a highway.
 - vi) 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.
 - vii) Mark, imprint, or deface in any manner whatsoever a highway or a structure situated upon a highway.
 - viii) Operate a tracked vehicle, whether equipped with road plates or not, on sidewalks, boulevards, roadways, or lanes other than for the purpose of snow removal or grading.
 - ix) Construct a boulevard crossing, including a curb, ditch, or sidewalk crossing without District approval.
 - x) Cause damage to Municipal works on property that occurs as a result of the work covered by a

development or building permit such as excavating a foundation upon the property, bringing heavy equipment onto the property from the adjacent roadway, and/or transporting materials from or to the property across a curb or ditch.

16. Bonding Against Damage to Highway

- a) All applicants for a Building Permit shall, prior to issuance of the Building Permit, deposit with the District a bond or some other satisfactory form of security in an amount determined by the Superintendent of Public Works to be adequate to guarantee the replacement, repair, or cleanup of any sidewalk, boulevard, highway, or District property to their original condition if any damage occurs as a result of the building or development.
- b) Return of the damage deposit shall occur when all works, including repairs to damaged district property, have been completed to the satisfaction of the Superintendent of Public Works.
- c) Repairs not completed within thirty days of written notification of the damage shall be undertaken by the District, the cost of which shall be deducted from the bond or security. Any portion of the total bond or security may be used for repairs on any lot or lots covered by the bond or security.
- d) Should there be insufficient monies on bond or security with the District to cover damage costs, then the holder of the building permit and the registered owner of the land at the time at which payment of these monies becomes due shall be jointly and severally liable for payment, and shall pay that forthwith, upon invoice, the balance required by the District to carry out or cause to be carried out the necessary repairs, clean-up, or highway reconstruction.

17. Traffic Control Devices

17.1 Placement

Council hereby authorizes the placing or erection of applicable traffic control devices at the places the CAO or Bylaw Enforcement Officer designates for the purpose of giving effect to the requirements of this Bylaw and the appropriate legislation. Such traffic control devices shall include all signs contained in provincial legislation, regulations, and, without limiting the generality of the foregoing, shall also include:

- a) **Sidewalks, Bridges, Lanes** - 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.
- b) **Stop Signs** - Signs to regulate, control, or prohibit the stopping of motor vehicles.
- c) **Parking** - Signs for the regulations, control, or prohibition of standing or parking motor vehicles, and signs at the entrance to a highway or upon highways where provision is made for parking of motor vehicles in public parking lots.
- d) **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 motor vehicles and the regulation of such parking.
- e) **No Passing** - Signs at locations approaching crosswalks, school zones, and park zones indicating that passing is prohibited.
- f) **Construction Zone / Detour** - Signs where construction, reconstruction, widening, repair, marking, or other work is being carried out, for the purposes of this bylaw, to regulate or prohibit traffic in the vicinity of such works.
- g) **Pedestrians** - Signs to regulate or prohibit pedestrian traffic on highways, other than at crosswalks or on the MUP.
- h) **Skates/Skateboards** - Signs to regulate, control, or prohibit persons using roller skates, roller blades, skates, skateboards, or other similar means of conveyance upon a highway or sidewalk.
- i) **Turn Prohibition** - Signs at intersections and in advance of intersections where it is required to prohibit certain movements.
- j) **Do Not Enter** - Signs at the end of a one-way roadway to prevent traffic entering the restricted area.
- k) **One Way** - Signs on highways upon which traffic is required to travel in one direction only.
- l) **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.

- m) **Do Not Pass** - Signs at the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous.
- n) **Keep Right** - Signs within and at the end of median strips and traffic islands.
- o) **Loading Zones** - Signs at locations where, due to adjacent commercial facilities or other types of loading operations such as small boat loading and unloading, it is desirable to reserve space for the loading and unloading on a restricted time basis.
- p) **Truck Signs** - Signs in locations where truck traffic is prohibited.
- q) **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 road.
- r) **Taxi or Bus Zones** - Signs at locations where, due to frequent use by the public, it is desirable to reserve a place for taxicabs or busses to stop, stand or park to pick up fares. No other type of motor vehicle shall stop, stand or park in a place designated as reserved for the exclusive use of taxicabs or buses.
- s) **No Stopping** - Signs at locations where the free flow of traffic is required, and where it is therefore desirable to permit no stopping on the roadway, except in the case of an emergency.
- t) **School** - Signs at locations where it is required to give advance information and warning, such as the presence of a school adjacent to a roadway, a school crosswalk, or a school maximum speed zone.
- u) **Playground** - Signs at locations where it is required to give advance information and warning of a playground adjacent to a roadway, or its maximum speed zone.
- v) **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.
- w) **Angle Parking** - Signs or lines in locations where it is permissible to angle park.
- x) **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.
- y) **Traffic Signals** - Signs at intersection and other locations where the existing traffic control devices are not adequate to control the traffic efficiently.
- z) **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.
- aa) **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.
- bb) **Yellow Curb** – at any painted yellow curb, or any portion thereof.
- cc) **Hourly Parking** – Signs which show a specific time limit for parking in that area

17.2 Management

- a) A Bylaw Enforcement Officer may order the alteration, repainting, tearing down, or removal of any sign, advertisement, or guide-post erected or maintained on or over any highway. In exercise of this authority, no compensation shall be paid any person for loss or damage resulting from alteration, repainting, tearing down, or removal of any sign, advertisement, or guide-post upon any highway.
- b) No person, other than a District employee or agent, shall place or erect a sign on real property which purports to regulate the adjacent highway.
- c) 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 there from, the Bylaw Enforcement Officer may close the highway or portion thereof, or restrict or divert traffic therein or there from, and for that purpose may erect traffic control devices pursuant to this Bylaw.
- d) When a highway or portion thereof is temporarily closed or the traffic therein is restricted or diverted, pursuant to Section 16.2 c), no unauthorized person shall enter upon, or travel upon the highway or portion thereof in contravention of the applicable traffic control device.



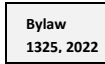
- e) The Superintendent of Public Works or designate may place or cause to be placed temporary No Parking signs or other applicable traffic control devices on a highway:
 - i) Along the route of any parade
 - ii) In the vicinity of a Special Event
 - iii) To facilitate the fighting of fires or in the interest of public safety
 - iv) To facilitate the completion of work upon a highway
- f) This section does not apply to arterial highways.

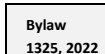
18. Motor Vehicle Restrictions


- a) Except as authorized in writing by the Bylaw Enforcement Officer, no person shall drive or operate on any highway:
 - i) **Wide or Long Load**- A passenger motor vehicle so loaded that any part of the load extends beyond the sides of the motor vehicle or more than 185 centimetres beyond the back of the motor vehicle.
 - ii) **Pneumatic Tires** - A motor vehicle, other than a horse-drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order.
 - iii) **Solid Tires** - A motor vehicle equipped with solid rubber tires, the thickness of which between the rim of the wheel and the surface of the highway is less than 32 millimetres.
 - iv) **Speed Solid Tires** - a solid rubber tire motor vehicle at a greater rate of speed than 20 kilometres per hour.
 - v) **Spikes, Cleats, Other Attachments** - A motor vehicle having wheels, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs, or other attachments or projections which extend beyond the tread or traction surface of the wheel, tread, or track, except that this prohibition does not apply to a motor vehicle equipped with tire chains of reasonable proportions when required for safety.
 - vi) **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 there from, 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; a motor vehicle with any load unless the load and any covering thereon 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.
- b) Except as authorized in writing by the Bylaw Enforcement Officer, no person shall drive or operate on any highway:
 - i) A motor vehicle having a height, with or without load, in excess of 4.2 metres.
 - ii) A single motor vehicle having an overall length which exceeds 11 metres, except; in the case of a refrigeration van, where the overall length may be extended to include the refrigeration or heating unit; or, in the case of a semi-trailer the overall length of which exceeds 14 metres, except in the case of the refrigeration van first described above.
 - iii) A bus, the overall length of which exceeds 12.5 metres.
 - iv) A combination of motor vehicles having an overall length, with or without a load in excess of 20 metres.
 - v) A combination of three motor vehicles consisting of a 3 axle tandem drive truck-tractor, semi trailer, and trailer, or a 3-axle tandem drive truck-tractor and two semi-trailers, having an overall length, with or without load, in excess of 22 metres provided that the distance from the kingpin of the first semi-trailer and its load does not exceed 16.75 metres.
 - vi) A combination of motor vehicles carrying a load of non-reducible logs, poles or pilings in excess of 21.5 metres.
 - vii) A motor vehicle or combination of motor vehicles having a gross weight on any axle or group of axles, or a gross motor vehicle weight, in excess of any load limit prescribed by any traffic control device.
- c) This section does not apply to:

- i) An implement of husbandry temporarily operated on a highway during daylight hours.
 - ii) A commercial motor 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 District.
 - iii) A motor vehicle operated by the Ministry of Transportation and Highways or the District, engaged in road maintenance or snow removal.
 - iv) Arterial Highways.
- 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 of this Bylaw.

19. Exemption Permit

 a) For clarity purposes, the District of Tofino does not issue Exemption Permits to businesses in accordance with section 25 of the *Community Charter*.

 b) [REMOVED]

 c) [REMOVED]

20. Severability

The provisions of this bylaw are severable. If any provision is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this bylaw.

21. Bylaws Repealed

"District of Tofino Traffic and Parking Regulation Bylaw No. 1045, 2007" and "District of Tofino Traffic and Parking Regulation Amendment Bylaw No. 1060, 2008" are hereby repealed.



Schedule "A"

ATTACHED TO AND FORMING PART OF

District of Tofino Traffic and Parking Regulation Bylaw No. 1091, 2009

Pay Parking Rates and Fee Schedules

Beach Pay Parking Rates		
System Component Charge	Element	Price
Hourly Rate	Each hour	\$3
Daily Rate	All day, all-locations	\$15
Annual Rate	Daily between 8:00 am - 11:00 pm	\$150
Early Payment Penalty Rates	Amount	\$20 if paid within 7 days
		\$40 if paid within 14 days
		\$75 if paid >14 days
Monthly Frank Island Overnight Parking Permit	Frank Island Resident / Guest only	\$60 per month (10pm-8am)
Lynn/Chesterman Road Overnight Guest Parking Permit	Resident purchase only	\$24 per night (10pm-8am).

Municipal Hall Lot Pay Parking Rates	
Parking for 2 hours	\$5.00
Parking for 12 hours	\$12.50
Parking for 24 hours	\$15.50
Parking for 7 days	\$44.00
Parking for 14 days	\$81.00

Downtown Pay Parking Program Rates					
System Component Charge	Element	Rate			
		2024	2025	2026	
Hourly Rate	Hours 1-9	\$2.50/hr	\$2.75/hr	\$3.00/hr	
RV Hourly Rate	Hours 1-9	\$5.00/hr	\$5.50/hr	\$6.00/hr	
Commercial Vehicle	Annual Permit	\$120			
Downtown Residential Permit	2024		2025		2026
	First Permit	Second Permit	First Permit	Second Permit	First Permit
	\$0/year	\$150/year	\$150/year	\$150/year	\$150/year

Community Hall Oversize Vehicle Parking Rates	
Parking for 2 hours	\$5.00
Parking for 12 hours	\$12.50
Parking for 24 hours	\$15.50
Parking for 7 days	\$44.00
Parking for 14 days	\$81.00

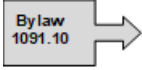
Schedule "B"

ATTACHED TO AND FORMING PART OF
District of Tofino Traffic and Parking Regulation Bylaw No. 1091, 2009

Offence and Fine Schedule

OFFENCE	SECTION	MAX. FINE
REGULATIONS AND OFFENCES OTHER THAN PARKING		
Drive on Sidewalk, Boulevard, Multi Use Path	3.1(a)	\$ 100.00
Debris Left on Highway	3.1(b)	\$ 100.00
Unsafe Open Excavation	3.1(c)	\$ 100.00
Person Obstructing Traffic	3.1(d)	\$ 100.00
Tracked Vehicle Where Prohibited	3.1(e)	\$ 75.00
Chattel on Highway	3.1(h)	\$ 100.00
Drag or Skid any Object on Highway	3.1(i)	\$ 100.00
Earth, Mud or Rocks on Highway	3.1(j)	\$ 100.00
Obstruct Visibility	3.1(k)	\$ 75.00
Removal of Notice Posted on Vehicle	3.1(l)	\$ 75.00
Drive within Park or on Beach	3.1(m)	\$ 200.00
Obstruct Ditches or Water Flow	3.1(n)	\$ 75.00
Distribute Leaflets on any Highway	3.1(o)	\$ 75.00
Unsecured Load	3.1(p)	\$ 100.00
Passing in School Zone	3.1(q)	\$ 100.00
Drive on Crosswalk While Being Used by Pedestrian	3.1(r)	\$ 100.00
PARKING REGULATIONS AND OFFENCES		
Parked on Sidewalk/Boulevard	3.2(a)	\$ 50.00
Parked in Front of Driveway	3.2(b)	\$ 100.00
Parked in Lane	3.2(c)	\$ 50.00
Parked in Intersection	3.2(d)	\$ 100.00
Parked within 5m of Hydrant	3.2(e)	\$ 75.00
Parked within 6m of Crosswalk	3.2(f)	\$ 75.00
Parked within 6m of Exit	3.2(g)	\$ 50.00
Parked within 6m of Stop Sign	3.2(h)	\$ 75.00
Parked to Sell Vehicle	3.2(i)(i)	\$ 50.00
Parked to Repair Vehicle	3.2(i)(ii)	\$ 50.00

OFFENCE	SECTION	MAX. FINE
PARKING REGULATIONS AND OFFENCES (cont.)		
Parked to Sell Commodities	3.2(i)(iv)	\$ 50.00
Parked Causing Obstruction	3.2(j)	\$ 50.00
Double Parked	3.2(k)	\$ 50.00
Parked on Bridge	3.2(l)	\$ 50.00
Parked Where Prohibited by Traffic Control Device	3.2(m)	\$ 50.00
Parked Obstructing Visibility	3.2(n)	\$ 50.00
Parked Facing Wrong Direction	3.2(o)	\$ 50.00
Parked more than 30cm from Curb or Edge of Roadway	3.2(p)	\$ 50.00
Angle Parked Vehicle over 6m in Length	3.2(q)	\$ 50.00
Parked in Reserved Space	3.2(r)	\$ 50.00
Trailer Where Prohibited	3.2(s)(i)	\$ 50.00
Trailer/Motor Home used for Accommodation	3.2(s)(ii)	\$ 50.00
Commercial Vehicle Parked Overnight	3.2(t)	\$ 50.00
Parked Where Prohibited Between 11 pm and 6 am	3.2(u)	\$ 50.00
Parked in Loading Zone	3.2(v)	\$ 50.00
Parked in Fire Zone	3.2(w)	\$ 100.00
Parked in Taxi or Bus Zone	3.2(x)	\$ 50.00
Parked Without Permit in Disabled Parking	3.2(y)	\$ 200.00
Parked in Tow Away Zone	3.2(z)	\$ 50.00
Parked in Park or Beach	3.2(aa)	\$ 200.00
Parked Exceeding Time Limit Posted	3.2(bb)	\$ 50.00
Parked in Yellow Zone	3.2(cc)	\$ 50.00
Failure to Hold Valid Parking Permit	3.2(dd)	\$75.00
Failure to Display Valid Dispenser Coupon	3.2(dd)	\$ 75.00
Uninsured or Unlicensed Vehicle	3.2(ee)	\$ 100.00
Parking Permit Required	3.2(ff)	\$ 50.00
OTHER TRAFFIC REGULATIONS		
Obstructing a Bylaw Enforcement Officer	9(c)	\$ 300.00
Posting Notices Where Prohibited	13(a)	\$ 50.00
Posting Signs Where Prohibited	13(b)	\$ 50.00



Schedule "C"
ATTACHED TO AND FORMING PART OF
District of Tofino Traffic and Parking Regulation Bylaw No. 1091, 2009