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**DISTRICT OF HUDSON'S HOPE
BYLAW NO. 925, 2022**

**A bylaw to regulate the movement of vehicles and other traffic within the boundaries of
the District of Hudson's Hope**

WHEREAS, pursuant to section 124 of the *Motor Vehicle Act*, the Council of the District of Hudson's Hope is empowered to regulate certain matters in relation to the use of highways and boulevards;

AND WHEREAS Council deems it desirable to establish regulations for the movement and stopping of vehicles and traffic on highways and boulevards within the municipality;

NOW THEREFORE the Council of the District of Hudson's Hope in open meeting assembled enacts as follows:

PART 1 – INTRODUCTION

1.1 Citation

This bylaw may be cited for all purposes as "District of Hudson's Hope Traffic Bylaw No. 925, 2022."

1.2 Applicability

Lands in the District of Hudson's Hope. Except otherwise indicated, this Bylaw applies to all lands within the area incorporated as the District of Hudson's Hope.

Provincial Arterial Highways. Unless otherwise indicated, this Bylaw does not apply to arterial highways classified as such order by the Lieutenant Governor in Council pursuant to the *Highway Act*.

1.3 Interpretation

Enactments. Any enactment referred to herein as a reference to an enactment of British Columbia or Canada, as the case may be, and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any bylaw referred to herein in a reference to an enactment of the Council of the District of Hudson's Hope, as amended, revised, consolidated or replaced from time to time.

Headings. The headings given to the Parts, Sections and Paragraphs in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

Severability. If any Part, Section or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

1.4 Definitions

- (1) In this bylaw, the expressions as so defined by and contained in the *Motor Vehicle Act*, the *Passenger Transportation Act*, the *Transportation Act*, the *Offence Act*, the *Local Government Act*, the *Community Charter* and the *Interpretation Act* and regulations thereto shall be applicable.
- (2) If there is any inconsistency between the terms defined herein and any other enactment, the definitions herein shall prevail.
- (3) In this bylaw:

Bus Stop means a part of a highway designated as a point at which busses may stop to take on or let off passengers.

Bylaw Enforcement Officer shall mean the person appointed by Council or the Corporate Officer and their designate to assist in the enforcement of municipal bylaws

Chief Constable means the Officer in Charge of the R.C.M.P. Detachment at Hudson's Hope.

Chattel means a tangible, inanimate and moveable item of personal property.

Council means the Municipal Council of the District of Hudson's Hope.

Commercial Vehicle means a vehicle that is engaged in or capable of carrying goods, wares or merchandise during the normal course of business.

Cycle means a device having any number of wheels that is predominately propelled by human power and on which a person may ride. This definition shall not in any way be constructed or interpreted as being inclusive of:

- a. roller skates or skateboards;
- b. wheelchairs;
- c. strollers, baby buggies or other non-motorized vehicles designed to carry infants or young children; or,
- d. tricycles which are being ridden by a child who is apparently or actually under six (6) years of age.

Dangerous Goods means the same as in the *Transport of Dangerous Goods Act*.

Driveway means any portion of a highway, boulevard and parcel of land which is improved for the purpose of providing vehicular access and storage on the improved parcel of land.

Director of Public Works means the Director of Public Works of the District of Hudson's Hope or their deputy.

Highway means and includes any road, lane, street, avenue, or other such paved or gravel surface intended for use and access by the public and includes the roadway, shoulder, boulevard, ditch and sidewalk area and whatever lands lie between the property lines of the highway, but shall not include any part or portion of arterial highways as designated by the Lieutenant-Governor in Council.

Lane means any highway which separates the rear property line of parcels of land fronting on highways running more or less parallel to and usually on each side of the lane.

Municipal Ticket means a form, notice or violation ticket provided to a person or vehicle by a Bylaw Enforcement Officer as a result of a contravention of the provisions of this Bylaw.

Parade shall mean any procession or body of:

- a. pedestrians marching or walking on any highway or sidewalk in an organized fashion; or,
- b. vehicles standing or moving on a highway in an organized fashion.

Park, Parking or Parked means the standing of a vehicle whether occupied or not upon a roadway, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise, discharging or taking on passengers or in obedience to traffic regulations or traffic signs or signals.

Traffic Control Device means a sign, signal, line, meter, marking, space, barrier or device placed or erected under the provisions of the *Motor Vehicle Act* or this Bylaw

Traffic Officer means Peace Officers, District Employees, Firemen, R.C.M.P. Officers and Emergency Program Organization.

Trailer means a vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests on and is carried by the motor vehicle.

PART 2 – REGULATORY POWERS

2.1 Delegation of Authority

(1) The Chief Constable is hereby authorized to:

- a. authorize and cause the placement, alteration, maintenance or removal of such traffic control devices as are necessary to regulate traffic and parking on highways, except for traffic control devices to establish new no-parking zones, bus stops or commercial loading zones which have not been approved by the resolution of Council;
- b. designate streets or parts of streets on which stopping or parking is prohibited, restricted, limited or regulated, and,
- c. issue, refuse, suspend, amend, vary or rescind permits issued under this Bylaw, after having advised the applicant of such decision.

(2) Bylaw Enforcement Officers are hereby authorized to:

- a. issue municipal tickets to those persons or vehicles in contravention of any of the provisions of this Bylaw;
- b. impound any vehicle, trailer or cycle that is unlawfully occupying a portion of a highway or public lands, conducted in a manner in accordance with the provisions of this Bylaw;
- c. enter upon any property in order to ascertain where a default or violation against this Bylaw has occurred, subject to the limits and regulations imposed by this Bylaw or the *Community Charter*; and,
- d. refer any disputed municipal ticket to the Provincial Court or an alternate dispute resolution.

PART 3 – GENERAL REGULATIONS**3.1 General**

- (1) No person within the District shall refuse to comply with any lawful direction command or order, when made, required demanded or signaled by the Chief Constable.
- (2) No person driving or operating any vehicle, shall follow closer than 150 metres (m) of any emergency vehicle, or drive or stop any vehicle within a radius of 150 m of any fire, unless so directed by a Traffic Officer.

3.2 Noise

No person or persons shall, while operating any vehicle or while on passenger on any vehicle in any street or public place in the District shout, call or make any unnecessary noise either with the aid of any mechanical or electronic instrument or other device or otherwise; provided that it shall be lawful for the Council or the Chief Constable to permit in writing any person or persons to broadcast orally or by means of a mechanical device whilst operating or being a passenger in any vehicle upon such terms and conditions as to time, place, subject or regulation or otherwise as shall be specified in such permit.

3.3 Obstruction on Street, etc.

No person shall cut, saw, break, split, place, or pile firewood, lumber blocks, stone, debris, or other material, or mix mortar, or do any act upon any street, or sidewalk which will obstruct or impede traffic thereon or deface or injure such street or sidewalk. Temporary storage of materials may be authorized in writing by the Director of Public Works.

3.4 Removal of Vehicles and Chattels

(1) Unlawful Occupancy. Where any motor vehicle is unlawfully occupying any portion of a highway or is either:

- a. standing or parked in violation of the *Motor Vehicle Act* or this Bylaw;
- b. in a position that causes it to interfere with fire-fighting, or other emergency vehicles or equipment;
- 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 construction, improvement, maintenance, snow removal, alteration, extension, widening, marking, or repair of a highway;
- e. apparently abandoned on a highway; or
- f. a motor vehicle with an expired license,

the Chief Constable, Bylaw Enforcement Officer, or a person authorized by the Director of Public Works may either:

- g. move the vehicle, or require the operator or person in charge of the vehicle to move it to a position determined by the Chief Constable or Bylaw Enforcement Officer or authorized person; or
- h. take the vehicle into custody and cause it to be taken to and stored in a safe and otherwise suitable place.

- (2) Impoundment of Chattel. Any chattel or any other similar means of conveyance obstructing, or unlawfully occupying any portion of a highway may be removed, detained or impounded by the Chief Constable, Bylaw Enforcement Officer, or a person authorized by the Director of Public Works.

3.5 Parades

Permission of Council must be obtained for parades to be conducted within the District. Council may prescribe special regulations and conditions governing the holding of any parade which regulations and conditions shall be complied with by all persons taking part therein.

3.6 Funeral or Authorized Processions

No driver of a motor vehicle shall drive between the motor vehicles comprising of a funeral or authorized procession while it is in motion. This provision shall not apply at intersections where traffic is being controlled by Traffic Officers.

3.7 Snow Removal

The owner or occupier of any real property shall remove snow, ice and litter from any sidewalk in front of or adjacent to such real property and apply such materials as are necessary to create sufficient surface traction for pedestrians no later than 10:00 AM in the morning.

PART 4 – TRAFFIC CONTROL DEVICES

4.1 Traffic Signs and Traffic Control Signal

- (1) Council shall approve the installation of all permanent traffic signs and traffic control signals in the District.
- (2) Temporary traffic signs and traffic control signals may from time to time be placed by the Chief Constable or by an employee of the District upon authority of the Director of Public Works, in the interest of public safety.
- (3) No person other than those authorized by this Bylaw shall place or maintain, any traffic sign or traffic control signal or other device which attempts to direct the movement of traffic or the parking of vehicles within the District, unless prior permission has been obtained from the Director of Public Works.
- (4) No person shall in any way obliterate, deface, damage, move, obstruct or otherwise interfere with any traffic sign or traffic control signal within the District.

PART 5 – PARKING REGULATIONS

5.1 Parking Prohibition

- (1) No person shall park a motor vehicle, trailer or combination thereof upon any of the streets or places as follows:
 - a. on or within six (6) meters of:
 - i. any traffic sign or traffic signal located at the intersection of any street, or at any corner;
 - ii. a pedestrian crosswalk;

- iii. the entrance or exit from a hotel or public meeting place, unless otherwise permitted by a traffic control device;
- iv. the main entrance of any school on any street which any school or school property abuts, on any school day between the hours of 8:00 am and 5:00 pm; or,
- b. within any street intersection;
- c. adjacent to a curb that is painted yellow;
- d. on or within five (5) meters of any fire hydrant;
- e. in front of any lane or private driveway;
- f. on the side of the street in front of the driveway entrance to any Fire Hall;
- g. in such a manner so as to obstruct, inhibit or impede:
 - i. the clearing and removal of snow or ice from a highway;
 - ii. highway cleaning operations;
 - iii. collecting solid waste from bins provided for such purpose;
 - iv. the regular flow of traffic; or,
- h. on any street for the principal purpose of advertising, washing, greasing, repairing or wrecking (except repairs necessitated by an emergency), or for the principal purposes of displaying such motor vehicle for sale;
- i. on any portion of a street where official signs prohibit parking; or,
- j. on a highway for more than 72 hours.

5.2 On – Street Parking

(1) No Parking and No Stopping Zones.

- a. Council may designate “No Parking” or “No Stopping” zones for areas in which parking or stopping is prohibited, or designate restricted parking or restricted stopping zones, and may designate certain areas as Loading Zones;
- b. If Council has not limited the hours or days when the prohibition or restriction shall be in effect, the prohibition or restriction in the foregoing subsection shall be in effect at all times;
- c. Council may place or cause to be placed signs to indicate areas which it designates as “No Parking” zones, “No Stopping” zones, restricted parking or restricted stopping zones or loading zones.
- d. Commercial Vehicles are not permitted to park overnight on the street in areas designated for residential use within the District.

(2) Angle Parking

- a. Council may designate streets or parts of streets on which vehicles shall be parked at an angle with curb or edge of the roadway, and it shall be lawful for Council to place or authorize to be placed on such streets or parts of streets signs indicating that vehicles shall park at an angle with the curb or road edges.
- b. Where angle parking is indicated by signs only, the angle of parking shall be forty-five (45) degrees.

5.3 Parking Violations

- (1) Where any vehicle is found in violation of the provisions of Section 5.1 of this Bylaw, the Bylaw Enforcement Officers may issue a parking bylaw offence notice.
- (2) A person who allows, causes or permits any motor vehicle of which they are the owner or operator to be stopped, standing or parking in contravention of Section 5.1 of this Bylaw shall be subject to a fine of not less than Seventy-five (\$75.00) dollars, but notwithstanding this section, may arrange to plead guilty to said offence and pay the District the penalties hereinafter provided.
 - a. payment received by the District within 14 days of offence \$25.00
 - b. payment received by the District after 15 days of offence \$75.00

PART 6 – HIGHWAY AND TRAFFIC REGULATIONS**6.1 Speed Limits**

Notwithstanding the provisions of the *Motor Vehicle Act*, no person shall drive or operate a motor vehicle:

- a. upon any portion of Carter Street at a rate of speed in excess of 30 km/hr;
- b. upon that portion of Dudley Drive lying between MacDougall Street and Arena Road at a rate of speed in excess of 30 km/hr.
- c. upon any portion of Holland Street and Macintosh Crescent at a rate of speed in excess of 30 km/hr.

6.2 School Zones

Every person driving, between the hours of 8 a.m. and 5 p.m. on a day school is regularly held, a vehicle on a highway where signs are displayed stating a speed limit of 30 km/hr or on which the numerals "30" are prominently shown shall drive at a rate of speed not exceeding 30 km/hr while approaching, passing or in the vicinity (as indicated by the signs) of the school to which the sign relates.

6.3 Motor Vehicle Traffic Regulations

- (1) No person shall operate a vehicle:
 - a. along any boulevard, except when parking in accordance with this Bylaw; or,
 - b. having wheels, tires or tracks constructed or equipped with projections which extend beyond the tread or traction surface of the wheel on a highway except for studded tires used between October 1 of any year to March 31 of the following year or as otherwise required in order to safely operate a vehicle on roads experiencing severe weather conditions.
- (2) The Chief Constable and/or Director of Public Works may, by public notice or the placement of signs, prohibit vehicles from being driven or operated on a highway which are not equipped with chains, winter and/or studded tires, sanding devices or any combination of these which the Chief Constable and/or Director of Public Works may consider adequate and necessary in consideration of prevailing road conditions.
- (3) No person, while in operation of a motor vehicle, shall drive such vehicle onto any highway if such vehicle's legal axle loading exceeds the established load limit for that road.

- a. where there are no traffic control devices erected upon a boulevard indicating a reduced legal axle loading, any regulation provided by the Province of British Columbia which limits the legal axle loading of vehicles shall apply.
 - b. Traffic control devices prescribing a limit on legal axle loading:
 - i. may not prescribe a limit which is in excess of Provincial regulations;
 - ii. shall specify the limit as a percent value of the legal axle loading for any given vehicle prescribed by Provincial regulations; and,
 - iii. shall be active during periods in which the Province seasonally reduces legal axle loading.
- (4) No person shall operate any off-highway vehicle on any public lands within the District, unless permitted by Council to do so.
- (5) No person operating a motor vehicle shall use an engine brake device or "Jake Brake" within the District boundaries.
- (6) Motor vehicles carrying dangerous goods:
- a. shall only travel on Highway 29 as it is designated as a dangerous goods route; and,
 - b. shall only travel on other highways and arterial highways as required and as directly as possible in order to complete a delivery to the location to which such goods are being carried to.

6.4 Highway Regulations

- (1) No person without a valid permit shall, either by their own actions or their own authorization:
- a. drive, drag or skid anything along or over a highway that damages the surface of the highway;
 - b. dig-up, plant, break, remove or excavate in or under any part of a highway;
 - c. plug or stop the flow of water through any drain, sewer or culvert on, through or under a highway;
 - d. cause damage to, cut down or remove trees, plants, shrubs, fences, grass, signs, or other things on a highway;
 - e. erect any such barrier upon a highway which would impede or redirect traffic or deface a highway;
 - f. place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs, or any other structure or thing on a highway;
 - g. construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, injury or nuisance to any portion of a highway;
 - h. alter, tear down or remove any sign, advertisement or guide-post erected or maintained on a highway;
 - i. construct a boulevard crossing, including a curb, ditch, pathway or sidewalk crossing;
 - j. display any goods, merchandise, chattel or ware of any nature upon any boulevard or highway;
 - k. occupy any portion of a highway or the airspace above the highway to maintain, clean, construct, alter, repair, demolish, or move a building, structure, sign, awning or part thereof;
 - l. mark, imprint or deface in any manner whatsoever a highway or structure thereon;

- m. install or erect any traffic control device, or the likeness thereof, on or within sight of a highway; or,
- n. undertake blasting or any other use of explosives on or over a highway or other District owned property, except for the lawful use of fireworks.

(2) No person without prior Council authorization shall:

- a. form part of a group of persons congregated on a highway in such a manner which obstructs the free passage of pedestrians or vehicles; or,
- b. do anything which will attract the attention of other persons and cause them to congregate in a group upon any highway in such a manner so as to obstruct the free passage of pedestrians or vehicles,'

unless such person is on a sidewalk or actively using a crosswalk to cross a highway.

6.5 Extraordinary Traffic

- (1) This Section does not apply to arterial highways.
- (2) In this Section "Extraordinary Traffic" includes any carriage of goods or persons over a highway, at either one or more times, and whether in vehicles draw by animal power or propelled by some other means, that taken in conjunction with the nature or existing condition of the highway is so extraordinary or improper in the quality or quantity of the goods or the number of persons carried, or in the mode or time of use of the highway, or in the speed at which the vehicles are driven or operated as, in the opinion of the Director of Public Works, substantially to alter or increase the burden imposed on the highway through its proposed use by ordinary traffic, and to cause damage and expense in respect of the highway beyond what is reasonable or ordinary.
- (3) Where in the opinion of the Director of Public Works, any highway is liable to damage through extraordinary traffic thereon, they 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 carried thereby or the vehicles used therein.
- (4) Any person to whom this Section might otherwise apply may, with the approval of the Director of Public Works, enter into an agreement for the payment to the District of compensation in respect of the damage or expenses in which may, in the opinion of the Director of Public Works, be caused by the extraordinary traffic, and thereupon that person shall not be subject to any prohibition or penalty prescribed in this Part, in respect of that extraordinary traffic.
- (5) Every person driving on or using the highway, in contravention of a regulation, limitation or prohibition made under this Section, is guilty of an offence against this Bylaw, and is liable, on a summary conviction, to a fine of not less than ONE HUNDRED DOLLARS (\$100.00) and not more than TWO THOUSAND DOLLARS (\$2,000.00).

PART 7 – NON-MOTOR VEHICLE REGULATIONS

7.1 Sidewalks

- (1) No person shall obstruct or block a sidewalk without first obtaining a permit.
- (2) No person shall erect, construct, maintain or place any structure, fixture or furniture on sidewalks, except where permitted to do so by bylaw or permit.

7.2 Pedestrians

- (1) Council may designate certain areas on streets as pedestrian crossings or cross-walks and may place to cause to be placed traffic control devices to indicate the area so designated.
- (2) No pedestrian shall cross a highway in front of a bus which has stopped to load or unload passengers, except at a crosswalk.
- (3) No person shall solicit any other person:
 - a. so as to interfere with, obstruct or impede the convenient passage of any motor vehicle or pedestrian traffic;
 - b. within five (5) metres of:
 - i. the entrance or exit to a bank, automated teller machine, credit union, trust company or other financial institution;
 - ii. a bus stop or bus shelter; or,
 - iii. the entrance or exit to a liquor store;
 - c. who is occupying a vehicle that is parked or stopped in traffic; and,
 - d. after a negative response has been provided by the person being solicited.

7.3 Cycles, Roller Skates and Skateboards

- (1) No person shall:
 - a. propel, coast, ride or in any other way use a cycle or skateboard upon a sidewalk or walkway, and where it would be unsafe to operate such cycle or skateboard upon a highway, they shall dismount and walk alongside such cycle or skateboard; or,
 - b. use roller skates on any sidewalk or walkway in such a manner so as to create a hazard or impede the free movement of pedestrians.
- (2) No person shall leave a cycle or skateboard on a highway or public lands in a position which obstructs the free movement of or creates a hazard to the safety of any traffic.

PART 8 – BYLAW OFFENCES AND PENALTIES**8.1 Offences and Penalties**

- (1) A person must not interfere, disrupt or impede the actions of the Chief Constable or Bylaw Enforcement Officer who is exercising their lawful duties.
- (2) Except as in this Bylaw is otherwise provided, any person contravening or committing any breach of or committing any offence against any of the provisions of this Bylaw or of the regulations or refusing, omitting, or neglecting to fulfill, observe, carry out, or perform any duty or fulfill, observe, carryout or perform any duty or fulfill, observe, carry out, or perform any duty or obligation by this Bylaw or by the regulations, created, prescribed or imposed, shall be liable, on summary conviction to a fine of not more than 350 dollars.

8.2 Repeal of Bylaws

The District of Hudson's Hope Streets and Traffic Regulation By-law No. 27, 1966, as amended is hereby repealed.

Read a first time this 14th day of February 2022
Read a second time this 14th day of February 2022
Read a third time this 14th day of February 2022
Adopted this 14th day of February 2022

We hereby certify that the foregoing is a true and correct copy of the District of Hudson's Hope Bylaw cited as "**District of Hudson's Hope Traffic Bylaw No. 925, 2022.**" this 14th day of February 2022.



Dave Heiberg
Mayor



Jeanette McDougall
Corporate Officer