



BYLAW NO. 2013

TRAFFIC BYLAW

*A Bylaw to provide for the
regulation of traffic in the Town of Smithers*

WHEREAS it is deemed necessary and expedient to provide for the regulation of traffic within the Town of Smithers;

AND WHEREAS the Community Charter, S.B.C. 2003, c.26, and the Motor Vehicle Act, R.S.B.C. 1996, c.318, authorize Council to regulate traffic and parking on highways under its jurisdiction;

NOW THEREFORE be it resolved that the Council for the Town of Smithers in open meeting assembled, enacts as follows:

1. AMINISTRATIVE PROVISIONS

- 1.1 This Bylaw may be cited for all purposes as "Bylaw No. 2013 - Traffic Bylaw", and comes into effect on the date of adoption.
- 1.2 This Bylaw repeals "Traffic Bylaw No. 1744", and any amendments thereto.
- 1.3 If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of the bylaw.
- 1.4 Obstruction of a Bylaw Enforcement Officer may constitute an offence under *section 129 of the Criminal Code of Canada*.

2. DEFINITIONS

- 2.1 In this bylaw, unless the context otherwise requires:

"Angle Parking" means the parking of a vehicle other than parallel to a curb or lateral lines of the roadway and shall mean that the right front tire shall be closest to the curb or edge of the highway.

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“Arterial Highway” means a highway as defined in Section 1 of the *Transportation Act*.

“Bike or Bicycle” means a device having two or more wheels that is propelled primarily by human power through pedals, and includes an electric bicycle as defined under the *Motor Vehicle Act* of British Columbia.

“Boulevard” means that area between the curb lines, the lateral lines or the shoulder of a roadway and the adjacent property line.

“Bylaw Officer” means any Bylaw Enforcement Officer, Community Safety Officer, RCMP, Peace Officer, Auxiliary Constable, or any person appointed by Council or the Chief Administrative Officer to enforce this bylaw.

“Commercial Vehicle” means a motor vehicle used for commercial, industrial, institutional, or business purposes, including the transportation of goods, equipment, or passengers for hire or compensation, and includes trucks, tractors, trailers, delivery vehicles, buses, and similar vehicles, but does not include a passenger vehicle used solely for personal transportation.

“Council” means the Council of the Town of Smithers.

“Crosswalk” means

- a) a 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 a 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, or, in the absence of curbs, from the edges of the roadway.

“Curb” means the edge of a roadway, whether constructed of concrete, asphalt, stone, or other material, that separates the roadway from a boulevard, sidewalk, or adjacent property.

“Engineer” means the Director of Development Services of the Town of Smithers or anyone authorized to act on their behalf.

“Extraordinary Traffic” includes any carriage of goods or persons over a highway, whether in vehicles drawn by animal power or propelled by other means, that in conjunction with the nature or existing condition of the highway, is so extraordinary or improper in the quality or quantity of goods or number of persons carried, or in the mode or the time of use of the highway, or in the speed at which the vehicles

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are moved, substantially alters or increases the burden imposed on the highway through its proper use by ordinary traffic and causes or is liable to cause damage and expense to the highway beyond what is reasonable or ordinary.

"Fire Lane" means any roadway, lane, driveway, or other area designated by signs, markings, or municipal authorization for emergency vehicle access, stopping, or maneuvering, and where parking or obstruction is prohibited except for emergency vehicles or as otherwise authorized.

"Gross Vehicle Weight" means the combined weight of the vehicle without the load plus the weight of any load thereon.

"Highway" includes every highway within the meaning of the *Transportation 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 passageway to a private place to which the public, for the purpose of parking or servicing of vehicles, has access or is invited.

"Meter" means a device installed or authorized by the Municipality for the purpose of measuring and regulating parking time or collecting parking fees for the use of a parking space.

"Motor Vehicle" means a vehicle designed to be self-propelled, but does not include

- (a) a vehicle operating wholly on fixed rails or tracks,
- (b) an electric trolley bus, or
- (c) a motor assisted cycle within the meaning of the *Motor Vehicle Act*;

"MUP (Multi Use Pathways)" any path or sidewalk that is identified by the Town of Smithers using a approved sign.

"Municipality" means the Town of Smithers.

"Owner" as applied to a vehicle means:

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

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

“Permit” means a document in writing issued by the Engineer or the Bylaw Enforcement Officer, pursuant to this Bylaw.

“Person” includes an individual, corporation, partnership, society, firm, trustee, executor, or any other legal entity.

“Peace Officer” means a person appointed or designated as a peace officer under the laws of Canada or the Province of British Columbia, and includes a police officer and any other person authorized to enforce enactments.

“Pedestrian” means a person on foot and includes a person using a wheelchair, mobility aid, skateboard, scooter, stroller, or similar device not propelled by a motor vehicle.

“Residential Area” means any area zoned for residential use under the Town’s Zoning Bylaw, as amended from time to time, and includes any highway abutting such area. Where different zones exist on opposite sides of a highway, the boundary between the zones shall be deemed to extend to the centre line of the highway.

“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 to all of them collectively.

“Scooter” means a lightweight, two-wheeled vehicle with a narrow footboard, steered by handlebars. It exists in two primary forms: a manual "kick scooter" propelled by pushing one foot against the ground, or a motorized version ("motor scooter," "e-scooter") featuring a seat or electric motor.

“Secure Location” means a place or area designated or approved by the Town for the storage, impoundment, or safekeeping of vehicles, bicycles, or other property, and that is restricted from unauthorized access.

“Sidewalk” means that portion of a highway improved or intended for the use of pedestrians and separated from the roadway by a curb, boulevard, ditch, or other physical division.

“Small Wheeled Transport” or SWT is human-powered transportation, not including Mobility Aids, with small diameter wheels, including

- a) Skateboards, foot operated scooters, roller skates, longboards, or similar devices;

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- b) Bicycles actively operated by children under 10 years of age;
- c) Electric kick Scooters, balance boards, E-bikes.

“Stop or Stopping” when prohibited, means the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a Peace Officer or traffic control device.

“Traffic” includes pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a highway to travel.

“Traffic Control Device” means a sign, signal, line marking, space, barrier, device, mechanical or automatic meter, placed or erected by authority of Council or person duly authorized by Council to exercise such authority

“Traffic Control Signal” means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.

“Traffic Patrol” means a person authorized to direct, regulate, or assist with the control of pedestrian or vehicle traffic, including during school crossings, special events, construction activities, or emergencies.

“Trailer” means a vehicle that is at any time drawn on a highway by a motor vehicle except:

“Tow-Vehicle” means a motor vehicle designed, equipped, or used for towing, transporting, or recovering disabled, damaged, improperly parked, abandoned, or impounded vehicles.

“Yellow Curb” and **“Yellow Line”** means, except where a bylaw of the Municipality provides otherwise, a traffic-control device consisting of a curb painted yellow or yellow lines painted on the pavement surface which instructs every operator of a vehicle that no person shall stop, park or leave standing any vehicle, adjacent to or upon, attended or unattended, except where necessary to avoid conflict with other traffic, or in compliance with the direction of a peace officer, traffic control signal, or device.

3. TRAFFIC OFFENCES

3.1 TRAFFIC OFFENCES

Any person who:

- 1) not being a part of a funeral procession or parade, drives or operates a vehicle between the persons or vehicles comprising a funeral procession or parade;
or

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- 2) stands or loiters in such a manner as to obstruct or impede or interfere with traffic on a highway; or
- 3) rides or herds horses, cattle, goats, or swine on sidewalks or boulevards; or
- 4) without a permit issued by the Engineer, operates a tracked vehicle on roadways, sidewalks, boulevards, roads, or in lanes; or
- 5) drags or skids anything on or over a highway; or
- 6) removes any notice affixed or placed on a vehicle by a Town employee, unless he is the owner or operator of such vehicle; or
- 7) except in the case of a Municipal or Utility vehicle or trucks delivering goods to properties on a street or streets directly serviced by such streets, drives a truck with a gross vehicle weight in excess of 4,536 kilograms on streets where "No Truck" signs are posted; or
- 8) drives, parks, stops, stands or permits a vehicle to be driven, parked, stopped or standing, contrary to any traffic control device; or
- 9) in any park, drives, parks, stops or permits any vehicle to be driven, parked, stopped or standing, contrary to parks regulations; or
- 10) in a parking area, causes or permits a vehicle, of which he is the owner, to be parked, stopped or standing, in other than a designated parking space; or
- 11) camps overnight on any street or in any park or in any parking area, other than those areas approved for overnight camping; or
- 12) places, allows or permits anything to project across, onto or over a highway so as to impede the normal flow of traffic; or
- 13) causes, allows or permits a vehicle, of which he is the owner or operator, to be reverse parked in an angle parking space; or
- 14) removes, alters, defaces, covers up or damages any traffic control device erected pursuant to the provisions of this Bylaw;

is guilty of an offence against this Bylaw and is subject to the provisions and penalties prescribed in sections hereof.

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3.2 PARKING OFFENCES

Except when necessary to avoid conflicts with traffic, or to comply with the Law, or the directions of a Peace Officer or Traffic control device or traffic patrol, and except while operating a Municipal or Provincial Utility vehicle, or vehicles of a Public Utility Corporation, while engaged in their duties, no person shall stop, stand or park a vehicle:

- 1) on a sidewalk or boulevard;
- 2) in front of a public or private driveway;
- 3) in an intersection, except as permitted by a traffic control device;
- 4) within five (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;
- 5) on a crosswalk;
- 6) within six (6) metres of the approach side of a crosswalk;
- 7) within six (6) metres of the approach to a stop sign or traffic control signal located at the side of a roadway;
- 8) within fifteen (15) metres of the nearest rail of a railway crossing;
- 9) on any highway for the principal purpose of:
 - i. displaying a vehicle for sale;
 - ii. advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency;
 - iii. selling flowers, fruit, vegetables, seafoods or other commodities or articles;
- 10) alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
- 11) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
- 12) in any place in contravention of a traffic control device that gives notice that stopping, standing, or parking is prohibited or restricted;
- 13) in a manner that obstructs the visibility of a standard traffic sign erected by or with the authority of the Council;

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- 14) upon a two-way roadway, other than on the right side of the roadway, and with the right-hand wheels parallel to that side, except where angle parking is permitted;
- 15) on a roadway, more than 300 mm from the curb of such a roadway, if a curb has been constructed;
- 16) in a designated angle parking zone, where the length of such vehicle and any trailer attached thereto exceeds six (6) metres;
- 17) on any highway, for a continuous period exceeding twenty-four (24) hours;
- 18) within 1.5 m of the entrance or exit of a lane;
- 19) upon a roadway in such a manner as to obstruct the free passage of traffic upon the roadway.
- 20) upon any portion of the highway where traffic control devices, consisting of lines, are painted upon the surface of the highway to designate parking areas, except within such designated space or area;
- 21) upon a portion of a highway that has been improved and designated by traffic control devices for the travel of cycles;
- 22) on any highway where any traffic control device indicates the length of time allowed for parking, in contravention of the length of time indicated on the applicable traffic control device;
- 23) on any parking lot operated by the Town of Smithers, 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;
- 24) upon any highway, and then move a vehicle from one location to another location on the same highway, in the same block, to avoid the time limit regulations specified in that particular block;
- 25) in excess of the maximum length of time indicated by legible sign or signs which have been approved by motion of Council, and when a vehicle remains in any parking space beyond the maximum time limit, then each succeeding time limit shall constitute a separate offense;
- 26) whether attended or unattended, not being an emergency vehicle in a fire lane;

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- 27) in the case of a vehicle so mechanically disabled that it cannot be driven, on any roadway at any time, or on any portion of the highway, more than twelve (12) hours;
- 28) in such a manner so as to inhibit free access to any garbage container by any person authorized to deposit in or pick up garbage from said garbage container;
- 29) on any parking lot operated by the Town of Smithers failing to obtain paid parking from an automatic or mechanical meter by depositing in the appropriate meter a fee for parking in the manner and at the rate prescribed and as measured by the meter and displaying the permit in an obvious, unobstructed location face up on the front driver's side dash of the vehicle.
- 30) in a lane unless for the purpose of actively unloading cargo for no longer than a duration of 15 minutes.
- 31) in any parking stall taking up more than one stall

3.3 BICYCLES, E-SCOOTERS AND SMALL WHEELED TRANSPORT OFFENCES

No person shall:

- 1) ride on any sidewalk (except designated Multi Use Pathways);
- 2) ride against traffic on any Highway;
- 3) ride without helmet on any Highway, MUP or Trail, the helmet must meet the standards defined by the Bicycle Helmet Safety Regulation under the Motor Vehicle Act;
- 4) ride as near as practicable to the right side of the Highway, unless turning left or as otherwise directed by a Traffic Control Device;
- 5) dismount when using a Sidewalk, or crosswalk, unless otherwise directed by a Traffic Control Device;
- 6) perform any stunting, tricks or ride in a dangerous manner;
- 7) ride without both hands on the handlebars at all times, unless using hand signals for turning or stopping;
- 8) ride other than in single file at all times, whether on a highway or Multi-Use Pathway.

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3.4 MULTI-USE PATHWAYS (MUP)

Any person using a Bicycle or other small wheel transport device on a Multi-Use Pathway:

- 1) must comply with the directions or regulations appearing on any traffic control device relating to the Multi-Use Pathway;
- 2) must yield the right of way to any Pedestrian;
- 3) must operate the Bike or Small Wheeled Transport as near to the right side when practical, except while overtaking a Pedestrian, Small Wheeled Transport or other Bike;
- 4) must use and sound their horn, bell or verbally notify the other users of the Multi-Use Pathway when overtaking any of them while proceeding in the same direction;
- 5) must ride at a moderate rate of speed not exceeding 20 km/hr unless otherwise changed by a Town engineer by way of TCO (Traffic Control Order) and without interfering with or endangering any other person using the Multi-Use Pathway;
- 6) must at all times use safety equipment while operating a Bike or Small Wheeled Transport, including a helmet, and from dusk until dawn, a front white light and rear red-light.

3.5 BOULEVARDS AND FRONTAGES

No person shall:

- 1) park any vehicle, object or sign on a boulevard to sell said object;
- 2) display a vehicle for sale;
- 3) park a disabled vehicle for more than 24 hours on a frontage road;
- 4) erect or place any signage in contravention of the sign Bylaw # 1841.

4. EXTRAORDINARY TRAFFIC

- 1) Where, in the opinion of the Engineer, any highway is liable to damage through extraordinary traffic thereon, he 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.

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- 2) Any person to whom this Section 4 might otherwise apply may, with the approval of the Engineer, enter into an agreement for the payment to the Municipality of compensation in respect of the damage or expense which may, in the opinion of the Engineer, be caused by the extraordinary traffic, and thereupon that person shall not in respect of that traffic be subject to any prohibition penalty prescribed in this section.
- 3) The Engineer or a Peace Officer may close to traffic, or regulate the use of any highway at such time, and for such period of time, and in respect of such classes of traffic or use, as in their opinion may be necessary for the construction or protection of any highway or other public work, or for the protection of persons using the highways, or to enable permitted traffic to be handled safely and expeditiously.

5. REMOVAL OF VEHICLES AND CHATTELS

- 1) Any chattel, including any vehicle or cycle, or any obstruction unlawfully occupying any portion of a street or public place may be removed, impounded, or discarded at a secure location, by the Bylaw Enforcement Officer or other person duly authorized;
- 2) Any vehicle parked contrary to this Bylaw may be removed without prior notice at the owner's expense.
- 3) Prior to the redemption of the chattel or obstruction, all fees and charges for the removal, care or storage of a vehicle, chattel or obstruction removed and/or impounded under this Bylaw shall be paid by the owner of such vehicle or property;
 - a. If a motor vehicle is removed, detained or impounded, written notice shall be given to the registered owner at their address as shown on the records of the Registrar of Motor Vehicles advising him of the seizure, the sum payable to release the vehicle and the date of advertising for sale by public auction if unclaimed;
 - b. Any vehicle, chattel or obstruction not claimed by its owner within thirty (30) days of its impounding or detention may be sold at public auction which auction shall be advertised at least once in a news paper circulating in the Municipality;
- 4) The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to the fees, costs and expenses of the Municipality or its contractors and thirdly the balance, if any, shall be held by the Municipality for one (1) year from the date of the sale for the owner. If unclaimed at the

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end of the year such sum shall be paid into the General Revenue of the Municipality.

6. TRAFFIC CONTROL DEVICES

- 1) The provisions of this Section do not apply to arterial highways.
- 2) The Engineer is hereby authorized to order the placing or erection of applicable traffic control devices at such places as he shall designate in such order to give effect to the provisions of this Bylaw and the *Motor Vehicle Act*. Such traffic control devices shall include all signs contained in the B.C. Regulations 343/77 as amended from time to time.
- 3) Without limiting the generality of the foregoing permitted traffic control devices shall also include:
 - a. signs to regulate, control or prohibit pedestrian traffic, vehicular traffic, and cycle traffic on sidewalks, bridges, walkways, or boulevards or in lanes;
 - b. Signs to regulate, control or prohibit the stopping of vehicles;
 - c. Signs for the regulation, control or prohibition of standing or parking of vehicles;
 - d. Signs where construction, reconstruction, widening, repair, marking or other work is being carried out indicating that men or equipment are working upon the highway;
 - e. Signs to regulate or prohibit pedestrian traffic on highways other than at crosswalks;
 - f. Signs to regulate, control or prohibit persons from using roller skates, sleighs, skates, skateboards, skis or other similar means of conveyance on a highway;
 - g. Signs at intersections and in advance of intersections where it is required to prohibit certain movement;
 - h. Signs on highways upon which the traffic is required to travel in one direction only;
 - i. Signs at the end of one-way roadways to prevent traffic entering the restricted area;

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- j. 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;
 - k. Signs in locations where truck traffic is prohibited or restricted;
 - l. 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.
 - m. Signs at locations where it is required to give advance information of a playground adjacent to a roadway, or its maximum speed zone;
 - n. Signs or lines in locations where it is permissible to angle park;
 - o. Signs on streets where the Engineer has designated truck routes for movement of truck traffic through town;
 - p. Signs at locations allowing for accessible parking only;
 - q. Other signs that may be necessary from time to time, as required by Statute.
- 3) The Engineer or any Peace Officer may order the alteration, repainting, tearing down or removal of any sign or advertisement, erected or maintained on or over any highway and in the exercise of this authority no compensation shall be paid to any person for loss or damage resulting from the alteration, repainting, tearing down, or removal of any sign or advertisement placed upon or over any highway:
- a. Along the route of any parade;
 - b. In the vicinity of a large gathering or during special circumstances;
 - c. To facilitate the fighting of fires;
 - d. To facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a highway being carried out by the Town or any other utility;
 - e. In the interest of public safety.
- 4) Where traffic control devices have been authorized and placed under the provisions of the Motor Vehicle Act by the Ministry of Transportation and Infrastructure in the Province of British Columbia, the same shall be deemed to have properly been placed and erected pursuant to the provisions of this Section.

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- 5) Traffic control devices erected pursuant to this Section shall, where applicable, comply with the sign regulations, as set out in the regulations to the Motor Vehicle Act.
- 6) Notwithstanding the provisions of the Motor Vehicle Act, no person shall drive or operate a vehicle:
 - a. Upon any portion of Third Avenue at a rate of speed in excess of 30km/hour.

7. VEHICLE REGULATIONS

7.1 PROHIBITIONS

This section does not apply to arterial highways.

No person shall drive or operate on a highway:

- 1) A passenger vehicle so loaded that any part of the load extends beyond the sides of the vehicle or more than 185 cm beyond the back of the vehicle.
- 2) Save as otherwise provided herein, a vehicle, other than a horse drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order.
- 3) A 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 but excluding tire chains of reasonable proportions when required for safety and winter studded tires after October 1st and before April 30th.
- 4) A solid rubber-tired vehicle at a greater rate of speed than 20 km/h.
- 5) A vehicle unless it is so constructed and loaded as to prevent any of its load:
 - a. from shifting or swaying in such a manner as to affect the operation of the vehicle; or
 - b. from dropping, sifting, leaking or otherwise escaping therefrom, but sand may be dropped for the purpose of securing traction, and water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.
- 6) A vehicle with any load unless the load or 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.
- 7) A vehicle having a greater gross weight, axle load or tire load, than the limits of weights and loads prescribed in the regulations pursuant to the

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Commercial Transport Act of the Province of British Columbia, or having greater dimensions (with or without load, or a greater number of vehicles coupled together than is prescribed in the said regulations).

8. ENFORCEMENT

- 1) The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer, Community Safety Officer, RCMP, or director appointed by the Town of Smithers Chief Administrative Officer.
- 2) Any person who commits an offence under this Bylaw or fails to comply with the Bylaw Enforcement Officer or Community Safety Officer is punishable and liable on a bylaw offence notice to a fine or penalty as described in the Town of Smithers Bylaw Notice Offence Bylaw #2011 schedule A.
- 3) Each day a contravention or violation of this Bylaw will constitute a new offence and may trigger progressive enforcement.

9. SEVERABILITY

If any portion of this bylaw is found invalid by a Court of competent jurisdiction, the invalid portion may be severed without affecting the validity of the remainder of this Bylaw.

READ A FIRST TIME THIS 28th DAY OF JULY, 2026.

READ A SECOND TIME THIS 28th DAY OF JULY, 2026.

READ A THIRD TIME THIS 28th DAY OF JULY, 2026.

ADOPTED THIS 25TH DAY OF AUGUST, 2026.



Gladys Atrill
Mayor

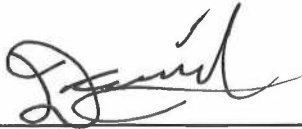


Micheal Dewer
Chief Administrative Officer

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CERTIFIED A TRUE AND CORRECT
COPY of Bylaw No. 2013, cited as
"Bylaw No. 2013 – Traffic Bylaw".



David Schroeter
Corporate Officer