

**CITY OF DELTA
BRITISH COLUMBIA**



CITY OF DELTA HIGHWAYS BYLAW NO. 8452, 2026

*A Bylaw to regulate traffic, parking and the use of highways, boulevards, sidewalks,
and public rights-of-way within Delta.*

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A Bylaw to regulate traffic, parking and the use of highways, boulevards, sidewalks, and public rights-of-way within Delta.

WHEREAS the highways, boulevards, sidewalks, and other public rights-of-way within the City of Delta are essential for the safe and efficient movement of vehicles, cyclists, pedestrians and goods;

AND WHEREAS the City of Delta has authority under the Community Charter and the Local Government Act to regulate, prohibit, and impose requirements in relation to the use of highways and related infrastructure;

AND WHEREAS Delta Council wishes to establish updated and comprehensive regulations governing the use, occupation, and protection of highways within the City of Delta;

NOW THEREFORE the Council of the City of Delta in open meeting assembled, enacts as follows:

PART 1: CITATION

- 1.1 This bylaw may be cited for all purposes as “**City of Delta Highways Bylaw No. 8452, 2026.**”

PART 2: INTERPRETATION

- 2.1 In this Bylaw, unless the context otherwise requires, each of the following words has the meaning set out below:
- (1) words importing the singular number include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders;
 - (2) headings given to sections are for convenience of reference only and do not form part of this Bylaw;
 - (3) unless expressly stated otherwise, a reference to a “section” is a reference to a section in this Bylaw and a reference to a “Part” is a reference to a Part in this Bylaw;

- (4) unless expressly stated otherwise, a reference to an enactment is a reference to an enactment of British Columbia and regulations promulgated thereto, as amended, revised, consolidated or replaced from time to time, and a reference to a bylaw is a reference to a City bylaw, as amended, revised, consolidated or replaced from time to time; and
- (5) except as otherwise provided for in the applicable *Act* (*Act*), the *Community Charter* (*Charter*) or this Bylaw, reference to a resolution or vote of Council is a reference to a resolution or vote passed by an affirmative vote of a majority of Council Members present and entitled to vote on the matter.

Definitions

2.2 In this Bylaw, unless the context otherwise requires, each of the following words has the meaning set out below:

“Access” means a part of a Highway that allows physical ingress and/or egress of Motor Vehicles from the Roadway to adjacent property;

“Agricultural Gate” means a retractable barrier with or without a locking mechanism that when opened provides access to a Farm Vehicle Route;

“Angle Parking” means the parking of a vehicle other than parallel to a curb or the lateral lines of a Roadway;

“Applicant” means in relation to an Application, the person or entity that will carry out the permitted activity or a representative duly authorized to act on the behalf of the said person or entity;

“Application” means a written request by an Applicant for the issuance of a permit required by this Bylaw in a form and with content prescribed by this Bylaw;

“Arterial Highway” has the same meaning as defined in the *Transportation Act*;

“Bicycle Safety Helmet” means a helmet that meets the standards of the *Bicycle Safety Helmet Standards Regulation* under the *Motor Vehicle Act*;

“Boulevard” means the portion of a Highway between the curb lines, lateral lines or the shoulder of the Roadway and the adjacent property line and in the case of a divided Highway that portion of a Highway between the inside curb lines, lateral lines or shoulders of the Roadway;

“Bus” means a Motor Vehicle designed to carry more than ten persons;

“Bus Stop Sign” means a sign designating where public transit Buses may stop to allow passengers to embark or disembark;

“Bylaw” means this bylaw;

“Bylaw Enforcement Officer” means any person appointed to enforce the provisions of this Bylaw, and includes a Bylaw Inspector and any person employed by contract or otherwise to enforce parking regulations under this Bylaw;

“Chattel” means a moveable item of personal property including, without limitation, a leased or rented dumpster or container;

“Chief Constable” means the Chief Constable of the Delta Police Department and those persons delegated by the Chief Constable;

“City” means the City of Delta;

“Commercial Vehicle” means:

- (1) any Motor Vehicle having a Gross Vehicle Weight over 5500kg;
- (2) any Motor Vehicle bearing a commercial licence plate;
- (3) any Motor Vehicle having permanently attached to it a Truck or delivery body;
- (4) a casket wagon, limousine, hearse, motor Bus, Tow Vehicle, road building machine, Taxi, and a tractor;
- (5) any combination of truck, truck tractor, semi-trailer and trailer;
- (6) a Motor Vehicle having an engine valve retardant braking system installed or employed in addition to the standard braking systems;
- (7) other vehicles as specified by regulation of the Lieutenant Governor in Council pursuant to the *Commercial Transport Act*; and
- (8) any Motor Vehicle that has been structurally altered from its original manufacturer configuration by the permanent installation of a service or utility body, or by the integration into the vehicle's chassis or frame of mechanical lifting, elevating, hydraulic, pneumatic, electrical generation, or other apparatus or equipment of a type most commonly used in commercial or industrial applications.

“Council” means the Council of the City of Delta;

“Crosswalk” means

- (1) a portion of the Roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs and/or by lines and/or other markings on the surface, or
- (2) 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;

“Cycle” means a device having any number of wheels that is propelled by human power and on which a person may ride and includes a motor assisted cycle, but does not include a skate board, roller skates or inline roller skates;

“Cycle Lane” means a portion of the Highway designated for Cycles and identified by a sign or marking;

“Dangerous Goods” means has the meaning set out in the *Transport of Dangerous Goods Act*;

“Derelict Vehicle” means a Motor Vehicle that:

- (1) is not licensed for use on public roads for the current year or is not capable of being moved by its own motive power;
- (2) is reduced to parts, frames, or bodies of a Motor Vehicle; or
- (3) is missing parts, including, but not limited to doors, hood, trunk, tires, bumper, lights, or windows.

“Disabled Parking Zone” means a parking space which has been designated for the use of disabled persons by means of a sign or painting on the surface of the parking space with the standard wheelchair symbol;

“Driver” means a person who drives, operates, propels or is in actual physical control of a vehicle;

“Driveway” means an approved Access connecting the Roadway to an adjacent property and intended for vehicular travel, including any apron or crossing within the Highway right-of-way;

“Engineer” means that person appointed by the City as head of the Department of Engineering and those persons sub-delegated by the said appointee in accordance with the Delegation of Authority Bylaw No. 8199, 2022.

“Extraordinary Vehicle” means a Motor Vehicle used to carry goods or persons over a highway that, in conjunction with the nature or existing condition of the highway, the Engineer considers is so extraordinary with respect to:

- (1) the quality or quantity of the goods or the number of persons carried;
- (2) the mode or time of use of the Highway;
- (3) the speed at which the vehicles are driven or operated; or
- (4) one or more legislated dimension and/or weight limits on individual axle, axle groups or the gross vehicle weight set out in the *Commercial Transport Regulations* (BC),

that it is likely to substantially alter or increase the burden imposed on the Highway through its proper use by ordinary Traffic, cause damage to the Highway or result in expense to the Municipality beyond what is reasonable or ordinary;

“Extraordinary Vehicle Agreement” means the agreement described in Section 6.12 of this Bylaw;

“Farmer” means a person who is engaged in a farming activity on an agricultural zoned property within the Municipality;

“Farm Vehicle Route” means the route described in Section 6.19 of this Bylaw;

“Gross Vehicle Weight (GVW)” means the number of kilograms derived by adding the weights on all the axles of a Commercial Vehicle;

“Heavy Truck” means a Motor Vehicle which:

- (1) has a Gross Vehicle Weight (GVW) in excess of eleven thousand eight hundred (11,800) kilograms; or
- (2) comprises a truck tractor towing one or more trailers or semi-trailers;

but does not include any camper, house trailer, motor home, Recreational Vehicle or farm implement;

“Highway” includes a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property, within the Municipality;

“Highway Use Permit” means has the meaning provided in Section 11.12;

“Lane” means a Highway abutting the rear or side boundaries of parcels of land and which is intended primarily to provide access to the rear or side yards of such parcels;

“Loading Zone” means the area or space on a Highway established for the exclusive use of vehicles during the loading and unloading of materials;

“Mobile Food and Beverage Vending Unit” means a truck, trailer, cart, or other conveyance, or thing that is movable and is suitable to be used for selling certain foods and/or beverages to the general public for immediate consumption;

“Mobile Food and Beverage Vending Permit” means a permit issued by the City of Delta for a Mobile Food and Beverage Vending Unit to be used to prepare and sell certain foods and/or beverages from approved public locations during approved times to the general public for immediate consumption, all in accordance with the Mobile Food and Beverage Vendor Policy;

“Mobile Food and Beverage Vendor Policy” means the City of Delta’s Mobile Food and Beverage Vendor Policy;

“Motor Vehicle” means a vehicle or motorcycle, not run on rails, that is designed to be self propelled or propelled by electric power obtained from overhead trolley wires or on board storage batteries, but does not include a motorized wheelchair (scooter);

“Neighbourhood Zero Emission Vehicle” means licensed vehicle that travels on 4 wheels and is powered by an electric motor that is designed to allow the vehicle to attain a speed of 32 kilometres per hour but not more than 40 kilometres per hour in a distance of 1.6 kilometres on a paved level surface, and which

- (1) meets or exceed standards of the *Motor Vehicle Safety Act* (Canada) for a low-speed vehicle and bears a compliance label for a low-speed vehicle in accordance with that Act; or
- (2) if imported to Canada, has been imported as an admissible low-speed vehicle in accordance with the *Motor Vehicle Safety Act* (Canada) requirements and
 - (a) bears a compliance label for a low-speed vehicle in accordance with that Act; or
 - (b) meets applicable federal United States laws in accordance with the *Motor Vehicle Safety Act* (Canada).

“Park” means the standing of a vehicle, whether occupied or not, upon a roadway other than temporarily for the purpose of and while actually engaged in loading or unloading merchandise, discharging or taking on passengers

“Pathway” means a pathway intended for non-motorized use physically separated from the Roadway which may or may not be within the Highway dedication;

“Peace Officer” means an officer, provincial constable, municipal constable, Chief Constable, special municipal constable, or special provincial constable, all of which are defined in the *Police Act*;

“Pedestrian” means a person on foot, or in a wheelchair, carriage, or a Skater;

“Permit” means a permit issued under this Bylaw;

“Permit Holder” means a person holding a valid Permit under this Bylaw;

“Recovery Vehicle” means a Motor Vehicle that is equipped with a winch and boom device or a wheel lift device or both, and that is designed for towing other Motor Vehicles by means of that device;

“Recreational Vehicle” means a vehicle designed to provide temporary living accommodation for travel, vacation, or recreational use, and to be driven, towed, or transported;

“Residential District” means an area indicated as such in Schedule C;

“Roadway” means the portion of a Highway that is improved, designed, or ordinarily used for vehicular Traffic, but does not include the shoulder, Sidewalk or Boulevard; and where a Highway includes two or more separate Roadways, the term "Roadway" refers to any one Roadway separately and not to all of the Roadways collectively;

“Sidewalk” means the portion of a Highway between the curb lines or lateral lines of a Roadway and the adjacent property lines that is improved for use of Pedestrians or other uses authorized by a Permit;

“Sidewalk Hoarding” means temporary structures installed on a Sidewalk to protect pedestrians from construction activity or to secure construction materials and equipment;

“Skater” means a person who is skateboarding, or roller-skating with any form of skate or similar means of conveyance;

“Stand or Stop” means:

- (1) when required, a complete cessation from movement; and
- (2) when prohibited, the cessation from movement 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.

“Taxi” means a Motor Vehicle designed to carry not more than ten (10) persons that, with its Driver, is operated for hire;

“Tilt and Slide Deck Truck” means a Motor Vehicle that is equipped with:

- (1) a deck that tilts and slides,
- (2) a winch for self loading not more than two vehicles onto the deck, and
- (3) either a lifting tow bar or a wheel lift device designed for towing other Motor Vehicles by means of that bar or device.

“Tow Vehicle” means a Tilt and Slide Deck Truck or a Recovery Vehicle;

“Towing Contractor” means the company contracted by the City to tow vehicles in relation to enforcement of this Bylaw;

“Traffic” includes Pedestrians, ridden or herded animals, vehicles, Cycles and other conveyances, either singly or together, while using a Highway for purposes of travel;

“Traffic Control Device” means a sign, signal, painted line, meter, marking, space, cone barricade, barrier, chicane, Agricultural Gate or any other device, erected or placed under the authority of this Bylaw for the purpose of warning, guiding, regulating, directing, Stopping or Parking Traffic;

“Traffic Control Signal” means a Traffic Control Device, whether manually, electrically, or mechanically operated by which Traffic is directed to Stop and to proceed;

“Truck” means a Motor Vehicle, other than a Bus, station wagon, Recreational Vehicle, passenger van, or car that is either permanently fitted with special equipment, or is designed to, and normally used to, convey a load, and that may operate as a single unit or may pull a full trailer or pony trailer;

“Unattached Trailer” means a trailer that is not attached to its motive power unit;

“Unlicensed Vehicle” means a vehicle that is not displaying a current valid licence plate or is not insured to be driven;

“Utility” means any pipe, conduit, line, cable, pole, tower, box, vault, or other fixture installed on, in, under, or over a Highway for the purpose of providing, carrying, or transmitting a service.

- 2.3 Words that are not defined in this Bylaw have the meanings ascribed to them in the *Act* or the *Charter*, as applicable.

Applicability

- 2.4 Except as otherwise indicated, this Bylaw applies to all Highways within the Municipality and to any person involved in an activity or subject matter covered by this Bylaw.
- 2.5 A person riding a cycle or an animal, or driving an animal-drawn vehicle upon a Highway, has all the rights and is subject to all the duties, limitations and responsibilities that apply to the Driver of a vehicle under this Bylaw.

References to Enactments

- 2.6 A reference to a statute in this bylaw refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any statute, regulation code, or bylaw refers to that enactment as it may be amended or replaced from time to time.
- 2.7 Except as otherwise indicated in this Bylaw, words and phrases herein are to be construed in accordance with their meanings in the *Community Charter*, the *Motor Vehicle Act*, the *Transportation Act* and the *Interpretation Act*, as the context and circumstances require.

Successorship of Delegated Authority

- 2.8 Words in the Bylaw directing or empowering any officer or employee of the Municipality to do any act or thing apply in equal force to successors of such officer or employee and any lawful deputy, and any person who is duly appointed to act in that officer or person's place.

Severability

- 2.9 If any portion of this Bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion is to be severed, and the remainder is to remain valid and enforceable.

PART 3: EXEMPTIONS

- 3.1 This Bylaw does not apply to:

- (1) Provincial Arterial Highways;
- (2) Drivers of vehicles or persons using other equipment while lawfully engaged in Highway or public utility construction, maintenance or repair work on, over, under or adjacent to the surface of a Highway;
- (3) the Stopping, Standing or Parking of vehicles that are, at the relevant time:
 - (a) being used for the lawful purposes of the Municipality, another local government, or the government of Canada or British Columbia;
 - (b) being used for the lawful purposes of a public utility;
 - (c) being used as a Tow Vehicle for the authorized business purpose of its owner or operator under a licence issued by the Municipality. For the avoidance of doubt, the Tow Vehicle must be actively engaged in actions related to vehicle towing or recovery in order to avail this exception; or
 - (d) being used as an emergency vehicle;
 - (e) being used as a Tow Vehicle for the authorized business purpose of its owner or operator under a licence issued by the Municipality. For the avoidance of doubt, the tow vehicle must be actively engaged in actions related to vehicle towing or recovery in order to avail this exception; or

provided that in each of circumstances described in subparagraphs (i) through (iv), the vehicle is being operated with due regard for safety, having regard to all circumstances of the case, including the following:

- (i) the nature, condition and use of the Highway;
- (ii) the amount of Traffic that is on, or might reasonably be expected to be on, the Highway;
- (iii) the nature of the use being made of the vehicle at the time; and
- (iv) regulations under the Motor Vehicle Act that apply to the vehicle.

3.2 Section 4.1 and 4.2 of this Bylaw do not apply to the Municipality or its officials, employees, servants or agents in carrying out a function or purpose of the Municipality under the direction of Council, the Engineer or the Chief Constable or pursuant to an agreement with the Municipality.

PART 4: GENERAL REGULATIONS

Highway Restrictions

4.1 A person must not:

- (1) while removing a wrecked or damaged vehicle from the scene of an accident, leave any glass or other debris on the Highway;
- (2) being the owner or occupier of a commercial or industrial property as defined by Delta Zoning Bylaw No. 7600, 2017, fail to remove all snow, ice, and rubbish from all Sidewalks abutting such real property within 24 hours of the accumulation of such snow, ice, or rubbish;
- (3) being the owner or occupier of real property within the City, allow any garbage containers or other facilities related to garbage collection or recycling to be placed upon the travelled portion of the Highway abutting the said real property;
- (4) place any ice, snow, leaves, or vegetation upon a Highway;
- (5) place or permit to be placed, any fence, wall, vegetation, or other obstruction at or near the intersection of two Highways, and in such a location as to reduce or impede the Driver sight distance required for the safe operation of the intersection;
- (6) drive any vehicle into, over, through or otherwise operate, relocate or remove any Traffic Control Device placed on a Highway by the City or by a person pursuant to a Highway Use Permit;
- (7) place or permit to be placed any garbage or litter on a Highway;
- (8) herd horses, cattle, goats, or swine on a Highway;
- (9) drag or skid anything on or over a Highway, so as to damage the surface of the Highway;

- (10) cause or allow any noxious, offensive or filthy water or coolant, oil, or other substance, or any other article or thing, whether broken or intact, to be deposited on a Highway;
- (11) expectorate, urinate or defecate on a Highway;
- (12) camp, reside, or otherwise use a Highway or Boulevard for temporary accommodation, including in a tent, tent trailer, truck camper, trailer, motor home, Vehicle, or any similar structure or shelter; or
- (13) park, place or otherwise cause or permit a Derelict Vehicle on a Highway.

Activities Requiring Highway Use Permit

4.2 Except as authorized by a permit issued by the Engineer pursuant to this Bylaw ("Highway Use Permit"), a person must not:

- (1) throw, leave, place, or otherwise cause, permit or allow the deposit of any earth, refuse, debris, gravel, rocks, stones, fuel, logs, stumps, lumber, blocks, merchandise, Chattel or other debris to cave, fall, crumble, slide, or accumulate onto a Highway;
- (2) leave any excavation or other obstruction on a Highway;
- (3) dig up, break up or remove any part of a Highway, or cut down or remove trees or timber growing on a Highway, or excavate in or under a Highway;
- (4) change the level of a Highway whatsoever, or stop the flow of water through any drain, sewer or culvert on or through a Highway;
- (5) place, construct or maintain a retaining wall, loading platform, Sidewalk Hoarding, skid, rail, mechanical device, building, signs, pavers, asphalt, brick, concrete, gravel or any other structure or thing on a Boulevard or Highway;
- (6) construct or maintain a ditch, sewer or drain, the effluent from which is likely to or does cause damage, erosion, fouling, injury or nuisance to any portion of a Highway;
- (7) mark, imprint or deface in any manner whatsoever a Highway or structure thereon;
- (8) ride, drive, move or propel any vehicle over or across a Boulevard, including any curb, Sidewalk or ditch therein unless such Boulevard has been constructed or improved to form a suitable crossing;
- (9) cause damage to, cut down or remove trees, shrubs, plants, bushes and hedges, fences, irrigation, bollards or other things erected by the City on a Highway;

- (10) operate a vehicle while sounding a calliope, loudspeaker or other noise making device, unless the vehicle is being operated as an ice cream vendor vehicle for which there has been issued a valid business licence and in accordance with that licence;
- (11) march, drive or otherwise take part in a parade or procession, except a funeral procession;
- (12) conduct construction on a Highway or traffic control relating to such construction;
- (13) conduct construction on land adjacent to a Highway where access from the Highway to the land is required for that purpose;
- (14) block or redirect Traffic on a Highway using barricades, traffic cones, or other means;
- (15) occupy any portion of a Highway or the airspace above a Highway to maintain, clean, construct, alter, repair, demolish, or move a building, structure, sign, awning, or part thereof;
- (16) install, erect, or cause to be installed or erected a Traffic Control Device, or the likeness thereof, on or within sight of a Highway;
- (17) damage, obstruct, deface, remove, replace or in any way interfere with a Traffic Control Device;
- (18) construct an Access, whether or not the access is on privately owned land or over a curb, ditch, Boulevard or Sidewalk crossing;
- (19) operate any vehicle transporting Dangerous Goods on any Highway on which the movement of Dangerous Goods is restricted by the City;
- (20) install temporary anchor rods, temporary footings, temporary shoring and other encroachments on a highway or portion of a highway;
- (21) use a crane or forklift to pick up or carry a load on or over a Highway or other public property;
- (22) blast or use explosives on or over a Highway;
- (23) obstruct or interfere with the free flow of Traffic or attempt to control or detour Traffic on any Highway or Lane, whether by use of signs, flagperson or by barricades or other physical obstruction on the road, unless the person:
 - (a) is a Peace Officer, Bylaw Enforcement Officer, parking patroller or firefighter acting in the normal course of his or her duties;
 - (b) is a student or adult school patrol acting under the authority of the *School Act* or as approved by the Chief Constable;
 - (c) is operating an emergency vehicle during an emergency;
 - (d) is carrying out a lawful purpose of a public utility;

- (e) is an officer, employee, servant, contractor or agent of the City for the purpose of making repairs, undertaking an inspection or carrying out a survey; or
- (f) has parked their vehicle lawfully on a Highway or Lane, or otherwise in accordance with a Traffic Control Device or the direction of a Peace Officer;
- (24) place, cause or allow anything to project across, onto or over a Highway so as to impede the normal flow of Traffic;
- (25) in managing, supervising or operating construction equipment or vehicles, allow the counter-weight of any overhead climbing crane in the full arc of its swing to extend beyond the designated building site or hoarding;
- (26) fail to comply with a traffic control device; or
- (27) obstruct Traffic on a Boulevard, Crosswalk, Cycle Lane, Highway, Lane, Pathway, Roadway, or Sidewalk by participating in, organizing or hosting a gathering of persons.

No Stunting

- 4.3 A person must not perform or engage in an activity on a Highway that is likely to distract, startle or interfere with other users of the Highway.

Obedience to Peace Officers, Bylaw Enforcement Officers and Firefighters

- 4.4 A Peace Officer, Bylaw Enforcement Officer, or firefighter in order to expedite the movement of Traffic or to safeguard Pedestrians or property, may direct and control Traffic and in doing so may disregard any Traffic Control Device that is contrary to that purpose;
- 4.5 Every person must comply with any lawful order, direction, signal or command made or given by a Peace Officer, Bylaw Enforcement Officer or firefighter acting in the performance of his or her duty in directing or regulating Traffic under this bylaw.

Identification on Request

- 4.6 When requested to do so by a Peace Officer or Bylaw Enforcement Officer:
- (1) the Driver or operator of a vehicle, or the person in charge of a vehicle on a Highway must correctly state his or her name and address and the name and address of the owner of the vehicle; and
 - (2) a Pedestrian or the operator of a Cycle must correctly state his or her name and address.

PART 5: TRAFFIC CONTROL DEVICES

Authority of the Engineer

- 5.1 The Engineer may order the placement, erection, and maintenance of applicable Traffic Control Devices where and when necessary, to give effect to the provisions of this Bylaw and the *Motor Vehicle Act*, and to regulate, warn, direct, or inform Traffic for the safety and convenience of the public.
- 5.2 Orders for Traffic Control Devices shall be issued in written form, dated and signed by the Engineer.
- 5.3 The Engineer may rescind, revoke, amend or vary any order concerning Traffic Control Devices where the Engineer considers the conditions which gave rise to the need for the order have been rectified or otherwise removed.
- 5.4 In accordance with this Bylaw and the Delta Sign Bylaw No. 5860, 2000 the Engineer may order the alteration, repainting, tearing down, or removal and disposal of an unauthorized sign, advertisement, Traffic Control Device, or guide-post that has been erected or maintained on or over any Highway. No compensation shall be paid to any person for loss or damages related to the lawful exercise of this authority.

Traffic Control Device Standard

- 5.5 A person who erects a Traffic Control Device must, in addition to any other conditions and requirements of a permit issued by the City, comply with the sign regulations of Division 23 of the *Motor Vehicle Act Regulation*.

PART 6: VEHICLE REGULATIONS

Vehicle Loading

- 6.1 A person must not drive or operate on a Highway without a Highway Use Permit:
 - (1) a 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) a vehicle with a load that is shifting, swaying, bouncing, dropping, leaking, dragging or otherwise escaping from the vehicle onto a Highway.

Truck Routes

- 6.2 Subject to Section 6.3, a person must not drive, operate, Stop, Stand or Park any Heavy Truck on any Highway within the City unless the Highway or portion of Highway is designated as a Truck Route in Schedule "A".

6.3 Section 6.2 does not apply to:

- (1) any Heavy Truck while engaged in the pick-up or delivery of soil, fuel, furnishings, fixtures, goods, wares or merchandise to premises fronting on a Highway not designated as a Truck route, provided the route followed is the shortest feasible route between a designated Truck Route or Provincial Highway and the premises;
- (2) any school bus or other vehicle operated for the purpose of providing public transportation within the City;
- (3) any Heavy Truck operating outside the urban Residential Districts designated on Schedule "C" hereto that is transporting agricultural products between farms located in the City but outside the urban Residential Districts;
- (4) fire fighting apparatus; or
- (5) an Arterial Highway, provincial public highway or a portion of a Highway within 800 metres of an arterial highway or provincial public highway.

Temporary Restrictions

6.4 The Engineer may control Traffic on a Highway or temporarily restrict or prohibit any kind of Traffic on any Highway at such time and for such period of time and in respect of such classes of Traffic or use as in the opinion of the Engineer may be necessary:

- (1) for the construction or protection of any Highway or other public work;
- (2) for the protection of the public; or
- (3) to enable permitted Traffic to be handled safely and expeditiously.

Commercial Vehicles

6.5 For the purpose of Section 6.6, "regulations" means a regulation under Division 7 of the *Commercial Transport Regulations*, as amended. References in the regulations to the Minister shall be interpreted as references to the Engineer and references to a permit shall be interpreted as references to a Highway Use Permit issued under this Bylaw.

6.6 A person must not operate on a Highway a Commercial Vehicle if:

- (1) the Gross Vehicle Weight of the Commercial Vehicle exceeds its licensed Gross Vehicle Weight;
- (2) the weight of an axle, group of axles or axle unit exceeds the weight permitted by the regulations;
- (3) the dimensions of the Commercial Vehicle do not conform to the regulations

- (a) with load included; and
 - (b) without load; or
 - (4) the distances between the axles, group of axles, or axle units do not conform to the regulations,
- unless the person is holding a valid and subsisting Highway Use Permit issued by the Engineer.
- 6.7 A person must not operate a Commercial Vehicle on a Highway if that vehicle exceeds the approved Gross Vehicle Weight:
- (1) by a weight greater than a kilogram but less than 500 kilograms;
 - (2) by a weight greater than 500 kilograms but less than 1000 kilograms;
 - (3) by a weight greater than 1000 kilograms but less than 1500 kilograms;
or
 - (4) by a weight greater than 1500 kilograms.
- 6.8 Except in the case of an emergency, a person must not use an engine brake of any kind (including a brake commonly known as a “Jacobs” Brake) to slow or stop a Motor Vehicle on a Highway within a Residential District of the City.

Extraordinary Vehicles

- 6.9 Subject to Sections 6.10 and 6.11, a person must not drive a vehicle on any Highway, if the Engineer has notified the owner or Driver that in his opinion, the vehicle is an Extraordinary Vehicle.
- 6.10 A person who has been notified under Section 6.9 may apply to the Engineer to enter into an Extraordinary Vehicle Agreement so that the vehicle may be safely operated, driven, stopped, stood or parked on a Highway within the City, with reduced burden on the City and reduced risks of damage to Highways and other property.
- 6.11 The Engineer may, on behalf of the City, enter into an Extraordinary Vehicle Agreement under this Section with the owner or Driver of the vehicle, or both.
- 6.12 An Extraordinary Vehicle Agreement may include any terms, conditions, restrictions and requirement the Engineer considers necessary or appropriate for reducing the risks associated with an Extraordinary Vehicle and any further risks identified in the circumstances. Without limiting the foregoing, the Extraordinary Vehicle Agreement may include a requirement for security, insurance, for indemnifying the City against risks associated with the subject vehicle, and for a payment to the City in compensation for any damage, or expense which may be caused to the City as a result of the vehicle being driven or operated within the City. The regulations of Part 7 may be varied as the Engineer considers necessary in the circumstances for public safety and to reduce or mitigate the burdens or risks associated with Stopping, Standing or Parking the vehicle that is the subject of an Extraordinary Vehicle Agreement.

- 6.13 The Engineer may require that a person wishing to enter an Extraordinary Vehicle Agreement provide information respecting the following matters:
- (1) time(s), date(s), duration, route, and speed traveled by the permitted vehicle;
 - (2) vehicle type, size, dimensions, axle spacing;
 - (3) vehicle ownership and licensing;
 - (4) nature and amount of load carried, and how the load is secured, provision of signs, flagging, lights, reflectors and other safety equipment;
 - (5) provision of pilot cars or police escorts or both;
 - (6) provision of inspection, provision of vehicle trip logs, in the case of multiple journeys; and
 - (7) repairs, adjustments, or cleaning of the subject Highway(s), and any Traffic Control Devices, signs or other structures thereon, affected by the vehicle movement.
- 6.14 A person who has been approved to enter an Extraordinary Vehicle Agreement must pay the fee specified in *Delta Consolidated Fees and Charges Bylaw No. 8386*.
- 6.15 The person identified in the Extraordinary Vehicle Agreement must carry a copy of the Agreement at all times during which the subject vehicle is being operated or driven on a Highway, and produce it on request to a Peace Officer or Bylaw Enforcement Officer.
- 6.16 The owner, Driver and any other person identified as being responsible for a vehicle that is the subject of an Extraordinary Vehicle Agreement must ensure that the vehicle is only driven and operated strictly in accordance with that Agreement.

Neighbourhood Zero Emission Vehicles

- 6.17 A person may drive or operate a Neighbourhood Zero Emission Vehicle only on a Highway within the City that has a speed limit of not more than 50 kilometres per hour.
- 6.18 A person who drives or operates a Neighbourhood Zero Emission Vehicle in accordance with Section 6.17:
- (1) must not, at an intersection, cross a Highway that has a speed limit that is greater than 80 kilometres per hour to enable the person to continue on a Highway on which the person is authorized to drive or operate a Neighbourhood Zero Emission Vehicle;
 - (2) must not travel on any Highway within the City that has a speed limit greater than 50 kilometres per hour; and

- (3) must remain in the lane on the street that is closest to the right hand edge or curb of the street, except when a left hand turn is necessary or when passing another vehicle.

Farm Vehicle Routes

- 6.19 Subject to Section 6.20, a person must not drive, operate, Stop, Stand or Park any Motor Vehicle on any Highway designated as Farm Vehicle Route in Schedule "D".
- 6.20 Sections 4.1(6) and 6.19 do not apply to the use of a Farm Vehicle Route by a Farmer. The onus of proving that a person is a Farmer rests with the person claiming to be a Farmer.

PART 7: PARKING REGULATIONS

Manner of Parking

- 7.1 Except when permitted by a Traffic Control Device or as directed by a Peace Officer, Bylaw Enforcement Officer, or firefighter under Section 4.5, a person must not Stop, Stand or Park a vehicle on a Roadway other than on the right side of the Roadway and with the rear right hand wheels parallel to that side, and where there is a curb, within 30 centimetres of the curb;
- 7.2 A person must not allow a Motor Vehicle to Stand unattended or parked unless the person has:
 - (1) locked it and made it secure in a manner that prevents its unauthorized use; and
 - (2) if the Motor Vehicle is Standing on a grade, turned the front wheels of the vehicle to the curb or side of the Roadway.
- 7.3 Unless otherwise directed by a Peace Officer, Bylaw Enforcement Officer, or firefighter under Section 4.5, a person must not:
 - (1) Park a vehicle so as to obstruct the free passage of Traffic on a Highway;
 - (2) Park a vehicle where a Traffic Control Device indicates that Angle Parking is permitted other than at an angle indicated by parking lines marked on the Highway and with the right front wheel not more than 30 centimetres from the curb; or
 - (3) where vehicles are parked parallel to the edge of the Roadway, Park a vehicle closer than one (1) metre from any other parked vehicle.
- 7.4 Unless otherwise directed by a Peace Officer, Bylaw Enforcement Officer, or firefighter under Section 4.5, a person must not Stop, Stand or Park a vehicle:
 - (1) on a Sidewalk, Boulevard (unless otherwise approved by the Engineer), Pathway or marked or signed Cycle Lane;

- (2) in front of, or within 2 metres on either side of a public or private Driveway;
- (3) in an intersection;
- (4) within 5 metres of a fire hydrant measured from a point in the curb or edge of the Roadway which is closest to the fire hydrant;
- (5) on a Crosswalk;
- (6) within 15 metres of the approach of or 6 metres beyond a marked Crosswalk, unless expressly allowed by a Traffic Control Device;
- (7) within 6 metres of the approach of a flashing beacon, stop sign or Traffic Control Signal located at the side of a Roadway;
- (8) within 30 metres of the nearest rail of a railway crossing;
- (9) on a Highway, Boulevard or on a City of Delta right-of-way for purpose of:
 - (a) displaying the vehicle for sale;
 - (b) advertising, greasing, painting, wrecking, storing or repairing a vehicle, except where repairs are necessitated by an emergency;
 - (c) displaying signs; or
 - (d) selling flowers, fruit, vegetables, seafood, produce or other commodities or articles, unless authorized by a Mobile Food and Beverage Vending Permit;
- (10) alongside or opposite any 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) on a bridge or other elevated structure on a Highway, or in a Highway tunnel, except as permitted by a Traffic Control Device;
- (13) in a place in contravention of a Traffic Control Device that gives notice that stopping, standing or parking there is prohibited or restricted for residents, pick-up and drop-off, or any other reason;
- (14) in a manner that obstructs the visibility of any Traffic Control Device erected pursuant to this Bylaw;
- (15) in a designated Angle Parking zone where the length of the vehicle and/or Trailer exceeds 5.7 metres;
- (16) within 21 metres of the approach of or 8 metres beyond any Bus Stop Sign unless otherwise indicated by a Traffic Control Device or bus zone signs;

- (17) on a Highway within 9 metres of the nearest lateral edge line of the Roadway on an intersecting street; or
- (18) so as to obstruct the entrance to a building or to obstruct Pedestrians or vehicles using the Highway. This does not apply to persons participating in or assembled to watch a parade for which a Highway Use Permit has been issued.

Parking Time Limits

- 7.5 A person may Park a Mobile Food and Beverage Vending Unit for which a valid Mobile Food and Beverage Vending Permit is in effect on an approved Highway location to prepare and sell food or beverages to the general public for immediate consumption in accordance with the requirements of such permit.
- 7.6 Notwithstanding any other provision of this Bylaw, a person must not Park a vehicle on any Highway, public place, or other public right-of-way for a period exceeding seventy-two (72) consecutive hours.
- 7.7 Notwithstanding any other provision of this Bylaw, a person must not Park a trailer carrying a vehicle or Derelict Vehicle or a Tow Vehicle carrying or attached to a vehicle or Derelict Vehicle on any Highway, public place, or other public right-of-way for a period exceeding three (3) consecutive hours.
- 7.8 A person must not move their parked vehicle from one location to another within a radius of 150 metres in order to circumvent the time limit specified in this Bylaw or specified by a traffic control device.

Parking of Trailers and Commercial Vehicles

- 7.9 Unless as authorized by a Mobile Food and Beverage Vending Permit, a person must not Park on a Highway an Unattached Trailer that is:
 - (1) licensed as a commercial Trailer;
 - (2) licensed as other than a commercial Trailer; or
 - (3) Unlicensed.
- 7.10 Unless as authorized by a Mobile Food and Beverage Vending Permit, no person shall park a Commercial Vehicle between the hours of 7:00 p.m. and 7:00 a.m. of the following day on any Highway.

Loading Zones

- 7.11 Subject to Section 7.12, a Driver of any vehicle must not Stop in a Loading Zone for a period exceeding:
 - (1) three (3) minutes for the loading or unloading of passengers; or
 - (2) ten (10) minutes for the loading or unloading of materials.

7.12 A Driver of a vehicle that is employed as a licensed Taxi may Stop in a Loading Zone, providing that the Driver:

- (1) does not leave the vehicle unattended at any time; and
- (2) if not in the process of loading or unloading passengers, vacates the area immediately when the Loading Zone is required for pickup or delivery services;

Disabled Parking

7.13 A person must not Stop, Stand or Park a vehicle on any portion of a Highway designated as a Disabled Parking Zone unless there is displayed on the vehicle:

- (1) a valid disabled person's parking permit issued pursuant to the *Motor Vehicle Act*; or
- (2) a permit of similar nature issued by another jurisdiction.

Residential District

7.14 A person must not Park a Recreational Vehicle or any vehicle having a licensed Gross Vehicle Weight in excess of 5,500 kilograms, on any Highway within a Residential District in the City, except where the vehicle is temporarily parked and engaged in the moving, loading and unloading of furniture, equipment or other effects.

Municipal Precinct

7.15 A person must not Park any vehicle having a Gross Vehicle Weight in excess of 4,500 kg within the area bounded by 57th Street on the west, the extension of 44th Avenue on the south, Highway 17A on the east, and Ladner Trunk Road on the north, except where the vehicle is temporarily parked and engaged in the moving, loading and unloading of furniture, equipment or other effects.

Uninsured Vehicles

7.16 A person must not Park or leave any Unlicensed Vehicle on a Highway.

PART 8: OTHER REGULATIONS

Driving on Sidewalk

8.1 A Driver must not drive on a Sidewalk, Pathway or Boulevard, except when entering or leaving a Driveway or Lane or when entering or leaving land adjacent to a Highway.

Obeying Flagperson

- 8.2 Where a flagperson, authorized by a Highway Use Permit, is controlling the movements of Traffic around a portion of Highway on which work is being carried out, a person must not drive or operate a vehicle other than as directed by the flagperson.

Obeying Traffic Patrol

- 8.3 Every Pedestrian, cyclist and Driver of a Motor Vehicle must obey the instructions of an adult school crossing guard or a school student acting as a member of a traffic patrol.

Motor Vehicle Noise

- 8.4 A person must not start, drive, turn or Stop any Motor Vehicle, or accelerate the vehicle engine while the vehicle is stationary, in a manner which causes any loud and unnecessary noise in or from the engine, exhaust system, braking system, audio system, or from the contact of the tires with the Roadway.

Reverse Turn

- 8.5 A driver shall not turn a vehicle so as to proceed in the opposite direction:
- (1) unless they can do so without interfering with other traffic; or,
 - (2) when they are driving:
 - (a) on a curve;
 - (b) on an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 metres;
 - (c) at a place where a sign prohibits making a U-turn;
 - (d) at an intersection where a traffic control signal has been erected; except as specifically permitted by a traffic control device; or
 - (e) in a business district, except at an intersection where no traffic control signal has been erected.

PART 9: REMOVAL OF VEHICLES AND CHATTELS

Authority to Remove Vehicles and Chattels

- 9.1 If a Motor Vehicle or Chattel:
- (1) interferes with any fire-fighting, emergency vehicle, emergency operation or equipment;
 - (2) interferes with the normal flow of Traffic on a Highway;

- (3) interferes with the construction, improvement, maintenance, alteration, extension, widening, marking, repair, removal of snow or ice from, or sweeping of a Highway;
- (4) is Standing or parked in violation of this Bylaw or another bylaw of the City;
- (5) has apparently been left unattended on a Highway for a period of at least seventy-two (72) hours;
- (6) is found on a Highway and is an Unlicensed Vehicle; or
- (7) is unlawfully occupying any portion of a Highway, Boulevard, Access or Sidewalk,

a Peace Officer, a Bylaw Enforcement Officer, or the Engineer may take any of the following actions:

- (a) direct, move or cause to be moved, the Motor Vehicle or Chattel to a location or position that the Peace Officer, Bylaw Enforcement Officer, or Engineer considers to be necessary or appropriate in the circumstances;
- (b) require the Driver, owner or other person who is apparently responsible for the Motor Vehicle or Chattel to move it, or cause it to be moved, to a location or position that the Peace Officer, Bylaw Enforcement Officer, or Engineer considers to be appropriate in the circumstances; or
- (c) where neither of the actions in subparagraph i. or ii. is practicable, seize, detain, or impound the Motor Vehicle or Chattel, or cause the Motor Vehicle or Chattel to be seized, detained or impounded.

Recovery

- 9.2 Any Motor Vehicle, Chattel or other obstruction that has been removed, detained or impounded by the City's Towing Contractor may be recovered by the owner during the Towing Contractor's normal business hours by paying to the Towing Contractor the fees for removal, care and storage of the vehicle or Chattel in the same amounts that are set out in *Towing and Storage Rate Payment Schedule* established by the Insurance Corporation of British Columbia and in effect on the date of recovery.

Notice of Impoundment

- 9.3 If a Motor Vehicle or Chattel is removed, detained or impounded, and not claimed by its owner within 30 days from date of seizure, written notice shall be given in the case of a Motor Vehicle to the owner at the last known owner's address, if available, as shown on the records of the British Columbia Superintendent of Motor Vehicles, and, in the case of any other Chattel, to the owner if the identity of the owner can be established, advising of the seizure, the sum payable to recover the Motor Vehicle or chattel, and the date of planned disposal of the property.

Disposal of Impounded Property

- 9.4 The City may dispose of any vehicle or Chattel not claimed by its owner following 30 days after delivering by mail a notice to the owner. If the vehicle or Chattel is disposed of by public auction, the auction shall be advertised at least once in a local newspaper.

Disposal Proceeds

- 9.5 The proceeds of disposal shall be applied firstly to the cost of the disposal, and secondly to the fees incurred by the City for the removal and impoundment. Any remaining balance shall, in the case only of a vehicle or Chattel that has a realized disposal value, be held for the owner by the City for one year from the date of disposal. If the balance remains unclaimed at the end of the year, such balance shall be paid into the general revenue account of the City.

PART 10: PEDESTRIAN AND CYCLE REGULATIONS

Pedestrian Controlled Signal

- 10.1 Where a Pedestrian is instructed or permitted by a Traffic Control Signal to enter or proceed across a Roadway, they must do so in a safe manner and:
- (1) when at an intersection, only in a Crosswalk; and
 - (2) other than at an intersection, in the vicinity of which there is a Crosswalk, only in the Crosswalk.

Persons Impeding Traffic

- 10.2 A person must not engage in any sport, amusement, exercise or occupation on a Highway, or stand, walk, run in such a manner so as to obstruct, impede or interfere with the free passage of vehicles on a Highway.
- 10.3 A person must not engage in any sport, amusement, exercise or occupation on a Sidewalk or stand, walk, run or loiter in such a manner so as to obstruct, impede or interfere with the free passage of another person on a Sidewalk.

Pedestrians

- 10.4 When crossing a Highway at other than a Crosswalk, a Pedestrian must yield the right of way to a vehicle.
- 10.5 The Driver of a vehicle must yield the right of way to a Pedestrian where Traffic Control Signals are not in place or not in operation when the Pedestrian is crossing the Highway in a Crosswalk and the Pedestrian is on the half of the Highway on which the vehicle is travelling, or is approaching so closely from the other half of the Highway that he or she is in danger.
- 10.6 A Pedestrian must not cross a Roadway in contravention of a Traffic Control Device.
- 10.7 If there is a Sidewalk that is reasonably passable on either or both sides of the Highway, a Pedestrian must not walk on the Roadway.
- 10.8 If there is no Sidewalk, a Pedestrian walking along or on a Highway must walk only on the extreme right side of the Roadway or on the shoulder of the Highway, facing Traffic approaching from the opposite direction;
- 10.9 A person outside of a Motor Vehicle must not stand in the Roadway, solicit a ride, employment or business from an occupant of a vehicle on a Highway.
- 10.10 A person must not slide, roller skate, sleigh, ice skate, skate board, ski or use any other similar means of conveyance on a Roadway, or use such conveyances in a Public Place contrary to a Traffic Control Device.

Cycles

- 10.11 A person operating a Cycle:
 - (1) must not ride on a Sidewalk unless authorized by this Bylaw or unless otherwise directed by a Traffic Control Device. If authorized or directed to ride on a Sidewalk, a person must operate a Cycle with due care and attention and with reasonable consideration for other persons using the Sidewalk and Highway;
 - (2) when crossing a Highway, must not ride on a Crosswalk unless otherwise directed by a Traffic Control Device;
 - (3) must not ride abreast of another person operating a Cycle on the Roadway;
 - (4) must ride as near as practicable to the right side of the Roadway;
 - (5) must keep at least one hand on the handlebars;
 - (6) must not ride other than on or astride a regular seat of the Cycle;
 - (7) must not use the Cycle to carry more persons at one time than the number for which it is designed and equipped;
 - (8) must not ride a Cycle on a Highway where signs prohibit their use; and

- (9) must not ride a Cycle on a Highway without a Bicycle Safety Helmet, unless exempted under the *Bicycle Safety Helmet Exemption Regulation* of the *Motor Vehicle Act*.
- 10.12 A parent or guardian of a person under the age of 16 years must not authorize or knowingly permit to operate or ride as a passenger on a Cycle on a Highway if that person is not properly wearing a Bicycle Safety Helmet.
- 10.13 A person must not ride a Cycle, coaster, roller skates, sled, play vehicle or other similar means of conveyance while the person is being drawn, pulled or propelled by a vehicle on a Highway.

PART 11: PERMITS

11.1 The Engineer is hereby authorized:

- (1) to grant Permits under this Bylaw; and
- (2) to refuse, suspend, amend, vary, revoke or cancel any Permit, in consideration of safety, risk of injury to persons, damage or loss to property, inconvenience to others using the Highway, to residents or businesses in the vicinity or to the public generally, or any other operational need of the City. The Engineer is further authorized to prescribe application forms as necessary for the efficient administration of this Bylaw.

Availability of Permit

11.2 Once issued, a Permit must at all times be available at the site, or in the vehicle for which the Permit was issued and a person responsible for the activity under the Permit must immediately produce the Permit at the request of the Engineer, a Peace Officer or a Bylaw Enforcement Officer.

Effective Period of Permit

- 11.3 The effective period of a Permit shall be as stipulated in this Bylaw or on the Permit itself, unless suspended, amended, varied, revoked or cancelled, and in any case, shall not exceed twelve (12) months.
- 11.4 The Engineer may revoke a Permit effective immediately if the Permit Holder breaches any term or condition of the Permit.

Permit Fees and Securities

11.5 Every Applicant for a Permit must pay to the City the fee established in *Delta Consolidated Fees and Charges Bylaw No. 8386*.

- 11.6 In the case of work or an activity affecting the paved portion of a Highway, the Engineer may require an Applicant to provide a deposit as a condition of issuing the Permit, which deposit may be applied by the City to pay for any loss of pavement integrity, pro-rated by the age of the pavement, resulting from the work carried out under the Permit.
- 11.7 The Engineer may require additional security to ensure compliance with this Bylaw and the performance of any term or condition imposed under a Permit, in an amount that is, in the opinion of the Engineer, sufficient to pay the cost of either or both of the following:
- (1) repairing any damage to the Highway, structure, or other public or private property, that could result from the activity for which the Permit was issued and, where applicable, maintenance for up to one year following completion of any such repair; and
 - (2) fulfilling the obligations imposed by the Permit within the time specified by the Permit on default of the Permit Holder.
- 11.8 An Applicant who is required to provide a Permit deposit as a condition of the issuance of a Permit may, at the Applicant's option, provide the Permit deposit by:
- (1) a cash deposit,
 - (2) an irrevocable letter of credit, or
 - (3) another form of security satisfactory to the Engineer.
- 11.9 If a Permit Holder fails to promptly repair any damage, compensate for any injury or loss resulting from work, activity or other thing that is subject to the Permit, or fails to fulfill the obligations of the Permit within the specified time, the City may draw upon the deposit or security provided by the Permit Holder and may take steps to remedy the damage, compensate for loss or injury, or fulfill the obligations of the Permit Holder. If there are not sufficient funds on deposit or available through the security provided, to cover the costs, the City may recover any shortfall from the Permit Holder.

Indemnity and Insurance

- 11.10 An applicant for a Permit must indemnify, protect and save harmless the City from and against all damages, claims and demands of every kind arising out of the work or other activities or things for which a Permit has been issued.

- 11.11 An applicant for a Permit must obtain and maintain throughout the term of the Permit, and for any applicable maintenance period, comprehensive general liability insurance and such other forms of insurance as the Engineer deems appropriate and with coverage limits that the Engineer deems appropriate. Such insurance policy must be on an occurrence basis, name the City as an additional insured, include a cross-liability clause and provide that the policy shall not be cancelled or materially altered unless and until the City has received thirty (30) days notice in writing.

Highway Use Permit

- 11.12 In addition to the other requirements set out in this Bylaw, every Applicant for a Highway Use Permit must:
- (1) provide the Engineer with accurate and complete plans and specifications of any work to be undertaken on, over or under the Highway; and
 - (2) provide the Engineer with any additional supporting documents as requested by the Engineer.
- 11.13 Where any completed work on, over or under a Highway is to be taken over by the City, the Permit Holder shall maintain such work for a period of one year from the date of completion of the work, as certified by the Engineer. The Permit Holder must place an additional deposit in the amount as determined by the Engineer to cover the maintenance period.
- 11.14 Upon final completion of work carried out under a Highway Use Permit or the end of a maintenance period, as applicable, any amount that is not used or required by the City to remedy a default of the Permit Holder or any loss, injury or damage otherwise resulting from the work or from non-compliance with the Permit or this Bylaw will be refunded to the Permit Holder.
- 11.15 Work carried out under a Highway Use Permit must conform in every respect to plans and specifications approved by the Engineer.
- 11.16 Every Permit Holder must ensure compliance with this Bylaw and other applicable enactments, and that all terms and conditions of a Highway Use Permit are met.

Crane Over-Swings

- 11.17 Crane over-swing in the airspace above any Highway requires a Highway Use Permit as per Section 4.2, fee established in *Delta Consolidated Fees and Charges Bylaw No. 8386*, and authorization by the Engineer.

- 11.18 No person shall erect, construct, install, maintain, use, or permit the use of, a Crane in any manner that results in, or would reasonably be expected to result in, a Crane Swing without first making an application for and obtaining a Highway Use Permit and every such construction, use or maintenance shall be undertaken in all respects to the requirements and regulations of this Bylaw and the terms and conditions of the Highway Use Permit.
- 11.19 Notwithstanding any other provision of this Bylaw, no person shall erect, construct, install, maintain, use, or permit the use of, a Crane in any manner that would result in the boom or other parts of the Crane swinging over air space of City Property that is not City Highway, without first entering into an agreement with the City.

Temporary Soil Anchors

- 11.20 Temporary soil anchors encroaching into City property require a Highway Use Permit as per Section 4.2 and require authorization by the Engineer.
- 11.21 Temporary soil anchors may be permitted if they do not interfere with existing or planned utility infrastructure. All temporary anchor rods and portions thereof must be installed, maintained, and removed in accordance with the *Delta Development and Subdivision Standards Bylaw No. 8288*.
- 11.22 Permanent soil anchors to support private structures must be wholly contained on private property. No portion of a permanent anchor rod is permitted on City property, road allowance or SRW.

Sidewalk Patio Permit

- 11.23 A person must not use or permit the use of any portion of Sidewalk adjacent to premises owned or occupied by them for any purposes without first obtaining a Sidewalk Patio Permit.
- 11.24 Upon receiving from an Applicant a completed application form, together with the fee established in *Delta Consolidated Fees and Charges Bylaw No. 8386*, and upon being satisfied that the Applicant can and does comply with Schedule "B", the Engineer may issue a Sidewalk Patio Permit.
- 11.25 The Engineer or any employees or contractors of the City may enter the Sidewalk Patio Permit area at any time without notice and without compensation to deal with any emergency situation which requires the use of the Permit area as part of the emergency response.
- 11.26 A person who has been issued a Sidewalk Patio Permit must ensure that this Bylaw, and all of the restrictions, requirements, terms and conditions of the Sidewalk Patio Permit, have been met.

Filming

- 11.27 Filming on the Highway requires a Highway Use Permit as per Section 4.2, fee established in Delta Consolidated Fees and Charges Bylaw No. 8386, 2024 and authorization by the Engineer.

Review by Council

- 11.28 An Applicant who has been refused a Permit, or a Permit Holder whose Permit has been suspended, revoked or cancelled by the Engineer, may request that Council review the decision by delivering a written request, along with related information and supporting reasons, to the corporate officer of the City, with a copy to the Engineer, within five (5) business days of receiving a notice of the Engineer's decision.
- 11.29 At a date and time to be arranged by the Corporate Officer, the Applicant may appear before Council and be heard regarding a decision to suspend, revoke or cancel a Permit.
- 11.30 In addition to information and submissions by the Applicant and a report from the Engineer as to the Engineer's decision, Council may consider any other information it considers relevant, and after reviewing the matter, may confirm, vary or cancel the decision of the Engineer.

PART 12: ENTRY AND COST RECOVERY

Entry for Inspection

- 12.1 Any Peace Officer, Bylaw Enforcement Officer, the Engineer and any City employee acting under the direction of the Engineer, may enter, in accordance with Section 16 of the *Community Charter*, upon any property subject to this Bylaw in order to inspect and determine whether all regulations, restrictions and requirements are being met.

Remedy and Cost Recovery for Default

- 12.2 Where in this Bylaw any activity, matter or thing is required to be done by any person, in default of it being done by such person, such activity, matter or thing may be done by the City at the expense of the person in default, and the expense may be recovered from the person as a debt owing to the City. Without limiting the foregoing, where the City provides work or service in relation to land or improvements, any costs incurred by the City that are not recovered from the property owner by December 31st may be collected in the same manner as for property taxes.

PART 13: ENFORCEMENT AND PENALTY

Fines and Penalties

- 13.1 A person who:
- (1) contravenes, violates or fails to comply with any provision of this Bylaw;
 - (2) suffers or allows any act or thing to be done in contravention of this Bylaw or any permit or order issued under this Bylaw; or
 - (3) fails or neglects to do anything required to be done under this Bylaw;
- commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand (\$10,000.00) Dollars, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
- 13.2 This Bylaw may be enforced:
- (1) by a Peace Officer, Bylaw Enforcement Officer, or the Engineer;
 - (2) by means of a ticket in the form prescribed for the purpose under the *Community Charter*, and fines imposed for offences under *The Corporation of Delta Municipal Ticketing Information Bylaw No.6639, 2007*;
 - (3) by proceedings brought under the *Offence Act*; or
 - (4) by means of a bylaw notice and penalty imposed by a bylaw of the City under the *Local Government Bylaw Notice Enforcement Act*.
- 13.3 A Peace Officer, Bylaw Enforcement Officer, or the Engineer may refer any disputed tickets to the Provincial Court and may represent the City in any related proceedings.

No Duty of Care

- 13.4 Neither failure to enforce this Bylaw, nor any error, omission, or other neglect in relation to a Permit issued pursuant to this Bylaw, shall be interpreted as giving rise to a cause of action in favour of any person.

PART 14: REPEAL

Repeal

- 14.1 “*The Corporation of Delta Highways Bylaw No. 6922, 2011*”, in its entirety, including all associated amendments, be repealed.

PART 15: SCHEDULES

15.1 The following Schedules are attached to and form part of this Bylaw:

- (1) Schedule "A" - Delta Truck Routes, Bylaw No. 8452, 2026;
- (2) Schedule "B" - Sidewalk Patio Permit Regulations, Bylaw No. 8452, 2026;
- (3) Schedule "C" - Delta Urban Residential District Boundaries, Bylaw No. 8452, 2026; and
- (4) Schedule "D" - Delta Farm Vehicle Routes, Bylaw No. 8452, 2026.

READ A FIRST time the	30 th	day of	March,	2026.
READ A SECOND time the	30 th	day of	March,	2026.
READ A THIRD time the	30 th	day of	March,	2026.
FINALLY CONSIDERED AND ADOPTED the	13 th	day of	April,	2026.


George V. Harvie
Mayor


Laurie Darcus
(Interim) Corporate Officer



SCHEDULE B - SIDEWALK PATIO PERMIT REGULATIONS

SIDEWALK PATIO PERMIT REGULATIONS

“Sidewalk Patio” refers to an outside eating and drinking area located on an adjacent Sidewalk and used in conjunction with an adjoining eating and/or drinking business premise lawfully licensed for that purpose.

I. General Regulations

- (1) A valid Permit for a Sidewalk patio (hereinafter called a “Patio Permit”), must be obtained from the City of Delta, Engineering Department prior to establishing an outside seating arrangement on a Sidewalk (part of the “Highway”).
- (2) A Sidewalk Patio Permit may only be issued for an eight month season, commencing March 1st through and including October 31st in any calendar year.
- (3) More than one Sidewalk Patio Permit may be permitted adjacent to a development provided each Sidewalk patio area is being operated from an adjacent business premise. The boundaries of a Sidewalk patio area should not extend in width beyond the adjacent business premises to which it is a part.
- (4) An Applicant for a Sidewalk Patio Permit must:
 - (a) have a valid business licence for the adjacent business premises;
 - (b) have a valid liquor licence, if appropriate;
 - (c) provide proof of a valid two (2) million dollar third party public liability insurance policy with the City of Delta named as an insured party, such insurance is to be valid throughout the term of the Permit and be non-cancellable without the City of Delta’s consent; and
 - (d) provide three sets of Sidewalk patio plans which meet the Sidewalk Patio Design Requirements and Details of Plans for Sidewalk Patio Location.
- (5) The Engineer may terminate a Sidewalk Patio Permit immediately if the Permit Holder breaches any term or condition of the Permit or with 90 days’ written notice for any reason.
- (6) The Engineer or any of Delta’s employees or contractors may enter the Sidewalk patio Permit area at any time without notice or the payment of compensation to deal with any emergency situations which require the use of the Permit area as part of the emergency.

II. Sidewalk Patio Design Requirements:

The patio layout and design will be evaluated according to the following requirements:

Encourage a Pedestrian Environment in Commercial Areas:

- (1) All patio areas are encouraged to incorporate seasonal plantings to beautify the streetscape.
- (2) Patio operators must maintain any decorative planting associated with the patio.
- (3) A patio area containing other than tables and chairs flush to the face of a building must be defined with a perimeter enclosure which physically “defines” the patio area and associated activities and discourages encroachment of patrons and furniture into adjacent Pedestrian circulation areas or other patio areas.
- (4) “Open”, transparent or planter box type enclosures are encouraged. Solid patio enclosures higher than 0.9 metres are not permitted.
- (5) A solid planter perimeter may be used provided it has a dimension no less than 25 centimetres in thickness; it may be finished in a variety of materials including wood, tile, stone, brick, or wrought iron and must be removable.
- (6) The design of patio and perimeter enclosures should fulfill the intent of any relevant Development Permit guidelines of the area found in Delta’s Official Community Plan for the area in which the patio will be located.
- (7) The permanent fixture of any material or canopy support to the Sidewalk is not permitted.
- (8) Any overhead awnings and canopies attached to adjacent buildings must have a minimum of 3 metres of clearance from the Sidewalk, measured vertically, and may not be supported from the Sidewalk or patio.
- (9) Appropriate disabled persons’ access must be provided to all, or a portion, of the patio.
- (10) At least one Pedestrian access to any outdoor seating arrangement which is enclosed must be provided from the adjacent Sidewalk.
- (11) Patio seating shall not exceed the number of existing seats authorized within the parent business premises.

Protect Public Safety:

- (1) Any proposed Sidewalk patio location must be at the front, side or rear of the business with which it is associated.
- (2) A proposed patio area must not block or materially hinder access to emergency fire connections or access to adjacent buildings.
- (3) A minimum Sidewalk width of 1.5 metres must be maintained.
- (4) A minimum 1.2 metres clearance must be maintained between a proposed patio (including enclosure) and any obstruction (e.g., power pole, sign pole, hydrant) to accommodate wheelchairs and Pedestrians.
- (5) Any proposed corner locations will be reviewed for potential obstruction of sight lines of a driver operating a vehicle on an adjacent or nearby street or Lane, which will not be permitted. In addition, a minimum of 2 metres of Sidewalk width clear for unobstructed Pedestrian circulation must be provided.
- (6) Any outside seating arrangement must be of a construction style which allows for immediate removal, if so required.
- (7) Any patio furniture and enclosure must be kept in a clean and safe condition.

Details of Plans for Sidewalk Patio Location

The Sidewalk patio plans which accompany this Application must:

- (1) Show, in scale of not less than 1:75 (metric), the proposed size of the patio.
- (2) Show its location in respect of adjacent business access, windows, existing or proposed canopy or awning, curb line, and intersection.
- (3) Show any pole, stop sign, hydrant, bench, garbage container, tree, boulevard or other obstruction within 5 metres of the perimeter of the patio.
- (4) Include a Site Plan in Plan (top) view including the area adjacent to the curb and extended 5 metres to either side of the adjacent premises.
- (5) Include a Front Elevation that must indicate the slope(s), if any, of the adjacent Sidewalk.
- (6) Include a Side Elevation (end view) showing the profile of the proposed patio with associated furniture against the face or side of the building

SCHEDULE C - DELTA URBAN RESIDENTIAL DISTRICT BOUNDARIES



