

TOWN OF GIBSONS



Traffic and Highway Use Bylaw No. 1193, 2014

**Adopted: February 4th, 2014
Consolidated for convenience June, 2018
to include amendments up to Bylaw No. 1193-02**

This version of this bylaw is a consolidation of amendments to the original bylaw as of the date specified. This consolidation is done for the convenience of users and accurately reflects the status of the bylaw as of the specified date but must not be construed as the original bylaw and is not admissible in Court unless specifically certified by the Director of Corporate Administration for the Town of Gibsons. Persons interested in the definitive wording of this bylaw and its amendments should view the original sealed bylaws at the Town of Gibsons.

TOWN OF GIBSONS TRAFFIC AND HIGHWAY USE BYLAW NO. 1193

NO.	BYLAW NO.	DATE	AMENDMENT
1.	1193-01	March 21, 2017	• Revised Schedule A
2.	1193-02	November 7, 2017	• Adding Subsection 7.2.3

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TOWN OF GIBSONS

BYLAW NO. 1193

A Bylaw to regulate traffic and Highway use within the Town of Gibsons

WHEREAS it is deemed desirable to regulate traffic, parking and Highway use on Highways within the Town of Gibsons,

NOW THEREFORE, the Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

SECTION 1 GENERAL PROVISIONS

1.1 CITATION

This Bylaw may be cited as the "Town of Gibsons Traffic and Highway Use Bylaw No. 1193, 2014".

1.2 REPEAL

Highway Traffic Bylaw No. 702, 1995 and amendments thereto, are hereby repealed.

1.3 BYLAW SCHEDULES

Attached as integral parts of the Bylaw are the following Schedules:

- Schedule "A" Speed Zones

1.4 INTERPRETATION

Words or expressions used in this Bylaw have the same meaning as in the *Motor Vehicle Act*, RSBC 1996, c 318, as amended from time to time including Part 3 of the *Motor Vehicle Act*, and the *Commercial Transport Act*, RSBC 1996, c 58, as amended from time to time, unless those words or expressions are otherwise defined in this Bylaw or unless the context otherwise requires.

1.5 SEVERABILITY

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

1.6 DEFINITIONS

In this Bylaw, unless the context requires otherwise, the following words and terms shall have the meanings hereinafter assigned to them:

BOULEVARD	means an improved portion of land, within a Highway dedication adjacent to a Road surface, sidewalk or Parcel.
CERTIFIED TRAFFIC CONTROL PERSON	means a person certified by the BC Construction Safety Alliance as qualified to direct traffic.
COMMERCIAL VEHICLE	means a Vehicle which is licensed as a commercial Vehicle under the <i>Commercial Transportation Act</i> .
CONSTRUCTION TRAILER	means a Trailer used for transporting materials, supplies or equipment for the purposes of undertaking work permitted by this Bylaw or by a building permit issued pursuant to the Building Bylaw.
CONTAINER	means a waste container, storage container, or construction trailer that is not a Vehicle;
DRIVEWAY	means a paved or unpaved strip of land providing vehicle access between the Highway dedication and a parking space, garage, dwelling or other structure located on private property.
ENFORCEMENT OFFICER	means: a) every person designated by Council by name of office or otherwise as an Enforcement Officer for the purposes of administering and enforcing this Bylaw; b) a peace officer, including every officer of the RCMP; c) every bylaw Enforcement Officer of the Town appointed under the Police Act; d) every officer and employee of the Fire and Rescue services who attends to a fire or emergency while acting in the scope of their authority.

DIRECTOR	means the person appointed by the Town as Director of Infrastructure Services, their deputy, or a person authorized by the Director to perform duties of the Director under this Bylaw.
GROSS VEHICLE WEIGHT	means the gross vehicle weight for which a Vehicle is licensed.
HEAVY VEHICLE	means a Vehicle having a licensed Gross Vehicle Weight in excess of 10,000 kilograms (11 tons) except for trucks, trailers and truck-trailer combinations owned or leased by the Town, emergency vehicles or garbage or recycling trucks providing contractual services to the Town.
HIGHWAY	means a public Road, lane, walkway, bridge, and any other way open to public use, but excludes a private road or private easement on private property within the Town, an arterial highway as designated under the <i>Transportation Act</i> , and the portion of Highway 101 intended for use by Vehicles, unless such area is used principally for access to a parcel.
MEDIAN	means the centre portion of a highway, left in an undeveloped state or improved by paving or by the planting of grass or shrubs and designed for the segregation of traffic travelling in opposite directions.
ORDER	means an order made by the Director pursuant to 2.1.1 of this Bylaw.
PERMIT	means a document in writing issued under 2.2 of this Bylaw.
PUBLIC PARK	means playgrounds, beaches and other public recreational places under the care, custody and jurisdiction of the Town.
RATES, FEES AND CHARGES BYLAW	means the Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014, as amended from time to time.
RECREATIONAL VEHICLE	means a motor vehicle, such as a camper or motor home, designed and used for traveling and recreational activities.

RECREATIONAL TRAILER	means a vehicle without motor power designed to be drawn by or used in conjunction with a motor Vehicle, for the purpose of traveling and recreational activities.
RESIDENTIAL AREA	means any area zoned for residential land use by the Town's Zoning Bylaw or used for residential land use.
ROAD	means an improved travelled portion of land within a Highway dedication, excluding Driveways, private roads or private easements.
SUBDIVISION AND DEVELOPMENT SERVICING AND STORMWATER MANAGEMENT BYLAW	means the Town of Gibsons Subdivision and Development Servicing Bylaw No. 1175, 2013, as amended from time to time.
TRAFFIC CONTROL DEVICE	means a sign, signal, line, meter, marking, space, barrier or device, not inconsistent with the Motor Vehicle Act, placed or erected by authority of the Minister of Transportation and Infrastructure, the Council or a person authorized by either of them to exercise that authority.
TRAILER	means a Vehicle without motor power designed to be drawn by or used in conjunction with a motor Vehicle, except an implement of husbandry, or a side car attached to a motorcycle and includes a semi-trailer as defined in the <i>Commercial Transport Act</i> .
VEHICLE	means a device in, on or by which a person or thing is or may be transported or drawn on a Highway, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks, mobile equipment or a motor assisted bicycle.

SECTION 2 ADMINISTRATION

2.1 DELEGATION OF AUTHORITY

- 2.1.1 The Director is authorized to make Orders in respect of the following matters, and by those Orders to exercise the powers of the Town under this Bylaw, subject to the terms and conditions prescribed in this Bylaw:

- 2.1.1.1 the marking of traffic lanes on Roads and to designate Roads or portions of Roads on which a distinguishing single line or double line shall be marked, which lines need not be in the middle of the travelled portion of the Road;
- 2.1.1.2 the designation of Highway or portions of Highway upon which no Vehicle shall be stopped or parked, or only such Vehicles or classes thereof at such times and upon such conditions as may be prescribed;
- 2.1.1.3 the placing and installation upon any Highway of Traffic Control Devices to give effect to this Bylaw, the provisions of the *Motor Vehicle Act*, RSBC 1996, c 318, as amended from time to time, or an Order;
- 2.1.1.4 the regulation, control or prohibition of pedestrian traffic, vehicular traffic and traffic by other conveyances, either singly or together, on any Highway;
- 2.1.1.5 the regulation, control or prohibition of the stopping, standing or parking of Vehicles in the Town;
- 2.1.1.6 for parking zones for persons with disabilities, including providing for a system of Permits for those parking zones in accordance with any regulation made under the Motor Vehicle Act;
- 2.1.1.7 the setting apart and allotting of portions of Highways adjacent to federal, provincial or public buildings for the exclusive use of officials and officers engaged in them for the parking of Vehicles, and the regulation of that parking;
- 2.1.1.8 the removal, detention or impounding of Vehicles unlawfully occupying a portion of a Highway or public place, and a scale of fees, costs and expenses for that purpose and the recovery of the fees, costs and expenses from the owner or by sale of the Vehicle at public auction or by action in a court of competent jurisdiction;
- 2.1.1.9 the establishment and use of loading, commercial and passenger zones in the Town and their designation;
- 2.1.1.10 the regulation of the width, length and height of Vehicles and the width, length, height, fastenings and distribution of loads on Vehicles driven or operated on a Highway;

- 2.1.1.11 the regulation of Traffic Control Devices erected or placed on a Highway where construction, reconstruction, widening, repair, marking or other work is being carried out, indicating that people or equipment are working on the Highway, or to regulate traffic in the vicinity of the work;
- 2.1.1.12 the regulation, control and prohibition of erection or maintenance, or both, of signs, advertisements or guide posts on or over Highways, and their alteration, repainting, tearing down or removal without compensation to any person for the loss or damage that results;
- 2.1.1.13 the regulation or prohibition of pedestrian traffic on Roads other than at crosswalks;
- 2.1.1.14 the establishment of school crossings and the regulation and control of pedestrian and vehicular traffic with respect to them;
- 2.1.1.15 the regulation of traffic passing by or in the vicinity of schools through the use of traffic patrols, and for that purpose vesting in the school children or other persons employed in traffic patrols the power to require Vehicles to stop at school crossings or other designated places on a Highway;
- 2.1.1.16 the establishment and use of taxi stands and their designation;
- 2.1.1.17 the regulation and control of processions on Highways;
- 2.1.1.18 the regulation and control of persons using roller skates, skateboards, sleighs, skates, skis or other similar means of conveyance on Highways and the closing of a Highway or Highways or part of them to permit the use of roller skates, sleighs, skates, skis or other similar means of conveyance;
- 2.1.1.19 the enforcement of bylaws adopted under this section by fine or imprisonment, or both, and imposing fines, penalties and costs;
- 2.1.1.20 permitting, regulating, controlling and prohibiting the temporary occupation of a portion of a Highway in accordance with 2.2 of this Bylaw, for any purpose or project, for the period necessary to complete such purpose or project, including a requirement for persons to pay a Highway occupancy fee and/or provide an indemnity and/or proof of insurance for the benefit of the Town;
- 2.1.1.21 the issuance of a "Stop Work Order" for the following:
 - .1 failure to produce a Traffic Control Plan as per the Ministry of Transportation Traffic Control Manual for Work on Highways or otherwise as required and permitted by the Director;

- .2 non-compliance with a Traffic Control Plan as per the Ministry of Transportation Traffic Control Manual for Work on Highways or otherwise as required and approved by the Director; or
 - .3 any construction or work being conducted contrary to this Bylaw.
 - 2.1.1.22 A reference to a bylaw in this section includes a reference to an Order made under this section.
 - 2.1.1.23 The Director may rescind, revoke, amend or vary an Order made by the Director under this Bylaw.
 - 2.1.1.24 Orders made by the Director under this Bylaw must be in writing.
- 2.1.2 Every Enforcement Officer is authorized to do all things necessary to control traffic pursuant to this Bylaw and to ensure that the requirements of this Bylaw are being carried out.
 - 2.1.2.1 Every Enforcement Officer is authorized to direct traffic as the Enforcement Officers considers necessary:
 - .1 to ensure the orderly movement of traffic;
 - .2 prevent injury or damage to persons or property;
 - .3 permit proper action in any emergency.
 - 2.1.2.2 No person may refuse to comply with the lawful direction of any Enforcement Officer.
 - 2.1.2.3 No person may hinder, delay or obstruct in any manner, directly or indirectly, an Enforcement Officer carrying out duties in accordance with this Bylaw.

2.2 PERMITS

- 2.2.1 Except as authorized by a Permit issued by the Director pursuant to this Bylaw, no person shall:
 - 2.2.1.1 deposit, throw, or leave any earth, refuse, debris or any other thing on a Highway;
 - 2.2.1.2 drag or skid anything along or over a Highway;
 - 2.2.1.3 dig up, break up or remove any part of a Highway or cut down or remove trees or other plants and timber growing on a Highway;

- 2.2.1.4 change the level of a Highway whatsoever or stop the flow of water through any drain, sewer or culvert on or under a Highway;
- 2.2.1.5 place, construct, install, maintain, demolish, remove or alter any works, structures or things of any kind, or perform any work of any kind on a Highway;
- 2.2.1.6 construct a Driveway or any other access to a property;
- 2.2.1.7 ride, drive, lead, move or propel any animal or Vehicle over or across a boulevard or Median, including any curb, sidewalk or ditch therein unless such boulevard or median has been constructed or improved to form a suitable crossing;
- 2.2.1.8 march, drive or otherwise take part in a parade or procession except a funeral procession;
- 2.2.1.9 occupy a Highway for any reason;
- 2.2.1.10 conduct construction on a Highway or traffic control relating to such construction;
- 2.2.1.11 obstruct or interfere with the free flow of traffic or attempt to control or detour traffic on any Highway, whether by use of signs or flagmen or by barricades or other physical obstruction on the Highway, provided that this clause shall not apply to:
 - .1 a Peace Officer, Enforcement Officer or fire fighter acting in the normal course of his or her duties;
 - .2 a school bus receiving or discharging school children;
 - .3 a student or adult school patrol acting under the authority of the *School Act* or authorized by the Director;
 - .4 emergency vehicles or public utility or Town crews while making emergency repairs within a Highway;
 - .5 Vehicles while legally parked on a Highway or while obeying the instructions of a Traffic Control Device or Peace Officer;
- 2.2.1.12 place a Container on a Highway; or
- 2.2.1.13 engage in business related and/or sales activities on any portion of a Highway.
- 2.2.2 No person may undertake any work or activity that requires a Permit under this Bylaw or an Order of the Director without first having obtained a valid and subsisting Permit of the kind required by this Bylaw.

- 2.2.3 The Director may, in issuing a Permit under this Bylaw impose such terms and conditions as the Director considers reasonable or necessary for the purpose of:
- 2.2.3.1 avoiding undue damage to a Highway;
 - 2.2.3.2 protecting persons or property;
 - 2.2.3.3 avoiding undue interference with traffic;
 - 2.2.3.4 ensuring that damage done to a Highway in connection with an activity undertaken pursuant to a Permit is adequately repaired;
 - 2.2.3.5 avoiding nuisances or other disturbances; and
 - 2.2.3.6 otherwise protecting the public interest.
- 2.2.4 The Director may make Orders respecting the circumstances under which a Permit shall be issued, the form of the permit application, the form of the Permit, the payment of fees, the provision of an indemnity, proof of insurance for the benefit of Town, and the terms and conditions of a Permit. The Director may issue Permits in accordance with this Bylaw and may at any time revoke or amend a Permit where considered necessary or desirable by the Director.
- 2.2.5 As a prerequisite to the issuance of a Permit, the applicant shall:
- 2.2.5.1 pay the applicable permit fees according to the Rates, Fees and Charges Bylaw;
 - 2.2.5.2 deposit with the Town a sum of money which is, in the opinion of the Director, sufficient to pay the cost of repairing any damage likely to be done to the Highway or as security that any obligations imposed by the Permit shall be fulfilled and completed within the time specified; and
 - 2.2.5.3 provide satisfactory plans and specifications of any work to be undertaken, and when same are approved by the Director and the necessary permit issued, the said work shall conform in every respect to the approved plans and specifications and to the minimum general requirements of the Subdivision and Development Servicing and Stormwater Management Bylaw.
- 2.2.6 Where a deposit has been made in accordance with 2.2.5.2, upon satisfactory compliance with the Permit within the time specified, the Town shall refund the deposit to the applicant, less, where applicable, an inspection fee according to the Rates, Fees and Charges Bylaw, or the actual cost of administration and inspection, whichever is the greater.

- 2.2.7 The applicant for a Permit shall indemnify, protect and save harmless the Town from and against all damages, claims and demands of every kind arising out of or in any way connected with the work or other things for which a permit has been issued.
- 2.2.8 Every person who has been issued a Permit under this Bylaw must at all times comply with this Bylaw, and the terms and conditions of the Permit. The Director may revoke a Permit issued under this Bylaw if the permit holder fails to comply with a term or condition of the Permit or contravenes a provision of this Bylaw.

SECTION 3 PARKING REGULATIONS AND TRAFFIC CONTROL

3.1 EXISTING TRAFFIC CONTROL DEVICES

Traffic Control Devices placed or installed by the Town prior to adoption of this Bylaw are authorized.

3.2 COMPLIANCE WITH TRAFFIC CONTROL DEVICES

Every person must comply with the directions, regulations or prohibitions of every Traffic Control Device placed or erected under this Bylaw, except as otherwise directed by an Enforcement Officer or as authorized or required under this Bylaw.

3.3 TRAFFIC CONTROL PERSON

Every Certified Traffic Control Person is authorized to direct traffic on a Highway pursuant to the provisions in any Permit issued by the Director.

3.4 INTERFERENCE WITH TRAFFIC

- 3.4.1 No person may establish, place, maintain, or display upon or in view of any Highway, any Traffic Control Device or other device which purports to be or resembles any Traffic Control Device, or which attempts to direct the movement of traffic or the parking of Vehicles, or which obstructs from view, or interferes with the effectiveness of any Traffic Control Device or which interferes with traffic safety.
- 3.4.2 No person may obliterate, deface, damage, injure, move, obstruct or otherwise interfere with any Traffic Control Device placed or maintained by or on behalf of the Town under this Bylaw.

3.5 STANDING, STOPPING AND PARKING

- 3.5.1 No person may stand, stop or park a Vehicle:
- 3.5.1.1 so as to contravene the *Motor Vehicle Act* or this Bylaw or a Traffic Control Device or the directions of an Enforcement Officer;

- 3.5.1.2 on a Highway when not displaying a valid, current insurance decal, if such decal is required for the Vehicle to be lawfully driven;
- 3.5.1.3 on a Highway when not displaying valid number plates issued and displayed in accordance with the *Motor Vehicle Act*;
- 3.5.1.4 so as to obstruct or interfere with the normal passage of vehicular or pedestrian traffic;
- 3.5.1.5 on a Road where the travelled portion thereof is 6 metres or less in width;
- 3.5.1.6 on a Road except for Commercial Vehicles actively and visibly engaged in loading or unloading and then only when stopped or parked in such a manner as to allow for the passage of vehicular traffic;
- 3.5.1.7 on a Highway within 150 metres of a fire vehicle or fire equipment deployed in response to a fire alarm, unless they have received permission from an Enforcement Officer;
- 3.5.1.8 within a designated fire lane;
- 3.5.1.9 in an intersection;
- 3.5.1.10 on a sidewalk or sidewalk crossing;
- 3.5.1.11 on a marked crosswalk or within six metres of the edge of a marked crosswalk;
- 3.5.1.12 on or across a curb;
- 3.5.1.13 on any landscaped, grass or turf area in a boulevard, median or public area;
- 3.5.1.14 in any Public Park;
- 3.5.1.15 on that side of a Highway within three metres of the edge of an intersecting Driveway, private road or crosswalk;
- 3.5.1.16 on that side of a Highway within three metres of the edge of an intersecting Highway;
- 3.5.1.17 on that side of a Highway within five metres of a point on the edge of the Highway nearest a fire hydrant;
- 3.5.1.18 on that side of a Highway within six metres of a stop sign, yield sign, flashing beacon, or traffic control signal;

- 3.5.1.19 on a Highway within 15 metres of the approach to and 7.5 metres beyond a bus stop sign except where actively engaged in loading or unloading passengers and in any case for not more than three minutes where such stopping does not interfere with any bus in, about to enter, or about to exit, such bus stop;
- 3.5.1.20 on a bridge;
- 3.5.1.21 on a Highway so that it faces opposite to the normal flow of traffic;
- 3.5.1.22 on a Road when it is practicable to park the Vehicle off the Road;
- 3.5.1.23 where a sign has been erected or placed on any portion of a Highway limiting the time during which a Vehicle may be parked upon such portion of a Highway;
- 3.5.1.24 on a Highway in contravention of a Traffic Control Device which gives notice that standing, stopping or parking is there restricted or prohibited;
- 3.5.1.25 on that side of a Highway where the curb is painted yellow, except in a signed loading zone;
- 3.5.1.26 on any portion of a Highway that has been marked by paint and/or a Traffic Control Device for the intended use of bicycles or is otherwise intended for the use of bicycles;
- 3.5.1.27 on that side of a Highway upon which a school or school property abuts, on any school day between the hours of 8:00 a.m. and 5:00 p.m. except where otherwise permitted as indicated by appropriate Traffic Control Devices placed or erected by the authority of the Director or this Bylaw;
- 3.5.1.28 in such a manner as to obstruct the visibility of a traffic sign placed or erected by the authority of the Director or this Bylaw;
- 3.5.1.29 on a Highway for a period longer than 72 consecutive hours;
- 3.5.1.30 on a Highway where parking stalls have been designated other than wholly within the designated parking stall;
- 3.5.1.31 on a Highway other than parallel with the curb or edge of the Highway and in the direction of travel, unless the Highway is designated for angle parking, and:

- .1 where there is a curb, not further than 30 centimetres from that curb as measured from any wheel on the side of the Vehicle closest to the curb; and
- .2 where angle parking is permitted a Vehicle shall be parked at the angle to the curb indicated by signs and markings, and parallel to and between such markings and as close to the curb as practicable, but in no case greater than 30 centimetres from the curb; and
- .3 where angle parking is permitted, no person shall reverse a Vehicle into any parking space unless otherwise permitted by a Traffic Control Device.

3.5.1.32 on a Highway for the principal purpose of:

- .1 displaying a Vehicle for sale;
- .2 storing, advertising, maintaining, painting, repairing or wrecking any Vehicle except when repairs are necessitated by an emergency;

3.5.1.33 on that side of a Highway upon which any building in the course of its construction or demolition extends to within three metres of the edge of the Highway;

3.5.1.34 in a position that causes it to interfere with the construction, improvement, maintenance, or repair of a Highway or public utility by a person authorized to undertake such work by the Director;

3.5.1.35 on or over a traffic counting device or public works equipment; or

3.5.1.36 Having a licensed gross vehicle weight of over 4,600 kilograms (5 tons), except a Recreational Vehicle, on a Highway in a Residential Area for more than two consecutive hours.

3.6 RECREATIONAL VEHICLES AND TRAILERS

3.6.1 No person may park a licenced Recreational Vehicle, or Recreational Trailer on a Highway for a period longer than 72 consecutive hours.

3.6.2 Notwithstanding 3.6.1, where by reason of the topography of real property parking a Recreational Vehicle or Recreational Trailer on that real property is deemed impractical or dangerous, the Director may permit the owner to park his or her Recreational Vehicle or Recreational Trailer on the Highway in a location and manner designated and specified by the Director:

3.6.2.1 on written application by the owner of the Recreational Vehicle or Recreational Trailer;

3.6.2.2 with the written consent of the owners and occupiers of adjacent real property within 90 metres, and

3.6.2.3 on payment of an annual fee as set out in the Rates, Fees and Charges Bylaw.

3.7 SPEED LIMITS AND SPEED ZONES

3.7.1 Subject to 3.7.3 and the speed zones listed in Schedule A of this Bylaw, a person must not drive or operate a vehicle on a Highway at a greater rate of speed than 50 kilometres per hour.

3.7.2 If a Traffic Control Device has been erected or placed on a Highway limiting the rate of speed of Vehicles driven or operated on that Highway or portion of Highway, a person must not drive or operate a Vehicle on that portion of the Highway at a greater rate of speed than that indicated on the Traffic Control Device.

3.7.3 No person shall drive or operate a motor Vehicle at a greater rate of speed than twenty (20) kilometres per hour on a Highway that has a travelled portion of less than six metres in width or, regardless of width, has not been surfaced with asphalt or concrete.

3.8 PASSENGER, COMMERCIAL, BUS AND TAXI ZONES

3.8.1 Every passenger zone, commercial zone, bus zone and taxi zone authorized by a bylaw or an order under a bylaw and established for the purpose of loading and unloading persons or goods, and existing prior to adoption of this Bylaw, is authorized.

3.8.2 The Director may, by causing Traffic Control Devices to be placed or erected on any portion of a Highway, establish the designated portion of that Highway as a passenger zone, commercial zone, bus zone or taxi zone and designate the area and define the rights, duties and obligations of traffic with respect to that passenger zone, commercial zone, bus zone or taxi zone.

3.8.3 No person may stop a Vehicle in a passenger zone, commercial zone, bus zone or taxi zone except when actively and visibly engaged in loading or unloading persons or goods.

3.8.4 No person may stand, stop or park a Vehicle in a passenger zone except for the purpose of loading or unloading persons and not for a period exceeding three minutes.

3.8.5 No person may stand, stop or park a Vehicle in a loading zone except for the purpose of loading or unloading persons or goods and not for a period exceeding three minutes for persons and not for a period exceeding 30 minutes for goods.

- 3.8.6 No person may stand, stop or park a Vehicle other than a Commercial Vehicle in a commercial zone.
- 3.8.7 No person may stand, stop or park a Vehicle other than a taxi in a taxi zone.

3.9 DISABLED PARKING ZONES

- 3.9.1 Every disabled parking zone authorized by a bylaw or an order under a bylaw established for persons with disabilities, and existing prior to adoption of this Bylaw, is authorized.
- 3.9.2 The Director may, by causing appropriate Traffic Control Devices to be placed or erected on any portion of a Highway, establish such designated portion of that Highway as a disabled parking zone and designate the area and define the rights, duties and obligations of traffic with respect to that disabled parking zone.
- 3.9.3 Council designates the Social Planning and Research Council of British Columbia the sole organization for issuing, revoking and cancelling disability parking permits for the purposes of this section.
- 3.9.4 No person may stand, stop or park a Vehicle in a disabled parking zone that does not display a valid disability parking Permit or a permit of a similar nature issued by another jurisdiction.
- 3.9.5 No person may stand, stop or park in a disabled parking zone a Vehicle that displays a valid disabled parking permit unless the Vehicle is driven by or transporting a person with the disability on the basis of which the permit was issued under 3.9.3.

3.10 TEMPORARY NO PARKING ZONES

- 3.10.1 The Director may, by causing Traffic Control Devices to be placed or erected on any portion of a Highway, establish such designated portion of that Highway as a temporary “no parking” zone for any purpose or project for the period necessary to complete such purpose or project, having determined that the purpose or project is in the public interest with respect to public safety, convenience and necessity.
- 3.10.2 The Director may establish a temporary “no parking” zone upon application by a person and payment of a fee as set out in the Rates, Fees and Charges Bylaw.

3.11 EXEMPTIONS

- 3.11.1 The provisions of 3.5 do not apply to the Vehicles listed below while actively and visibly engaged in work requiring the Vehicles to be parked in contravention of this section, or to be parked on a standby basis for the purpose of responding to an emergency.

- 3.11.1.1 emergency, utility, service or construction Vehicles of the Province or Town;
- 3.11.1.2 utility, service or construction Vehicles of a public utility corporation;
- 3.11.1.3 wrecking Vehicles;
- 3.11.1.4 a utility service or construction Vehicle engaged in work as permitted by the Director according to 2.2.

SECTION 4 CONTAINER AND TRAILER REGULATIONS

4.1 CONTAINERS

Unless a person complies with 4.3, a person must not place a Container on a Highway.

4.2 TRAILERS

- 4.2.1 No unattached Trailers are permitted to be parked on a Highway unless otherwise permitted by 3.6 or 4.2.2;
- 4.2.2 Unless a person complies with 4.3 a person must not park an unattached Construction Trailer on a Highway.

4.3 REGULATIONS

- 4.3.1 With respect to a Container referred to in 4.1, or a Construction Trailer referred to in 4.2.2, a person must
 - 4.3.1.1 obtain a Permit for the Container or Construction Trailer from the Director,
 - 4.3.1.2 Pay the fee for the rental of a designated parking stall according to the Rates, Fees and Charges Bylaw;
 - 4.3.1.3 place, secure, and maintain at least four Ministry of Transportation approved traffic delineators or cones and one Ministry of Transportation approved Type A reflective barricade, or equivalent devices satisfactory to the Director, in positions that make the Container or Construction Trailer visible to any approaching driver or cyclist;
 - 4.3.1.4 place and maintain the Container or Construction Trailer on the Highway so that it:
 - .1 is at least 10 metres from the nearest edge of the closest sidewalk on an intersecting Road,

- .2 is at least 12 metres from the nearest edge of pavement on an intersecting Road where no sidewalk exists,
 - .3 is at least 12 metres from any crosswalk,
 - .4 is at least six metres from any Driveway,
 - .5 is not less than 30 cm from any curb or edge of the Highway when placed on a Road,
 - .6 is not placed in such a manner so as to block driver visibility of any Traffic Control Device;
 - .7 allows a minimum three metres of Road in each direction that is usable for travel;
- 4.3.1.5 place and maintain a flashing barricade in the Road in front of the Container or Construction Trailer where the Container or Construction Trailer projects into the Road;
 - 4.3.1.6 mark and maintain on the Container or Construction Trailer in at least 75 mm lettering on at least two sides of the Container or Construction Trailer the name and telephone number of the owner of the Container or Construction Trailer; and
 - 4.3.1.7 not place a Container or Construction Trailer on a Highway so that the Container or Construction Trailer obstructs or impedes a marked travel lane on the Road unless that lane is closed with delineators, arrow board, and advance warning signage consistent with the Ministry of Transportation Traffic Control Manual for Work on Highways.

SECTION 5 HEAVY OR OVERSIZED VEHICLES

5.1 HEAVY VEHICLES

- 5.1.1 The Director may designate any Highway as a Heavy Vehicle route or prohibit Heavy Vehicles from any Highway by the placement or erection of the appropriate Traffic Control Devices.
- 5.1.2 No driver or owner of a Heavy Vehicle may cause or allow the Vehicle to be operated on a Highway contrary to a Traffic Control Device indicating that the Highway is designated as a Highway where Heavy Vehicles are prohibited.

5.2 VEHICLE WEIGHTS, LOADS, DIMENSIONS

- 5.2.1 Except as authorized by an order of Council under the Motor Vehicle Act, or the Director under this Bylaw, as applicable, no person may drive or operate on a Highway a Vehicle or combination of Vehicles exceeding the limits of dimensions, weights and loads, drive axles, horsepower, or

other limits prescribed in the Commercial Transport Act and the regulations, both as amended from time to time.

- 5.2.2 Notwithstanding any of the provisions of these regulations, or of a Permit issued pursuant to these regulations, the maximum height, length or width of a Vehicle or load allowable on a Highway, or portion of a Highway that is expressly limited as to maximum height, length or width of a Vehicle or load by a sign erected by the Director, must be that as set out in that sign.
- 5.2.3 Unless expressly permitted by the conditions of a Permit, no person may drive or operate an oversize Vehicle or load on a Sunday or general holiday.
- 5.2.4 Notwithstanding any of the provisions of these regulations, no person may, without a Permit issued pursuant to this section, drive or operate over a bridge a Vehicle or combination of Vehicles having a licensed Gross Vehicle Weight on any axle or group of axles or a licensed Gross Vehicle Weight in excess of any load limit imposed by the Director on that bridge.

5.3 WEIGHING AND INSPECTION OF VEHICLES

- 5.3.1 The driver of a Vehicle on any Highway, when so required by an Enforcement Officer must:
 - 5.3.1.1 stop the Vehicle at the time and place specified by such Enforcement Officer or other authorized person for the purpose of weighing the whole or part thereof by means of stationary or portable scales measuring the dimensions of the Vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any other purpose under this section;
 - 5.3.1.2 drive the Vehicle to the nearest public or Department of Commercial Transport stationary or portable scales for the purpose of weighing the Vehicle and load; and
 - 5.3.1.3 re-arrange the load upon the Vehicle or remove the whole or part of the load from the Vehicle in order to comply with the regulations of this section, before continuing to drive or operate the Vehicle.
- 5.3.2 The driver of a Vehicle on a Highway, when directed by a traffic sign on the Highway to drive over scales, must drive the Vehicle to the scales for the purpose of having an axle or group of axles weighed, having tires measured, or having the load inspected for any other purpose under this section.
- 5.3.3 The Gross Vehicle Weight of a Vehicle or combination of Vehicles shall be the sum of the single gross axle weights.

SECTION 6 PEDESTRIAN REGULATIONS

6.1 PEDESTRIANS

- 6.1.1 No person may be on a Highway to solicit employment or business from an occupant of a Vehicle.
- 6.1.2 No person may form a part of a group of persons congregated on a Highway in such manner as to obstruct the free passage of pedestrians or Vehicles, except as authorized by a Highway use Permit for processions.
- 6.1.3 No person may stand or loiter on any Highway in such a manner as to obstruct or impede or interfere with pedestrian or Vehicle traffic.

SECTION 7 GENERAL REGULATIONS

7.1 FIRE VEHICLES AND FIRE EQUIPMENT

- 7.1.1 An operator of a vehicle, other than that of a fire or emergency Vehicle must not:
 - 7.1.1.1 follow closer than 150 metres to a fire vehicle visibly responding to a fire or emergency; or
 - 7.1.1.2 drive a Vehicle over any fire equipment including fire hoses which may be placed on a Highway.

7.2 REMOVAL OF SNOW, ICE AND DEBRIS FROM SIDEWALK

- 7.2.1 The owner or occupier of real property must remove any accumulation of snow or ice from the sidewalks and footpaths bordering the real property by 10 am after the cessation of any snowfall that caused any accumulation of snow or ice on any sidewalk, or prior to the depth of snow accumulation exceeding ten centimetres.
- 7.2.2 The owner or occupier of real property must immediately remove all debris from any sidewalk or Boulevard bordering the real property.
- 7.2.3 If a person who is required by this Bylaw to remove snow, ice or debris from a sidewalk or boulevard bordering real property fails to do so, the Director of Public Works may fulfil the requirement at the expense of the owner of the property, and recover the Town's costs from the owner as a debt.

7.3 SUNDRY REQUIREMENTS

- 7.3.1 No person may, without a Permit issued by the Director pursuant to this Bylaw, operate or permit operation on any Highway:
- 7.3.1.1 a combination of Vehicles consisting of more than two Vehicles;
 - 7.3.1.2 a Vehicle, other than a horse-drawn Vehicle, the wheels of which are not equipped with pneumatic tires in good order;
 - 7.3.1.3 a Vehicle equipped with solid tires, the thickness of which between the rim of the wheel and the surface of the Road is less than three centimetres;
 - 7.3.1.4 a Vehicle having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections which extend beyond the tread of traction surface of the wheel, tread or track provided that such Vehicle may be driven or operated on a Highway not having a cement-concrete, asphalt-concrete, bituminous-treated, or other stabilized or wooden surface;
 - 7.3.1.5 a Vehicle unless it is so constructed or loaded as to prevent any of its load from dropping, shifting or leaking
 - 7.3.1.6 7.3.1.5 does not apply to Vehicles that are applying materials for the purpose of securing traction, cleaning Roads or employing water as a brake coolant;
 - 7.3.1.7 a Vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the Highway;
 - 7.3.1.8 without limiting the generality of 7.3.1.7, a loaded Commercial Vehicle without two (2) tie downs securing the first three (3) metres of the load, and a tie down securing every three (3) metres thereafter; or
 - 7.3.1.9 without limiting the generality of 7.3.1.7, a Vehicle transporting a portable Container containing hazardous materials including but not limited to gasoline, diesel, propane or natural gas unless the portable Container is fastened to the Vehicle in a secure manner.

7.4 SELLING ON A HIGHWAY

- 7.4.1 No person may use or occupy a Highway for the purpose of selling or displaying any goods or services, including without limitation, flowers, fruit, vegetables, seafood, car cleaning, or other commodities or things, except under a Permit issued under this Bylaw.
- 7.4.2 Notwithstanding 7.4.1, coffee trucks are permitted to use or occupy portions of a Highway directly adjacent to a construction site subject to the following conditions:
 - 7.4.2.1 The coffee truck being parked in a safe manner complying with all relevant sections of this Bylaw;
 - 7.4.2.2 The coffee truck being parked adjacent to a construction site where a valid building/construction permit is in place;
 - 7.4.2.3 The coffee truck is parked at the same construction site for a period not exceeding thirty (30) minutes in any three (3) hour period within the same twenty-four (24) hour period;

7.5 VEHICLE AS LIVING QUARTERS

- 7.5.1 No person shall occupy a Vehicle as living quarters while it is parked upon any Highway or in any other public space.

7.6 DISPLAYING ADVERTISING MATTER

- 7.6.1 No person shall, without the written permission of Council:
 - 7.6.1.1 carry any advertising device on or along a Highway;
 - 7.6.1.2 park a Vehicle upon a Highway for the principal purpose of displaying signs;
 - 7.6.1.3 mark or imprint on, or in any manner deface any Highway in the Town, or place thereon any advertising device or characters;
 - 7.6.1.4 install a sign or banner over a Highway;
 - 7.6.1.5 paint, paste, stick or affix any sign, bill, notice, substance or thing on any street furniture, light standard, electric light, telephone or other pole located on or about any Highway, or permit, suffer or allow any person to commit those acts on his or her behalf;
 - 7.6.1.6 deface or disfigure any street furniture, light standard, electric light, telephone or other pole located on or about any Highway or permit, suffer or allow any person to commit those acts on his or her behalf.

7.7 BOULEVARDS, DITCHES AND DRIVEWAYS

7.7.1 An owner or occupier of property shall:

- 7.7.1.1 cut grass and weeds and other vegetation on the boulevard abutting such property;
- 7.7.1.2 for any ditch or swale abutting such property that does not exceed 600 mm in depth and does not have side slopes of greater than 1:3 slope:
 - .1 cut and remove grass and weeds; and
 - .2 keep any culvert under the Driveway of such property clear of debris.
- 7.7.1.3 keep in good repair and up to Town standards, Driveways and other crossings on the Highway abutting such property.

7.8 VEGETATION

- 7.8.1 No owner or occupier of real property adjacent to a Highway shall permit a tree, shrub, hedge or bush growing or standing on that property to:
- 7.8.1.1 become injurious to the Highway or any works owned or controlled by the Town located in the Highway;
 - 7.8.1.2 encroach on or over any portion of the Highway to the detriment of the safety or convenience of the public;
 - 7.8.1.3 remain at a height greater than one meter above the established elevation of the centre point of any intersection, at or within a distance of 4.5 meters from the corner of the intersection nearest the property; or
 - 7.8.1.4 encroach on or over a Road at a height less than 3 meters above the surface of the Road.
 - 7.8.1.5 grow over or under a Highway so as to obstruct, interfere with or hide from view any Traffic Control Device or interfere with pedestrian or traffic safety.

SECTION 8 IMPOUNDMENT

8.1 REMOVAL FROM A HIGHWAY OR PUBLIC PLACE

- 8.1.1 Any Vehicle, vessel or other chattel, structure or thing that is standing, parked, placed, left, moored or abandoned contrary to any provision of this Bylaw or that is otherwise unlawfully occupying a portion of a Highway or public place may be seized by the Enforcement Officer, the Director,

or any agent or other person acting in accordance with the directions of either of them.

8.1.2 Any Vehicle, vessel or other chattel, structure or thing seized pursuant to 8.1.1 of this Bylaw may be removed, detained, impounded and/or otherwise secured or held as determined by the Enforcement Officer, the Director or any other person authorized by the Town, in his or her sole discretion.

8.1.3 Any Vehicle, vessel or other chattel, structure or thing seized pursuant to this Bylaw may be recovered by the owner between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays, by paying to the Town or its authorized agent the fee prescribed in the Rates, Fees and Charges Bylaw, and by removing the Vehicle, vessel or other chattel, structure or thing from the Highway or public place if required.

8.2 SALE

8.2.1 Subject to the *Community Charter*, if a Vehicle, vessel or other chattel, structure or thing is seized pursuant to this Bylaw and not recovered by its owner as set forth herein within 30 days following the date of seizure, the Vehicle, vessel or other chattel, structure or thing may be sold by the Enforcement Officer or Director.

8.2.2 Despite any other provision of this Bylaw, if, in the opinion of the Director an item seized pursuant to 8.1.1 is perishable, or has no market value or only nominal market value, the Director may dispose of such item in any manner that he or she deems expedient.

8.2.3 The proceeds of sale by public auction shall be applied first to the cost of the sale, second to the fees, cost and expenses of the Town and/or its contractor involved in seizure, removal and/or storage, and the balance shall be held for the owner. If the balance remains unclaimed at the end of one year from the date of sale, such balance shall be paid into the general revenue of the Town.

8.2.4 No person shall prevent or attempt to prevent or interfere with the seizure, removal, detaining or impounding of any Vehicle, vessel, chattel, structure or thing by the Town under this section.

SECTION 9 OFFENCE AND PENALTY

9.1 PENALTIES

9.1.1 Subject to section 146(9) of the *Motor Vehicle Act*, every person who contravenes a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in contravention of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, commits an offence punishable upon summary

conviction and is liable to a fine of not more than \$10,000.00, or to imprisonment for not more than six months, or both. Each day that an offence continues shall constitute a separate offence.

- 9.1.2 Subject to section 146(9) of the *Motor Vehicle Act*, every person who contravenes a provision of this Bylaw shall be liable for the fines and penalties established in the Town of Gibsons Bylaw Notice Enforcement Bylaw 1125, 2010, as amended from time to time.
- 9.1.3 A contravention of a provision of this Bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the Town of Gibsons Bylaw Notice Enforcement Bylaw 1125, 2010, in accordance with the *Local Government Bylaw Notice Enforcement Act*, as amended from time to time.
- 9.1.4 The Owner of a vehicle shall be liable for any contravention of the parking regulations in this Bylaw, notwithstanding that at the time of the contravention the vehicle was unattended or in the possession of another person.
- 9.1.5 Upon notification of a contravention, the Owner of a vehicle bears the burden of proving
- 9.1.5.1 That the person in charge of the vehicle was not a person entrusted with the possession of that vehicle by the Owner; or
- 9.1.5.2 That the Owner is not the legal registered owner of the vehicle.
- 9.1.6 If a driver has parked a Vehicle in contravention of the provisions of this Bylaw, a separate offence or contravention shall be deemed to be committed upon the expiry of each period of time during which the Vehicle could have been lawfully parked as indicated by a Traffic Control Device.

READ A FIRST TIME this the 7th day of January , 2014

READ A SECOND TIME this the 21st day of January , 2014

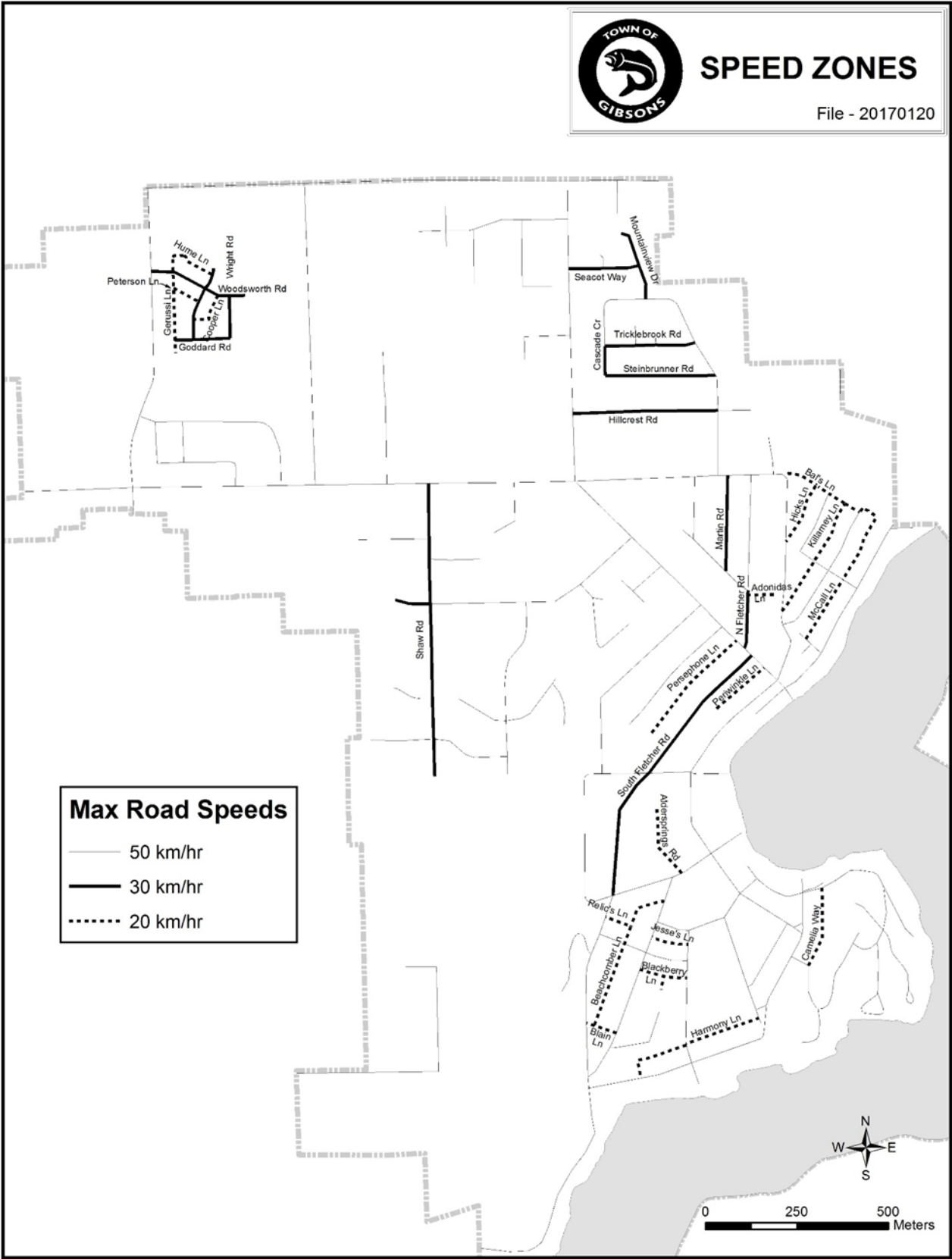
READ A THIRD TIME this the 21st day of January , 2014

ADOPTED THIS the 4th day of February , 2014

Wayne Rowe, Mayor

Selina Williams, Corporate Officer

Schedule A
Speed Zones



Schedule A Speed Zones

Highways on which a person must not drive or operate a motor vehicle at a greater rate of speed than **20 kilometres per hour**:

HIGHWAY	SECTION
Adonidas Lane	Entire length
Aldersprings Road	Entire length
Bal's Lane	Entire length
Blackberry Lane	Entire length
Blain Lane	Entire length
Camelia Way	Entire length
Cooper Lane	Entire length
Gerussi Lane	Entire length
Harmony Lane	Entire length
Hicks Lane	Entire length
Hume Lane	Entire length
Jacks Lane	Entire length
Jessie's Lane	Entire length
Killarney Lane	Entire length
Molly's Lane	Entire length
McCall Lane	Entire length
Periwinkle Lane	Entire length
Persephone Lane	Entire length
Peterson Lane	Entire length
Relic's Lane	Entire length

Schedule A Speed Zones

Highways on which a person must not drive or operate a motor vehicle at a greater rate of speed than **30 kilometers per hour**:

HIGHWAY	SECTION
Cascade Cres	Steinbrunner Road to Tricklebrook Way
Hillcrest Road	Entire Length
Martin Road	Entire Length
Mountainview Drive	Entire Length
North Fletcher Road	School Road to Corlett Road
O'Shea Road	West of Shaw Road
Seacot Way	Entire Length
Shaw Road	Entire Length
South Fletcher Road	Entire Length
Steinbrunner Road	Entire Length
Tricklebrook Way	Entire Length
Woodsworth Road	Entire Length
Wright Road	Entire Length