



TRAFFIC CONTROL BYLAW NO. 74, 2012

(Consolidated April 2018 for Ease of Public Use)

CONSOLIDATED VERSION INCLUDES:

- Traffic Control Amendment (Clearing and Maintenance Expansion) Bylaw, No. 143, 2017



Northern Rockies Regional Municipality Traffic Control Bylaw No. 74, 2012

A bylaw of the Northern Rockies Regional Municipality to regulate traffic, parking and the use of all public streets, roads, ways, trails, lanes, approaches and any other public way including boulevards and sidewalks within the boundaries of Fort Nelson pursuant to the Local Government Act, Transportation Act, and to the Motor Vehicle Act.

WHEREAS Section 124 of the Motor Vehicle Act, Chapter 318 of the Revised Statutes of British Columbia, 1996, as amended, empowers the Council of the Municipality to provide by Bylaw, not inconsistent with or derogatory to that Section, for the regulation, control of prohibition of traffic within the Municipality and to make provisions for the enforcement of this Bylaw.

AND WHEREAS Part 3, Division 5 of the *Community Charter*, Chapter 323 of the Revised Statutes of British Columbia, 1996, as amended, empowers the Council to regulate and require certain matters related to highways;

AND WHEREAS the Regional Council of the Northern Rockies Regional Municipality has adopted Bylaw No. 615, 2002, cited as the "Traffic Control Bylaw No. 615, 2002";

AND WHEREAS the Regional Council now deems it expedient to repeal Bylaw No. 615 and replace it with a new and more comprehensive Bylaw;

NOW THEREFORE the Regional Council of the Northern Rockies Regional Municipality in open meeting assembled, hereby enacts as follows:

1. Citation

This Bylaw may be cited as "**Traffic Control Bylaw**".

2. Schedules

The following schedules attached hereto are hereby made part of this Traffic Control Bylaw and adopted as the Traffic Control Bylaw for the Northern Rockies Regional Municipality:

Schedule A – Geographic Area

3. Repeals

The following Fort Nelson and Northern Rockies Regional Municipality Bylaws are hereby repealed:

Traffic Control Bylaw No. 615, 2002, and all subsequent amending Bylaws.

4. Severability

If any provision of this Traffic Control Bylaw is found invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Traffic Control Bylaw.

5. Effective Dates

This Bylaw shall come into force and take effect upon the date of final adoption by the Council.

READ a first time this 9th day of July, 2012

READ a second time this 9th day of July, 2012

READ a third time this 9th day of July, 2012

Adopted this 13th day of August, 2012

Bill Streeper, Mayor

Heather Cosman, Corporate Manager

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SECTION 1: Definitions

1.1 DEFINITIONS

In this Bylaw the expressions and definitions contained within the *Motor Vehicle Act*, the *Transportation Act*, the *Local Government Act*, the *Community Charter* and the *Interpretation Act* and regulations thereto, shall be applicable. If there is any inconsistency between the terms defined herein and any other enactment, the definitions herein will prevail.

1.1.1 In this Bylaw, except as expressly provided or as the context otherwise requires the following definitions shall apply:

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

Boulevard means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjoining property or roadway and includes curbs, sidewalks and ditches;

Bicycle means a device having two wheels that is propelled by human power and on which a person may ride and excludes a motor assisted cycle;

Bylaw Enforcement Officer means any person employed by the Northern Rockies Regional Municipality for the purpose of enforcement of municipal bylaws, the Director of Public Works, the Building Inspector, the Chief Administrative Officer or any staff appointed by the Chief Administrative Officer, a Peace Officer, or a member of the Royal Canadian Mounted Police;

Commercial Vehicle includes a motor vehicle that is designed and normally used to carry a load and that operates as a single unit or pulls a commercial or industrial trailer;

Curb means the raised structural element which may be installed at the outside edge of a highway or median parking area, primarily the upright portion of a combined curb and gutter or the highway side of a sidewalk;

Director of Public Works means the person as may be appointed by the Regional Council from time to time.

Gross Vehicle Weight means the number of kilograms derived by adding the weights on all the axles of a commercial vehicle;

Dangerous and Noxious Goods means, as defined by the Transport of Dangerous Goods Act, explosives; gases, including compressed, deeply refrigerated, liquefied or dissolved under pressure; flammable and combustible liquids; flammable solids, including substances liable to spontaneous combustion and substances that on contact with water emit flammable gases; oxidizing substances, including organic peroxides; poisonous (toxic) and infectious substances; radioactive materials and prescribed substances as per the Atomic Energy Control Act (Canada); corrosives; and miscellaneous products, substances and organisms considered by the Lieutenant Governor in Council to be dangerous to the life, health, property or the environment when transported; means any explosive, explosive agent, radioactive material, flammable, toxic, noxious or other harmful chemicals in either solid, liquid or gaseous form, pressurized gases, gasoline and diesel fuel;

Disabled Zone means that portion of a highway designated by a traffic control device for the exclusive use of vehicles displaying an authorized Disabled Persons Parking Permit;

Highway includes all public streets, roads, ways, trails, lanes, bridges, trestles, and any other public way or right of way designed or intended for or used by the general public for the passage of vehicles and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles has access or is invited; and includes the roadway, shoulder, boulevard, ditch and sidewalk area and whatever lands lie between the property lines of the highway.

Municipality means the Northern Rockies Regional Municipality.

Off-Road Vehicle means any type of vehicle propelled by motorized power and capable of travel on or off a highway and without limiting the generality of the foregoing, shall be deemed to include motorcycle, motor vehicle and all-terrain vehicles;

Off-Street Parking Facilities means lands owned, operated and regulated by the Municipality for public parking;

Operator means any person who drives, operates, propels, or is in any physical control of a vehicle;

Owner means as applied to a vehicle:

- (a) the person who holds the legal title to the vehicle;
- (b) the person who is entitled to be and is in possession of the vehicle; or
- (c) the person in whose name the vehicle is registered;

Park when prohibited means the stopping or standing of a vehicle, whether occupied or not, upon a highway, except when standing temporarily for the purpose of and when actually engaged in loading or unloading;

Peace Officer means any member of the Royal Canadian Mounted Police and any person delegated to assist the Peace Officer in the performance of his or her duties;

Permit means a document in writing issued pursuant to this Bylaw;

Person means and includes natural person, association, corporation, bodies politic, co-partnerships, whether acting by themselves or by a servant, agent or employee, and the heirs, executors, administrators, successors and assigns or other legal representative of such person to who the context can apply according to law;

Private Lands means any land owned by private individual or corporation and not coming within the definition of lands and public lands;

Public Lands means any lands owned or occupied by Her Majesty the Queen in the Right of the Province of British Columbia, the Municipality, or any lands owned or occupied by any person or corporation for the use of the general public;

Recreational Vehicle means a chassis mounted camper, motor home, holiday trailer or boat trailer intended exclusively for recreational use;

Residential Area means any area zoned for residential type land use;

Rural means any area zoned for rural type land use;

Rural Residential means any area zoned for rural residential type land use;

School Days means days when public schools, whether primary, secondary or high schools, are in session;

Sidewalk means the portion of a highway intended exclusively for use by pedestrians;

Sidewalk Crossing means the altered portion of a sidewalk or curb for passage of vehicular traffic;

Solicit means to, without consideration, ask for money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture, for one's self or for any other person, and solicitation has a corresponding meaning, but does not include soliciting for charity by the holder of a license for soliciting for charity;

Special Event means a promotion, parade, procession, race or display that requires use of a public property, and for that purpose:

- (a) "**promotion**" means one or more persons gathered for the purpose of soliciting, protesting, rallying, entertaining, evangelizing or selling goods or services; and
- (b) "**parade**", "**procession**", "**race**", or "**display**" means any group of twelve (12) or more persons, or six (6) or more vehicles proceeding on a highway as part of an organized group or activity, but does not include a funeral procession.

Street includes sidewalks and public stairs;

Track means to allow, cause or permit any substance or material of any nature or kind whatsoever, to become loose or detached or blow, drop, spill, or fall from any vehicle, appurtenances, or tires onto any highway.

Traffic means the passage of vehicles, people, bicycles, or skateboards along the highway, crossing or sidewalk.

Traffic Control Device means a sign, traffic control signal, line, marking, space, parking space, barricade, or other device, placed or erected under this Bylaw.

Traffic Violation Notice means a notice of traffic or parking violation in contravention to the directions under this Bylaw.

Trailer means a vehicle attachment that is at any time drawn upon a highway or maybe drawn upon by a motor vehicle;

Vehicle means a device in, or by which a person or thing is or may be transported or drawn on a highway, except a device designed to be moved by human power or used exclusively on stationary rails or tracks;

Walkway means a public way designed and intended exclusively for the use by pedestrians.

SECTION 2: General Provisions

2.1 DIRECTOR OF PUBLIC WORKS

- 2.1.1** In order to give effect to this bylaw, the Director of Public Works is authorized to determine where Traffic Control Devices, except speed limit signs, may be located within the Municipality. The Director of Public Works must maintain and make available for public inspection, a record of all Traffic Control Device locations within the Municipality.

2.2 OBSTRUCTION OF TRAFFIC

- 2.2.1** No person shall place or permit to be placed any litter waste material, petroleum products, lumber, merchandise, chattels or commodities of any nature on a highway or permit any trees, stumps, earth, rocks, logs or other things from private lands to cave, fall, crumble, slide or accumulate on a highway.
- 2.2.2** No person shall obstruct either pedestrian or vehicular traffic on any highway, sidewalk or boulevard, and no person shall obstruct the free use of any curb crossing or driveway providing access to private property.
- 2.2.3** No person shall store, accumulate or place objects or materials on any property, including their own private property, in a manner that obstructs the view or intended use of a highway and/or traffic control device.
- 2.2.4** Subsection 2.2.2 does not prevent persons from moving goods, wares or merchandise across any sidewalk in a residential district with all reasonable dispatch for the purpose of pick up or delivering such goods, wares or merchandise.

2.3 WASHING OF VEHICLE

- 2.3.1** A person shall not wash a vehicle upon a highway or so near a highway as to result in depositing mud or creating slush or ice upon a sidewalk or highway.

2.4 TRAFFIC VISIBILITY HAZARD

- 2.4.1** Every Occupant or Owner shall ensure that vegetation growing on his/her property shall be trimmed so as not to obstruct traffic control devices or impede visibility and the safe passage of vehicles or pedestrians.
- 2.4.2** A Bylaw Enforcement Officer may require compliance with the provisions of Subsection 2.4.1 by issuing to the Occupant or Owner a notice detailing the work to be done and stating a time for compliance. If the Occupant or Owner fails to comply with the notice, the Bylaw Enforcement Officer may direct employees or agents of the Municipality to enter upon the property to carry out the necessary work at the Occupant or Owners expense.

2.5 ADVERTISING

- 2.5.1** No person shall park, occupy or use any portion of any highway for the purpose of advertising, selling or offering for sale any vehicle.

2.6 HIGHWAY EXCAVATION OR DAMAGE

- 2.6.1** A person shall not damage any highway or remove any earth, gravel, concrete, pavement, or other highway appurtenance or make any excavation within or under a highway without first applying for and obtaining approval from the Director of Public Works.
- 2.6.2** A utility company may proceed with an excavation prior to obtaining approval from the Director of Public Works, in emergency situations to restore service to the public.
- 2.6.3** The Municipality may rectify unsatisfactory restoration work and the cost of such work shall be paid by the person to whom the approval was provided.
- 2.6.4** A person unable to produce their approval as required or failing to comply with any conditions of the approval shall be guilty of an offence for violation of Subsection 2.6.1.

2.7 SPECIAL EVENTS

- 2.7.1** A person may hold, organize, or take part in any Special Event on a highway provided that a Special Event approval has been issued by Corporate Services.
- 2.7.2** Each person taking part in a Special Event without a Special Event approval, or failing to comply with any conditions of the approval shall be guilty of an offence for each violation of Subsection 2.7.1.
- 2.7.3** Any person desiring to hold a Special Event shall apply in writing to Corporate Services at least one (1) week prior to the proposed date of the event, by making application on the form prescribed.
- 2.7.4** On receipt of a completed application, Corporate Services may issue a Special Event approval, with conditions reasonably necessary, to ensure the safety of the public and participants, protection of property, and the orderly conduct of the event.

2.8 HIGHWAY CONSTRUCTION

- 2.8.1** The provisions of this bylaw do not apply to persons, vehicles and to other equipment while actually engaged in highway construction or maintenance work upon or over the surface of any highway while at the site of the work, but do apply to them while travelling to or from the site of the work.
- 2.8.2** Any person undertaking construction reconstruction, widening, repair, marking or other work on any highway, boulevard or sidewalk shall erect sufficient fences, railing, barriers, passageways,

crossings, detour signs, night lights or other traffic-control devices around every site of such activity as may be necessary for the protection of traffic and the public.

2.9 TRAFFIC CONTROL DEVICES

- 2.9.1** Except with lawful authority, no person shall place, maintain or display upon or in view of any street any sign, signal, mark or device purporting to be, imitating or resembling any traffic-control device, or which attempts to direct the movement or traffic or the parking of vehicles.
- 2.9.2** Except with lawful authority, no person shall move, remove, damage, alter or obstruct the view or otherwise interfere with any lawfully-placed traffic-control device, nor shall any person walk or drive over any newly-painted line on any roadway, the presence of which is indicated by flags, barricades or pylons.
- 2.9.3** Except with lawful authority, no person shall tear down, remove, displace, deface or in any way interfere with any traffic-control device lawfully erected or placed on any highway.

2.10 SNOW REMOVAL/STREET CLEANING/ROAD REPAIR

- 2.10.1** No person shall place any obstruction on a highway that interferes with snow removal, street cleaning, or roadway repair operations, carried out by the Municipality.
- 2.10.2** The Municipality may tow or otherwise remove any obstruction from the highway being cleaned, cleared, or repaired.

2.11 HEAVY VEHICLES NORTH OF 50th AVENUE NORTH

- 2.11.1** No person shall operate or park a vehicle having a gross vehicle weight of more than 8,000kgs in any area north of 50th Avenue North, except for emergency purposes, public utility maintenance, vehicles making deliveries and/or pick-ups, and unless authorized by the Municipality. This provision excludes use of and provisions relating to the Simpson Trail highway (see Subsection 3.5).

SECTION 3: Vehicle Operation

3.1 VEHICLE WHEELS

- 3.1.1** No person shall operate on a highway 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 or traction surface of the wheel.
- 3.1.2** Nothing in this section is intended to prohibit the use of snow chains or studded tires during the period from October 1 of any year, to April 30 of the following year.

3.2 TRACKING

- 3.2.1** No owner or occupier of private property shall cause an accumulation of any substance or material on a highway, including dirt, mud or gravel that detaches from any vehicle, appurtenances and/or tires, from the private property and allow the substance or material to remain on any highway longer than 12 hours.
- 3.2.2** If the owner or the occupier of private property allows accumulated substances or materials to remain on a highway and fails to remove or clear the offending materials or substances, municipal staff or a contractor engaged by the municipality, may remove or clear the offending materials at the expense of the defaulting owner or occupier of the private property.
- 3.2.3** Where offending material has been removed or cleared in accordance with subsection 3.2.2 the charges for such removal or clearance, if unpaid on or before December 31st in the year in which the charges are incurred, form part of the taxes payable on such property, as taxes in arrears.

3.3 VEHICLES OBSTRUCTING TRAFFIC

- 3.3.1** An operator shall not stop a vehicle or permit a vehicle to be left upon any highway in such a manner to block, obstruct, impede or hinder traffic flow.
- 3.3.2** Notwithstanding Subsection 3.3.1, where the obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this section provided measures are taken to remove the vehicle from the highway as soon as practicable.
- 3.3.3** No person shall undertake maintenance or repair work to a vehicle on any Highway or boulevard.

3.4 DAMAGE TO SIDEWALKS AND BOULEVARDS

3.4.1 No person operating a vehicle shall drive over, or park upon any sidewalk, walkway, curb, or boulevard so as to encumber, obstruct or damage the property.

3.4.2 When a sidewalk crossing is not available, crossing at such a location by a vehicle will be permitted upon adequate provision being made to protect the sidewalk or boulevard from damage by the use of suitable planking or other material having due consideration for the size and weight of the vehicle and load.

3.5 SIMPSON TRAIL USE FOR COMMERCIAL VEHICLES

3.5.1 The use of that portion of Simpson Trail between 57 Avenue West to 50 Avenue North by commercial vehicles having a loaded or unloaded maximum weight exceeding 8,000Kg is prohibited on school days between the following hours:

8:00am – 9:00am (school opening hours)

12:00pm to 1:30pm (school lunch hours)

2:30pm – 4:00pm (school closing hours)

3.5.2 Commercial vehicles EXCEPTED from Sub-section 3.5.1 include: emergency vehicles, tow vehicles for disabled motor vehicles, and vehicles making pick-ups or deliveries to an address located off of Simpson Trail and which are utilizing the most direct route to the address, but do NOT include commercial vehicles used for transporting logs.

SECTION 4: Parking

4.1 TIME LIMITS

4.1.1 Notwithstanding any other provisions of this Bylaw, no person shall park a vehicle on any highway or a public off-street parking facility for more than 72 hours continuously.

4.2 PARKING RESTRICTIONS

4.2.1 Except when necessary to comply with the law, the directions of a Peace Officer or a traffic control device, or except when operating a government or public utility corporation or emergency vehicle while engaged in official duties, no person shall stop, stand, or park a vehicle:

- a) in front of or within 2 meters of a public or private driveway in a commercial district; or within 1 meter of a public or private driveway in a residential district;
- b) within 5 meters of a fire hydrant measured from a point on the curb or edge of the roadway which is closest to the fire hydrant;
- c) on a crosswalk or within 6 meters of the approach side of a crosswalk;
- d) within 6 meters of an intersection;
- e) within six meters of a stop sign or traffic control device located at the side of a highway;
- f) adjacent to a curb painted yellow;
- g) within an intersection;
- h) in a place prohibited, reserved, or restricted by a traffic control device; and
- i) more than 30 cm from the curb.

4.2.2 No person shall park a vehicle in a parking space designated for use by disabled persons, unless such vehicle displays a valid permit, issued by the Social Planning and Review Council of British Columbia, or equivalent certificate from any other province.

4.2.3 No person shall stop, stand or park a vehicle in a position that causes it to interfere with the removal of snow from a street or highway maintenance by a person authorized to do so by the Municipality.

{4.2.3 a) Added by Bylaw No. 143/17}

- a) Notwithstanding Schedule A, Section 4.2.3 of this Bylaw applies to the entirety of the Northern Rockies Regional Municipality.

4.2.4 Where individual parks are indicated by painting lines or other markings, each vehicle shall be parked entirely within a single parking space.

4.2.5 No person shall stop, stand, or park a vehicle against the direction of traffic flow.

4.2.6 No person shall park or store a vehicle, chattel, or obstruction on any Municipality owned boulevard or Right of Way.

- 4.2.7** Parallel parking is prohibited in front of businesses or establishments with designated angle parking on 50th Avenue South and 50th Avenue North.
- 4.2.8** No person shall park any commercial or industrial trailer, vehicle, or machinery of any kind on any highway or boulevard in any residential, rural residential or rural district.

4.3 RECREATIONAL VEHICLES AND COMMERCIAL/INDUSTRIAL VEHICLES AND TRAILERS

- 4.3.1** No person shall park a commercial/industrial trailer, recreational vehicle, trailer, or utility trailer on a highway without it being attached to a vehicle by a tow hitch.
- 4.3.2** When parked on private property, no person shall park a recreational vehicle, trailer, or utility trailer within 1.5 metres of a sidewalk or highway, nor shall a recreational vehicle, trailer, or utility trailer protrude over a sidewalk or highway.
- 4.3.3** No campers, recreational vehicles or holiday trailers of any kind shall be occupied while parked or standing on any highway, between the hours of 8:00 p.m. and 8:00 a.m.

4.4 WEIGHT RESTRICTIONS

{4.4.1 Amended by Bylaw No. 143/17}

- 4.4.1** Notwithstanding any other provision of this Bylaw, no person shall park any vehicle having a licensed gross vehicle weight exceeding 8,000kg on any highway within a residential district.

4.5 DANGEROUS AND NOXIOUS GOODS

- 4.5.1** No person shall park or leave unattended a vehicle or trailer containing dangerous or noxious goods, or designed to contain dangerous or noxious goods, in a commercial or residential area except:
- a) within a prescribed area;
 - b) to unload or load dangerous/noxious goods immediately;
 - c) at a secured facility permitted to store/handle dangerous/noxious goods;
 - d) at repair garages for service only; and
 - e) temporarily while making deliveries or resting, for a period of time not exceeding one (1) hour.
- 4.5.2** A carrier shall not dump or spill, or allow or permit the dumping or spilling of any hazardous materials on any public property.

SECTION 5: Pedestrians, Bicycles, and Skateboarders

5.1 OBSTRUCTIVE SOLICITATION

5.1.1 No person shall solicit in a manner which causes an obstruction. A person shall be deemed to be causing an obstruction when he or she solicits by:

- a) sitting or lying on a highway or sidewalk in a manner which obstructs or impedes the convenient passage of any pedestrian traffic on a highway, in the course of solicitation;
- b) continuing to solicit from or otherwise harassing a pedestrian after that person has made a negative initial response to the solicitation or has otherwise indicated a refusal;
- c) physically approaching and soliciting from a pedestrian as a member of a group of three or more persons;
- d) soliciting on a street within 10 m of an entrance to a bank, credit union, trust company, an automated teller machine or a liquor store; or
- e) soliciting from an occupant of a motor vehicle in a manner which obstructs or impedes the convenient passage of any vehicular traffic on a highway.

5.2 OBSTRUCTION OF SIDEWALKS AND HIGHWAYS

5.2.1 No person shall obstruct or block a sidewalk without providing a safe alternative route for pedestrians.

5.2.2 Every pedestrian crossing a highway shall cross as quickly as possible without stopping or loitering or impeding the free movement of vehicles.

5.3 BICYCLES AND SKATEBOARDS

5.3.1 No person shall ride a bicycle on a sidewalk.

5.3.2 Persons exempted from Subsection 5.3.1 include: persons with disabilities and children under the age of 14.

5.3.3 No person shall leave a bicycle or skateboard on a sidewalk, highway or public lands in a position which obstructs the free movement of pedestrian or vehicular traffic and where a bicycle is found as stated herein, the said bicycle may be impounded.

5.3.4 Notwithstanding Subsection 5.3.3, any person may park any bicycle temporarily at a stand specifically designed for bicycle parking. In instances where a stand is not provided, the person must park the bicycle in such a manner as to not be an obstruction to pedestrians or other traffic.

- 5.3.5** Any bicycle or skateboard left abandoned on any sidewalk or highway, or any bicycle or skateboard that is being operated in contrary to Subsection 5.3.1 and 5.3.3, may be seized by a Bylaw Enforcement Officer and impounded for up to 14 days. A bicycle or skateboard is deemed abandoned if it has been left unattended without any intention of the owner reclaiming, at a location for more the 3 (three) days.
- 5.3.6** Bicycles impounded may be sold at public auction after 60 days, unless claimed by the owner.

SECTION 6: Snow/Ice Clearing

6.1 SNOW PLACED ON HIGHWAY

- 6.1.1** Owners and occupiers of real property must not place snow removed from private property onto public streets or boulevards, or onto other property other than his/her own. This includes, but is not limited to, pushing snow from private driveways or parking lots onto the street or across the street, to place snow on boulevards, at intersections, over sewer or storm manhole covers, water main valves or fire hydrants or in any manner which may interfere with the intended use or the servicing/maintenance of the street and related infrastructure.
- 6.1.2** Any person who contravenes Subsection 6.1.1 shall remove any snow, ice, or other material within twenty-four (24) hours of the time he/she placed the snow, ice, or other material on the public or private property.
- 6.1.3** The Public Works Director, after the expiry of the twenty-four (24) hours, or if deemed necessary at any time, may cause to remove and clear away the snow, ice or other material deposited in contravention of Subsections 6.1.1.
- 6.1.4** The person who has placed, caused or permitted to be placed, the snow, ice or other material, shall pay to the Municipality on demand all costs of removal.
- 6.1.5** No employee or agent of the Municipality shall be liable for contravention of Subsections 6.1.1 when acting in the performance of his duties.

6.2 SIDEWALK CLEARING

- 6.2.1** A person shall not place, or permit to be placed, any snow or ice or other material removed from a sidewalk onto the highway impeding the flow of traffic along the highway.
- 6.2.2** A person shall not cause damage to any sidewalk by striking, picking or cutting with any shovel, pick, crowbar or other metal instrument.
- 6.2.3** If a person fails to comply with Subsection 6.2.1, the Municipality may provide for the clearing of the sidewalk or the road, and the cost incurred by the Municipality in so doing shall be charged against the owner or occupant of the adjacent property.

6.3 SNOW ON ROOF AND EAVE

- 6.3.1** An occupant, or owner, of a building within three (3.0) meters of a highway or sidewalk, whenever snow or ice accumulates on the roof or eaves, or from downspouts of the building so as to create a potential danger to vehicles or pedestrians, shall remove, or cause to be removed, the snow or ice hazard, and a person, while removing the snow or ice hazard shall take due care and attention for the safety of vehicles or pedestrians passing.

SECTION 7: Off-Road Vehicles

7.1 OPERATION OF OFF-ROAD VEHICLES

- 7.1.1** No person shall operate an Off-Road Vehicle (ORV) upon a highway or a sidewalk.
- 7.1.2** No person shall operate, or authorize or permit any other person to operate, any Off-Road Vehicle on any private lands within the Municipality without first having obtained written permission therefore from the owner or occupier of such private lands.
- 7.1.3** Notwithstanding Sub-sections 7.1.1 and 7.1.2, the Council, by resolution may designate, either temporarily or permanently and upon such terms and conditions as the resolution may specify, any area or areas within the Municipality as being exempt under this Bylaw and in such event the provisions of this Bylaw shall not apply to such designated area or areas.

SECTION 8: Enforcement

8.1 AUTHORITY TO ENFORCE REMOVAL AND IMPOUND

- 8.1.1** All Bylaw Enforcement Officers are hereby authorized to enforce this bylaw.
- 8.1.2** No person shall obstruct or interfere with a Bylaw Enforcement Officer in the exercise of the powers under this Bylaw.
- 8.1.3** All Bylaw Enforcement Officers are hereby authorized to remove or cause to be removed any equipment, vehicle, trailer, bicycle, skateboard, or Off-Road Vehicle operated, parked, or placed in contravention of any provision of this bylaw, or where emergency conditions may require the removal from any public property.
- 8.1.4** Any equipment, vehicle, trailer, or Off-Road Vehicle may be removed to a place designated by a Bylaw Enforcement Officer.
- 8.1.5** Any equipment, vehicle, trailer, bicycle, skateboard, or off-highway vehicle that has been impounded shall be released to its owner or his agent only after the impounding and removal charges have been paid.
- 8.1.6** The impounding and removal charges identified in Subsection 8.1.5 shall be in addition to any fine or penalty imposed in respect of a violation, or to any payment made in lieu of prosecution.
- 8.1.7** Vehicles, off-highway vehicles, bicycles, or skateboards impounded may be sold at public auction after 90 days, unless claimed by the owner.

8.2 PENALTIES

{8.2.1 Amended by Bylaw No. 143/17}

- 8.2.1** This bylaw may be enforced by means of a notice in the form prescribed under the Local Government Bylaw Notice Enforcement Act.
- 8.2.2** Any person who has been issued a bylaw notice as being in contravention of any provision of this bylaw and wishes to dispute the allegation, may give notice in person of the dispute, or deliver, have delivered, or mail a notice of dispute within 21 days to the Northern Rockies Municipal Office, 5319 – 50th Avenue South, Fort Nelson BC, V0C 1R0.

8.3 TRAFFIC VIOLATION NOTICES

- 8.3.1** Where a Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he may serve a Traffic Violation Notice upon the person.

8.3.2 No person, other than the owner or operator of a vehicle, shall remove from a vehicle any violation notice issued under authority of this Bylaw.

8.3.3 No person shall deface a violation notice issued under authority of this Bylaw.

8.4 CHALKING

8.4.1 In order to determine the time which a vehicle has been parked in a location where parking is restricted to a specific time, a Bylaw Enforcement Officer may place a chalk mark on the tread face of the tire or may use electronic marking.

8.5 EXEMPTIONS

8.5.1 The operator of any of the following vehicles shall be exempt from the provisions of this Bylaw:

- a) Vehicles operated by members of the R.C.M.P., Fire Department, Ambulance, and Search and Rescue, while on duty, and actively engaged in official business.
- b) Vehicles, identified by insignia or sign, as being Municipal vehicles, which are engaged in a Municipal function.

SCHEDULE A: GEOGRAPHIC AREA

