



THE VILLAGE OF

N A K U S P

VILLAGE OF NAKUSP

Traffic, Street, and Sidewalk Control Bylaw No. 747, 2025

A BYLAW TO REGULATE AND CONTROL TRAFFIC, PARKING, STREETS, AND SIDEWALK USE WITHIN THE VILLAGE OF NAKUSP.

WHEREAS, the Council of the Village of Nakusp is empowered and authorized pursuant to the Community Charter to regulate and prohibit all uses of or involving a highway or part of a highway within the Village of Nakusp; and,

AND WHEREAS the Council of the Village of Nakusp deems it desirable and expedient to provide such legislation for the purposes of enforcement;

NOW, THEREFORE, the Council for the Village of Nakusp, in an open meeting assembled, enacts as follows:

1. CITATION & INTERPRETATION

1. (1) This bylaw may be cited for all purposes as the “Traffic, Street, and Sidewalk Control Bylaw No. 747, 2025”.
- (2) This bylaw applies to all traffic and to the activities of persons on *Highways* in the Village of Nakusp other than controlled access highways and arterial highways designated under the *Transportation Act*. In the event of any conflict between the *Motor Vehicle Act* and this bylaw, the provisions of the *Motor Vehicle Act* shall prevail.

2. DEFINITIONS

2. For the purpose of this bylaw, the following terms are defined:
 - (1) “Accumulation” means a build-up, growth or collection, either scattered, amassed or piled, existing at the time of inspection;
 - (2) “Alley” means a *Highway* abutting the rear or side boundaries of a parcel of land and which is intended as a secondary access to the rear or side yards of such parcels;
 - (3) “Awning” means a folding or collapsible cover capable of being extended from or retracted to the building or structure to which it is attached;
 - (4) “Boulevard” means a Highway area extending from the edge of the *Travelling Portion of a Highway* to the adjoining property line, including curbs, sidewalks, and ditches.
 - (5) “Boat Launch” means the Nakusp Marina Boat Launch located at 102 Nelson Ave South, Nakusp, BC, legally described as Lot 1 District Lot 397 Kootenay Plan 13443, PID 010-915-184.

- (6) “Bylaw Notice Enforcement” means the current Village of Nakusp Bylaw Notice Enforcement Bylaw as amended;
- (7) “Canopy” means a non-retractable, solid projection which extends from the face of a building and includes, among other things, a structure commonly known as the mouldings, architraves, and pediments;
- (8) “CAO” means the person appointed as the Chief Administrative Officer of the *Village* or their designate;
- (9) “Central Traffic Zone” means the area of the *Village* which is bound by the following and outlined on Schedule A:
 - i) On the North, by the northern-most boundary of First Street, between Nelson Avenue and Eighth Avenue;
 - ii) On the South, by the southern-most boundary of Waterfront *Walkway*, between Nelson Avenue and Eighth Avenue;
 - iii) On the West, by the western-most boundary of Eighth Avenue, between Waterfront *Walkway* and First Street; and,
 - iv) On the East, by the eastern-most boundary of Nelson Avenue, between Waterfront *Walkway* and First Street.
- (10) “Commercial Vehicle” means:
 - i) A *Motor Vehicle* from which sales are made of goods, wares, merchandise or commodity; or
 - ii) A *Motor Vehicle* by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof;
- (11) “Council” means the elected officials for the Village of Nakusp;
- (12) “Curb” means the raised structural element which may be installed at the outside edge of a *Highway* or median parking area;
- (13) “Cycle” means a device having any number of wheels that is propelled by human power and on which a person may ride;
- (14) “Derelict Vehicle” means a vehicle or part thereof, which:
 - i) Is physically wrecked or disabled;
 - ii) Is not capable of operation under its own power; or,
 - iii) Does not have an active insurance policy allowing the *Motor Vehicle* to operate on a *Highway*.
- (15) “Development” means:
 - i) An excavation or stockpile of earthworks and the creation of either of them; or,

- ii) A building or an addition to, replacement or repair of a building and the construction or placing in, on, over or under the land of any of them; or,
 - iii) A change in the use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or,
 - iv) A change in the intensity of the use of land or a building or an act done in relation to land or a building results in or is likely to result in a change in the intensity of use of the land or buildings.
- (16) “Downtown Cemetery” means the cemetery located on Broadway Street ending at 920 Broadway Street NW, Nakusp, BC.
- (17) “E-Bike” means power-assisted cycles that have a motor to help propel the device, have fully operable pedals or hand cranks capable of propelling the cycle, do not have a combustion engine, and are either a standard E-Bike or a Light E-Bike.
- (18) “E-Scooter” means a device that is designed to be solely self-propelled or self-propelled with the capability to be propelled by human power, has two (2) wheels up to four (4), has a platform for standing on with a steering handlebar and is designed to transport one (1) person.
- (19) “Emergency Vehicle” means:
 - i) A *Motor Vehicle* carrying rescue or first-aid equipment where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this bylaw or the *Motor Vehicle Act*; or,
 - ii) A *Motor Vehicle* driven by a member of the fire department in the discharge of their duties; or,
 - iii) A *Motor Vehicle* driven by an RCMP officer or by a member of the police branch of any of His Majesty’s Armed Forces in the discharge of their duties.
- (20) “Encroachment” means anything installed, constructed or planted within the *Highway*, including the *Sidewalk* or *Boulevard* space, that the Village did not authorize;
- (21) “Exempt Vehicle” means a *Motor Vehicle* that an employee of the *Village*, the Federal or BC Provincial Government uses.
- (22) “Highway” includes the meaning found in the *Motor Vehicle Act* and the entire width between the boundaries of any registered road or highway right-of-way, when a part is open to the public for vehicular traffic, including *Sidewalks*, *Walkways*, and *Boulevards*; except the travel portion of Highway 23 (Controlled Access), Highway 6 S (Arterial) and Highway 6 W (Controlled Access) which the Province of British Columbia owns.
- (23) “Litter” means any solid or liquid waste material or combination of solid or liquid waste materials, including but not limited to any rubbish, refuse, garbage, paper, package, container, bottle, can, manure, human or animal excrement, or the whole or part of an

animal carcass or offal, coal, wood, gravel, earth, sawdust, glass, or like material, plastic, nails, staples, tracks, or scraps of metal;

- (24) “Loading Zone” means a portion of a *Highway* set aside adjacent to a *Curb* designated by a traffic control device for the exclusive use of *Motor Vehicles* for the loading or unloading of passengers, goods, or materials.
- (25) “Messenger Service Vehicle” means a *Motor Vehicle* with a gross weight not exceeding Five Thousand Four Hundred and Fifty Kilograms (5450 kgs), which is:
 - i) Used for the delivery of messages, documents, and packages for patrons and customers of the messenger operating it to the destination in the *Central Traffic Zone*; and,
 - ii) Clearly marked in a permanent, non-removable manner with the name of the messenger service operating it and identification indicating it is a Messenger Service Vehicle.
- (26) “Motor Vehicle” means a device in, upon, or by which a person or thing may be transported or drawn upon a *Highway*, and includes:
 - i) A trailer so designed that it may be attached to or drawn by a motor vehicle or tractor, and is intended to transport property or persons;
 - ii) Any trailer that is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either temporarily or permanently alike;
 - iii) Any construction machinery such as, but not limited to, dump trucks, backhoes, skid steers, excavators, concrete delivery trucks, front-end loaders, and construction trailers;
 - iv) Any trailer, carriage, buggy or similar vehicle drawn by a horse or other animal.
- (27) “Motor Vehicle Act” means the Province of British Columbia Motor Vehicle Act [RSBC 1996} Chapter 318, as amended.
- (28) “Occupant” means the *Owner*, person or corporation residing or carrying on business within any premises as a lessee of the *Owner* or pursuant to a licence occupation granted by the *Owner* or the *Owner* of any vacant property.
- (29) “Offensive Matter” includes, but is not limited to, dead animals or animal parts, carrion, offal, human or animal body fluids, grease, restaurant waste, used cooking oils, excrement, or what a reasonable person would consider offensive.
- (30) “Operator” includes a person who drives or operates a *Motor Vehicle* as the *Owner* thereof or as an agent, employee or servant of the *Owner*.
- (31) “Owner” means the registered owner of real property.
- (32) “Park” includes plural and past tense and means to allow a *Motor Vehicle* (whether occupied or not) to remain standing in one place, except:

- i) When standing temporarily for the purpose of and while actually engaged in loading and unloading passengers;
- ii) When standing in obedience to a *Peace Officer* or traffic control device.

(33) “Peace Officer” means:

- i) The *RCMP*;
- ii) CVSE;
- iii) CAO or designate; and,
- iv) Director of Operations or designate.

(34) “Pedestrian” means a person afoot or using mobility-assisted devices.

(35) “Priority Route” means any *Highway* within the municipal boundaries of the *Village* that meets the criteria identified in the *Village’s* Snow Clearing and Winter Maintenance Policy C010 as amended.

(36) “RCMP” means the Royal Canadian Mounted Police.

(37) “Recreational Vehicle” means a *Motor Vehicle* or trailer that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place.

(38) “Sidewalk” means the area between the curb-lines or lateral lines of a roadway and the adjacent property lines improved for the use of *Pedestrians* or any other improved area set aside for *Pedestrian* use only.

(39) “Sign” means a device, structure, or fixture intended for advertising or calling attention to any place, person, matter, object or event.

(40) “Taxi Zone” means a portion of a roadway adjacent to the *Curb* designed for the use of taxicabs while waiting for their fares and includes the areas set aside exclusively for the use of taxis;

(41) “Travelling Portion of a Highway” means the part of the road intended for motor vehicles to drive on but does not include the shoulder and is generally 3.5 meters from the center of the road in either direction, running parallel with the road.

(42) “Transportation Act” means the Provincial Government of BC Transportation Act [SBC 2004] Chapter 44, as amended.

(43) “Transportation” means the operation of a *Motor Vehicle*, and includes the care of handling of, assembly of storage in or for transit, or the delivery of passengers and goods;

(44) “Use of Public Property Bylaw” means the current *Village Use of Public Property Bylaw*, as amended.

(45) “Village” means the Corporation of the Village of Nakusp and or the land lying within the municipal boundaries;

- (46) “Walkway” means a right-of-way set aside for the use of and ordinarily used for *Pedestrian* travel of the general public, and may include *Sidewalk* (and *Boulevard* portion thereof);
- (47) “Weed” includes brush, trees, any plant designated as a noxious weed pursuant to the Weed Control Act [RSBC 1996] Chapter 487, as amended, and other plant growth that is allowed to come to a state of causing or about to cause a nuisance, and includes any vegetation where its root system, limbs, or shoots intrude into an *Alley*, *Boulevard*, or *Highway* in a manner that may impact travel, construction, maintenance levels, safety, longevity or the aesthetics of the *Alley*, *Boulevard*, or *Highway*.
- (48) “Work Forces” means *Village* employees and/or contract workers of the *Village*.
- (49) “Zoning Bylaw” means the current Village of Nakusp Zoning Bylaw, as amended.

3. DELEGATION OF POWERS & RECONSIDERATION

3. (1) *Council* hereby delegates the following powers to the *CAO* or their designate:
- i. The authority to temporarily close a *Highway*, or any portion thereof, as deemed necessary;
 - ii. The authority to issue permission for parades, processions, or any other incidental use of any *Highway* or any portion thereof that may interrupt normal traffic movement temporarily;
 - iii. The authority to locate traffic control *Signs* and devices;
 - iv. The authority to schedule street cleaning, snow removal, line painting, or any other street maintenance program as may be necessary and to post a schedule for the same accordingly;
 - v. The authority to designate a snow removal route;
 - vi. The authority to remove, impound, or dispose of any *Signs* or any other object located on *Village Highways* in contravention of this bylaw; or to order *Village Work Forces* to remove, impound, or dispose of same;
 - vii. The authority to establish such parking and *Loading Zones* as deemed necessary for the exclusive use of special classes of *Motor Vehicles*, which, without restricting the generality of the foregoing, may include taxis, buses, and disabled persons’ *Motor Vehicles*.
- (2) *Council* hereby delegates the following powers to the *CAO* or their designate and *Peace Officers*:
- i. The authority to place tickets on any *Motor Vehicle* parked in contravention of the provisions of this bylaw;
 - ii. The authority to serve a ticket on any *Operator* or *Owner* of a *Motor Vehicle*, person, *Pedestrian*, or organization parked in contravention of this bylaw;
 - iii. The authority to place an erasable chalk mark on the tread face of a tire on any parked or stopped *Motor Vehicle* to determine the time at which a

- Motor Vehicle* has been parked in a location where parking is restricted to a specific time;
- iv. The authority to remove any *Motor Vehicle* parked in contravention to this bylaw or when emergency conditions may require such removal from a *Village Highway*;
 - v. The authority to designate the location for impoundment of *Motor Vehicles* removed from *Village Highways* until said *Motor Vehicles* are reclaimed by their *Owners*;
 - vi. The authority to seize and impound for a period not exceeding sixty (60) days any *Cycle, Sign*, or any other item used, operated or abandoned on *Village* streets in contravention of this bylaw;
 - vii. The authority to dispose of unclaimed impounded items after the sixty (60) day impoundment period has passed.
- (3) When the *CAO* exercises the authority delegated to them, a person is entitled to have *Council* reconsider the following matter(s):
- i) A denied request for a temporary *Highway* closure;
 - ii) A denied request for a parade or procession;
 - iii) An unsatisfactory level of work that the private property *Owner, Occupier, or Development* before *Village Work Forces* have been sent to complete the work.
- (4) A person requesting *Council* to reconsider the *CAO* decision must provide written notice to the *CAO* within ten (10) business days of the postmark indicating the date the enforcement letter was sent.
- (5) A request for *Council*'s reconsideration must concisely state the grounds for the appeal.
- (6) The decision of the *CAO* must be reconsidered during the next available *Council* meeting.

4. GENERAL PROVISIONS

4. (1) *Operators of Emergency Vehicles and Exempt Vehicles, Peace Officers and Village Work Forces* are exempt from the provisions of this bylaw, where necessary, when executing their duties.
- (2) A person must not, separately or in a group, stand, sit, lay, or run on a *Highway* to obstruct any *Pedestrian* or *Motor Vehicle* from lawfully using such *Highway* or *Sidewalk*, or to obstruct the entrance to any building; and, upon a request being made by a *Peace Officer* or other person duly authorized to do so, must immediately disperse and move away.
- (3) For certainty, Section 4.2 does not prohibit the congregation or assembling of persons

to watch a parade, procession or road race, or to attend and listen to public speaking, so long as the proceedings are peaceful, orderly, and sufficient space is left on the *Highway* to allow free movement or ordinary traffic; but should any *Highway* at or near such assembly become so obstructed by those proceedings to impede such ordinary traffic, the obstructing person must move away upon being requested to do so by a *Peace Officer* or by any person duly authorized.

- (4) A *Sign* must not:
 - i) Obstruct the free and clear vision of a person operating a *Motor Vehicle* or *Pedestrian* traffic;
 - ii) Be located where it may interfere with or display any colours which may be confused with any authorized traffic control device;
 - iii) Be attached to any signpost being the property of the *Village* or traffic control device post;
 - iv) Or otherwise create a traffic hazard.
- (5) Any *Sign*, notice, or other object placed on or beside a *Highway*, or upon abutting public lands, including *Boulevards*, that does not comply with the provisions of the *Motor Vehicle Act*, this bylaw, *Village's Zoning Bylaw*, or the *Village's Use of Public Property Bylaw*, may be removed and impounded by *Village Work Forces*, without any notice or warning to the *Owner* thereof.
- (6) Except where such receptacle or structure has been provided for the purpose of posting notices or advertising, as in the case of a kiosk or notice board, a person must not attach a bill, placard, pamphlet, leaflet, notice, or printed matter to or on:
 - i) A building or structure of any nature being the property of the *Village*;
 - ii) a bridge, fence, post or signpost, streetlight pole, electric pole, railing, monument, overpass, or receptacle of any kind that is the property of the *Village*;
- (7) A person must not deface or cause graffiti of any nature to be placed on any property of the *Village*.
- (8) A person operating on a business premises for the following purposes, such *Motor Vehicles* must not be washed to result in water, mud, or slush upon any *Village Highway*:
 - i) For the sale of new or used *Motor Vehicles*;
 - ii) For the purpose of washing *Motor Vehicles*;
- (9) A person must not drain or allow to leak any engine, transmission or other chemical fluids out of a *Motor Vehicle* upon a *Village Highway* so that the said fluids fall upon the *Highway*.
- (10) A *Motor Vehicle* found to be leaking engine, transmission, or other chemical fluids or fluids of any type will be deemed to constitute a danger to public safety and may be

towed away and impounded, and the fluids removed from the *Highway* at the expense of the registered *Owner* of the *Motor Vehicle*.

- (11) A person operating a business premises, to which entry or exit for *Motor Vehicles* is made by a crossing located between the *Curb* and the private property line, must not allow mud, water, slush, ice, or icy frozen snow to remain on the *Sidewalk* or roadway portion of said crossing.
- (12) A person or *Operator* must not pass beyond a controlled access point designated by a *Peace Officer* or member of the Fire Department at the location of a fire.
- (13) A person must not load or unload goods or merchandise across a *Sidewalk* or *Boulevard* into a premise where alternate, non-obstructing loading and unloading facilities for the premise have been provided.
- (14) A person must not live in a *Motor Vehicle* on public property within the *Village* limits unless permitted by the *Zoning Bylaw*.
- (15) A person must not cross any *Highway* at a point where a traffic control device prohibits such crossing.
- (16) A person must not place, dispose of, direct, or allow any *Litter* or *Offensive Matter* on any portion of a *Highway*.
- (17) All traffic control devices in place on the effective date of this bylaw are valid for this bylaw.
- (18) All school zones, playground zones, accessible parking zones, *Loading Zones* and bus zones in effect immediately before this bylaw's coming into force will continue in effect until removed or altered by the *Village* or Ministry of Transportation.

5. SPEED LIMITS & TRAFFIC CONTROL

- 5. (1) A person must not drive or operate a *Motor Vehicle* on a *Highway* within the *Village* at a speed greater than 40 km/h, except:
 - i) Broadway Street between Nelson Avenue and the northwest boundary of the Downtown Cemetery at a speed greater than 30 km/h;
 - ii) In any *Alley* at a speed greater than 20 km/h;
 - iii) On a *Highway* where playground *Signs* are displayed stating a speed limit of 30 km/h or on which the numerals '30' are prominently shown;
 - iv) On a *Highway* where school zone *Signs* are displayed stating a speed limit of 30 km/h or on which the numerals '30' are prominently shown while approaching, passing or in the vicinity between the hours of 8 AM – 5 PM during school days as indicated by the *Signs*; and,

- v) Where temporary speed *Signs* have provided alternate speed limits.
- (2) The CAO may, at their discretion, cause a *Sign* to be erected or placed on a *Highway* temporarily limiting the rate of speed a *Motor Vehicle* may travel.
- (3) If the CAO has caused a *Sign* to be erected or placed on a *Highway* limiting the rate of speed of *Motor Vehicles*, a person must not, when the *Sign* is in place on the *Highway*, drive or operate a *Motor Vehicle* at a greater rate of speed than that indicated on the *Sign* for that category of *Motor Vehicle*.
- (4) Notwithstanding any traffic control device indication to proceed, a person must not drive any *Motor Vehicle* into any intersection or crosswalk unless there is sufficient space for the *Motor Vehicle* to clear the intersection or crosswalk.
- (5) A person must not post or exhibit any notice, placard, bill, printed matter or other type of notice on any traffic control device unless approved in writing by the CAO.

6. STREETS AND ALLEYS

- 6. (1) Truck traffic shall not be permitted on those *Highways* in the *Village* that are designated with *Signs* such as “No Thru Truck Traffic” or “No Truck Traffic” or symbols indicating the same, except for those trucks making pick-ups or deliveries on those *Highways*.
- (2) Truck Routes are as designated in ‘Schedule B’ and are attached to and form part of this bylaw.
- (3) A person must not drive, operate, or permit any tractor, tracked *Motor Vehicle* or machinery of any kind with cleats, with or without lugs attached to such *Motor Vehicle*, upon any *Highway* within the *Village*, unless proper means are taken to protect the *Highway* or prevent any damage to said *Highway*.
- (4) A person must not excavate or break up the surface of a *Highway*, park, *Boulevard*, or parking lot without obtaining prior written permission from the CAO.
- (5) A person must not construct a projection from a building or other structure which extends over a portion of a *Highway*, except for a *Sign*, a *Canopy*, or an *Awning* and is subject to enter into an encroachment agreement to the satisfaction of the CAO or designate.
- (6) Unless written permission from the CAO has been obtained, a person must not, in connection with a building operation or construction on any portion of a *Highway*:
 - i) place any building materials, building tools, machinery, or construction devices;

- ii) *Park*, leave, stand or station a mobile crane or other mobile building construction machine;
 - iii) load or unload material, machinery or equipment of any kind used in connection with a building operation of any nature; or,
 - v) Leave a portable garbage container standing with a clear width greater than two metres (2.0m).
- (7) Unless authorized in writing by the CAO to do so, a person must not erect or set up in any portion of a *Highway*:
 - i) a pole or poles of any nature;
 - ii) a guy wire or any other means of support for poles.
- (8) A person must not, in the course of developing private land adjacent to a *Highway*, alter in any way, the current grade of the *Highway* next to such private property.
- (9) The *Owner* or *Occupant* of premises adjacent to a *Highway* shall not allow any object to project into any portion of a *Highway* except as provided in this bylaw.
- (10) A person must not drive over or walk on:
 - i) A newly painted line on a roadway when *Signs*, flags, or other warning devices indicate the same;
 - ii) An unprotected water hose, as laid down by *Village Work Forces* or Volunteer Fire Department, unless an official of the *Village* or Fire Department at the scene has specifically allowed a person to do so.
- (11) A person must not place or allow to be put an electrical cord, hose, chain or other similar obstruction upon or across any portion of a *Highway*.
- (12) A person must not direct a water flow onto or across any portion of a *Highway* from private property adjacent to a *Highway*.
- (13) A person must not deliberately cause anything to enter the storm sewer system except natural precipitation.
- (14) A person must not tamper with or remove a catch basin, manhole, or valve cover from its seat base installed on a *Highway*.
- (15) A person must not solicit for or carry on any business, trade, or occupation on a *Highway* within the *Village*, not place any item for display or sale or exhibit merchandise of any nature upon any *Highway* in the *Village*, nor allow any tables or chairs for use of customers to be placed upon any *Highway* in the *Village* unless permitted to do so by a licence issued by the *Village*.
- (16) A person must not permit or allow oil to be placed or tracked onto a *Highway* or *Alley*.

7. PARKING

7. (1) Unless expressly permitted by the other provisions of this bylaw, an *Operator* or *Owner* of a *Motor Vehicle* may not *Park* or permit to be parked or left standing any *Motor Vehicle*:
- i) Upon any portion of a *Highway* to take up overnight abode, or for a continuous period of time exceeding 24 hours, without first obtaining permission from the *CAO* or designated authority;
 - ii) Adjacent to any yellow-marked *Curbs* or on any portion of a *Highway* marked by traffic control devices as a “No Parking” zone;
 - iii) Within 6 meters of a stop sign or intersection where the intersecting lateral lines of two roadways meet;
 - iv) In the entranceway, ramps or gated access to any fire hall, ambulance station, emergency vehicle lane, or in any other manner to interfere with the proper operation of access for any *Emergency Vehicle*;
 - v) Where the *Motor Vehicle* will, in any way, interfere with the use of a doorway intended as a fire or emergency exit from any building abutting a street or *Highway*;
 - vi) In any *Loading Zone*, except any *Commercial Vehicle* lawfully engaged in loading or unloading goods or merchandise or a *Motor Vehicle* lawfully engaged in loading or unloading passengers;
 - vii) Upon any land owned by the *Village* which is used as a playground, a recreation area, a public park, a *Walkway*, or *Sidewalk* or any portion of a recognized pathway;
 - viii) In any parking space on *Village*-owned property where such spaces have been reserved for *Motor Vehicles* operated by *Village Work Forces* or Volunteer Fire Department members.
 - ix) On any *Village*-owned or operated parking lot in contravention of the prohibitions stated on any traffic control devices posted in said parking lot;
 - x) At any bus stop, *Taxi Zone*, passenger *Loading Zone*, accessible parking stall, or at any other place or area where traffic control devices indicate that parking is restricted to a certain class of *Motor Vehicles* unless the *Motor Vehicle* is a member of the restricted class;
 - xi) Upon any *Highway*, *Boulevard*, or *Alley* that the *CAO* has designated for snow removal, street-cleaning, or snow piling;
 - xii) On the *Boat Launch* ramp for a longer duration of time than required to launch or load a boat.
- (2) A person who permits a *Motor Vehicle* to be *Parked* in contravention of this bylaw is subject to towing and fines.

- (3) Where a *Motor Vehicle* parking space is marked out or designed upon a *Highway*, every *Operator* or *Owner* of a *Motor Vehicle* using the aforementioned space must *Park* their *Motor Vehicle* wholly within the limits of the space.
- (4) An *Operator* or *Owner* of a *Motor Vehicle* must not *Park* or permit such *Motor Vehicle* to remain parked on the following *Highways* for a period of longer than two (2) hours between the hours of 08:00 – 18:00, Monday through Sunday:
- i) Broadway Street between Nelson Avenue and 8th Avenue.
- (5) An *Owner* or *Operator* of a *Motor Vehicle* must not *Park* a *Motor Vehicle* in any *Alley* within the *Village* except for the purpose of:
- i) Loading or unloading of goods from a *Commercial Vehicle* for a period not exceeding thirty (30) minutes;
 - ii) Loading or unloading of goods or passengers from a *Motor Vehicle* other than a *Commercial Vehicle* for five (5) minutes, provided the *Motor Vehicle* concerned does not obstruct the *Alley* to prevent other *Motor Vehicles* or persons from passing along said *Alley*;
 - iii) Loading or unloading of items for the purpose of moving in or out of a building, provided the *Motor Vehicle* moving the items does not obstruct the *Alley*, preventing other *Motor Vehicles* or persons from passing along the *Alley*.
- (6) An *Owner* or *Operator* must not stop or *Park* a *Motor Vehicle* in such a manner that the *Motor Vehicle* is in front of or within one metre (1.0 m.) of the side of any refuse container or storage area located in an *Alley* in the *Central Traffic Zone*.
- (7) A person must not leave parked or permit to be left parked on any *Travelling Portion of a Highway* a *Motor Vehicle* or a trailer, including:
- i) a trailer designed for the occupancy of persons;
 - ii) a trailer designed for the carrying of goods and equipment;
 - iii) a semi-trailer;
 - iv) mobile equipment;
 - v) *Recreational Vehicle*; or,
 - vi) *Motor Vehicle* configured to be drawn by another *Motor Vehicle* except when a trailer is attached to the *Motor Vehicle* used to draw it.
- (8) An *Owner* or *Occupant* of the following must not *Park* or permit to be *Parked* on any *Highway* in any area of the *Village* that is designated or zoned for residential use under the *Village's Zoning Bylaw*:
- i) Any construction machinery or equipment;
 - ii) Any machinery used in the process of farm or field husbandry; or,
 - iv) A bus.
- (9) An *Owner* or *Operator* of a *Recreational Vehicle* must not *Park* on Broadway Street.

- (10) *Owner or Operator of a Recreational Vehicle* must not park on any *Highway* within the *Village* overnight.
- (11) An *Owner or Operator of a Recreational Vehicle* must not *Park* the *Recreational Vehicle* on any *Highway* in the *Village* in such a manner as to constitute a hazard to other persons using the *Highway*.
- (12) An *Owner or Operator* of any *Motor Vehicle* must not park a *Motor Vehicle* in such a way that any items being hauled on or within the *Motor Vehicle* project out of the vehicle, impeding the flow of traffic on the *Travel Portion of a Highway* or *Pedestrians* travelling on a *Sidewalk, Boulevard, or Walkway*.
- (13) An *Owner or Operator* of any *Motor Vehicle* must not stand or *Park* any vehicle on the *Highway* to service or repair the *Motor Vehicle*, except in case of a breakdown or other emergency if the *Motor Vehicle* cannot be moved.
- (14) A person being in charge or control of a garage, service station, radio shop or other premises where repairs or installations are made to vehicles for compensation, must not leave, on any *Highway*, a *Motor Vehicle* which is left in their possession for carrying out repairs or making installations or for any other purpose whatsoever.
- (15) Notwithstanding other provisions of this bylaw, a *Messenger Service Vehicle*, while it is being used to deliver a message, document, or package, may be parked for not more than ten (10) minutes in a "No Parking Zone."
- (16) At any time and place where an on-duty *Peace Officer*, in their discretion, decides that parking a *Messenger Service Vehicle*, while otherwise permitted, may cause traffic congestion, they may require the *Operator* to move their *Motor Vehicle* and must comply with the direction of the *Peace Officer*.
- (17) Notwithstanding anything elsewhere contained in this bylaw, the provisions relating to stopping or *Parking of Motor Vehicles* does not apply to the following while any such *Motor Vehicle* is being used at work, where it is required that it be standing or *Parked*:
- i) *Emergency Vehicles*;
 - ii) *Motor Vehicles* used in conjunction with the servicing of public utilities, including communication systems, electric systems, and Cablevision systems;
 - iii) *Exempt Vehicles*;
 - iv) Towing service *Motor Vehicles*;
- (18) Unless a person has obtained written permission from the CAO, a person must not:
- i) Occupy any *Highway* or *Sidewalk* or part thereof for the purpose of

- carrying on the construction, alteration, repair, maintenance or demolition of any building;
- ii) Build, construct, demolish, place or maintain, or cause to be built, constructed, demolished, placed or maintained on any *Highway* or part thereof, any structure or object.

8. BOULEVARDS, SIDEWALKS & PEDESTRIANS

- 8. (1) A person must not use the land between the roadway and their property as a driveway where the following are in place without first obtaining written permission from the CAO:
 - i) A *Boulevard* is sown to grass, or there is grass growing naturally thereon, or
 - ii) A *Curb*, gutter, or *Sidewalk* or any of them, is constructed.
- (2) A person must not prepare, construct, commence or attempt to prepare or construct a private driveway between the roadway and their property, whether it is merely excavated, built up, filled or strengthened with rock or gravel, paved with concrete or asphalt, or any other preparation unless written approval is received from the CAO before the commencement of the work.
- (3) A person who has received written approval to construct a new driveway must ensure proper drainage and water flow are achievable; any drainage issues that arise are the responsibility of the private property *Owner* or *Occupant*.
- (4) An *Owner* or *Occupant* of any private property that abuts a ditch is responsible for maintaining proper drainage.
- (5) The *Owner* or *Occupant* of any private property adjacent to a *Boulevard* sowed to grass or where the grass is growing naturally, one must cut such grass at regular intervals necessary to keep the *Boulevard* tidy, attractive, and free of *Weeds*.
- (6) Every *Owner* or *Occupant* of a property must maintain the *Sidewalk*, *Boulevard*, or *Alley* that is adjacent to their property and, without limiting the generality of the foregoing, must:
 - i) Remove *Accumulation of Offensive Matter*, leaves, *Litter*, discarded materials, hazardous objects or other materials that may obstruct a drainage facility;
 - ii) Remove all *Offensive Matter*, leaves, *Litter*, discarded materials, hazardous objects and materials from all *Boulevards*, *Sidewalks*, or *Alley*;
 - iii) In keeping with a reasonable standard of maintenance in the area, keep grassed areas trimmed and reasonably free of *Weeds*;
 - iv) Keep in good repair all driveway crossings;

- v) Trim and maintain all trees and plantings to ensure sightlines are maintained for motor vehicle traffic and obstruction-free for *Pedestrians* along *Sidewalks* or *Walkway*;
 - vi) Not allow for the storage or accumulation of *Derelict Vehicles*.
- (7) Without limiting Section 8.6, every *Owner* or *Occupant* of a property located in the Commercial area, as defined in the *Zoning Bylaw*, must remove all accumulations of *Offensive Matter*, leaves, *Litter*, discarded materials, and hazardous objects and materials from all *Sidewalks*, *Boulevards*, and *Alleys* adjacent to their property no later than 10:00 AM each day.
- (8) A person must not deposit *Offensive Matter*, leaves, *Litter*, discarded materials, or hazardous objects or materials removed from *Sidewalks*, *Boulevards*, *Alleys*, or private property onto *Village* property or *Highways*.
- (9) A person must not place any object or material in a gutter or against a *Curb* or elsewhere on a *Highway*, either to enable them or any other person to drive an animal or *Motor Vehicle* from the travelled portion of the street to their land without prior written authorization from the CAO.
- (10) The registered *Owner* of private property adjacent to a *Highway* must, at the time such property is undergoing *Development* of any manner:
 - i) Be responsible for the replacement of any shrubbery or trees located on a *Boulevard*, *Highway*, or *Walkway* which have been damaged or removed during the process of *Development*;
 - ii) Be responsible for the rehabilitation of the *Boulevard* to the satisfaction of the CAO;
 - iii) Be responsible for any repairs or replacements of the *Sidewalk*, *Curb* and gutter, or pavement, including removing and rehabilitating any existing unused *Sidewalk* crossing and aprons.
- (11) Any damage or alteration to a Highway pursuant to section 8.10 of this bylaw that a property *Owner* or developer fails to rehabilitate to the satisfaction of the CAO may result in the *Village Work Forces* performing such work; all costs will be deemed a debt due and owed to the *Village* by the registered *Owner* of the aforementioned private property.
- (12) A person authorized under a permit to develop private or public land adjacent to a *Highway*, or the general contractor or other person acting on behalf of such person must not allow mud, dirt, or other construction debris to be tracked by *Motor Vehicles* onto a *Highway* exiting from said lands.

- (13) A person found in contravention of section 8.12 may, in addition to any penalty herein, be served with a warning notice by a *Peace Officer* to take corrective action to remedy the situation within a stated time period.
- (14) A person who fails to comply with section 8.13 may result in *Village Work Forces* performing the work; all costs incurred shall be deemed a debt due and owed to the *Village* by the person specified on the warning notice.
- (15) On any sidewalk within the *Village*, except where expressly permitted by a traffic control device, a person must not:
- i) Ride a *Cycle*;
 - ii) Ride an *E-Bike*;
 - iii) Ride an *E-Scooter*;
 - iv) Ride, drive, draw, push or *Park* any *Motor Vehicle*;
 - v) Ride, lead, or allow a horse to walk;
- (16) Section 8.15 does not apply to:
- i) Children under the age of ten (10) riding *Cycles*;
 - ii) *Cycles, E-Bikes, E-Scooters, Motor Vehicles* and horses crossing a *Sidewalk* in a place where there is a lane, a prepared crossing, or where permission has been granted for such purpose;
 - iii) Wheelchairs or other mobility-assist devices.
- (17) A person must apply to the *Village* to construct, at the applicant's sole expense, the necessary depressed *Curb*, concrete apron and *Sidewalk* crossing, or anything required to enable *Motor Vehicles* from the applicant's property to enter the *Highway*.
- (18) A person must not:
- i) Construct or attempt to construct a *Sidewalk* crossing by placing any objects or materials on any part of the street, including but not limited to the gutter thereof, whether or not the same is constructed separately therefrom; or,
 - ii) Place any object or material in a gutter without prior written authorization from the *CAO*.
- (19) The *Village* may require a person who contravenes section 8.18 to:
- i) Remove object or material; or,
 - ii) If the person does not comply with an order of the *Village*, have the same removed at the cost of the person placing the same on the *Highway*.
- (20) The *Owner* or *Occupant* of any private property adjacent to a *Highway*, paved or finished concrete *Sidewalks*, or *Walkways* must not allow any hedges, shrubs, trees or landscaping to be in contravention of the *Zoning Bylaw*.

- (21) A person must not place any *Sign* upon any *Sidewalk* in the *Village* unless said *Sign* complies with the *Use of Public Property Bylaw* provisions and any other applicable *Village* bylaws or provincial or federal statutes.

9. SNOW REMOVAL

9. (1) A person must not *Park* a *Motor Vehicle* on any *Highway* or *Boulevard* that is designated as a *Priority Route* or snow removal route from November 15 to April 1, effective annually, except:
- i) To avoid conflict with traffic;
 - ii) To comply with the law or the direction of a *Peace Officer*; or,
 - iii) While operating a municipal, provincial or federal *Exempt Vehicle* while performing their duties.
- (2) A person who *Parks* a *Motor Vehicle* on a *Priority Route* or snow removal route during the dates mentioned in section 9.1 contravenes this bylaw and may be towed under the authority of the *CAO* at the *Owner's* expense.
- (3) A person must not place, permit, or allow to be placed any snow or ice on a *Highway* except as authorized in writing by the *CAO*.
- (4) An *Owner* or *Occupant* of property abutting a *Highway*, *Boulevard*, or *Sidewalk* must not allow or permit any snow or ice to cave, fall, crumble, slide or accumulate from such property upon the *Travelling Portion of a Highway*, or a *Sidewalk* or remain thereon.
- (5) An *Owner* or *Occupant* of any property abutting or fronting a *Sidewalk* must maintain their portion of the *Sidewalk* to be cleared and kept clear of all snow, ice, dirt, and *Litter* on the *Sidewalks* throughout the day and must dispose of the same other than leaving it upon the street.
- (6) A person must not place or allow to be placed any snow or ice upon any *Highway* from private property, except on a *Boulevard*.
- (7) Notwithstanding any section of this bylaw, sand, gravel, magnesium chloride, or calcium magnesium acetate placed upon icy portions of a *Highway*, *Sidewalk* or *Boulevard* to minimize the danger of slippery conditions is permitted when used as recommended by a product's manufacturer.
- (8) A person must not place or permit to be placed Rock Salt or other products that cause corrosion to concrete or are harmful to the environment on any *Highway*, *Sidewalk*, *Boulevard*, or *Alley*.

10. ENCROACHMENTS

10. (1) A person must not encroach onto *Village* property without a permit issued by the CAO or designate.
- (2) The *Village* is not responsible or liable for items encroaching on *Village* property.
- (3) A person who has encroached onto *Village* property may be required to remove items at the encroacher's expense.
- (4) The *Village* is not responsible for the costs of removing or replacing anything that encroaches on *Village* property.
- (5) A person who stores a *Motor Vehicle* or other items on a *Boulevard* that may be damaged through snow clearing by *Village Work Forces* is not eligible for compensation by the *Village*.

11. ENFORCEMENT AND FINES

11. (1) Where in this Bylaw, any such matter or thing is required to be done by any person to private property, in default of it being done by such person, the *Village* may complete the same and charge the work done as taxes due and owing to the *Village*.
- (2) A person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who neglects to do or refrains from doing any act or thing which is required by any of the provisions of this bylaw commits an offence punishable on summary conviction.
- (3) A person who violates any provision of this bylaw and commits an offence punishable by summary conviction shall be liable to a fine set in the current *Bylaw Notice Enforcement* Bylaw.
- (4) Each day the offence continues may be considered a separate offence under this bylaw.
- (5) This bylaw is enforceable by:
- i) The CAO and their designate;
 - ii) *Peace Officers*; or,
 - iii) *RCMP*.
- (6) An impounded *Motor Vehicle, Cycle, Sign* or another item must not be released to its *Owner* or agent until the *Owner* pays the removal and impoundment charges and said charges are in addition to any fine or penalty imposed for contravention of this bylaw.

- (7) The imposition of payment of a fine imposed for the contravention of this bylaw must not relieve any person so fined from:
- i) Any liability to pay to the *Village* any expenses arising from any damage caused by that person or his agents to *Village* property;
 - ii) Payment of any costs incurred in having *Village Work Forces* perform such work where authorized by this bylaw.

12. SEVERABILITY

12. (1) If any part, section, sub-section, clause or sub-clause of this bylaw is, for any reason, held invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

13. REPEAL

13. (1) Traffic Street and Sidewalk Control Bylaw 496, 1997, and all amending bylaws are hereby repealed.

READ A FIRST TIME THIS 24th DAY OF March 2025.

READ A SECOND TIME THIS 24th DAY OF March 2025.

Reviewed by the Ministry of Transportation and Transit, April 2, 2025.

READ A THIRD TIME THIS 28th DAY OF April 2025.

ADOPTED THIS 12th DAY OF May 2025.

Mayor

Chief Administrative Officer

Central Traffic Zone Map



Truck Routes

