

TOWN OF VIEW ROYAL  
**DRAFT STREETS BYLAW No. 980**

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TOWN OF VIEW ROYAL  
BYLAW NO. 980

**A BYLAW TO REGULATE THE USE OF STREETS AND PUBLIC LAND IN THE TOWN OF VIEW ROYAL**

The Council of the Town of View Royal, in open meeting assembled, enacts as follows:

**SECTION 1: GENERAL**

**Citation and Previous Bylaw Repeal**

- 1.1 This Bylaw may be cited as “Streets Bylaw No. 980, 2019”.
- 1.2 “Streets and Traffic Regulation Bylaw No. 609, 2005” and its amendments are hereby repealed.

**Administration**

- 1.3 Provisions directing or empowering any officer of the Town to do any act or thing, or otherwise referencing the officer by the officer’s official title, also direct or empower that officer’s successors in office, the officer’s lawful deputy or designate and such person as the Council may by bylaw or resolution designate to act in the officer’s place.
- 1.4 The requirements of the Bylaw are supplementary to the requirements of any other Town bylaw.
- 1.5 Section headings do not form part of this Bylaw and are included for convenience only.

**Exemptions**

- 1.6 This Bylaw does not apply to:
  - 1.6.1 persons employed by the Town, vehicles or other equipment owned or operated by employees, agents or contractors of the Town while lawfully engaged in Street or public utility construction, maintenance, or repair work on, over, or under the surface of a Street;
  - 1.6.2 the driver of any emergency vehicle while it is responding to an emergency call and sounding an audible signal, siren, or bell, and showing at least a flashing red light, or at the scene of an emergency and showing at least a flashing red light;
  - 1.6.3 the stopping or Parking of vehicles:
    - 1.6.3.1 owned, leased or under contract with the Government of Canada, Province of British Columbia, the Town or persons employed by the Town;
    - 1.6.3.2 by a public utility corporation;
    - 1.6.3.3 as a tow vehicle;

while such vehicles are in use for official purposes.

### **Enforcement**

- 1.7 Every person who contravenes any provision of this Bylaw, or allows a provision of this Bylaw to be contravened, commits an offence.
- 1.8 Every person who is guilty of an offence under this Bylaw is liable upon summary conviction to a fine of not more than \$10,000.
- 1.9 A separate offence is deemed to be committed upon each day during and in which a contravention occurs or continues.
- 1.10 This Bylaw may be enforced by issuing of a ticket for contravention in accordance with the Municipal Ticket Information Bylaw No. 643, 2007.
- 1.11 The penalties imposed under this section are in addition to and not in substitution for any other penalty or remedy that may be imposed pursuant to this Bylaw, other Town bylaws or otherwise by law.

### **Severability**

- 1.12 If any court of competent jurisdiction declares any phrase, sentence or section of this Bylaw invalid, the invalid portion must be severed and the severance does not affect the validity of the remainder.

## **SECTION 2: DEFINITIONS**

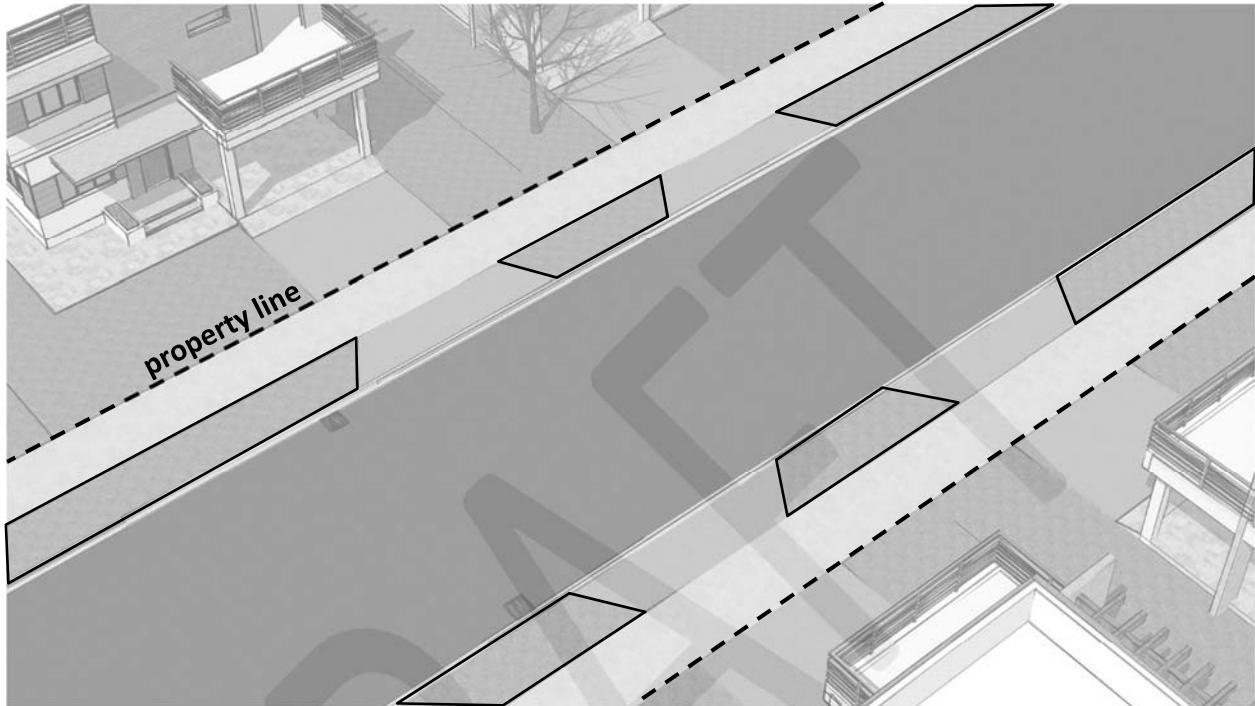
2.1 Words and terms in this Bylaw have the same definitions as in the *Motor Vehicle Act* unless the word or term is specifically defined in Section 2.2 of this Bylaw.

2.2 In this Bylaw, unless the context otherwise requires:

ACCESSIBLE PARKING ZONE	means a Parking zone on a Street identified by a disabled Parking sign or marking;
ALIEN INVASIVE SPECIES	means plants set out in Schedule 1 to the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation, BC Reg. 144/2004;
ANGLE PARKING	means the Parking of a vehicle other than parallel to a Curb or the lateral lines of a Roadway;

**BOULEVARD**

means that portion of a Street between the Curb lines or the lateral boundary lines of a Roadway and the adjacent property line or between Curbs on median strips or islands, but does not include Curbs, Ditches, Driveway Crossings, Shoulders, or Sidewalks;



**BUS STOP ZONE**

means the area designated for public transit buses or school buses on a Street for the purpose of loading or unloading passengers. For public transit buses, this area is indicated by a public transit sign and red painted Curbs where applicable;

**BYLAW ENFORCEMENT OFFICER**

means the person appointed, from time to time, as the Town's Bylaw Enforcement Officer;

**COUNCIL**

means the elected Council of the Town of View Royal;

**CURB**

means an improved transition between the Roadway and a Boulevard or Sidewalk;

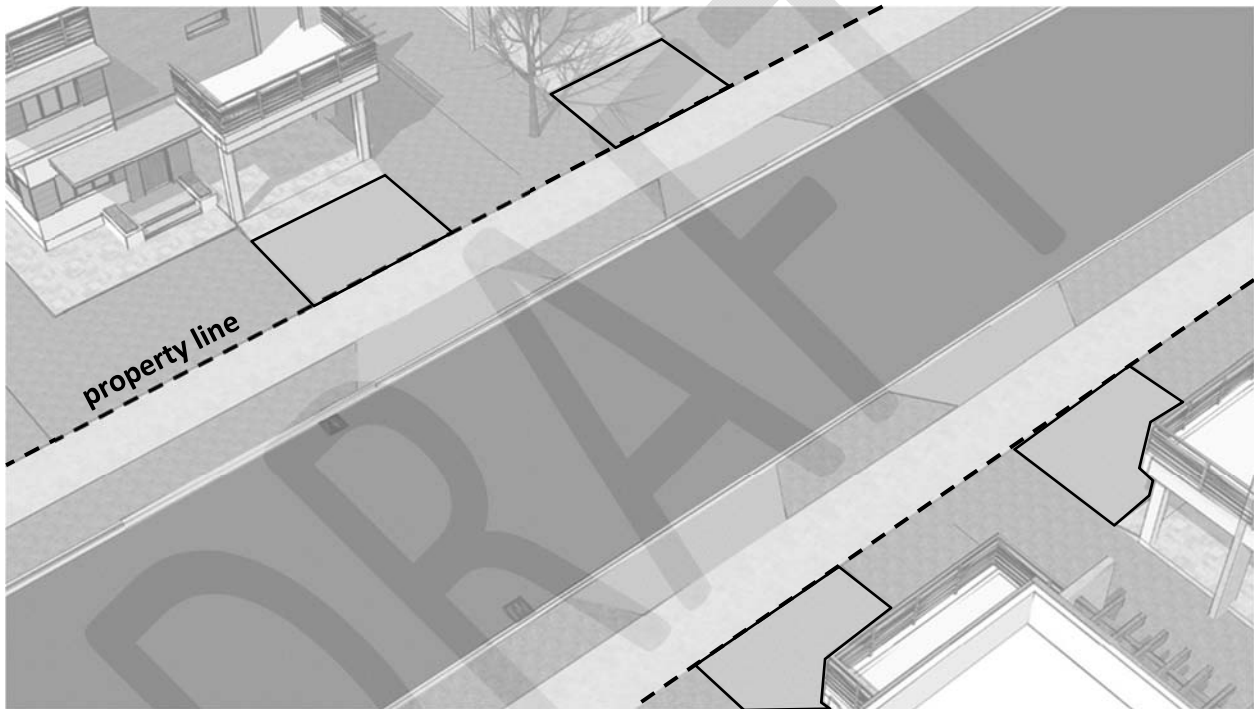
**CYCLE**

means a device having any number of wheels that is propelled by human power on which a person may ride and includes a Motor Assisted Cycle, but does not include any device that is gas powered, a skateboard, a push scooter, a strider bike, roller skates or inline roller skates;

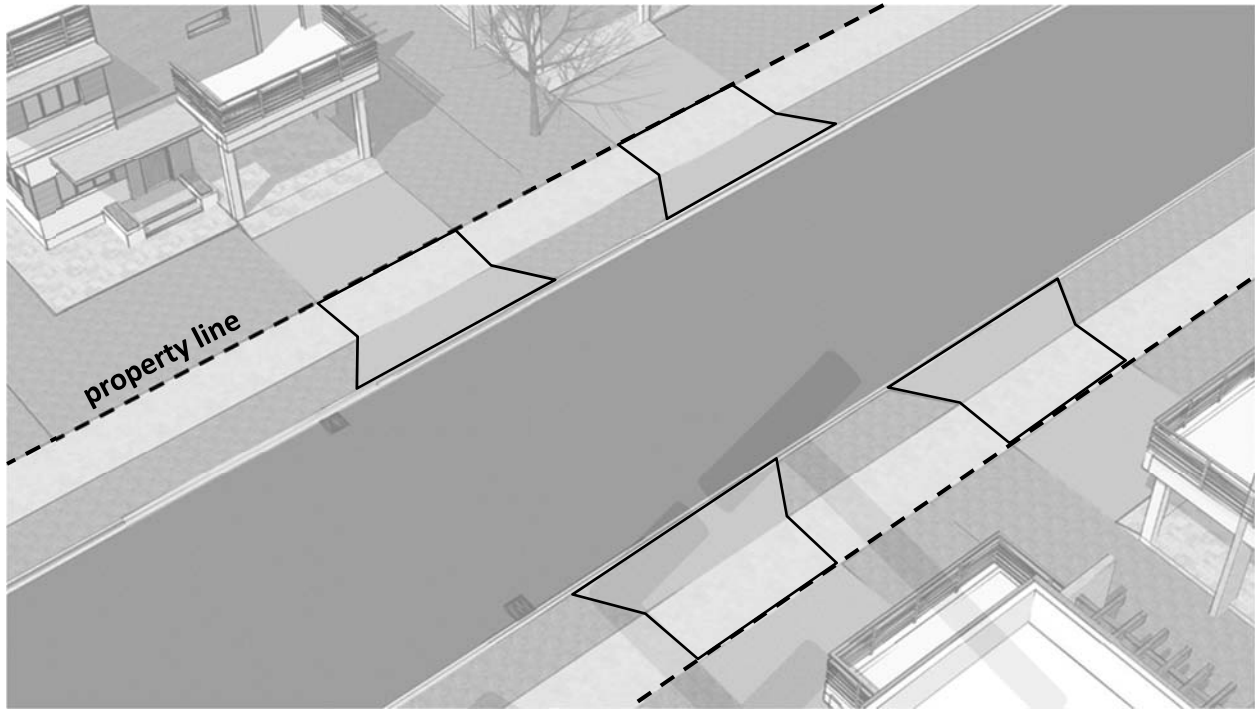
**CYCLE LANE**

means portion of the Roadway designated for Cycles and identified by a sign or marking;

- DIRECTOR** means the Town’s Director of Engineering;
- DITCH** a natural narrow channel or a channel dug into earth used for the conveyance of drainage;
- DITCH IN-FILL** means the filling in of a Ditch, including the installation of a culvert as required;
- DRIVEWAY** means that portion of a property that provides access to Parking or loading spaces within the property and is considered to be the extension of the property’s Street access;



- DRIVEWAY CROSSING** means the improved portion of the Boulevard or Sidewalk specifically designated and improved to provide vehicular access to a property, and includes the widest extent of the Driveway flare;

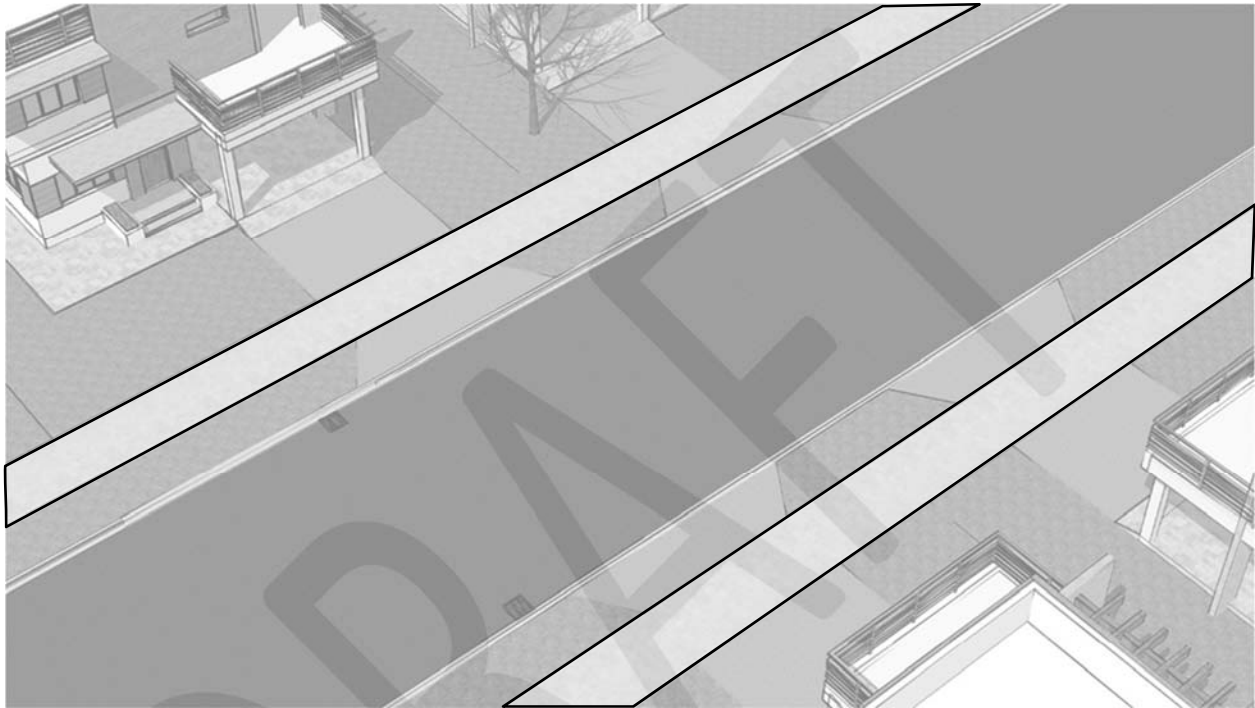


FIRE CHIEF	means the Town's Fire Chief;
GARDEN WASTE	means any clippings, prunings, leaves or other parts of plants, shrubs or trees;
HIGHWAY	means the same as Street;
LANDSCAPED BOULEVARD	means a regularly maintained Boulevard with or without a Curb and with or without an irrigation system that has been improved by the placement of top soil or other soil amendment, the planting of trees , the planting of shrubs, the placing of sod, or the seeding of grass or other perennial vegetation, and does not include a Boulevard on which only natural vegetation is growing, whether or not that natural vegetation is being or has been trimmed or otherwise managed by the Town or adjacent owner;
NOXIOUS WEED	means any plant designated as a weed in the <i>Weed Control Act</i> , and regulations adopted under that Act;
OVERSIZED VEHICLE	means a motor vehicle which is in excess of seven (7.0) metres in length including any attached trailer or appurtenances;
OWNER	means, with respect to a vehicle, the same as defined in the <i>Motor Vehicle Act</i> ; and means, with respect to real property, the same as defined in the <i>Community Charter</i> ;
PARCEL	has the same meaning as defined in the <i>Community Charter</i> ;

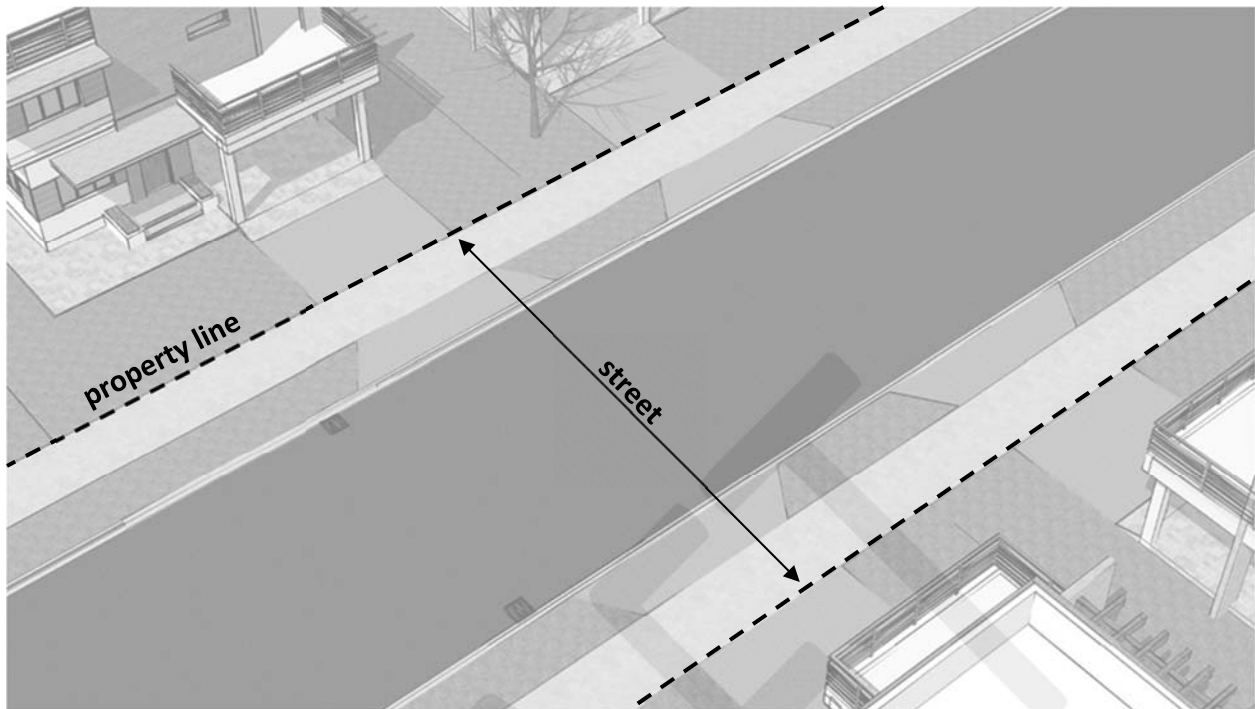
PARK	means the standing of a vehicle, whether occupied or not, upon a Street except when the vehicle is: i. engaged in loading or unloading; and ii. is standing for no more than two (2) minutes;
PEDESTRIAN	means a person on foot, skateboard, push scooter, strider bike, roller skates or inline roller skates or in a wheelchair, a carriage or a wheeled device powered by an electric motor intended for transporting disabled persons;
PERMIT	means a permit issued under this Bylaw, including: i. a Boulevard Improvement or Modifications Permit under Section 9.4; ii. a Driveway Crossing Permit under Section 10.3; iii. a Street Occupancy Permit under Section 11.1; iv. a Street Use Permit under Section 11.4; v. a Street Construction Permit under Section 11.5; and vi. an Oversize Vehicle Permit under Section 11.7.
PERSON	means any individual, corporation, partnership, firm, association or party;
PRIVATE ROAD	means every way or place which is privately owned and used for vehicular travel by the Owner or Owners thereof and those having the permission of the Owners, express or implied, but does not include a driveway between a single residence and a Street;
PUBLIC LAND	means all Streets, parks, unopened road allowances, or any other real property owned, held, or vested in the Town;
REFUSE	means all manner of rubbish, trash, garbage, litter, debris, rubble, demolition waste, discarded or disused objects or construction materials, materials or items, junk, unused or dismantled electronic devices, machinery, old, discarded or unused mechanical or metal parts, glass or plastic bottles or objects, tin cans or other metal containers, paper, glass, pipes, dilapidated furniture, inoperative appliances and other similar things, and unused wood or wood products;
RESIDENT	means a person who resides in the Town;
RESIDENTIAL PARKING ONLY ZONE	means a portion of a Street designated for the purposes of Sections 8.6 and 8.7;
ROAD ALLOWANCE	means the same as Street;



- ROADWAY** means the portion of a Street that is constructed, improved, designed or used for vehicular traffic or cycle traffic or both;
- SHOULDER** means an improved surface between the Boulevard and the Roadway;
- SIDEWALK** means that portion of the Boulevard, generally running parallel to the Street that has been improved for the use of Pedestrians;



- 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 an organization authorized by Council;
- STREET** means every road, lane, bridge, road allowance or right of way open to public use, and includes the Roadway, Shoulder, Boulevard, Ditch and Sidewalk, but does not include a private right of way on private property;



**STRUCTURE**

means anything constructed or erected on a property, the use of which requires location on the ground or attachment to something having location on the ground, but does not include landscaping, walkways, driveways, or parking lots;

**TOWN**

means the Town of View Royal;

**TOWN SPECIFICATIONS**

are as defined in the Subdivision and Development Servicing Bylaw No. 985, 2017;

**TRAFFIC CONTROL DEVICE**

means a sign, signal, line, meter, marking, space, barrier or device placed or erected by authority of the Director to control traffic;

**WORKS AND SERVICES**

includes site grading, Roadway, Sidewalks, Boulevards, Driveway crossings, transit bays, street lighting, wiring, water distribution systems, fire hydrants, sewage collection and disposal systems, drainage collection and disposal systems, engineering, record drawings and such other infrastructure or systems as may be provided within the Town from time to time.

**SECTION 3: AUTHORITIES**

**Director of Engineering and Council – General Authority**

- 3.1. The Director may make, amend and revoke any orders and issue, revise and revoke any Permit for the purpose of exercising the Director’s authority under this Bylaw.

- 3.2. Council may by resolution at any time exercise the power to revoke or revise any order or Permit made or issued by the Director.

#### **Director of Engineering – Authority for Placement of Traffic Control Devices**

- 3.3. The Director may place or erect traffic control devices:
  - 3.3.1. for the regulation, control, or prohibition of traffic, for the purposes of giving effect to the provisions of the *Motor Vehicle Act* and this Bylaw;
  - 3.3.2. for the regulation, control, or prohibition of the stopping or Parking of vehicles on a Street or portion of a Street;
  - 3.3.3. indicating that workforces and equipment are working on any Street where construction, widening, repair, marking, or other work is being carried out;
  - 3.3.4. for temporary periods to prohibit Parking:
    - 3.3.4.1. at any location where, in special circumstances it is deemed necessary to facilitate or safeguard traffic;
    - 3.3.4.2. upon either or both sides of the Street or portion thereof along the route of any parade, special event, or in the vicinity of large gatherings; or
    - 3.3.4.3. in front of any buildings or structures under construction, alteration, repair or demolition;

#### **Director of Engineering – Authority over Parking**

- 3.4. The Director may set apart and allot portions of Streets adjacent to federal, provincial or Town public buildings for the exclusive use of officials and officers engaged in them for the Parking of vehicles, and the regulations of that Parking.

#### **Director of Engineering – Authority to Close Streets**

- 3.5. The Director may when, in his or her opinion, any Street or section thereof is unsafe or unsuitable for traffic, or it is advisable that traffic should be restricted or diverted therefrom, to temporarily close such Street or section thereof, or restrict or divert the traffic thereon.

#### **Director of Engineering – Authority over Other Signs**

- 3.6. The Director may determine the size, location, and type of those signs that are not Traffic Control Devices that may be permitted on a Street.
- 3.7. The Director may alter, repaint, tear down or remove any sign or other thing on a Street, whether erected or placed thereon with or without the Director's approval, without

compensation to any person for loss or damage resulting from such alteration, repainting, tearing down or removal.

#### **Fire Chief – Authority to Direct Traffic**

- 3.8. The Fire Chief may direct and regulate traffic in any manner deemed necessary for public safety and in doing so, may disregard any Traffic Control Device.

#### **Fire Chief – Authority to Designate Fire Line**

- 3.9. The Fire Chief may designate in any manner, a line or lines near the location of a fire or emergency response incident, beyond which the public must not pass.

#### **Bylaw Enforcement Officer – Authority to Direct Traffic**

- 3.10. The Bylaw Enforcement Officer may direct and regulate traffic in any manner deemed necessary for public safety and in doing so, may disregard any Traffic Control Device.

### **SECTION 4: VEHICLE REGULATIONS**

#### **Traffic Control Devices**

- 4.1 Where a Traffic Control Device is erected or placed on any Street, a person is not permitted to Park, drive, or operate a vehicle or act in a manner contrary to that indicated by the Traffic Control Device, except where directed to do so by the Director, the Fire Chief, the Bylaw Enforcement Officer or a police officer.
- 4.2 Except by order of the Director, a person is not permitted to tear down, remove, displace, or in any manner whatsoever deface, damage, or interfere with any Traffic Control Device erected or placed pursuant to this Bylaw.
- 4.3 Where a traffic control person is directing traffic through a construction zone in a signalized intersection, the traffic control person's signage and traffic control directions take precedence over the traffic signal light sequencing.
- 4.4 When the Traffic Control Devices situated west and east of the Town's Public Safety Building's main access are in flashing mode, a driver of a vehicle must come to a complete stop at the corresponding white stop bar on the Roadway.

#### **Removal of Notices**

- 4.5 A person other than the Owner or operator of a vehicle is not permitted to remove any notice thereon or affixed thereto by the Bylaw Enforcement Officer pursuant to this Bylaw.

#### **Signs and Road Markings**

- 4.6 All Town signs and road markings must be adhered to.

- 4.7 A person shall not place or erect any signs, road markings, banners or flags on Public Land without specific permission from the Town to do so.

## **SECTION 5: CYCLE REGULATIONS**

### **Use of Cycle Lanes**

- 5.1 A person shall not use a Cycle Lane unless that person is riding a Cycle.

### **Cycle in Crosswalk at Regional Trails**

- 5.2 A person may ride a Cycle in any Crosswalk which forms a direct and immediate link between adjacent portions of the Galloping Goose Trail, the E & N Rail Trail, or any other trail that is physically separated from the roadway and intended for Pedestrians, Cycles and non-motorized use.

## **SECTION 6: SIDEWALK REGULATIONS**

### **Removal of Snow, Ice and Rubbish from Sidewalk**

- 6.1 Every Owner or occupant of any Parcel abutting or fronting upon a portion of a Sidewalk must clear, and keep clear, such portion of the Sidewalk of all snow, ice, dirt, Refuse, litter, rubbish, and lawn and Garden Waste and must remove these materials from the Street.
- 6.2 In addition to the requirements under Section 6.1, the Owner or occupant of any Parcel must remove snow and ice from the abutting or fronting Sidewalk by 10:00 a.m. of each day.
- 6.3 A person must not use corrosive materials for removing snow or ice on the Sidewalk.

### **Driving on Sidewalk**

- 6.4 A person must not ride, drive, or propel any vehicle, Cycle, or animal upon any Sidewalk unless otherwise permitted by a Traffic Control Device or this Bylaw.

### **Obstructing a Sidewalk**

- 6.5 A person is not permitted to obstruct any Sidewalk by squatting, kneeling, sitting, or lying down on it at any time if such actions impede the free flow of Pedestrian traffic, other than:
- 6.5.1 for a medical emergency;
  - 6.5.2 when sitting on a seat at a Bus Stop Zone while waiting for a bus;
  - 6.5.3 when sitting on a bench that is supplied by a public agency;
  - 6.5.4 when sitting at a sidewalk café or restaurant, in a designated and authorized area; or
  - 6.5.5 when in possession of a Permit issued by the Town.

## **SECTION 7: GENERAL STREET USE REGULATIONS**

### **General Prohibitions**

7.1 A person shall not:

- 7.1.1 excavate in, cause a nuisance on, obstruct, foul or damage any Public Land;
- 7.1.2 improve or otherwise modify any thing on, over or under any Public Land;
- 7.1.3 destroy or damage any Boulevard, tree, tree roots, shrub, hedge or plant, grass or other growing thing on any Public Land, unless the person is removing a noxious weed or Alien Invasive Species;
- 7.1.4 cut, prune, break, remove, or injure or in any way destroy or alter the appearance of any tree or tree roots on Public Land;
- 7.1.5 tether any animal on Public Land or to any appurtenance located on Public Land;
- 7.1.6 place, or cause to be placed or left on, above or in Public Land any Structure, sign, tent, object or thing;
- 7.1.7 place or allow any building or Structure to encroach onto Public Land.

7.2 The prohibitions in Section 7.1 do not apply to any of the following:

- 7.2.1 employees, agents or contractors of the Town while acting in the course of their employment; and
- 7.2.2 any person acting under and in accordance with an agreement with the Town, this Bylaw or another bylaw or resolution of the Town, or a Permit issued under this Bylaw.

### **Removal and Impoundment**

- 7.3 The Director, a person authorized by the Director, a Bylaw Enforcement Officer, the Chief Administrative Officer, or a member of a police force, on behalf of the Town may cause the removal, detention or impounding of any Refuse, Structure, tent, object, obstruction, thing, or chattel placed on Public Land in contravention of this Bylaw.
- 7.4 If it appears to the Director that the Refuse, a Structure, tent, object, obstruction, thing, or chattel other than a vehicle that has been impounded under this Bylaw has no market value, the Director may cause the prompt disposal of it, otherwise the person entitled to possession of the impounded thing may recover it by paying the Town the applicable removal and impoundment fees set out in Fees and Charges Bylaw No. 958, 2016.

7.5 If a Structure, tent, object, obstruction, thing, or chattel other than a vehicle remains unclaimed after thirty (30) days of its impoundment, the Director may cause the thing to be sold at public auction and the Town's Director of Finance must apply the proceeds of an auction sale held under this Section in the following manner:

7.5.1 firstly, deduct the costs of the auction;

7.5.2 secondly, deduct the fees payable to the Town under Section 7.4;

7.5.3 finally, pay the surplus, if any, to the person entitled to possession if that person's identity and location are known.

7.6 The Town's Director of Finance must apply the surplus referred to in Section 7.5.3 in the following manner if the identity or location of the person entitled to the surplus is not known:

7.6.1 hold the surplus for one (1) year from the date of the auction; and

7.6.2 pay the amount of the surplus into the Town's General Revenue if the surplus is not claimed within one (1) year from the date of the auction.

7.7 An amount paid into General Revenue under Section 7.6.2 is forfeited to the Town.

7.8 An action taken under this Section does not preclude the prosecution of a person who contravenes a provision of this Bylaw.

#### **Application and Issue of Permits: General Requirements**

7.9 A person applying for a Permit under this Bylaw must:

7.9.1 complete and submit to the Town the form prescribed by the Director for the type of Permit sought;

7.9.2 pay the application fee prescribed in Fees and Charges Bylaw No. 958, 2016 for the type of Permit sought;

7.9.3 agree, if a Permit is issued, to:

7.9.3.1 pay for any damage to Public Land or to any appurtenance located on Public Land that results, for whatever reason, from the work or activity;

7.9.3.2 commit to clean-up Public Land or any appurtenance located on Public Land after the work or activity; and

7.9.3.3 the applicant must deposit with the Town security in a form and in amount specified by the Director for these obligations and any additional obligations imposed under Section 7.10; and

- 7.9.4 comply with all other application requirements set out in this Bylaw.
- 7.10 Subject to Section 7.12, upon receiving a complete application, the Director will issue a Permit and may require as a condition of any Permit issued under this Bylaw that:
- 7.10.1 the Permit holder agree to save harmless from and indemnify the Town, its employees, officers and elected officials, against any and all claims, causes of action, suits, demands, deprivation, fines, penalties, costs, expenses, legal fees, and disbursements (on a solicitor and client basis) whatsoever, in law or equity as a result of bodily injury or death, property damage or other damage or economic loss of any nature whatsoever, however caused, suffered, or sustained, arising directly or indirectly from any act or omission of, or relating to, or arising directly or indirectly from or connected with, the work or activity authorized by the Permit;
- 7.10.2 the Permit holder fulfill requirements that the Director deems appropriate for the particular work or activity authorized under the Permit, which requirements may include, but are not limited to, that the applicant must:
- (a) provide proof of liability insurance;
  - (b) provide and comply with an approved traffic management plan;
  - (c) provide and comply with an approved event management plan;
  - (d) restrict hours of work;
  - (e) complete the work within a specified length of time, as applicable;
  - (f) adhere to noise restrictions; and
  - (g) pay for additional policing, security, fire and first aid attendant costs.
- 7.11 It is a condition of every Permit that the work or activity authorized by the Permit be carried out in compliance with this Bylaw.
- 7.12 In response to an application, the Director may refuse to issue a Permit if:
- 7.12.1 the proposed work or activity proposed does not comply with a bylaw of the Town;
- 7.12.2 the proposed work or activity proposed or contemplated cannot be carried out safely and with minimum risk of injury to persons, damage or loss to property, inconvenience to others using the public place, or to residents or businesses in the vicinity or to the public generally; or
- 7.12.3 the proposed work or activity is likely to cause a safety concern or impede the maintenance of Works and Services on or within Public Land.
- 7.13 The Director may revoke a Permit issued under this bylaw at any time if:
- 7.13.1 the Permit holder does not comply with the terms and condition of the Permit;
- 7.13.2 the Permit was issued in error;



- 7.13.3 the Permit was issued on the basis of false or incorrect information;
- 7.13.4 the work or activity authorized by the Permit is not being carried out safely or otherwise causes, or creates a risk of, injury to persons, damage or loss to property, inconvenience to others using a public place, or to residents or businesses in the vicinity or to the public generally; or
- 7.13.5 the work or activity authorized by the Permit impedes the maintenance of Works and Services on or within Public Land.

### **Use of Security**

- 7.14 The Town will retain security provided under Section 7.9.3.3 until such time that the work or activity authorized by the Permit is completed, inspected, and approved by the Director.
- 7.15 A Permit holder may request cancellation of a Permit and receive a refund of security provided if the Permit holder has:
  - 7.15.1 in the case of a Boulevard Improvement or Modification Permit to allow Ditch in-Fill or a Driveway Crossing Permit, not initiated construction or other work within twelve (12) months from the date the Permit was approved; or
  - 7.15.2 in all other cases, not initiated construction or other work or activity within one (1) month from the date the Permit was Approved.
- 7.16 If a Permit holder initiates construction or other work authorized by a Permit, but fails to complete the work before the expiry or revocation of the Permit, or fails to construct the work in accordance with the Bylaw requirements, including Town Specifications as applicable, the work may be, at the Town's election, completed or removed by the Town using the security deposit to cover the cost. Any cost incurred by the Town in excess of the amount of the security deposit must be paid by the Permit holder to the Town upon receipt of an invoice.
- 7.17 If a Permit holder fails to perform an obligation under this Bylaw or a condition of a Permit, the Town may perform the obligation or condition and apply any security deposit held by the Town to the cost of doing so. Any cost incurred by the Town in excess of the amount of the security deposit must be paid by the Permit holder to the Town upon receipt of an invoice.

### **Order to Comply**

- 7.18 If a person fails to perform a requirement imposed by this Bylaw, the Director or the Bylaw Enforcement Officer may deliver to that person a written order to fulfill the requirement within the time set out in the order.
- 7.19 If a person does not comply with an order to perform a requirement issued under Section 7.18, the Town may do the work necessary to fulfill the requirement and the cost incurred by the Town must be paid by the person to the Town upon receipt of an invoice.

## SECTION 8: PARKING REGULATIONS

### General Prohibitions for Stopping or Parking

- 8.1. Except when necessary to avoid conflict with traffic or to comply with the directions of a police officer or Traffic Control Device, or when allowed by signage or Permit, a driver or Owner of a vehicle must not park a vehicle:
  - 8.1.1. on a Sidewalk;
  - 8.1.2. on a Landscaped Boulevard;
  - 8.1.3. on a centre median;
  - 8.1.4. in front of or within two (2.0) metres of each side of a Driveway entrance abutting a Street;
  - 8.1.5. within five (5.0) metres on all sides of any fire hydrant;
  - 8.1.6. where the width of the shoulder available for Parking is less than two and one half (2.5) metres;
  - 8.1.7. on a designated Cycle Lane or in a manner that obstructs access to a designated Cycle Lane;
  - 8.1.8. on a Crosswalk or within six (6.0) metres of the approach to a Crosswalk;
  - 8.1.9. in an intersection or within six (6.0) metres of the approach to any stop sign, flashing beacon, or Traffic Control Device located at the side of the Street or if the vehicle obstructs visibility of a Traffic Control Device or signage;
  - 8.1.10. within fifteen (15.0) metres of a railway crossing;
  - 8.1.11. within six (6.0) metres of an entrance to or exit from any designated playground or park, unless otherwise signed;
  - 8.1.12. on a Street for the principal purpose of:
    - 8.1.12.1. displaying any vehicle for sale;
    - 8.1.12.2. advertising, greasing, painting, wrecking, storing, or repairing any vehicle, except where repairs are necessitated by an emergency;
    - 8.1.12.3. displaying any signs; or
    - 8.1.12.4. selling flowers, fruit, vegetables, sea foods, or any other commodity or article;
  - 8.1.13. in a location that obstructs the free flow of traffic;

- 8.1.14. beside a vehicle already stopped or Parked at the Curb or edge of a Roadway;
- 8.1.15. on a bridge or other elevated structure on a Street except as permitted by a Traffic Control Device;
- 8.1.16. without displaying valid license plates;
- 8.1.17. in a Residential Parking Only Zone, except as permitted by Section 8.6;
- 8.1.18. on a Street between the hours of 7:00 p.m. and 7:00 a.m. if the vehicle is an Oversized Vehicle;
- 8.1.19. on the paved portion of any Street without Curbs where the width of the pavement is less than six (6.0) metres;
- 8.1.20. on the paved portion of any Street with Curbs where the width of the pavement is less than eight and a half (8.5) metres;
- 8.1.21. anywhere if any part of the vehicle or any appurtenances thereon extends into the Roadway;
- 8.1.22. on a Street if a vehicle is obstructing firefighting operations or construction, improvement, maintenance, or snow removal work on the Street;
- 8.1.23. in a designated Accessible Parking Zone on any Street unless the vehicle displays, in plain view hanging from the inside rear-view mirror or on the dashboard in front of the driver's position, an approved and valid parking permit issued through the Victoria Disability Resource Centre or other designated authority;
- 8.1.24. on a Street in a location or manner that causes damages to adjacent trees or tree roots;
- 8.1.25. on a road allowance that does not contain a Roadway;
- 8.1.26. in an area designated as a No Parking Zone except in accordance with signage indicating the applicable times and duration for parking, or at any time if no hours are indicated;
- 8.1.27. in contravention of a signage reserving a portion of a Street for official vehicles;
- 8.1.28. adjacent to a yellow or red painted Curb;
- 8.1.29. within a Bus Stop Zone, unless the vehicle is a type of bus for which the Bus Stop Zone is dedicated;

- 8.1.30. within twenty (20.0) metres of the approach to, or ten (10.0) metres beyond a, bus stop sign, unless the vehicle is a BC Transit bus;
  - 8.1.31. on any Street for a continuous period in excess of seventy-two (72) hours; or
  - 8.1.32. in any limited time Parking zone for a period in excess of the time as indicated by signs placed in or near such zones pursuant to this Bylaw.
- 8.2. A person who has parked a vehicle in a limited time parking zone shall not move a vehicle from one location to another in the same block or drive a vehicle out of the block and return to the same block.

### **Parallel Parking**

- 8.3. A driver or Owner of a vehicle must not park on a portion of a Street, unless the vehicle is parked:
- 8.3.1. parallel with the Curb or edge of Roadway;
  - 8.3.2. facing the direction in which traffic travels on that side of the Street;
  - 8.3.3. where there is a Curb, so that the right-hand wheels of the vehicle are within thirty (30.0) centimetres of the Curb, provided that six (6.0) metres of Roadway remain unobstructed;
  - 8.3.4. where there is no Curb, so that the left-hand wheels of the vehicle are no more than thirty (30.0) centimetres onto the Roadway, provided that six (6.0) metres of Roadway remain unobstructed;
  - 8.3.5. at least one (1.0) metre away from any vehicle parked in front of or behind that vehicle; and
  - 8.3.6. if lines indicating parking spaces are installed, wholly within the space indicated by such marks.

### **Angle Parking**

- 8.4. Upon those Streets that have been laid out or signed for Angle Parking, a driver or Owner of a vehicle shall not park a vehicle, unless the vehicle is parked:
- 8.4.1. at an angle of forty-five (45.0) degrees to the Curb or edge of pavement, and if marked by painted lines, parallel to and between such lines, and in all events, as close to the Curb or edge of pavement as practicable, and at a distance not less than one half (0.5) metre from an adjacent vehicle; and
  - 8.4.2. in such a manner that the front of the vehicle is pointed substantially in the general direction of the movement of traffic on the side of the Street on which such vehicle is

Parked and, where there is a Curb, with the nearest front of the vehicle within thirty (30.0) centimetres of the Curb;

### **Trailer Parking**

- 8.5. An operator or Owner of a trailer is not permitted to Park or leave such trailer on any Street unless:
- 8.5.1. it is connected to a towing vehicle; and
  - 8.5.2. both the towing vehicle and the trailer have current insurance coverage and valid registration and display current license plates with up-to-date renewal decals while so Parked.

### **Residential Parking Only Zones**

- 8.6. The driver of a vehicle may Park a vehicle on the Street in a Residential Parking Only Zone, if, in relation to a dwelling located in an area abutting the Residential Parking Only Zone signs, the driver:
- 8.6.1. resides there;
  - 8.6.2. is visiting an occupant there; or
  - 8.6.3. is transacting business, performing work, or rendering services there.
- 8.7. A person must provide proof that the vehicle is registered to an address in that designated area or proof that the visitor is associated with that address, if requested by the Bylaw Enforcement Officer.
- 8.8. Residential Parking Only Zones are in effect at all times.

### **Towing and Impoundment of Vehicles**

- 8.9. The Bylaw Enforcement Officer, Director, a person authorized by the Director, Chief Administrative Officer or a police officer may remove and impound or cause to be removed and impounded a vehicle found in contravention of any of the provisions of this Bylaw.
- 8.10. The Owner of a vehicle removed or impounded under Section 8.9, must pay to the Town all of the fees, costs and expenses of removal, impoundment and storage of the vehicle as set out in Fees and Charges Bylaw No. 958, 2016 before the vehicle will be released to the Owner.
- 8.11. The Director may cause the vehicle to be sold at auction in accordance with the provisions of the *Warehouse Lien Act*, R.S.B.C. 1996, c. 480, as if the Town was a warehouse and the vehicle was subject to a lien under the *Warehouse Lien Act*, if any fees, costs, or expenses are not paid immediately.

## SECTION 9: BOULEVARDS

### Boulevard Maintenance

- 9.1. An Owner of a Parcel adjacent to a Boulevard must maintain the adjacent Boulevard, whether or not the Boulevard is separated from the Parcel by a fence or vegetation, and must:
  - 9.1.1. keep grass and weeds on the Boulevard trimmed to a height of not more than twenty (20.0cm) centimetres;
  - 9.1.2. keep such Boulevard, including any Sidewalk, in a tidy condition and free of brush, noxious weeds, Alien Invasive Species, leaves, litter, debris, garbage, and discarded materials;
  - 9.1.3. with the exception of grass and weeds described in Section 9.1.1, maintain the height and width of any vegetation on the Boulevard below a maximum height of one (1.0) metre from ground level, or lower if deemed unsafe by the Director, and trimmed to prevent growth over any adjacent Sidewalk, Curb, Roadway or Traffic Control Devices;
  - 9.1.4. maintain a one (1.0m) metre clearance for vegetation from any fire hydrant or fire hydrant valve;
  - 9.1.5. ensure that vegetation on the Boulevard does not interfere with sightlines or cause safety issues in any way;
  - 9.1.6. ensure that vegetation on the Boulevard does not impede any access to utility company infrastructure;
  - 9.1.7. ensure that vegetation on the Boulevard does not interfere with the ability of people to open car doors or to exit vehicles if the Boulevard is located adjacent to on-street parking; and
  - 9.1.8. water as per Capital Regional District water regulations, any vegetation on the Boulevard that is not watered by an automatic watering system operated by the Town.
- 9.2. The Town is not under any obligation to repair damage to the vegetation or grass on the Boulevard, including damage arising from:
  - 9.2.1. Town maintenance or construction activities on or near the Boulevard; or
  - 9.2.2. parking or other activities.
- 9.3. Nothing in this Bylaw operates to:
  - 9.3.1. confer any interest in land containing a Boulevard to any person; or
  - 9.3.2. preclude the Town from entering, using and altering the Boulevard, including plants, trees, and improvements thereon.

### **Boulevard Improvement or Modifications Permit**

- 9.4. An Owner of a Parcel adjacent to a Boulevard may apply to the Director for a Boulevard Improvement or Modifications Permit that allows the Owner to Ditch In-Fill an existing Ditch, landscape, irrigate, improve, or modify the Boulevard in front of their Parcel, with the placement of materials other than grass.
- 9.5. A person applying for a Boulevard Improvement or Modifications Permit must include with their application a sketch of the proposed improvement or modification, including dimensions in metric and plant types for approval by the Director.
- 9.6. Where a Ditch In-Fill is included in the Boulevard Improvement or Modifications Permit, the installation of rain gardens is encouraged.
- 9.7. Upon receiving a Boulevard Improvement or Modifications Permit, the Owner must:
  - 9.7.1. locate the property lines prior to commencing work on the improvement or modification;
  - 9.7.2. ensure that all applicable underground utility companies are notified prior to excavation and that applicable regulations of all utility companies are adhered to. Existing underground utilities must not be damaged during landscaping, nor can improvements or modifications impede access to infrastructure in the future;
  - 9.7.3. not place any loose materials, including, but not limited to, rocks or gravel;
  - 9.7.4. not place any materials that could cause trip hazards, including, but not limited to, landscape ties, rails, bricks, paving stones, statuary, or concrete Structures;
  - 9.7.5. not install any temporary or permanent Structures, including, but not limited to, retaining walls, fencing, buildings or signs in the Boulevard;
  - 9.7.6. plant only that vegetation approved by the Director;
  - 9.7.7. not plant a vegetable garden;
  - 9.7.8. not plant noxious weeds or Alien Invasive Species nor use contaminated soil;
  - 9.7.9. consider the benefits of planting of drought-tolerant vegetation;
  - 9.7.10. ensure that the improvement or modification will not interfere with or fill in Ditches, swales, or drainage Structures, unless otherwise approved by the Director;
  - 9.7.11. not change the grade or elevation of the Boulevard without the prior written permission of the Director. If the grade is approved to be changed, it shall be graded to ensure that no run-off water will pool in the Boulevard area, the Roadway, or on neighbouring properties;

- 9.7.12. ensure traffic control as per Town regulations should work related to the improvement or modification require access within or to and from the travelled Roadway; and
- 9.7.13. keep the Boulevard, Sidewalk, and Street clean and free of debris during installation of and after the improvement or modification has been completed.
- 9.7.14. construct the works in accordance with Town Specifications, unless otherwise specified, and to the satisfaction of the Director.
- 9.8. If an automatic irrigation system is proposed as a component of the improvement or modification of a Boulevard in an application for a Boulevard Improvement or Modifications Permit, the Owner must:
  - 9.8.1. obtain a plumbing permit from the Town;
  - 9.8.2. ensure the system has a CSA approved backflow preventer, which installation must be inspected and approved by the Town;
  - 9.8.3. follow all Capital Regional District Water Department regulations with regards to irrigation system installation;
  - 9.8.4. design the automatic irrigation system so that minimal irrigation water falls onto the Sidewalk or Roadway;
  - 9.8.5. use their private water supply and be solely responsible for maintenance of the irrigation system as well as for payment of all water consumption costs associated with the system.
- 9.9. If the improvement or modification is undertaken to accommodate Parking as approved by the Director, the finished surface must be such that loose materials are not deposited on the Roadway.
- 9.10. Should an improvement or modification on a Boulevard be damaged or removed in the course of the Town undertaking Works and Services within the Boulevard or on adjacent Public Land, the Town is not under any obligation to repair or replace the improvement or modification.
- 9.11. In addition to the authority under Section 7.13, the Director may revoke a Boulevard Improvement or Modifications Permit upon thirty (30) days' notice for any reason at the discretion of the Director.
- 9.12. If a Boulevard Improvement or Modifications Permit is revoked for any reason, the Director may remove and discard any vegetation, materials, statues, sculptures, figurines and any other items or improvements placed on, within, over or under the Boulevard.



- 9.13. A Boulevard Improvement or Modifications Permit expires upon the Permit holder ceasing to be the Owner of the Parcel associated with the Permit and upon expiry of the Permit, the new Owner of the Parcel must remove all improvements and modifications from the Boulevard unless the new Owner obtains a Permit for those improvements and modifications.

## **SECTION 10: DRIVEWAY CROSSINGS**

### **General Regulations**

- 10.1. All driveways shall conform with Town Specifications;
- 10.2. An Owner of a Parcel must ensure that every Driveway Crossing that serves their Parcel is in good repair and in a safe condition.

### **Driveway Crossing Permit**

- 10.3. An Owner may not construct a new Driveway Crossing, or modify, including, but not limited to, removing, widening or repaving of, an existing Driveway Crossing, unless the Owner applies for and obtains a Driveway Crossing Permit.
- 10.4. A person applying for a Driveway Crossing Permit must include with their application:
  - 10.4.1. a detailed layout plan, consistent with VRSD- R20, for the proposed Driveway Crossing, which will become part of the Driveway Crossing Permit;
  - 10.4.2. a description of the Parcel's intended land use and the expected frequency and type of vehicles expected to use the Driveway Crossing; and
  - 10.4.3. where vehicular access to a Parcel will be through an adjoining Parcel, approval to construct a Driveway Crossing will not be given until an appropriate easement through the adjoining property has been granted and registered in the Land Title Office against the title to the adjoining Parcel.
- 10.5. Any change in layout without the prior written consent of the Director renders the Driveway Crossing Permit null and void.
- 10.6. The Driveway Crossing Permit is valid for one (1) year from the date of issuance.
- 10.7. In addition to the authority under 7.12, the Director may refuse to issue a Driveway Crossing Permit if the Director, at his or her discretion, concludes that the proposed is inconsistent with the Town Specifications.
- 10.8. A Driveway Crossing Permit is subject to the following conditions, except as specifically varied or supplemented on the Permit:
  - 10.8.1. the Driveway Crossing must be designed, located, and constructed in accordance with this and all other Town bylaws;

- 10.8.2. the Owner or their contractor must obtain a Street Construction Permit under Section 11.5 of this bylaw;
  - 10.8.3. all works must be in accordance with the Town Specifications and must be carried out to the satisfaction of the Director;
  - 10.8.4. the Owner must ensure and be responsible for the safety and convenience of the public during construction of the Driveway Crossing;
  - 10.8.5. the Boulevard, Sidewalk, and Street must be left clean and free of debris both during and after the Driveway Crossing installation or modification; and
  - 10.8.6. if specified by the Director on the Driveway Crossing Permit, a date by which a temporary Driveway Crossing must be removed;
- 10.9. Unless otherwise approved by a resolution of Council, no Driveway Crossing Permit will be issued where the intent is to provide access to land lying outside of the boundaries of the Town and the provision of such Driveway Crossing Permit would require construction of unopened road allowance within the Town and an alternative opportunity for access to an abutting Street, whether open or unopened, exists within the adjacent municipality in which the Parcel desiring access is located.

## **SECTION 11: STREET PERMITS**

### **Street Occupancy Permit**

- 11.1. An Owner of a Parcel may apply to the Director for a Street Occupancy Permit that allows the Owner to temporarily encroachment onto the Street.
- 11.2. If the Director of Engineer issues an Owner a Street Occupancy Permit that allows for a temporarily encroachment onto the Street, the Owner must:
  - 11.2.1. pay the fee set out in Fees and Charges Bylaw No. 958, 2016; and
  - 11.2.2. provide proof of liability insurance coverage to the satisfaction of the Director.
- 11.3. In addition to the authority under Section 7.13, the Director may revoke a Street Occupancy Permit upon five (5) days' notice for any reason at the discretion of the Director.

### **Street Use Permit**

- 11.4. A person shall not hold or conduct any special events, including, but not limited to, parades, rallies, linear sporting events, such as and including Cycle and running races or tours, or religious gatherings within or upon a Street unless the person applies for and obtains a Street Use Permit.

### **Street Construction Permit**

- 11.5. A person may apply for a Street Construction Permit that allows the person to perform any work on or within a Street.
- 11.6. If the Director revokes a Street Construction Permit under Section 7.13, the person who was issued the Permit must remove of all Refuse and all other objects and items placed on, within, over or under the Street by that person within forty-eight hours (48).

### **Oversized Vehicle Permit**

- 11.7. A person shall not drive an Oversized Vehicle on any Street other than an arterial highway as defined in the *Transportation Act*, unless that person applies for and obtains a valid Oversized Vehicle Permit.

## **SECTION 12: MISCELLANEOUS REGULATIONS**

### **Littering**

- 12.1. A person shall not deposit any litter or waste matter of any description, lawn and Garden Waste, litter, paper, glass, tin cans, top soil, wood, cordwood, firewood, sawdust, coal, offensive or noxious matter, or any other substance of any kind on any Public Land, except in Town receptacles for such purposes.

### **Graffiti/Posters**

- 12.2. Except as authorized by the Director, a person is not permitted to paint, draw or write upon, deface, or affix any notice, poster, banner or advertisement to or otherwise mark or disfigure any Public Land or to any appurtenance located on Public Land.

### **Sleeping in Vehicles**

- 12.3. A person is not permitted to sleep overnight on any Street, including in a vehicle parked on a Street.

### **Private Roads**

- 12.4. Every person being the Owner of any Private Road must at all times exhibit, at its junction with any Street, a sign bearing the name of the private road and the words "Private Road" in a format satisfactory to the Director.

### **Water on Public Land**

- 12.5. A person owning or occupying any Parcel abutting or contiguous to any Public Land may not permit water to flow from such Parcel onto, over, or under such Public Land.

**Soliciting**

12.6. A person shall not Solicit on Public Land.

12.7. A person shall not distribute or deliver, or cause or permit to be distributed or delivered, in, on or near any Public Land, a pamphlet or any other printed or written material for the purpose of publicizing an event, fact, product, or thing if the probable or frequent result of the action is:

12.7.1. the material is discarded on the Public Land by a person receiving the matter; or

12.7.2. passage in or on a Street is impeded or obstructed.

READ A FIRST TIME THIS DAY OF , 2019.

READ A SECOND TIME THIS DAY OF , 2019.

READ A THIRD TIME THIS DAY OF , 2019.

ADOPTED BY COUNCIL, SIGNED BY THE MAYOR AND THE CORPORATE OFFICER AND SEALED WITH THE SEAL OF THE TOWN OF VIEW ROYAL THIS DAY OF , 2019.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER