

TOWN OF VIEW ROYAL



Streets and Traffic Regulation Bylaw No. 609, 2005
As Amended by Bylaws No. 655, 958 and 1025

A Bylaw to provide for general street regulations
and for the regulation of vehicular traffic on the
streets of the Town of View Royal

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TOWN OF VIEW ROYAL

BYLAW NO. 609 As Amended by Bylaw No. 655 and 958

CONSOLIDATED FOR CONVENIENCE ONLY

A BYLAW TO PROVIDE FOR GENERAL STREET REGULATIONS AND FOR THE REGULATION OF VEHICULAR TRAFFIC ON THE STREETS OF THE TOWN OF VIEW ROYAL

- WHEREAS:** the Municipal Council deems it necessary to regulate and prohibit all uses of or involving a highway or part of a highway within the Town of View Royal;
- AND WHEREAS:** the Municipal Council may by Bylaw regulate and prohibit in relation to all uses of or involving a highway or part of a highway in accordance with the provisions of the Community Charter and Motor Vehicle Act;
- NOW, THEREFORE:** the Municipal Council of the Town of View Royal, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as the "Streets and Traffic Regulation Bylaw No. 609, 2005".

PART 1 - INTERPRETATION

2. In this Bylaw and any orders made pursuant hereto the expressions used shall have the respective meanings assigned to them by the "*Motor Vehicle Act*" except as set forth in this Section or where the context otherwise requires.

In this Bylaw, unless the context otherwise requires:

- "Animal"** shall mean but not be limited to stallion, mare, gelding, colt, mule, ass, bull, cow, heifer, calf, steer, ox, goat, sheep, lamb, kid or swine.
- "Arterial Highway"** shall have the same meaning as is set forth in the "*Highway Act*".
- "Boulevard"** shall mean that portion of the street between the curb lines or the lateral lines of a roadway and the adjoining property line, exclusive of the sidewalk.
- "Bus"** shall mean a rail-less vehicle used as a public utility for the carriage of passengers.
- "Bylaw Enforcement Officer"** shall mean the Bylaw Enforcement Officer of the Town of View Royal and/or a person or persons designated to act in that capacity.
- "Commercial Vehicle"** shall mean a vehicle engaged in carrying goods, wares or merchandise and so licensed in accordance with the provisions of the "*Motor Vehicle Act*".

- “Chief Administrative Officer”** shall mean the Chief Administrative Officer of the Town of View Royal and/or a person or persons designated to act in that capacity.
- “Crosswalk”** shall mean that portion of the roadway ordinarily included within the prolongation of the lateral lines of sidewalks at intersections and any portion of a highway indicated for pedestrian crossing by lines or other markings.
- “Cycle”** shall mean a device having any number of wheels that is propelled by human power and on which a person may ride.
- “Driver”** shall mean any person who drives, operates, propels or who is in physical control of a vehicle.
- “Emergency Vehicle”** means:
- (a) an ambulance responding to a call or transporting a patient where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this Bylaw;
 - (b) 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;
 - (c) a motor-vehicle carrying fire-fighting equipment in responding to an alarm of fire;
 - (d) a motor-vehicle driven by a police officer or constable or by a member of the police branch of any of Her Majesty’s Armed Forces or a member of the Provincial Gaol Services in the discharge of his duty where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this Bylaw.
- “Hired Vehicle”** shall mean and include every vehicle carrying passengers or used or plying for hire within the Town of View Royal except vehicles used and operated as part of the public transportation system operating within the Town of View Royal.
- “Intersection”** shall mean the area embraced within the prolongation of the lateral property lines of streets which join one another, whether such streets at the junction cross each other or merely meet at an angle without crossing each other.
- “Lane”** shall mean a public highway within the ordinary meaning of lane not designed for general travel and primarily used as a means of access to the rear of residences and business establishments.
- “Loading Zone”** shall mean an area or space on a roadway established by the authority of this by-law for the use of commercial vehicles in the loading and unloading of materials or passengers.
- “Municipal Clerk”** shall mean the Municipal Clerk of the Town of View Royal and/or a person or persons designated to act in that capacity.
- “Municipal Council”** shall mean the Municipal Council of the Town of View Royal.

“Municipality”	shall mean the Town of View Royal.
“Park”, “Parking” or “Parked”	shall mean the standing of a vehicle whether occupied or not upon roadway otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise, discharging or taking on passengers or in obedience to traffic regulations or traffic signs or signals.
“Parking Stall”	shall mean a portion of the roadway indicated by markers as a parking space for one vehicle.
“Passenger Zone”	shall mean the area or space on a roadway established by the authority of this by-law for unloading of passengers only.
“Pedestrian”	means any person afoot including any person confined to a wheelchair.
“Person”	shall mean and include any person, corporation, partnership, firm, association or party.
“Police Officer”	shall mean any member of the police force providing policing services to the Town of View Royal, the Royal Canadian Mounted Police or any member of the police forces of the City of Victoria, the District of Oak Bay, the District of Saanich or Military Police from the Department of National Defence when requested to be on duty within the limits of the Town of View Royal.
“Private Lane”	shall mean 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 Place”	shall mean and include all public squares, public gardens, public recreation grounds, parks, lanes and streets within the Town of View Royal.
“Roadway”	shall mean that portion of the street improved, designed or ordinarily used for vehicular traffic.
“Safety Zone”	shall mean the area or space within a street designated by the Municipal Council or the Chief Administrative Officer for the exclusive use of pedestrians and which is marked or indicated as such.
“Sidewalk”	shall mean that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines improved by the laying of concrete, gravel, planks or other material for the use of pedestrians.
“Sidewalk Crossing”	shall mean that portion of a sidewalk permanently approved or designated for the passage of vehicular traffic and for the purposes of driveway width shall include any tapered curb section.
“Stop” (When Required)	shall mean a complete cessation of movement.
“Stop” Or “Stopping” (When Prohibited)	shall mean the coming to rest of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control signal or traffic sign.
“Street”	shall include highway, roadway, boulevard and sidewalk as well as any way, road, lane, alley, avenue, thoroughfare, drive, bridge, viaduct,

	square or open space in the Town which is open to the use of the public as a matter of right, for the purpose of traffic.
“Taxi” Or “Cab”	shall mean a motor-vehicle which is operated, or plies, for hire by members of the public, and does not include an ambulance, a bus, a hearse, or a vehicle driven by the person who hires it.
“Taxi Stand”	shall mean a portion of a street specifically designated for the exclusive use of taxis.
“Town”	shall mean the Town of View Royal.
“Traffic Control Device”	means a sign, signal, line, meter, marking, space, barrier or device placed or erected by authority of the Chief Administrative Officer, to control traffic.
“Traffic Control Signal”	shall mean any authorized device manually, electrically or mechanically operated for the regulation of traffic.
“Traffic Control Flashing Signal”	shall mean any authorized device which is operated mechanically or electrically to regulate traffic by indicating by flashing coloured lights the precaution to be taken by traffic proceeding in any given direction.
“Traffic Sign”	shall mean any authorized sign, signal (other than the traffic control signal and traffic control flashing signal) marking or other device placed, painted or erected for the guidance, regulation, warning, direction or prohibition of traffic, parking or stopping.
“Trailer”	shall mean every vehicle with or without motive power designed for carrying property and for being drawn by a motor vehicle.
“Vehicle”	shall mean and include any device in, upon or by which any person or property is or may be transported or drawn upon a street, irrespective of motor power, including a horse led or ridden, but shall not include power of electric or steam railways running only upon rails.
“Walkway”	shall mean a path, footpath or right-of-way improved, designed or ordinarily used for pedestrian traffic.
“Weapon”	shall mean and include all types of fire arms as well as air guns, air rifles, air pistols, spring guns, sling shots, bows, crossbows and arrows.

PART 2 - PROCEDURE FOR MAKING ORDERS

3. (1) Any order or orders, as outlined in Schedule A, made by the Chief Administrative Officer pursuant to any power delegated by this Bylaw shall come into force immediately unless a later date is specified in the order or orders.

(Amendment Bylaw No. 655, 2006)
- (2) The orders referred to in Subsection (1) hereof shall be set forth in writing and signed by the Chief Administrative Officer and forwarded to the Municipal Clerk for recording.

(Amendment Bylaw No. 655, 2006)
- (3) The Chief Administrative Officer may rescind, revoke, amend or vary any order or orders made by him/her by a further order or orders made in conformity with this Section.

(Amendment Bylaw No. 655, 2006)

- (4) Where in this Bylaw the Chief Administrative Officer is empowered to make any order or orders, such power may be exercised at any time or from time to time as he/she may deem necessary or expedient.
(Amendment Bylaw No. 655, 2006)
- (5) The Municipal Clerk shall have custody of all orders made pursuant to this Bylaw and, he/she shall preserve and keep the originals thereof. He/she shall keep on hand at least one duly certified copy of each order which on request shall be made available for perusal by any person during regular office hours and he/she shall furnish certified copies of such orders and may charge a fee as established by the Fees and Charges Bylaw.
(Amendment Bylaw No. 655, 2006)

Powers of Municipal Council not affected by orders

4. Nothing in this Bylaw contained shall be construed to limit in any way the power of the Municipal Council to initiate, adopt, repeal or amend Bylaws in respect of any matter dealt with in this Bylaw, notwithstanding that any authority that has been given or delegated herein and any order or orders made by the Chief Administrative Officer shall be valid and effective only to the extent that they are not inconsistent with or repugnant to the provisions of any Bylaw of the Municipal Council for the time being in force. The Municipal Council may by resolution at any time rescind or revoke any order or orders made by the Chief Administrative Officer.
5. *Deleted.*
(Amendment Bylaw No. 655, 2006)

PART 3 - TRAFFIC REGULATIONS

Powers of Chief Administrative Officer

6. (1) For the purpose of regulating the movement of traffic within the Town of View Royal, the Chief Administrative Officer may by order:
- No "U" Turns
- (a) designate the intersections where signs bearing words or symbols indicating that "U" turns are prohibited shall be placed;
- No Left Turns
- (b) designate the locations at intersections where signs bearing words or symbols indicating that left-hand turns are prohibited shall be placed;
- "Stop" Signs
- (c) designate the locations at intersections where signs bearing the word "stop" shall be placed;
- Traffic Lights
- (d) designate the locations where traffic signals as described in Section 126 of the "Motor Vehicle Act" shall be placed;
- One-Way Streets
- (e) designate the intersections where signs bearing words or symbols indicating that a street is a one-way street shall be placed together with such other signs as the Chief Administrative Officer deems advisable in order to prohibit traffic proceeding

in more than one direction upon such one-way street;

Crosswalks

- (f) designate the portions of streets which shall be cross-walks and shall be marked by distinctive lines or markers upon the street surfaces and where signs indicating such portions of streets are crosswalks shall be placed;

Laned Roadways

- (g) designate the roadway or part of a roadway upon any street or part thereof to be a "laned roadway" within the meaning of the *"Motor Vehicle Act"* and providing for the marking thereof with suitable lines from the roadway;

Turning - Laned Roadways

- (h) designate the lane or lanes upon a laned roadway at or near an intersection where suitable traffic-control devices be placed to direct that no turns or turns only in certain directions shall be made at the intersection by vehicles travelling in such lane or lanes;

Highway Lines

- (i) designate the street or streets or portions thereof which shall be marked with lines in the manner provided by Section 155 of the *"Motor Vehicle Act"*;

Highway Dividers

- (j) designate the street or streets or portions thereof which shall be divided in the manner provided by Section 163 of the *"Motor Vehicle Act"*;

School Zones

- (k) designate the locations where signs shall be placed bearing the school zone symbol and stating a speed limit of 30 km/h or a numeral "30", as provided by Section 147(1) of the *"Motor Vehicle Act"*;

Playground Zones

- (l) designate the locations where signs shall be placed bearing the playground zone symbol and stating a speed limit of 30 km/h or a numeral "30", as provided by Section 147(2) of the *"Motor Vehicle Act"*;

Truck Traffic Prohibited

- (m) designate, by installation of signs, a street or portion of a street where truck traffic shall be prohibited. Trucks shall be defined as vehicles licensed for a gross vehicle weight in excess of 10,000 kg (G.V.W.) or having a length in excess of eight meters (8 m). Buses and trucks making a delivery to a site within the designated area shall be exempt from the prohibition; and

Traffic Calming Devices

- (n) designate the locations where traffic calming devices such as speed humps, roundabouts and other devices are situated.

School Patrols

7. (1) The principal of any public or private school may appoint a number of the pupils of such school or adults to constitute a traffic patrol and thereupon such pupils shall be vested with power to require the stopping of vehicles at crosswalks by displaying flags or other devices bearing the word "Stop".
- (2) No driver of a vehicle which is approaching a cross-walk where a member of a traffic patrol is in attendance shall cause or permit the vehicle to proceed through or into the cross-walk when a flag or other device with the word "Stop" thereon is being displayed so as to face traffic approaching from either direction.

Firemen may Direct Traffic

8. Any member of the Fire Department of the Town of View Royal, or any member of a Fire Department providing Mutual Aid to the Town of View Royal, in attendance at or near any fire or other emergency may direct traffic on any street in the vicinity of such fire or other emergency and every person shall comply with the directions of any such member of the Fire Department.

Temporary Closing of Streets

9. The Chief Administrative Officer shall be empowered without an order to direct that on any street where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic control devices shall be erected or placed to regulate or prohibit traffic in the vicinity of such work and/or limit the rate of speed of vehicles.

Work in Streets

10. The Chief Administrative Officer shall be empowered without an order to direct that on any street where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic-control devices shall be erected or placed indicating that men or equipment are working upon the street.

Moving of Vehicle into Vehicular Traffic

11. No person shall move any vehicle from a stationary position at the curb of the roadway into the line of vehicular traffic upon the street without first having signalled his intention so to do by means of an appropriate hand and arm or mechanical signal as prescribed for left turns by the "*Motor Vehicle Act*" and unless he/she has ascertained that the movement can be made in safety, having regard to the nature, condition and use of the highway and the traffic which actually is at the time or might reasonably be expected to be on the highway.

Police - Temporary Traffic Control

12. Any police officer is hereby authorized to place or employ such temporary traffic-control devices as he/she deems necessary to assist him in controlling traffic.

Speed Limits

13. (1) The rate of speed at which a person may drive or operate a motor-vehicle upon a highway, roadway or lane in the Town of View Royal shall not exceed fifty (50) kilometres per hour, save in such portions of the Town in respect of which lesser maximum speeds are provided by this Bylaw or the "*Motor Vehicle Act*";
- (2) The Chief Administrative Officer shall cause to be placed upon the streets and places referred to in subsections (2) and (3) of this Section, such signs indicating the speed limits aforesaid, as may be required.

- (3) The provisions of this Section shall not apply to an emergency vehicle as defined in Section 2 hereof.

PART 4 - PARKING AND STOPPING REGULATIONS

Powers of Chief Administrative Officer

14. (1) The Chief Administrative Officer may from time to time make orders in respect of all or any of the following matters or things, that is to say:

No Stopping Zones

- (a) designating certain streets or portions of streets as “No Stopping” zones and designating the hours of the day during which stopping is prohibited within such zones;

No Parking Zones

- (b) designating certain streets or portions of streets as a “No Parking” zone and designating the hours of the day during which parking is prohibited within such zone;

Limited Time Parking Zones

- (c) designating certain streets or portions of streets as “Limited Time Parking” zones and designating the length of time during which vehicles may be continuously parked within such zones and designating the hours of the day during which the regulations in respect of any such zone or zones are to apply;

Loading Zones

- (d) designating certain streets or portions of streets as “Loading” zones and designating the hours of the day which such zones are to be in effect as loading zones;

Taxi Stands

- (e) designating certain streets or portions of streets as “Taxi Stands” for the exclusive use of cabs or any class of cabs;

Bus Zones

- (f) designating certain streets or portions of streets as “Bus” zones for the exclusive use of transportation buses or any class or classes thereof and designating the day or days and the hours of the day during which the stopping, standing or parking therein of vehicles other than such buses or class or classes thereof is prohibited;

Safety Zones

- (g) designating certain streets or portions of streets as “Safety” zones for the exclusive use of pedestrians and providing for the erection upon such safety zones of such platforms, curbing or structures as the Chief Administrative Officer may deem advisable for the greater convenience or safety of pedestrians;

Angle Parking

- (h) designating certain streets or portions of streets as “Angle Parking” zones within which vehicles shall be parked only at an angle with the curb or edge of the roadway and generally designating certain streets or portions of streets and the hours and

days within and during which stopping, standing or parking of the vehicles otherwise than in the manner prescribed by Section 190 of the *“Motor Vehicle Act”* is permitted or required and the conditions and restrictions applicable thereto;

Traffic Control Devices

- (i) providing for the erection, placing, painting or marking upon any streets or portions of streets or such traffic-control devices as the Chief Administrative Officer deems necessary or expedient to give effect to the provisions of this Bylaw, or any orders made pursuant to this By-law, the *“Motor Vehicle Act”* and Regulations made thereunder, and such provisions may be included in any order made pursuant to any of the sub-paragraphs of this Subsection or may be set forth in a separate order or orders;

Reserved Parking

- (j) setting apart and allotting certain portions of streets adjacent to any Federal, Provincial or Municipal public building for the exclusive use of officials and officers engaged therein for the parking of vehicles and providing that certain portions may be used exclusively by certain officials and officers and designating the hours of the day during which such portions of streets shall be so set apart and allotted;

Special Parking

- (k) designating the streets or portions of streets where the drivers of vehicles shall not be required to park the vehicle in the manner prescribed by Section 190 of the *“Motor Vehicle Act”* and providing that the driver shall park the vehicle in the manner indicated by the lines or other markings or signs displayed in each of such places and designating the type or types of vehicles to which such orders shall apply;

Parking Vehicles over 7 metres

- (l) designating the streets or portions of streets where the drivers of vehicles having together with any load carried thereon or any trailer attached thereto an overall length in excess of seven metres (7 m) may not park such vehicle except for the purpose of loading or unloading merchandise or freight;

Passenger Zones

- (m) designating the streets or portions of streets which shall be “Passenger” zones for the exclusive use of vehicles while engaged in the loading or unloading of passengers;

‘Residential Parking Only’ Zones

- (n) designating the streets or portions of the streets which shall be “Residential Parking Only” zones and designating the time or times when such streets or portions of such streets shall be so set apart and allotted;

Residential Permit Zones

- (o) designating the streets or portions of the streets which shall be ‘Residential Permit Zones’ and designating the time or times when such streets or portions of such streets shall be so set apart and allotted; and

Skateboard Prohibition Zones

- (p) designating streets, sidewalks or paths in public places where skateboarding, or use of any other human powered devices, is prohibited.

Prohibitions - No Stopping Zones

15. No driver of a vehicle shall cause or permit such vehicle to stop or remain standing in any “No Stopping” zone during the hours of the day during which stopping therein is prohibited.

No Parking Zones

16. (1) No driver of a vehicle shall park such vehicle or permit the same to remain parked in any “No Parking” zone during the hours of the day during which parking therein is prohibited.
- (a) Where any driver of a vehicle causes or permits such vehicle to remain at rest in a “No Parking” zone for the purpose of loading or unloading for a period in excess of two (2) minutes, such vehicle shall be deemed to be “parked” within the meaning of this Section.

Limited Time Parking Zones

17. No driver of a vehicle shall park such vehicle or permit the same to remain parked in any limited time parking zone for a period in excess of the time during which vehicles may be continuously parked within such zone as indicated by signs placed in or near such zones pursuant to this Bylaw.

Loading Zones

18. (1) No driver of a vehicle shall cause or permit such vehicle to stop or remain standing in any loading zone during the hours of the day when such loading zone is in effect unless the vehicle is a commercial vehicle as defined by this Bylaw and goods, wares or merchandise are actually being loaded or unloaded there from.
- (2) No driver of a commercial vehicle shall cause or permit such vehicle to stop or remain standing in any loading zone during the hours mentioned in Subsection (1) for a period exceeding one-half (½) hour.

Taxi Stands

19. (1) No driver of a vehicle other than a cab shall cause or permit such vehicle to stop or remain standing within any area designated as a “Taxi Stand”.
- (2) Where any Taxi Stand has been designated for the exclusive use of a particular class of cab, no driver of a vehicle not belonging to such class of cabs shall cause or permit such vehicle to stop or remain standing within such Taxi Stand.

Cabs to Stand Only in Allotted Stands

20. No person being a driver or operator of a taxi or cab shall cause, suffer or permit the same to be parked upon any street except within a Taxi Stand designated as such pursuant to this Bylaw.

Bus Zones

21. No driver of a vehicle not being a transportation bus of the class or classes for the exclusive use of which an area designated as a “Bus Zone” is set apart shall cause or permit such vehicle to stop or remain standing within any such area during the time or times when the same is designated as being so set apart.

Safety Zones

22. No driver or a vehicle shall cause or permit such vehicle to proceed into or be within any safety zone.

Angle Parking

23. (1) No driver of a vehicle shall park such vehicle within an "Angle Parking Zone" except so that it shall stand within one-third (1/3) metre of and at an angle with the curb as indicated by the lines, markings or other signs placed for that purpose and at a distance of not less than one-half (1/2) metre from any other vehicle.
- (2) No driver of a vehicle having an over-all length in excess of six metres (6m) shall park such vehicle in an "Angle Parking Zone".

Reserved Parking Areas

24. Where any portion of a street has been set apart for the exclusive use of any of the officials or officers mentioned in Section 14(1)(j) of this Bylaw, no driver of a vehicle who is not an official or officer to whom the said portion of the street has been allotted shall park such vehicle or permit the same to remain parked upon the portion of the street so set apart during the hours of the day during which such portion of the street is set apart.

Special Parking

25. Where lines, markings or other signs are placed upon any portion of a street indicating the manner in which vehicles shall be parked thereon, no driver of a vehicle shall park such vehicle on the said portion of a street except in accordance with such lines, markings or other signs.

Standing while Loading or Unloading Vehicles

26. Except as designated by order of the Chief Administrative Officer the driver of a vehicle while loading or unloading merchandise or freight may permit such vehicle to stand in any street otherwise than in the manner prescribed by Section 190 of the *"Motor Vehicle Act"* at any time on any day which is a holiday as defined by the *"Interpretation Act"*, or on any day between the hours of 7:30 a.m. and 6:00 p.m., or such other hours as may be designated by order of the Chief Administrative Officer; PROVIDED in either case that such vehicle is within a thirty degree (30°) angle with the curb and not further than one-third (1/3) metre from the curb at the nearest point; AND PROVIDED FURTHER that such vehicle is not within an "angle parking zone".

Passenger Zones

27. No driver of a vehicle shall cause or permit such vehicle to stop or remain standing in any "Passenger Zone" except for the purpose of unloading passengers and while actually engaged in so doing.

"Residential Parking Only" Zones

28. (1) Except as in Subsection (2) provided, no driver of a vehicle shall park or permit the same to remain parked in any zone designated as a "Residential Parking Only" zone during the time or times when such zone is set apart for residential parking.
- (2) Notwithstanding the provisions of Subsection (1), it shall be lawful at any time for any person residing in any dwelling situate on any lot or lots abutting on any street or portion of a street designated as a "Residential Parking Only" zone or for any person being a guest in a dwelling as aforesaid or engaged in transacting business with or in performing

work for or in rendering services to any person residing or being a guest as aforesaid to park any vehicle or permit the same to remain parked on such street or portion thereof.

- (3) Nothing in this Section contained shall be construed so as to exempt any person from any provision of this Bylaw or of the *“Motor Vehicle Act”* relative to the parking or stopping of vehicles other than the provisions of Subsection (1).

Residential Parking Permit Zones

29. (1) In accordance with Section 28(1) and subject to the provisions of the *“Motor Vehicle Act”* and any other relevant provisions contained within this Bylaw and notwithstanding the provisions of Section 28(2), any person who

(a) resides on a street designated as a Residential Permit Zone, and

(b) holds a valid and subsisting permit issued pursuant to this Section may park any motor vehicle or motorcycle on which the permit is displayed as required by this Section, on that street on which that person’s place of residence abuts.

- (2) No driver of any motor vehicle or motorcycle shall park it or permit it to remain parked in a Residential Permit Zone without first displaying a permit issued pursuant to this Section. The Chief Administrative Officer or a Police Officer may remove or cause to be removed any motor vehicle or motorcycle occupying any street in contravention of this Subsection, and order the vehicle to be impounded until the owner thereof shall have paid all of the fees and expenses of such removal, detention and impoundment, including charges for storage.

- (3) Any permit issued pursuant to this Section shall be conspicuously displayed on the parked motor vehicle or motorcycle in such a manner to allow it to be readily observed and read by persons from outside of the vehicle on which it is displayed.

- (4) Any person, whose place of residence abuts a street designated as a Residential Permit Zone, may apply in writing to the Chief Administrative Officer for a Residential Parking Permit.

- (5) A maximum of two ‘Residential Parking Permits’ will be issued per residential address when a residence abuts a street designated as a Residential Permit Zone.

- (6) Upon production of proof to the reasonable satisfaction of the Chief Administrative Officer of the loss or destruction of any permit, the Chief Administrative Officer may issue a replacement permit to the holder upon proof of residence adjacent to a street designated as a Residential Permit Zone.

- (7) A Residential Parking Permit shall be in the form prescribed from time to time by the Chief Administrative Officer and shall include the following information:

Name of the Holder
Place of Residence (street address)
Date of Issuance

And shall display the following regulatory wording:

“This motor vehicle or motorcycle may be parked on any area of the street abutting the place of residence as above-noted in a manner provided by this Bylaw at any time and for the periods permitted under this Bylaw. This permit is NOT VALID unless it bears a municipal stamp.”

- (8) Except as provided by this Section, nothing in this Section shall be construed so as to exempt any person from any provision of this Bylaw or from the "*Motor Vehicle Act*" relative to the parking or the stopping of motor vehicles or motorcycles.

Handicapped Parking

30. No driver of a vehicle shall park such vehicle in a designated handicapped parking area unless the vehicle displays an approved handicapped permit obtained from the Resource Centre for Independent Living (RCIL) on the front or rear window or hanging from the rear view mirror in plain view.

Abandoned Vehicles

31. No driver or owner of a vehicle shall cause or permit such vehicle to remain continuously parked upon any street for a period in excess of 72 continuous hours. Such vehicles may be marked by means of a sticker denoting the violation and the date and time so observed and at the end of the 72-hour period the vehicle shall be considered to be abandoned and is subject to tow away and impoundment at the expense of the owner of such vehicle. The sticker to be used for the purposes of this Section shall be in the form prescribed from time to time by a Police Officer.

Tow Away Zones

32. (1) The Chief Administrative Officer may by order designate the streets or portions of streets to be classified as Towaway Zones and the days or portions of days during which the said streets or portions of streets shall be classified as Towaway Zones and wherein signs declaring the same to be Towaway Zones or to like effect shall be displayed.
- (2) Where a street or portion of street has been classified as an Towaway Zone, the Chief Administrative Officer or a Police Officer may remove or cause to be removed any vehicle which is found to be parked or stopped within such zone in contravention of this Bylaw or the "*Motor Vehicle Act*" and cause the same to be detained or impounded until the owner thereof shall have paid all the fees, costs and expenses of such removal, detention and impoundment including charges for storage.
- (3) Where a vehicle has been found to be in contravention of Sections 15, 16, 17, 21, 31, 36, 38, or 49 of this Bylaw or Sections 187, 189 or 190 of the *Motor Vehicle Act*, the Chief Administrative Officer or a Police Officer may remove or cause to be removed any such vehicle and cause the vehicle to be impounded until the owner thereof shall have first paid all of the fees, costs and expenses of such removal, detention and impoundment including charges for storage.

Restricted Parking of Commercial Vehicles on Municipal Streets

33. (1) No driver or owner of a commercial vehicle licensed for a gross vehicle weight in excess of 10,000 kg (G.V.W.) or having a length in excess of eight metres (8m) shall permit such vehicle to be parked between the hours of 6:00 p.m. to 6:00 a.m. on any roadway or lane located within the Town, except on streets designated by the Chief Administrative Officer.
- (2) No person who carries on a business in or from a house in a Single Family Residential or Two Family Residential area as defined by the Zoning Bylaw shall at any time park or allow to be parked more than one (1) commercial vehicle on any street in that district.

Restricted Parking of Construction Equipment on Municipal Streets

34. No driver or owner of construction equipment of any size and gross vehicle weight (G.V.W.) shall permit such equipment to be parked between the hours of 12:00 p.m. to 6:00 a.m. on any roadway or lane located within the Town.

Distance Between Vehicles

35. Where vehicles are parked parallel to the edge of the roadway, no driver of a vehicle shall cause or permit the vehicle to be parked closer than one metre (1m) from any other parked vehicle.

Trailer Parking

36. (1) No operator or owner of a trailer shall permit such trailer to be parked on any roadway or lane located within the Town unless it is connected to a towing vehicle. Both the towing vehicle and the trailer must have current insurance coverage and valid registration and must display current licence plates with up-to-date renewal decals while so parked.
- (2) Commercial trailers may be parked without being connected to a towing vehicle provided that the trailer:
- (a) has current insurance coverage and valid registration and displays current licence plates with up-to-date renewal decals, and
 - (b) is parked on a highway designated by the Chief Administrative Officer under Section 33 of this Bylaw.

Miscellaneous Stopping, Standing and Parking Prohibitions

37. (1) Except when necessary to avoid conflict with traffic or to comply with the directions of a police officer or traffic control device, or except when a permit has been issued by the Town, no person shall stop, stand or park any vehicle:
- (a) on a sidewalk or boulevard;
 - (b) in front of a public or private driveway;
 - (c) within any intersection, except as permitted by a sign;
 - (d) within 5 m of any fire hydrant, measured from a point on the curb or edge of the roadway which is closest to the fire hydrant;
 - (e) on any crosswalk;
 - (f) within 6 m of the approach side of any crosswalk;
 - (g) within 6 m upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;
 - (h) within 15 m of the nearest rail of a railway crossing;
 - (i) in front of or within 1 m of any sidewalk crossing;
 - (j) upon any highway for the principal purpose of:
 - (i) displaying any vehicle for sale;

- (ii) advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency;
- (iii) displaying any signs;
- (iv) selling flowers, fruit, vegetables, seafood, or any other commodity;
- (k) alongside or opposite any street excavation or obstruction when the stopping, standing, or parking obstructs traffic;
- (l) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
- (m) upon any bridge or other elevated structure upon a highway except as permitted by a traffic control device;
- (n) in any place in contravention of a traffic control device that gives notice that stopping, standing or parking is prohibited or restricted;
- (o) in such manner as to obstruct the visibility of any standard traffic sign erected by or with the authority of the Minister of Highways or under the authority of this Bylaw.

Curb Parking

38. Except on any street or portion of a street, designated as an "Angle Parking" Zone by the Chief Administrative Officer, a driver shall not stop, stand, or park a vehicle on a roadway other than on the right side of the roadway and with the right hand wheels parallel to that side, and where there is a curb, within 30 cm of the curb.

Yellow Curb Lines

39. Without derogating from the powers of the Chief Administrative Officer under Section 14, no person shall stop, park or leave standing any motor vehicle, attended or unattended, adjacent to any portion of a curb painted yellow, except when necessary to avoid conflict with any other traffic or to comply with the direction of a police officer.

Recreational Vehicles

40. No person who resides within the Capital Regional District may park any motor home, camper truck, trailer used for recreational purposes, or any boat and trailer on any street between the hours of 10:00 p.m. and 6:00 a.m. daily.

Bus Parking

41. Unless expressly permitted to do so by the provisions of this Bylaw, no person shall park a charter bus, school bus, or a sightseeing bus or permit it to remain parked in front of any land zoned for residential purposes.

PART 5 - GENERAL STREET REGULATIONS

Funeral Processions

42. No driver of a vehicle shall drive between the vehicles comprising a funeral procession or other authorized procession while it is in motion, except in obedience to the directions of a traffic-

control device or of a police officer; providing that during the hours of daylight, a vehicle shall be deemed not to be in a procession unless the head lamps thereof are lighted.

Horns

43. No person shall cause or permit the horn of a vehicle to be sounded on any highway or other public place except as required by the "*Motor Vehicle Act*" or for the purpose of giving reasonable warning to other persons using or about to use the highway of some hazard or danger arising out of the presence of or approach of the vehicle.

Permit Required for Processions

44. No person shall be a member of or take part in any procession through or in any highway within the Town unless there has first been obtained a permit in respect of such procession issued pursuant to an order of the Chief Administrative Officer who may impose such terms and conditions in relation thereto as he/she shall deem proper. A funeral procession is exempt from this Section.

Loading/Unloading of Goods

45. No person shall permit any goods, wares or merchandise or other article of trade or commerce to remain on any part of the street longer than is reasonably necessary to deliver the same expeditiously or to remove the same into any vehicle.

Erecting of Structures

46. No person except the agents, servants or employees of the Town acting in the course of their employment shall cause or permit any structure, object or thing to be built, constructed, placed or maintained upon or in any street within the Town without a permit from the Municipal Council who may impose such terms and conditions as it thinks proper, and where a permit is issued, such structure, object or thing shall be built, constructed, placed or maintained entirely in accordance with the terms and conditions contained in such permit; provided that the Chief Administrative Officer in urgent circumstances, or in cases where it is made to appear to the satisfaction of the Chief Administrative Officer that the obstruction is of a minor or inconsequential nature or is such as is unlikely to continue for a period of more than seventy-two (72) hours, may exercise the Council's powers in connection with the foregoing.

Street Chattels

47. (1) Without restricting the generality of Section 45, no person shall place, deposit or leave upon, above, or in any street, sidewalk or other public place any chattel, obstruction, or other thing which is or is likely to be a nuisance, or any chattel which constitutes a sign within the meaning of the Sign Bylaw and no person having the ownership, control or custody of a chattel, obstruction or thing shall permit or suffer it to remain upon, above or in any such street, sidewalk or other public place.
- (2) The Chief Administrative Officer, or any person authorized by the Town, or any Police Officer may on behalf of the Town remove, detain and impound or cause the removal, detention or impounding of any chattel, obstruction or thing unlawfully occupying any portion of a highway or public place.
- (3) After detention, removal or impoundment, the person entitled to the possession of the chattel, obstruction or thing may obtain its release upon signing an undertaking that that person will not again place it on, above, or in any street, sidewalk or other public place in contravention of this Section and upon payment to the Town, or its agent, of the fees, costs and expenses mentioned in the succeeding Subsection.

- (4) For each detention, removal and impoundment, the person entitled to possession of the chattel, obstruction or thing must pay to the Town, or its agent the detention, removal or impoundment fee as described within Fees and Charges Bylaw No. 958:

(Bylaw No. 958, 2016)
- (5) If the person entitled to the possession of any detained object does not within 30 days of its detention, including the date of its detention, sign the undertaking and pay the fees, costs and expenses mentioned in the preceding Subsection, and it appears to the Town, or its agent, that the object detained has a market value, the Town, or its agent, shall as soon as possible thereafter cause it to be sold by public auction to the highest bidder, but shall otherwise cause it to be disposed of as garbage
- (6) From the proceeds of any auction sale held pursuant to this Section, the Director of Corporate Services of the Town, or its agent, shall:
 - (a) firstly deduct the costs of the auction;
 - (b) secondly, deduct the fees payable to the Town, or its agent, pursuant to Subsection (4);
 - (c) thirdly pay any surplus, if any, to the person entitled if that person's identity and whereabouts are known.
- (7) If the identity or whereabouts of the person entitled to any surplus is not known, the Director of Corporate Services, or its agent, shall:
 - (a) hold any surplus for one year from the date of the auction;
 - (b) if surplus is not claimed within that period, shall pay that amount into the General Revenue of the Town and it shall be forfeited to the Town.
- (8) No action taken pursuant to any of the preceding Subsections shall be a bar to the prosecution of any person who contravenes any provisions of this Section or of any other Section of this bylaw.

Littering/ Defacing Municipal Property

48. Save only with respect to articles of trade or commerce lawfully in a street or other public place and works permitted pursuant to this Bylaw or the "*Community Charter*", no person shall damage, encumber, obstruct or foul any street or portion thereof or other public place or do anything that is likely to damage, encumber, obstruct or foul any such street or place, and without restricting the generality of the foregoing:
- (1) no person shall cause or suffer or permit to be thrown, deposited, discarded or placed in any street or other public place any rubbish, litter or waste matter of any description nor any garbage, offal, filth or other noxious or offensive or unwholesome substance or matter:
 - (2) no person shall circulate, distribute or deliver in or near any street or other public place any handbill, circular, flyer or other printed, typed or written matter for the purpose of publicizing or calling attention to any event, fact, product, or thing if the ordinary and probable result of such conduct is that such material will be discarded in or on a street or other public place by any or all of the persons receiving the same.

Sidewalk Obstruction

49. (1) A person must not obstruct any sidewalk by squatting, kneeling, sitting, or lying down on it between the hours of 8:00 a.m. and 9:00 p.m. of the same day.

- (2) The prohibition in Subsection (1) does not apply to circumstances that involve any of the following activities or objects:
- (a) a medical emergency;
 - (b) sitting on a seat at a bus zone while waiting for a bus;
 - (c) sitting on a chair or bench that is supplied by a public agency or an abutting private property owner and that is permitted by a street use permit issued by the Town;
 - (d) sitting at a sidewalk café, in a designated and authorized area;
 - (e) sitting while engaged in the activity of a hawker, peddler, or street entertainer who possesses a valid permit for that purpose;
 - (f) a parade, rally, demonstration, performance, or gathering that is permitted by a street use permit issued by the Town;
 - (g) the soliciting of aid by recognized charitable organization.

Sleeping in Vehicles

50. (1) No person shall park any vehicle in any street for the purpose of sleeping overnight in the vehicle.
- (2) No person shall sleep overnight in any vehicle parked on the street.

Water on Street

51. No person owning or occupying any property abutting upon or contiguous to any street shall permit water to flow from such property onto or over such street without a permit pursuant to an order of the Chief Administrative Officer who may impose such terms and conditions as he/she thinks proper and where any such permit is issued the person to whom it is issued shall observe and perform such terms and conditions.

Sidewalk Clearing

52. Every person being an occupant or owner of any property abutting or fronting upon a portion of a sidewalk shall cause such portion of the sidewalk to be cleared and kept clear of all snow, ice, dirt, litter and rubbish and shall dispose of the same otherwise than leaving it upon the street.

Street Obstructions

53. (1) No person shall deposit any wood, cordwood, firewood, sawdust, coal or any other material upon any portion of any street where it is or is likely to be an obstruction to users of the street.
- (2) No person to whom any wood, cordwood, firewood, sawdust, coal or any other material has been delivered shall permit the same to remain upon any portion of any street for a period in excess of twenty-four (24) hours.

Painting/Drawing/Posters

54. Except as authorized by the Chief Administrative Officer, no person shall paint, draw or write upon, affix any notice or advertisement to or otherwise mark or disfigure any sidewalk or street within the Town or any structure or fixture in or on any such sidewalk or street, provided that the placing of marks, letters or symbols in the course of the execution of authorized works in any street shall not be considered to be a violation of this Section.

Street Excavation

55. No person except the agents, servants or employees of the Town acting in the course of their employment shall excavate in or disturb the surface of any street within the Town without a permit from the Chief Administrative Officer and where a permit is issued, any excavating or disturbance shall be carried out in accordance with the conditions therein contained.

Awnings

56. Awnings shall not be placed or suspended over any part of any street or highway without first securing a permit from the Town, as detailed in Section 46, and unless the lowest portion of such awning is at least 2½ metres above the sidewalk of said street or highway.

Driving in Parks

57. No person in charge, control or possession of any vehicle (not being a vehicle operated by an employee of the Town while in the performance of his duties) shall drive or allow or permit said vehicle to be driven within any public park except upon the hard surface portions of the established highways, streets and roads within the said park and no person shall park, or cause to be parked, any such vehicle within a public park except upon areas set apart for the parking of such vehicles and no person in charge, control or possession of any vehicle shall drive or permit the said vehicle to be driven upon any roadway in any public park where driving is prohibited by signs.

Damage to Trees

58. No person shall at any time destroy, damage or injure any tree, shrub, flower, foliage, grass or other growing thing upon any boulevard.

Trees / Shrubs / Bushes

59. (1) No person shall plant any tree, shrub, bush or hedge closer than one-half (.5) metre to their street-side property line(s).
- (2) The occupier or owner of any land adjacent to a street shall cause all trees, shrubs, hedges and bushes growing or standing upon such land to be trimmed and cut back so as to prevent any obstruction or to interfere with the free use of the street by persons or vehicles.
- (3) Where any trees, shrubs, hedges or bushes are obstructing or interfering with the use of a street contrary to Subsection (2) or where in the opinion of the Chief Administrative Officer any trees, shrubs, hedges or bushes are dangerous or have become injurious to the road-bed, sidewalk or works lawfully upon or within the street or where in the opinion of the Chief Administrative Officer the safety or convenience of the public requires that any trees, shrubs, hedges or bushes shall be removed, cut down or trimmed, the Chief Administrative Officer may direct that a notice be given to the owner or occupier of the lands upon which the trees, shrubs, hedges or bushes are growing or standing requiring him within ten (10) days from the date thereof to remove, cut down or trim the said trees, shrubs, hedges or bushes designated in the notice and further direct that if the owner or occupier shall fail to comply with the requirements of the notice or make application to a Judge of the Provincial Court as provided in the "*Community Charter*", the Chief Administrative Officer of the Town shall enter upon the lands in question and effect such removal, cutting down or trimming at the expense of the owner of the lands in accordance with the "*Community Charter*".

Private Lanes

60. (1) The owner (as defined by the "*Community Charter*") of any land forming a private street or lane shall at all times exhibit thereon at its junction with any public street a sign bearing the words "Private Lane" in letters of not less than 100 millimetres in height.
- (2) Every owner of a private lane shall maintain the same in a clean and fit state at all times.

Discharge of Firearms

61. No person shall discharge any weapon within the jurisdictional limits of the Town except upon written authority from a Police Officer.

Signs

62. Except as provided for in this Bylaw no person shall place, maintain or display upon or in view of any street any sign, signal or marking device which purports to be or which resembles any traffic sign or traffic control signal or which purports to prohibit, limit or restrict parking or stopping vehicles.
63. Every pedestrian and the driver or person in charge, control or possession of any vehicle shall obey the direction, instruction, limitation, restriction, prohibition, or any applicable traffic sign or signal unless otherwise directed by a police officer, subject to the exceptions contained in this Bylaw and the "*Motor Vehicle Act*" respecting emergency and public utility vehicles.

Direction of Police Officer

64. Any person refusing or neglecting to obey any lawful direction or regulation of any police officer acting under the powers in this Bylaw contained shall be deemed in contravention of an offence against this Bylaw.

Use of Municipal Streets

65. No person shall engage in any sport, amusement, exercise, game or occupation on any street likely to delay the passage of traffic upon the said street or of such nature as to cause any obstruction whatsoever in or upon any such street except with the written permission of the Municipal Council or the Chief Administrative Officer.
66. For the purpose of ensuring the safety of the children of the Town, and subject to the proviso hereinafter contained, no person shall propel, drive, ride or run any roller skate, skidmobile, pushmobile, scooter, coaster, velocipede or other coasting device or thing of a similar nature upon any portions of the streets of the Town which lie between the curbs or sidewalks, or which is commonly used for vehicular traffic. Provided the Chief Administrative Officer may designate at any season of the year any street or portion of the same for such period he/she considers prudent as a playground for children and to permit the use of any coasting device and to take all precautions necessary in closing such street or portion of the same to vehicular traffic for such a period as he/she may think prudent and otherwise to ensure such coasting or sliding be carried on with safety.

Street Soliciting

67. (1) In this Section:

**"Automated
Teller Machine"**

means a device that is linked to a financial institution's account records, and that is able to carry out transactions that include account transfers, deposits, cash withdrawals, balance inquiries, payments of amounts owed, or other financial transactions;

**"Cause an
Obstruction"**

means:

- (a) to stand, sit or lie on a street in a manner which obstructs or impedes the convenient passage of any pedestrian traffic in a street, in the course of solicitation,
- (b) to continue to solicit from or otherwise harass a pedestrian after that person has made a negative initial response to the solicitation or has otherwise indicated a refusal,
- (c) to physically approach and solicit from a pedestrian as a member of a group of three or more persons,
- (d) to solicit on a street within 6 m of
 - (i) an entrance to a bank, credit union, or trust company,
 - (ii) an automated teller machine, or
 - (iii) a parking ticket dispensing machine, or
- (e) to solicit from an occupant of a motor vehicle in a manner which obstructs or impedes the convenient passage of any vehicular traffic in a street;

"Solicit"

means, without consideration, to 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;

"Trust Company" means an office or branch of a trust company to which the *Trust and Loan Companies Act (Canada)* applies and in which deposit accounts are held.

- (2) A person must not solicit in a manner which causes an obstruction."

Street Fighting

68. A person must not obstruct or create a nuisance upon any portion of a street or other public place by participating in a consensual fight or other similar physical confrontation between consenting adults.

Defacing Traffic Signs or Paint Lines

69. No person shall move, deface, damage or alter or obstruct the view of or otherwise interfere with any authorized traffic control signal or traffic sign.

(Section numbers 70 to 105 left for future sections)

Traffic Direction

106. If a Police Officer considers it necessary to;
- (a) ensure orderly movement of traffic;
 - (b) prevent injury or damage to persons or property; or
 - (c) permit proper action in an emergency,

the Police Officer may direct traffic according to his or her discretion, despite anything in this Part, and everyone must obey his or her directions.

Obeying Traffic Controls

107. Unless otherwise directed by a Police Officer or a person authorized by a Police Officer to direct traffic, every driver of a vehicle and every pedestrian must obey the instructions of an applicable traffic control device.

Stop Signs

108. (1) Except when a Police Officer directs otherwise, if there is a stop sign at an intersection, a driver of a vehicle must stop
- (a) at the marked stop line, if any;
 - (b) before entering the marked crosswalk on the near side of the intersection; or
 - (c) when there is neither a marked crosswalk nor a stop line, before entering the intersection, at the point nearest the intersecting highway from which the driver has a view of approaching traffic on the intersecting highway.

PART 6 - TRAFFIC CONTROL SIGNALS

Green Light

109. (1) When a green light alone is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the green light
 - (i) may cause the vehicle to proceed straight through the intersection, or to turn left or right, subject to a sign or signal prohibiting a left or right turn, or both, or designating the turning movement permitted;
 - (ii) must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk at the time the green light is exhibited; and
 - (iii) must yield the right of way to vehicles lawfully in the intersection at the time the green light became exhibited; and
 - (b) a pedestrian facing the green light may proceed across the roadway in a marked or unmarked crosswalk, subject to special pedestrian traffic control signals directing him or her otherwise, and has the right of way for that purpose over all vehicles.
- (2) When a green light alone is exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle
 - (i) may cause the vehicle to pass the signal; and
 - (ii) must yield the right of way to a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited;
 - (b) a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited must proceed as quickly as possible from the roadway; and
 - (c) a pedestrian must not enter the roadway in the vicinity of the signal until either
 - (i) the traffic control signal facing the vehicular traffic exhibits a red light; or
 - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

Yellow Light

110. (1) When a yellow light alone is exhibited at an intersection by a traffic control signal, following the exhibition of a green light,
- (a) the driver of a vehicle approaching the intersection and facing the yellow light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, unless the stop cannot be made in safety;
 - (b) a pedestrian facing the yellow light must not enter the roadway; and

- (c) a pedestrian proceeding across the roadway and facing the yellow light exhibited after he/she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible; and
 - (ii) has the right of way for that purpose over all vehicles.
- (2) When a yellow light alone is exhibited at a place other than an intersection by a traffic control signal,
 - (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, before reaching the signal, unless the stop cannot be made in safety; and
 - (b) a pedestrian must not enter the roadway in the vicinity of the signal until either
 - (i) the traffic control signal facing the vehicular traffic exhibits a red light; or
 - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

Red Light

111. (1) Subject to Subsection (2), when a red light alone is exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing the red light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, before entering the intersection, and subject to the provisions of Subsection (2), must not cause the vehicle to proceed until a traffic control signal instructs the driver that he or she is permitted to do so.
- (2) The driver of a bus approaching an intersection and facing a red light and a prescribed white rectangular indicator may cause the bus to proceed through the intersection.
- (3) Despite Subsection (1), and except when a right turn permitted by this Subsection is prohibited by a sign at an intersection, the driver of a vehicle facing the red light, and which in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then as closely as practicable to the intersection, may cause the vehicle to make a right turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection.
- (4) When a red light alone is exhibited at an intersection by a traffic control signal,
 - (a) a pedestrian facing the red light must not enter the roadway unless instructed that he or she may do so by a pedestrian traffic control signal;
 - (b) except when a left turn permitted by this paragraph is prohibited by a sign at the intersection, the driver of a vehicle facing the red light at the intersection of not more than 2 highways, and which in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, as closely as practicable to the intersection, may cause the vehicle to make a left turn into a highway on which traffic is restricted to the direction in which he or she causes the vehicle to turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection; and

- (c) a pedestrian proceeding across the roadway and facing the red light exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible; and
 - (ii) has the right of way for that purpose over all vehicles.
- (5) When a red light is exhibited at a place other than an intersection by a traffic control signal,
 - (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, then before reaching the signal; and
 - (b) a pedestrian may proceed across the roadway.

Green Arrow

112. (1) When a green arrow is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the green arrow may cause it to enter the intersection and to make only the movement indicated by the green arrow, but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk and to other vehicles lawfully in the intersection; and
 - (b) a pedestrian facing the green arrow must not enter the roadway unless a pedestrian traffic control signal or the exhibition of a green light by a traffic control signal instructs the pedestrian that he or she is permitted to do so.
- (2) When a yellow arrow is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection and facing a yellow arrow must cause the vehicle to stop
 - (i) before entering the marked crosswalk on the near side of the intersection, or
 - (ii) before entering the intersection, if there is no marked crosswalk,unless the stop cannot be made in safety,
 - (b) the driver of a motor vehicle approaching the intersection and facing the yellow arrow may, when a stop cannot be made in safety, proceed with caution to make the only movement indicated by the arrow but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk, and to other vehicles lawfully in the intersection,
 - (c) a pedestrian facing the yellow arrow must not enter the roadway, and
 - (d) a pedestrian proceeding across the roadway and facing the yellow arrow exhibited after he or she entered the roadway
 - (i) must proceed to the sidewalk as quickly as possible, and
 - (ii) has the right of way for that purpose over all vehicles.

Flashing Lights

113. (1) When rapid intermittent flashes of red light are exhibited at an intersection by a traffic control signal,

- (a) the driver of a vehicle approaching the intersection and facing the flashes of red light must cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, and must not cause the vehicle to proceed until it is safe to do so; and
 - (b) a pedestrian facing the flashes of red light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (2) When rapid intermittent flashes of red light are exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal
 - (i) must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk then before reaching the signal; and
 - (ii) may, after having caused the vehicle to stop, cause it to pass the signal and any crosswalk only if conditions of pedestrian traffic in the roadway or any crosswalk in the vicinity of the signal permit it to do so with safety; and
 - (b) a pedestrian may proceed across the roadway.
- (3) When rapid intermittent flashes of yellow light are exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the flashes of yellow light may cause it to enter the intersection and proceed only with caution, but must yield the right of way to pedestrians lawfully in the intersection or an adjacent crosswalk; and
 - (b) a pedestrian facing the flashes of yellow light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (4) When rapid intermittent flashes of yellow light are exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal may cause the vehicle to pass the signal only with caution, and must yield the right of way to pedestrians in the roadway or on any crosswalk in the vicinity of the signal; and
 - (b) a pedestrian may proceed across the roadway with caution.
- (5) When rapid intermittent flashes of green light are exhibited at an intersection or at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection or signal and facing the signal must cause it to approach the intersection or signal in such a manner that he or she is able to cause the vehicle to stop before reaching the signal or any crosswalk in the vicinity of the signal if a stop should become necessary, and must yield the right of way to pedestrians lawfully in a crosswalk in the vicinity of the signal or in the intersection; and
 - (b) a pedestrian may proceed across the roadway with caution and at an intersection only in a marked or unmarked crosswalk.

PART 7 - PROHIBITIONS

Stunting

114. A person, whether as a pedestrian, passenger, or driver, and whether or not with the use or aid of any animal, vehicle, or other thing, must not perform or engage in any stunt or other activity on a street that is likely to distract, startle, or interfere with other users of the street.

Driving on Laned Roadway

115. (1) A driver who is driving a vehicle on a laned roadway
- (a) must not drive it from one lane to another when a broken line only exists between the lanes, unless the driver has ascertained that movement can be made with safety and will in no way affect the travel of another vehicle;
 - (b) must not drive it from one lane to another if that action necessitates crossing a solid line;
 - (c) must not drive it from one lane to another without first signalling his or her intention to do so by hand and arm or approved mechanical device in the manner prescribed by sections 126 and 127;
 - (d) when approaching an intersection intending to turn left must drive the vehicle in the centre lane or in the lane nearest the centre of the roadway on the right hand half of the highway;
 - (e) when approaching an intersection intending to turn right must drive the vehicle in the lane nearest to the right hand side of the roadway;
 - (f) must not pass a vehicle on the left if that action necessitates driving on that part of the highway designated for travel in the opposite direction; and
 - (g) if a traffic control device directs slow moving traffic to use a designated lane, must when driving slowly drive the vehicle in that lane only.

Highway Lines

116. (1) Despite anything in this Part, if a highway is marked with
- (a) a solid double line, the driver of a vehicle must drive it to the right of the line only;
 - (b) a double line consisting of a broken line and a solid line,
 - (i) the driver of a vehicle proceeding along the highway on the side of the broken line must drive the vehicle to the right of the double line, except when passing an overtaken vehicle; and
 - (ii) the driver of a vehicle proceeding along the highway on the side of the solid line must drive the vehicle to the right of the double line, except only when finishing the passing of an overtaken vehicle; and
 - (c) one single line, broken or solid, the driver of a vehicle must drive the vehicle to the right of the line, except only when passing an overtaken vehicle.

- (2) Subsection (1) (b) (i) and (c) do not apply if a driver is avoiding an obstruction on the highway and first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle.

117. If the driver of a vehicle is causing the vehicle to enter or leave a highway and the driver has ascertained that he or she might do so with safety and does so without unreasonably affecting the travel of another vehicle, the provisions of sections 115 and 116 are suspended with respect to the driver while the vehicle is entering or leaving the highway.

Newly Painted Lines

118. A person must not drive on or over a newly painted line or marking on a highway when the line is indicated by a traffic control device.

Duty When Overtaking

119. (1) Except as provided in Section 120, the driver of a vehicle overtaking another vehicle
- (a) must cause the vehicle to pass to the left of the other vehicle at a safe distance; and
 - (b) must not cause or permit the vehicle to return to the right side of the highway until safely clear of the overtaken vehicle.
- (2) Except when overtaking and passing on the right is permitted, a driver of an overtaken vehicle,
- (a) on hearing an audible signal given by the driver of the overtaking vehicle, must cause the vehicle to give way to the right in favour of the overtaking vehicle; and
 - (b) must not increase the speed of the vehicle until completely passed by the overtaking vehicle.

Passing On Right

120. (1) The driver of a vehicle must not cause or permit the vehicle to overtake and pass on the right of another vehicle, except
- (a) when the vehicle overtaken is making a left turn or its driver has signalled his or her intention to make a left turn;
 - (b) when on a laned roadway there is one or more than one unobstructed lane on the side of the roadway on which the driver is permitted to drive; or
 - (c) on a one way street or a highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and is of sufficient width for 2 or more lanes of moving vehicles.
- (2) Despite Subsection (1), a driver of a vehicle must not cause the vehicle to overtake and pass another vehicle on the right
- (a) when the movement cannot be made safely; or
 - (b) by driving the vehicle off the roadway.

Passing On Left

121. A driver of a vehicle must not drive to the left side of the roadway in overtaking and passing another vehicle unless the driver can do so in safety.

Clear View on Passing

122. A driver of a vehicle must not drive to or on the left side of the roadway, other than on a one way highway, unless the driver has a clear view of the roadway for a safe distance, having regard for all the circumstances.

Divided Highways

123. If a highway has been divided into 2 roadways by a physical barrier or clearly indicated dividing section constructed so that it impedes vehicular traffic, a driver must not
- (a) drive a vehicle over, across or within a barrier or dividing section, except at a crossover or intersection; or
 - (b) drive a vehicle on the left hand roadway unless directed or permitted to do so by a Police Officer or a traffic control device.

PART 8 - TURNING OFFENCES

Reverse Turn

124. (1) Except as provided by the Bylaws of the Town, a driver must not turn a vehicle so as to proceed in the opposite direction
- (a) unless the driver can do so without interfering with other traffic; or,
 - (b) when he or she is driving,
 - (i) on a curve;
 - (ii) on an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 m;
 - (iii) at a place where a sign prohibits making a U-turn;
 - (iv) at an intersection where a traffic control signal has been erected; or
 - (v) in a business district, except at an intersection where no traffic control signal has been erected.

Signals on Turning

125. (1) If traffic may be affected by turning a vehicle, a person must not turn it without giving the appropriate signal under sections 126 and 127.
- (2) If a signal of intention to turn right or left is required, a driver must give it continuously for sufficient distance before making the turn to warn traffic.
- (3) If there is an opportunity to give a signal, a driver must not stop or suddenly decrease the speed of a vehicle without first giving the appropriate signal under sections 126 and 127.

Means of Signaling

126. (1) Subject to Subsection (2), where a signal is required a driver must give it by means of
- (a) his/her hand and arm;
 - (b) a signal lamp of a type approved by the superintendent; or
 - (c) a mechanical device of a type approved by the superintendent.
- (2) When a vehicle is constructed or loaded in a manner that makes a signal by hand and arm not visible both to its front and rear, or a body or load extends more than 60 cm to the left of the centre of the steering wheel, a driver must give signals as provided by paragraph (1) (a) or (b), and a person must not drive the motor vehicle on a highway unless it is so equipped.

Left Hand Drive Signals

127. (1) When a driver of a left hand drive vehicle gives a signal by hand and arm, the driver must do so from the left side, and must signify
- (a) a left turn by extending his or her left hand and arm horizontally from the vehicle;
 - (b) a right turn by extending his or her left hand and arm out and upward from the vehicle; and
 - (c) a stop or decrease in speed by extending his or her left hand and arm out and downward from the vehicle.
- (2) A person must not drive a right hand drive vehicle on a highway unless it is equipped with a mechanical or electrical signaling device approved by the Lieutenant Governor in Council.

PART 9 - MISCELLANEOUS DRIVING OFFENCES

Driving Over Fire Hose

128. Unless he or she has received consent of the fire department official in command or a Police Officer, a person must not drive a vehicle over an unprotected hose of a fire department when laid down on a highway or private driveway at a fire or an alarm of fire.

Driving on Sidewalk

129. A driver must not drive on a sidewalk, walkway or boulevard, except when entering or leaving a driveway or lane or when entering or leaving land adjacent to a highway, or by permission granted under a Bylaw.

Cyclist Provisions

130. (1) In addition to the duties imposed by this Section, a person operating a cycle on a highway has the same rights and duties as a driver of a vehicle.
- (2) A person operating a cycle
- (a) 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;

Amendment Bylaw No. 1025, 2019

- (b) must, subject to paragraph (a), ride as near as practicable to the right side of the highway;
 - (c) must not ride abreast of another person operating a cycle on the roadway;
 - (d) must keep at least one hand on the handlebars;
 - (e) must not ride other than on or astride a regular seat of the cycle;
 - (f) must not use the cycle to carry more persons at one time than the number for which it is designed and equipped; and
 - (g) must not ride a cycle on a highway where signs prohibit the cycle's use.
- (3) Nothing in Subsection 2(b) requires a person to ride a cycle on any part of a highway that is not paved.
- (4) A person operating a cycle who intends to turn it to the left at an intersection where there is more than one lane from which left turns are permitted must
- (a) cause the cycle to approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted,
 - (b) keep the cycle to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane,
 - (c) after entering the intersection, turn the cycle to the left so that it will leave the intersection to the right of the line referred to in paragraph (b), and
 - (d) when practicable, turn the cycle in the portion of the intersection to the left of the centre of the intersection.
- (5) A person must not ride a cycle, skate board, roller skates, in-line roller skates, sled, play vehicle or other similar means of conveyance when it is attached by the arm and hand of the rider or otherwise to a vehicle on a highway.
- (6) A person must not operate a cycle
- (a) on a highway without due care and attention or without reasonable consideration for other persons using the highway, or
 - (b) on a sidewalk without due care and attention or without reasonable consideration for other persons using the sidewalk.

Motorcycles

131. (1) A person operating a motorcycle must ride only astride the regular seat attached to it.
- (2) A person, other than the operator, must not ride on a motorcycle unless
- (a) it is designed and equipped to carry more than one person; and
 - (b) the other person rides

- (i) astride the permanent and regular seat if designed for 2 persons;
 - (ii) astride another seat firmly attached to the motorcycle behind the seat occupied by the operator; or
 - (iii) on or in another seat firmly attached to one side of the motorcycle.
- (3) A person who is operating a motorcycle must not permit another person to ride on it in violation of Subsection (2).
- (4) Except when overtaking and passing other motorcycles, more than 2 operators of motorcycles must not operate their motorcycles side by side in the same direction in the same traffic lane.

Skateboarding

- 132 (1) A person must not ride a skateboard or other human powered device on a sidewalk.
- (2) A person must not ride a skateboard or other human powered device on a street, sidewalk or path in a public place where signs are displayed indicating that such activities are prohibited.
- (3) Section 47(2) and 47(3) apply to the removal, detention and impoundment of a skateboard or other human powered device that is being ridden in contravention of Subsection (2).

PART 10 - ADMINISTRATION AND OFFENCES

133. Every person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than \$10,000 (Ten Thousand Dollars) or to imprisonment for not more than six months.

Repeal

134. The following bylaws of the Town of View Royal and amendments thereto, are hereby repealed.

Highway and Traffic Bylaw, 1989, No. 26

Severability

135. Any Section, Subsection, sentence, clause or phrase of this Bylaw which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

Headings

136. Section headings do not form part of this Bylaw, and are included for convenience only.

READ A FIRST TIME	12 th	DAY OF	July, 2005
READ A SECOND TIME	12 th	DAY OF	July, 2005
READ A THIRD TIME	12 th	DAY OF	July, 2005

ADOPTED BY COUNCIL SIGNED BY THE MAYOR AND THE CLERK AND SEALED WITH THE SEAL OF THE TOWN OF VIEW ROYAL THIS 19th DAY OF July, 2005.

MAYOR

CLERK

SCHEDULE A

(Amendment Bylaw No. 655, 2006)

STREETS AND TRAFFIC REGULATION BYLAW, NO. 609, 2005

ORDER NO. _____

WHEREAS I, _____, Chief Administrative Officer of the Town of View Royal, am empowered under the terms and provisions of the *Streets and Traffic Regulation Bylaw No. 609, 2005*, to make orders in respect of certain matters and things therein mentioned.

NOW THEREFORE in the exercise of the powers given in the said Bylaw, **I DO HEREBY ORDER**

THAT (Describe nature of order)

This Order to be effective and to come into full force and effect from midnight upon the _____ day of _____, 20__

CHIEF ADMINISTRATIVE OFFICER