

CONSOLIDATED FOR CONVENIENCE ONLY

**COMPREHENSIVE STREET,
TRAFFIC AND PARKING BYLAW**

NO. 1773, 2015



CITY OF QUESNEL

**COMPREHENSIVE STREET, TRAFFIC AND PARKING BYLAW NO.
1773, 2015***

Consolidated: January 2, 2020

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CONSOLIDATED FOR CONVENIENCE TO INCLUDE:

**Comprehensive Street, Traffic and Parking Amendment Bylaw No.
1857 of 2018**

**City of Quesnel Comprehensive Street, Traffic and Parking
Amendment Bylaw No. 1883 of 2019**

***This bylaw is a "consolidated" version and includes amendments up to the date listed in the bylaw heading. It is placed on the Internet for convenience only, is not the official or legal version, and should not be used in place of certified copies which can be obtained through the Deputy Corporate Administrator at City Hall. Plan, pictures, other graphics or text in the legal version may be missing or altered in this electronic version.**

CITY OF QUESNEL
BYLAW NO. 1773

A bylaw to regulate the movement of vehicles and other traffic within municipal boundaries.

WHEREAS, pursuant to section 124 of the *Motor Vehicle Act*, the Council of the City of Quesnel is empowered to regulate certain matters in relation to the use of highways and boulevards;

AND WHEREAS pursuant to section 23 of the *Transport of Dangerous Goods Act*, Council is empowered to designate routes on which dangerous goods may be carried with the approval of the Minister for Transportation and Infrastructure;

AND WHEREAS Council deems it desirable to establish regulations for the movement and stopping of vehicles and traffic on highways and boulevards within the municipality;

NOW THEREFORE the Council of the City of Quesnel in open meeting assembled enacts as follows:

PART I – GENERAL PROVISIONS

1. Citation

This bylaw may be cited for all purposes as “City of Quesnel Comprehensive Street, Traffic and Parking Bylaw No. 1773 of 2015.”

2. Definitions

(1) In this bylaw, the expressions as so defined by and contained in the *Motor Vehicle Act*, the *Passenger Transportation Act*, the *Transportation Act*, the *Offence Act*, the *Safe Streets Act*, the *Local Government Act*, the *Community Charter* and the *Interpretation Act* and regulations thereto shall be applicable.

(2) If there is any inconsistency between the terms defined herein and any other enactment, the definitions herein shall prevail.

(3) In this bylaw:

Bus Stop means a part of a highway designated as a point at which buses may stop to take on or let off passengers.

Bylaw Enforcement Officer shall mean the person appointed by Council or the Corporate Officer and their designate to assist in the enforcement of municipal bylaws, or a Peace Officer.

Chattel means a tangible, inanimate and moveable item of personal property.

City means the Corporation of the City of Quesnel.

Council means the Council of the City.

Commercial Vehicle means a vehicle that is engaged in or capable of carrying goods, wares or merchandise during the normal course of business.

Commercial Loading Zone means an area or space established for the loading or unloading of materials, to be used exclusively by commercial vehicles.

Commercial Passenger Vehicle means a motor vehicle which is licensed and regulated under the *Passenger Transportation Act* to carry persons on a commercial basis.

Construction Zones means an area or space on or along a highway whereupon construction or maintenance is being conducted and workers may be actively using portions of such highway for the purpose of carrying out the works.

Cycle means a device having any number of wheels that is predominantly propelled by human power and on which a person may ride. This definition shall not in any way be construed or interpreted as being inclusive of:

- (a) roller skates or skateboards;
- (b) wheelchairs;
- (c) strollers, baby buggies or other non-motorized vehicles designed to carry infants or young children; or,
- (d) tricycles which are being ridden by a child who is apparently or actually under six (6) years of age.

Dangerous Goods means the same as in the *Transport of Dangerous Goods Act*.

Director means the Director of Public Works Operations or the Director of Infrastructure and Capital Works, as appointed from time to time by the Corporate Officer, to manage the maintenance and construction of the City's infrastructure and capital assets or their authorized representative.

Driveway means any portion of a highway, boulevard and parcel of land which is improved for the purpose of providing vehicular access and storage on the improved parcel of land.

Highway means and includes any road, lane, street, avenue, or other such paved or gravel surface intended for use and access by the public and includes the roadway, shoulder, boulevard, ditch and sidewalk area and whatever lands lie between the property lines of the highway, but shall not include any part or portion of arterial highways as designated by the Lieutenant-Governor in Council.

Idling shall mean the act of running the engine of a motor vehicle while such vehicle is parked.

Impound means the act of removing, detaining, or seizing of a vehicle, whether being driven or not.

Lane means any highway, not exceeding eight (8) meters in width, which separates the rear property lines of parcels of land fronting on highways running more or less parallel to and usually on each side of the lane.

Municipal Police Force means either the Royal Canadian Mounted Police or another police force as authorized to carry out the work of a peace officer by provincial legislation which has been contracted to provide policing services within the City of Quesnel.

Motorized Scooter shall mean any motorized vehicle having a minimum of two wheels which is intended for use by persons whose mobility is severely impaired or limited and may be operated on travelled surfaces intended for the use of pedestrians.

Municipal Ticket means a form, notice or violation ticket provided to a person or vehicle by a Bylaw Enforcement Officer as a result of a contravention of the provisions of this bylaw.

Parade shall mean any procession or body of:

- a) pedestrians marching or walking on any highway or sidewalk in an organized fashion;
or
- b) vehicles standing or moving on a highway in an organized fashion.

Park means the act of decelerating a vehicle to zero (0) kilometres per hour and engaging a locking mechanism to prevent the movement of the vehicle for a period of time.

Parking Area means any portion of a highway reserved for the purpose of parking, a parking facility, or a row of parking stalls situated on the same highway and aligned in the same manner.

Parking Facility means any lands owned or leased by the City which are accessible to the public and intended for the parking of vehicles.

Parking Stall means the portion of a road designated by for the stopping and standing of vehicles as marked by two painted lines on the same lateral side of a highway.

Permit means a form, document, sign, or other such notification issued by an agency having jurisdiction over the matter which authorizes the holder to carry out actions for which the permit was issued.

Traffic Control Device means a sign, signal, line, meter, marking, space, barrier or device placed or erected in accordance with this bylaw.

Trailer means a vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests on and is carried by the motor vehicle.

Two Hour Free Parking Space” means a space or section of a highway in a two hour free parking zone or a space or section of a City operated public parking area marked out or designated pursuant to this bylaw by posted sign, painted lines or other device and designated for the accommodation of a vehicle.

“Two Hour Free Parking Zone” means any highway or portion of any highway or a City operated public parking area designated as such by order of the Director for purpose of establishing two hour free parking spaces therein pursuant to this bylaw.

“Two Hour Free Parking Zone Time Period” means the periods respectively hereinafter specified, that is to say:

- (i) The period between the hours of 9:00 am and 6:00 pm every day except Fridays and holidays; and,
- (ii) The period between the hours of 9:00 am and 9:00 pm every Friday except holidays.

Vehicle and Trailer Combination means a motor vehicle to which a trailer is securely attached by a hitch or other approved locking mechanism to the motor vehicle, but shall not include a commercial vehicle.

3. Interpretation and Application

- (1) The terms defined in this bylaw shall include the past tense, future tense, plural, and adjective of such terms, as the context may require.
- (2) The headings given to the parts and sections in this bylaw are for convenience and reference only, and do not form a part of this bylaw and will not be used for the interpretation of such.
- (3) Any words or phrases contained within parentheses in this bylaw shall not be interpreted as forming a part of this bylaw and are provided solely for the purpose of convenience.
- (4) The Schedules of this bylaw as attached hereto are deemed to be a part of and forming this bylaw.
- (5) The various regulations prescribed in this bylaw are cumulative and not mutually self-exclusive.
- (6) Nothing in this bylaw shall be construed as imposing regulations on the use of arterial highways by motor vehicles, except:
 - (a) where parking stalls on such highways have been made available within municipal boundaries; or,
 - (b) where explicitly provided for in this bylaw and as approved by the Minister responsible for administering the *Transportation Act*, as amended or repealed.
- (7) If any part, section, or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that part, section, or phrase shall be severed from this bylaw, and shall not affect the validity of the remaining portions of this bylaw.
- (8) Words in the bylaw directing or empowering any officer or employee of the City to do any act or thing, or otherwise applying the name of office, includes successors in such office and any lawful deputy, and any person the Council may from time to time by bylaw or resolution designate to act in that officer's or person's place.
- (9) For the purpose of clarity, this bylaw does not revoke, rescind or set aside any obligation or duty of any person prescribed by the *Motor Vehicle Act* or any other Act of the Legislative Assembly of the Province of British Columbia which regulates highways and traffic thereon.

PART II – REGULATORY POWERS

4. Delegation of Authority

(1) The Director is hereby authorized to:

- (a) authorize and cause the placement, alteration, maintenance or removal of such traffic control devices as are necessary to regulate traffic and parking on highways, except for traffic control devices to establish new no-parking zones, oversize parking zones, bus stops or commercial loading zones which have not been approved by a resolution of Council;
- (b) establish time limited parking areas and disabled parking stalls, in addition to such traffic control devices as are necessary to advertise such parking areas and stalls;
- (c) establish within any two hour free parking zone, two hour free parking spaces by signs posted at not less than half block intervals on each side of the street and posted at each entrance to a City owned public parking area within such two hour parking zone; and/or at their discretion by the application of painted lines or other marking to indicate the parking spaces, whether in angular or parallel parking configuration.
- (d) designate portions of a highway adjacent to the curb as bus stops or commercial loading zones;
- (e) authorize the temporary closure of a highway or portion thereof and cause a change in the flow of traffic so as to accommodate construction and maintenance works on a highway;
- (f) establish reduced load limits on highways and erect such traffic control devices to advertise such reduced limits in coordination with the Ministry responsible for highways;
- (g) maintain and repair highways, traffic control devices, sidewalks and any other highway feature; and,
- (h) issue, refuse, suspend, amend, vary or rescind permits issued under this bylaw, after having advised the applicant of such decision, except for permits to temporarily close roads for non-construction or non-maintenance purposes

(2) Bylaw Enforcement Officers are hereby authorized to:

- (a) issue municipal tickets to those persons or vehicles in contravention of any of the provisions of this bylaw or parking bylaw offence notices for contraventions of Section 6 and 7 of this bylaw;
- (b) mark with chalk or another device a tire of each vehicle parked in a parking stall upon which a time limit for such parking has been established, and shall record the time at which such marks were made;
- (c) impound any vehicle, trailer or cycle that is unlawfully occupying a portion of a highway or public lands, conducted in a manner in accordance with the provisions of this bylaw;

- (d) enter upon any property in order to ascertain where a default or violation against this bylaw has occurred, subject to the limits and regulations imposed by this bylaw or the *Community Charter*, and,
- (e) refer any disputed municipal ticket to the Provincial Court or an alternate dispute resolution.

5. Permits and Exemptions from Bylaw

- (1) The operators of the following vehicles shall be exempt from the provisions of this bylaw, unless otherwise expressly provided for in this bylaw:
 - (a) vehicles operated by members of the R.C.M.P., Fire Department, Ambulance Services, and Search and Rescue while on duty and actively responding to an emergency;
 - (b) vehicles identified by insignia or sign as being vehicles owned and operated by the City which are actively engaged in a City function or activity;
 - (c) vehicles operated by such provincial, federal, public utilities, road maintenance, and traffic control personnel while actively carrying out work upon highways or boulevards;
 - (d) vehicles directed in a different manner by traffic control personnel engaged in permitted work or by the lawful orders of a Peace Officer; or,
 - (e) any other vehicle of any individual or corporate entity which is authorized by permit, Council resolution or the Province of British Columbia to carry out works or activities upon highways while actively engaged in such works.
- (2) A person may make an application in the form provided from time to time by the City for a permit to exempt such person or group of persons from certain provisions of this bylaw.
 - (a) Such an application shall:
 - (i) designate the time period for which the exemption shall apply;
 - (ii) specify the requested exemptions;
 - (iii) identify the persons, groups and/or vehicles for which the exemption shall apply, as the case may require;
 - (iv) provide an overview of the use for the road during the period for which the exemption is being sought for; and,
 - (v) any additional information that may be required by the Director.
 - (b) The Director shall review the application and, within thirty days upon receiving such application, shall inform the applicant of:
 - (i) the awarding of the permit and any terms and conditions thereof; or,
 - (ii) the rejection of the application and the reasons thereof.

- (c) The Director may, in consideration of a permit issued under this bylaw, alter, vary, suspend or rescind such permit should it be deemed necessary by them, and shall provide no less than fourteen (14) days of prior written notice of such decision.
- (d) Rejected applications may be appealed by written notice to Council within thirty (30) days of such decision, which shall review the application within thirty days (130) of such notice. The decision by Council to award the permit or reject the application shall be final.

PART III – PARKING REGULATIONS

6. Parking Regulations

- (1) No person shall park a motor vehicle, trailer or combination thereof:
 - (a) on any highway or portion thereof except in a parking stall or where otherwise permitted by a traffic control device or traffic regulation;
 - (b) within one and one half (1.5) meters of an intersection between a driveway or lane and a highway;
 - (c) on or within six (6) meters of:
 - (i) the approach side to a stop sign, yield sign, or other traffic control device which directs vehicles to be temporarily stopped;
 - (ii) the side of the highway adjacent to lands on which a firehall is located;
 - (iii) an entrance or exit from a hotel, theatre, public meeting place, fire hall or fenced playground, unless otherwise permitted by a traffic control device; or,
 - (d) on or within 5 metres of a fire hydrant;
 - (e) on or within fifteen (15) meters of the nearest railway crossing;
 - (f) in any lane less than six (6) meters in width or where such parking would disrupt the flow of traffic, except for commercial vehicles parking in a manner as set out in this bylaw;
 - (g) in an angle parking stall where the length of such vehicle and any trailer attached thereto exceeds six and a half (6.5) meters in length;
 - (h) adjacent to a curb that is painted yellow;
 - (i) on a bridge or other elevated structure or any underpass;
 - (j) in a manner which prevents the removal or movement of any other vehicle previously parked by a person authorized to do so;
 - (k) so as to face the opposite direction of the flow of traffic along the highway;
 - (l) in such a manner so as to obstruct, inhibit or impede:
 - (i) the clearing and removal of snow or ice from a highway;
 - (ii) highway cleaning operations;
 - (iii) collecting solid waste from bins provided for such purpose; and,

- (iv) the regular flow of traffic;
 - (m) in a manner which interferes with a response to an emergency by authorized persons; or,
 - (n) with the vehicle engine idling for a period longer than five (5) consecutive minutes, unless the motor vehicle:
 - (i) is idling while passengers are actively embarking or disembarking;
 - (ii) is idling in lanes of traffic because of traffic congestion, an emergency, or mechanical difficulties;
 - (iii) is an emergency vehicle;
 - (iv) is an armoured vehicle involved in the secure delivery or pickup of goods;
 - (v) is engaged in a parade authorized by the City;
 - (vi) is engaged in a mechanical test or maintenance procedure for which idling is required;
 - (vii) must remain idling so as to power equipment or tools ancillary to the motor vehicle;
 - (viii) must remain idling so as to power a heating or refrigeration system for the preservation of perishable cargo;
 - (ix) is marked as a utility vehicle required to make frequent stops and starts of short duration; or,
 - (x) the engine is being run in order to defrost the windows of the motor vehicle.
- (2) No person without a valid permit or permitted authority for such shall park a motor vehicle, trailer or combination thereof:
- (a) on any lands except in a parking facility in a manner permitted by this bylaw, or as otherwise permitted by the owner or occupier of such property;
 - (b) in a manner which occupies more than one parking stall;
 - (c) further from a curb or the edge of a highway than thirty (30) centimeters;
 - (d) upon any crosswalk, sidewalk or a boulevard where a curb exists;
 - (e) for a longer period of time than that specified by a traffic control device;
 - (f) in a two hour free parking zone for a period of more than two hours during the two hour free parking zone time period;
 - (g) in a designated commercial loading zone or bus stop;
 - (h) in a stall designated for use by disabled persons;
 - (i) at any place where a traffic control device prohibits parking;
 - (j) upon any highway, boulevard or parking facility for the principle purpose of:

- (i) displaying a vehicle for sale;
 - (ii) greasing, painting, wrecking, storing or repairing any vehicle except where such repairs are necessitated by an emergency;
 - (iii) displaying sign or advertisements; or
 - (iv) selling any commodities;
- (k) in a parking facility without a specified time limit for a period longer than 10 hours;
- (l) in a manner which unreasonably obstructs the visibility of a traffic control device;
- (m) alongside or opposite of a highway excavation or obstruction when stopping, standing, or parking obstructs the free flow of traffic; or
- (n) In a parking facility overnight between the hours of 11pm and 7am consecutively.
- (3) No person shall move a vehicle from one location to another within the same block or parking facility to avoid any time limit imposed by a traffic control device or by bylaw on that block.
- (4) No motor vehicle except for buses may make use of bus stops. Any bus which makes use of such bus stops may only park in such a space temporarily.
- (5) No person shall remove, alter, deface, cover up or damage any mark made by chalk on a tire or tires of a vehicle by a Bylaw Enforcement Officer in the course of their duties.
- (6) No motor vehicle except for commercial vehicles may make use of commercial loading zones.
- (7) Notwithstanding any general prohibitions against parking:
- (a) vehicle and trailer combinations may park in parallel parking stalls so long as the front end of the motor vehicle is stopped as close as is reasonably possible and safe to do so to the front edge of the first parking stall so occupied;
 - (b) a person may park a vehicle or vehicle and trailer combination on the right hand portion of the highway in the direction a vehicle is facing in residential areas where there are no parking stalls:
 - (i) where there is no traffic control device restricting such parking;
 - (ii) in a manner which removes the vehicle from the driven portion of the highway to the safest extent possible;
 - (iii) that are not forming a part or portion of an arterial highway;
 - (iv) in a manner which would otherwise be in accordance with this bylaw; or
 - (v) for no longer than seventy-two (72) hours in a calendar month or 30 day period.
- (8) the operator of a motor vehicle which is actively engaged in receiving or discharging a physically disabled person(s) and holding a valid handicap parking permit issued by the

Province of British Columbia may be stopped along the edge of a highway where parking is prohibited.

7. Commercial Vehicle Parking

- (1) A commercial vehicle may park for the purpose of loading and unloading goods from such a vehicle and for no longer than 45 minutes:
 - (a) in a commercial loading zone;
 - (b) in a lane at least six (6) metres in width;
 - (c) in a parking facility; or,
 - (d) in one or more parallel parking stalls adjacent to or opposite of the parcel of land to which the goods are being delivered to in the absence of an available commercial loading zone, lane, or parking facility.
- (2) No commercial vehicle which has a rated capacity in excess of one tonne may be parked for a period longer than three (3) hours on any highway abutting a parcel of land primarily zoned and used for residential purposes.
- (3) Notwithstanding any general limitations on parking, a towing vehicle actively engaged in work requiring them to park in a manner which would otherwise be contrary to this bylaw may be parked as such.

8. Parking Violations

- (1) Where any vehicle is found in violation of the provisions of Section 6 or 7 of this bylaw, the Bylaw Enforcement Officers may issue a Parking Bylaw Offence Notice.
- (2) A person who allows, causes or permits any motor vehicle of which they are the owner or operator to be stopped, standing or parked in contravention of Section 6 or 7 of this bylaw shall be subject to a fine of not less than Seventy-five (\$75.00) dollars, but notwithstanding this section, may arrange to plead guilty to said offence and pay the City the penalties hereinafter provided.
 - (a) Payment received by the City within 48 hours of offence (not including days when City Hall is closed) \$15.00
 - (b) Payment received by the City within 14 days of offence \$25.00
 - (c) Payment received by the City after 15 days of offence \$75.00
- (3) Any person who allows, causes or permits any motor vehicle to be stopped, standing or parked in a stall designated for use by disabled persons without a valid permit as per Section 6 (2)(g) shall be subject to a fine not less than One Hundred Fifty (\$150) dollars.

PART IV – HIGHWAY AND TRAFFIC REGULATIONS

9. Motor Vehicle Traffic Regulations

- (1) No person shall operate a vehicle:
 - (a) on a lane at a greater speed than 20 km/h;
 - (b) along any boulevard, except when parking in accordance with this bylaw; or,
 - (c) having wheels, tires or tracks constructed or equipped with projections which extend beyond the tread or traction surface of the wheel on a highway except for studded tires used between October 1 of any year to March 31 the following year or as otherwise required in order to safely operate a vehicle on roads experiencing severe winter conditions.
- (2) The Director may, by public notice or the placement of signs, prohibit vehicles from being driven or operated on a highway which are not equipped with chains, winter and/or studded tires, sanding devices, or any combination of these which the Director may consider adequate and necessary in consideration of prevailing road conditions.
- (3) No person, while in operation of a motor vehicle, shall drive such vehicle onto any highway if such vehicle's legal axle loading exceeds the established load limit for that road.
 - (a) Where there are no traffic control devices erected upon a boulevard indicating a reduced legal axle loading, any regulation provided by the Province of British Columbia which limits the legal axle loading of vehicles shall apply.
 - (b) Traffic control devices prescribing a limit on legal axle loading:
 - (i) may not prescribe a limit which is in excess of Provincial regulations;
 - (ii) shall specify the limit as a percent value of the legal axle loading for any given vehicle prescribed by Provincial regulation;
 - (iii) may only be placed along the boulevards of highways and arterial highways which are not designated under Schedule "C" as "Restricted to 100% of Legal Axle Loading".
 - (iv) shall be active during periods in which the Province seasonally reduces legal axle loading.
- (4) No person shall operate any off-highway vehicle on any public lands within the City, unless permitted by Council to do so.
- (5) No person operating a motor vehicle shall use an engine brake device or "Jake Brake" within municipal boundaries.
- (6) Motor vehicles carrying dangerous goods:
 - (a) shall only travel on those highways and arterial highways designated under Schedule "B" as a dangerous goods route; and,

- (b) shall only travel on other highways and arterial highways:
 - (i) as required and as directly as possible in order to complete a delivery to the location to which such goods are being carried to; or,
 - (ii) at the direction of the municipal police force or the Director should one of the routes designated under Schedule "B" as a dangerous goods route become impassable.

10. Highway Regulations

- (1) No person without a valid permit shall, either by their own actions or their own authorization:
 - (a) dig up, plant, break, remove, or excavate in or under any part of a highway;
 - (b) drive, drag, or skid anything along or over a highway that damages the surface of the highway;
 - (c) cause damage to, cut down or remove trees, plants, shrubs, fences, grass, signs or other things on a highway;
 - (d) plug or stop up the flow of water through any drain, sewer or culvert on, through or under a highway;
 - (e) erect any such barrier upon a highway which would impede or redirect traffic or deface a highway;
 - (f) place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a highway;
 - (g) construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, injury or nuisance to any portion of a highway;
 - (h) alter, tear down or remove any sign, advertisement or guide-post erected or maintained on a highway;
 - (i) construct a boulevard crossing, including a curb, ditch, pathway or sidewalk crossing;
 - (j) display any goods, merchandise, chattel or ware of any nature upon any boulevard or highway;
 - (k) deposit or allow any earth, rock, stones, logs, stumps, woody debris, snow, ice or other materials to cave, fall, crumble, slide or accumulate from any property onto a highway, or having done so permits the debris to remain thereon;
 - (l) occupy any portion of a highway or the airspace above the highway to maintain, clean, construct, alter, repair, demolish, or move a building, structure, sign, awning or part thereof;
 - (m) mark, imprint or deface in any manner whatsoever a highway or structure thereon;
 - (n) install or erect any traffic control device, or the likeness thereof, on or within sight of a highway;

- (o) camp on a portion of a highway not designated for that purpose, whether in a tent, trailer, motor home or other temporary accommodation or recreational vehicle;
 - (p) use a crane or forklift to pick-up or carry a load on or over a highway or other city owned property; or,
 - (q) undertake blasting or any other use of explosives on or over a highway or other City owned property, except for the lawful use of fireworks.
- (2) No person shall coast or slide with sleds, skis, or other apparatus on any highway or other public place, except where such areas are authorized by Council for such use and have been closed to motor vehicle traffic.
- (3) No person without prior Council authorization shall:
- (a) form part of a group of persons congregated on a highway in such a manner which obstructs the free passage of pedestrians or vehicles; or,
 - (b) do anything which will attract the attention of other persons and cause them to congregate in a group upon any highway in such manner so as to obstruct the free passage of pedestrians or vehicles,;
- unless such a person is on a sidewalk or actively using a crosswalk to cross a highway.
- (4) No person shall occupy any portion of a parking area or highway, except for sidewalks and boulevards, for the purpose of distributing leaflets, pamphlets, or any other form of printed advertisement, except for the Bylaw Enforcement Officer when issuing a municipal ticket.
- (5) A person distributing leaflets, pamphlets, or any other form of printed advertisement shall not distribute or place such printed advertisements onto vehicles, posts, or traffic control devices.
- (6) Any person responsible for altering any highway or boulevard feature shall remove any debris, waste, structures, materials or any other substance not present prior to the works being conducted from the highway, boulevard or abutting lands of such works.
- (7) Where any vehicle or other chattel is left in such a position that causes it to interfere with:
- (a) fire-fighting equipment, emergency vehicles, or emergency operations equipment;
 - (b) the normal flow of traffic on a highway; or,
 - (c) the construction, improvement, maintenance, alteration, extension, widening, marking, repair, removal of snow from, or sweeping of a highway by a person authorized to do so;
- a Bylaw Enforcement Officer may take such action as necessary to remove such chattels from the road.
- (8) No person shall park a trailer upon any road or right of way unless attached to a vehicle by which it may be propelled or drawn unless it is an emergency.
- (9) No person shall park a vehicle or trailer on any road, boulevard, parking lot or public place without having valid insurance and license plate.

PART V – NON-MOTOR VEHICLE REGULATIONS

11. Sidewalks

- (1) The owner or occupier of any real property as designated in “Schedule A” of this bylaw shall remove snow, ice and litter from any sidewalk in front of or adjacent to such real property and apply such materials as are necessary to create sufficient surface traction for pedestrians not later than 10:00 AM in the morning.
 - (a) In the event of failure by the owner or occupier to clear designated sidewalks adjacent to their property, the City may remove snow, ice and litter at the expense of the owner or occupier, at a minimum fee of \$100 per instance.
 - (b) Such costs incurred by the City in clearing designated sidewalks which remain unpaid by December 31 of the same year shall be a charge or lien on the lands affected and deemed taxes in arrears.
- (2) No person shall obstruct or impede snow removal from a sidewalk by a person authorized to do so.
- (3) No person shall obstruct or block a sidewalk without first obtaining a permit.
- (4) No person shall erect, construct, maintain or place any structure, fixture, or furniture on sidewalks, except where permitted to do so by bylaw or permit.
- (5) The owner or occupier of any real property not designated in “Schedule A” shall remove snow and ice from all sidewalks in front of or adjacent to such real property within 24 hours following a snow or ice event. The City will assist with snow removal on sidewalks not designated in “Schedule A” as time allows during a snow event.

12. Pedestrians

- (1) Pedestrians seeking to cross a highway at any place except for a crosswalk shall yield the right-of-way to oncoming vehicles on the highway.
- (2) No pedestrian shall cross a highway in front of a bus which has stopped to load or unload passengers, except at a crosswalk.
- (3) No pedestrian shall stand on the travelled portion of a highway while waiting to cross a highway, unless:
 - (a) their view from the sidewalk is obstructed in such a manner which prevents them from determining if it is safe to cross;
 - (b) there is no other location within 10 meters from which it would be reasonable to cross; and,
 - (c) they are not impeding the free movement of motor vehicle traffic.
- (4) No pedestrian shall walk upon a highway where there is any sidewalk that is reasonably passable on either or both sides of the highway.

- (5) No person shall obstruct the free flow of traffic along a sidewalk by squatting, kneeling, sitting, or lying down on it, unless the person is:
 - (a) occupying a wheelchair;
 - (b) responding to a medical emergency;
 - (c) sitting on any seating provided for or permitted by the City for public use; or,
 - (d) holding or attending any outdoor event which has been permitted by the City or Council.
- (6) No person shall solicit any other person:
 - (a) so as to interfere with, obstruct or impede the convenient passage of any motor vehicle or pedestrian traffic;
 - (b) within five (5) metres of:
 - (i) the entrance or exit to a bank, automated teller machine, credit union, trust company or other financial institution;
 - (ii) a bus stop or bus shelter; or,
 - (iii) the entrance or exit to a movie theatre or liquor store;
 - (c) who is travelling on a lane, a space between buildings which is less than 6 metres in width, or an enclosed or elevated walkway, including but not limited to the footbridge;
 - (d) who is occupying a vehicle that is parked or stopped in traffic;
 - (e) after a negative response has been provided by the person being solicited.

13. Cycles, Roller Skates, and Skateboards

- (1) No person shall:
 - (a) propel, coast, ride or in any other way use a cycle or skateboard upon a sidewalk or walkway, and where it would be unsafe to operate such cycle or skateboard upon a highway, they shall dismount and walk alongside such cycle or skateboard; or,
 - (b) use roller skates on any sidewalk or walkway in such a manner so as to create a hazard or impede the free movement of pedestrians.
- (2) A person riding on a cycle or skateboard may make use of a crosswalk at an intersection, but shall not create a hazard to pedestrians making use of such crosswalk.
- (3) No person shall leave a cycle or skateboard on a highway or public lands in a position which obstructs the free movement of or creates a hazard to the safety of any traffic.

14. Motorized Scooters

- (1) A person operating a motorized scooter shall have the same rights and duties as pedestrians in addition to the rights and duties contained under this section.
- (2) Motorized scooters shall only be operated on:

- (a) sidewalks where provided for public use; or,
 - (b) the right hand portion of a highway surface as close as reasonably possible to an adjacent curb or boulevard in locations where there are no sidewalks provided for public use.
- (3) Persons operating motorized scooters shall:
- (a) place a brightly coloured flag attached to a semi-flexible pole of no less than one half (0.5) of a meter and no more than one (1) meter in length;
 - (b) attach an audible warning device to such scooter;
 - (c) not obstruct entrances or exits to any building; and,
 - (d) not travel at a faster speed than pedestrians on the same sidewalk.

PART VI – SPECIAL TRAFFIC REGULATIONS

15. Special Events, Parades and Processions

- (1) Any person desiring to hold a parade, special event or procession upon any portion of a highway which will require a highway closure shall at least thirty (30) days prior to the date of such an event make application in writing to Council.
- (2) An application to Council to permit a parade or other event shall contain:
 - (a) the name and address of the applicant;
 - (b) the nature and object of such parade or event;
 - (c) the month, day and hours during which the parade or event will be held;
 - (d) a description or map of the intended route of the parade and the assembly and dispersal areas, or in the case of an event any traffic control plans; and,
 - (e) a description of the composition of the parade, if the application is sought for a parade.
- (3) Council may, prior to issuing a permit under this section, impose any directions deemed necessary as to the time, route, or other characteristic of a parade, which shall be considered as conditions of the permit.
- (4) Council may approve or deny a permit for the temporary closure of a highway to allow for a special event, parade, or procession by way of a resolution of Council.
 - (a) Such temporary use must not occur for a longer period of time than designated by Council, which in no case shall exceed a maximum of seven (7) consecutive days.
 - (b) Such temporary use may be permitted so as to allow an annual use which is set on or around a certain day or time of year for a period of no more than five years.
- (5) No person shall be a member of or take part in a parade unless:
 - (a) such parade is under the direction or control of a person who is identifiable as the organizer;

- (b) a written permit for such parade has been issued to such organizer by Council in accordance with this bylaw.
- (6) Where a road has been temporarily closed by Council for the purposes of accommodating a special event, parade or procession, the person(s) to which the exemption is granted to shall:
 - (a) provide for the organization of any obstructions placed along on a highway or sidewalk so as to minimally inhibit traffic; and,
 - (b) return the highway or sidewalk to such a reasonable state similar to that prior to the highway being closed.
- (7) The Director shall cause the placement of such traffic control devices as are necessary to limit vehicular traffic onto a closed highway.

16. Construction Zones

- (1) A person authorized to alter, repair, maintain or construct a highway shall do the following in respect of such, with the approval of the Director:
 - (a) erect and place such traffic control devices near the approach to such works as are necessary to direct the flow of traffic in a different manner than provided for by this bylaw or the *Motor Vehicle Act*,
 - (b) where such works shall cause the highway to be wholly occupied by the works and be incapable of providing for the passage of traffic in a single direction, such traffic control devices as are necessary to advertise and provide for an alternative route shall be placed and erected along the approach to the works and the alternative route;
 - (c) provide for traffic control personnel as deemed necessary to alter the flow of traffic on a highway.
- (2) The speed limit in construction zones shall be modified and posted as deemed necessary for the length of the highway the works are being conducted on or adjacent to and 12 meters on approach to either side of the highway or as otherwise deemed necessary by the Director.

17. Conflicting Signs, Permits and Notices

- (1) No person other than the owner or operator of a vehicle shall remove any municipal ticket placed on or affixed to a vehicle for a violation of this bylaw.
- (2) No person shall display or suffer or permit to be displayed upon their vehicle any card, sticker or certificate:
 - (a) claiming to evidence any exemption from the provisions of this bylaw; or,
 - (b) claiming a special right to park in any traffic zone;unless such card, sticker or certificate has been duly issued under the provisions of this bylaw.

- (3) No person shall move, remove, deface or in any manner interfere with any traffic control device placed, erected or maintained under this bylaw.
- (4) No person shall place, maintain or display any sign, signal, marking or device which claims to be or impedes the visibility of a traffic control device.

18. Impoundment and Recovery of Vehicles

- (1) A Bylaw Enforcement Officer may impound:
 - (a) a motor vehicle which has unlawfully occupied a portion of a highway for a period of more than 24 hours after having a municipal ticket issued against it;
 - (b) any cycles, skateboards, roller skates or other non-motorized vehicle found unattended and obstructing the free movement of vehicular or pedestrian traffic or,
 - (c) any other chattel that is unlawfully occupying a portion of a highway, parking area, or public lands.
- (2) A Bylaw Enforcement Officer may impound a motor vehicle through the use of:
 - (a) a wheel clamp device designed to prevent a motor vehicle from being moved; or,
 - (b) a motor vehicle equipped with a towing device and licenced accordingly in order to enact the removal of a motor vehicle from a highway.
- (3) The owner of a a vehicle or other chattel impounded under this bylaw must pay the applicable fees and charges established under City of Quesnel Fees and Charges Bylaw No. 1684 No. 1683, as amended or repealed.
- (4) If a vehicle, chattel or other obstruction is impounded, written notice will be given to the registered owner at their registered address within 30 days of the impoundment, and shall advise the owner of:
 - (a) the impoundment of the vehicle or chattel;
 - (b) the sum payable for the release of such seized vehicle or chattel; and,
 - (c) the date of its intended disposal if the vehicle or chattel remains unclaimed within the specified period.
- (5) Any vehicle or chattel which has been impounded may be recovered by the owner if:
 - (a) the owner has paid applicable fees and charges for the costs of impoundment and storage of such vehicle.
- (6) A vehicle that has not been redeemed by the payment of applicable fees and charges may be subject to further impoundment and sale by public auction.

The City may recover monies owing under this section for unpaid fees and charges, and for any expenses incurred by the City that are not covered by the fees and charges, by sale of an impounded vehicle or other chattel at a public auction or by other lawful means.

PART VII – BYLAW OFFENCES AND PENALTIES

19. Offences and Penalties

- (1) A person must not interfere, disrupt or impede the actions of a Bylaw Enforcement Officer who is exercising their lawful duties.
- (2) Every person who:
 - (a) contravenes any provision of this bylaw;
 - (b) causes, permits, suffers or allows any act or thing to be done in contravention of this bylaw; or
 - (c) neglects to do or refrains from doing anything required to be done by any provision of this bylaw,commits an offence, and if the offence is a continuing one, each day the offence continues amounts to a separate offence.
- (3) This bylaw may be enforced:
 - (a) by means of a ticket in the form prescribed for the purpose under the Community Charter, and fines of up to \$1,000 imposed for offences under the City of Quesnel Municipal Ticketing Information Bylaw 1774, 2015;
 - (b) by proceedings brought under the *Offence Act*; or
 - (c) by any other proceedings authorized by law.
- (4) On being convicted of an offence under this bylaw, a person is liable to pay a fine of up to \$10,000, the costs of prosecution, and compensation for any loss or damages resulting from the offence.
- (5) Where any activity, matter or thing is required to be done by any person pursuant to this bylaw, and it remains undone, it may be done by the City at the expense of the person in default.

20. Repeal of Bylaws

- (1) The following bylaws and all amendments thereto are hereby repealed:
 - (a) Street and Traffic Bylaw No. 394A of 1965;
 - (b) Impounding By-Law No. 395 of 1965;
 - (c) Off-Street Parking By-Law No. 466 of 1968;
 - (d) City of Quesnel Highway Bylaw, 1984, No. 977;
 - (e) City of Quesnel Parking Bylaw No. 1200, 1992;
 - (f) Quesnel Skateboard Regulation Bylaw No. 1418 of 1998; and,
 - (g) City of Quesnel Transportation of Dangerous Goods Bylaw No. 1006 of 1985.
- (2) Any existing traffic control devices, parking stalls, and parking facilities located throughout the municipality which were approved under the bylaws repealed by this bylaw are deemed to have been authorized in accordance with the provisions of this Bylaw.

READ A FIRST TIME this 5th day of October, 2015.

READ A SECOND TIME this 5th day of October, 2015.

READ A THIRD TIME this 30th day of November, 2015.

APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE PURSUANT TO SECTION 124(13) OF THE MOTOR VEHICLE ACT AND PURSUANT TO SECTION 23 OF THE TRANSPORT OF DANGEROUS GOODS ACT THIS 7th DAY OF DECEMBER, 2015.

Designated Representative of the Minister
for the Ministry of Transportation and Infrastructure

FINALLY ADOPTED by a Majority of Council this 15TH day of December, 2015.

MAYOR,
Bob Simpson

CORPORATE OFFICER,
Byron Johnson