

**VILLAGE OF CHASE
BYLAW NO. 732 - 2011**

STREETS AND PARKING BYLAW

A Bylaw to Regulate Streets and Parking

(CONSOLIDATED FOR CONVENIENCE ONLY, INCLUDING BASE BYLAW NO. 732-2011 AND AMENDMENT BYLAW NO. 828-2016)

WHEREAS the Council of the Village of Chase is empowered and authorized pursuant to the Community Charter to regulate, prohibit and impose requirements respecting public places including highways within the Village of Chase; and

WHEREAS the Council of the Village of Chase deems it desirable and expedient to provide for such legislation and its enforcement.

NOW THEREFORE the Council of the Village of Chase, in the Province of British Columbia, hereby **ENACTS AS FOLLOWS:**

1. Title

This bylaw may be cited for all purposes as the “Streets and Parking Bylaw No. 732-2011”.

2. Repeal

Village of Chase Highway, Traffic and Parking Regulations Bylaw No. 482, 1993 and all amendments thereto are hereby repealed in their entirety.

3. Definitions

In this Bylaw:

“**BOULEVARD**” means that portion of a highway which extends from the edge of the travelled portion to the property line and includes sidewalks.

“**BYLAW ENFORCEMENT OFFICER**” means a Peace Officer, Bylaw Enforcement Officer or designate and any other person duly authorized by the Council.

“**HIGHWAY,**” “**MOTOR HOME,**” “**MOTOR VEHICLE,**” “**TRAILER**” and “**VEHICLE**” all have the same meanings as they are defined in the Motor Vehicle Act.

“**NUISANCE**” means any act or omission which obstructs or causes inconvenience or damage to a segment of the public in the exercise of rights common to all members of the public. (Amending bylaw 828-2016)

“ROAD RIGHT OF WAY means the entire width of a dedicated highway as shown on a legal survey plan.

“STORE” means the parking of any type of vehicle including motor homes and trailers, either partially or entirely on the road right of way, boulevard or any public property, whether licensed or unlicensed, in a manner that contravenes any provisions of the Motor Vehicle Act, any provisions of this Bylaw, signage placed by the Village or under any circumstances for a period of time that exceeds 3 days.

“SUPERVISOR OF PUBLIC WORKS” means the head of the Village of Chase Public Works Department or during that person’s absence, their alternate.

4. Parking

It is an offence against this Bylaw for any person to park any vehicle;

- (1) on either side of Pine Street from Third Avenue to the Pine Street Bridge over the South Thompson River;
- (2) on either side of Haldane Street between Shuswap Avenue and Sicamous Avenue, except on the northeast side of Haldane Street where parking is permitted for loading purposes for a maximum of 15 minutes at any one time provided that traffic is still able to pass;
- (3) on the north side of Second Avenue;
- (4) on any roadway or boulevard in contravention of signage placed by the Village of Chase;
- (5) in a place or manner that, in the opinion of a Bylaw Enforcement Officer, creates a safety hazard for vehicles or pedestrians;
- (6) in a place or manner that, in the opinion of the Supervisor of Public Works, inhibits or interferes with any work or plan of work to be performed by Village employees or contractors hired by the Village of Chase;
- (7) in a place or manner that obstructs clear and safe vehicular access through the usual route to or from any property;
- (8) on a boulevard or any public property for the primary purpose of selling the vehicle or conducting any other unauthorized business including the offer to sell goods or services;
- (9) on any part of a road right of way or on any public property if unlicensed or in the case of a trailer, if unlicensed or unattached to a motor vehicle licensed and capable of pulling the trailer;
- (10) with a gross vehicle weight of 7000 kilograms or greater on any highway in the Village of Chase unless the highway is in an area zoned as Service Commercial, Highway Commercial or Industrial in the Village of Chase Zoning Bylaw and is done so in accordance with all provisions of this Bylaw and all other Village of Chase Bylaws.

5. Storage

It is an offence against this Bylaw for any person to store any vehicle;

- (1) on a boulevard, road right of way or any other public property. In cases where a licensed, self-propelled vehicle is being stored on the boulevard, road right of way or public property in a manner that does not contravene the Motor Vehicle Act, pose a safety hazard or otherwise interfere with Village operations, the owner will be provided with a 7-day notice to comply before enforcement may be taken. In all other cases immediate enforcement may be taken.

6. General Prohibitions:

- (1) No person shall place, pile, cut, saw, modify materials consisting of snow, rock, wood, concrete, mortar, or other debris or material, or cause a nuisance, or do any act upon any public property including parks, highways, boulevards, sidewalks, roads, lanes, and rights-of-way which causes damage to same or which impedes vehicular or pedestrian. (Amending bylaw 828-2016)

Exceptions:

Businesses on the following blocks:

- 500 Shuswap Avenue;
- 600 Shuswap Avenue;
- 700 Shuswap Avenue;
- 800 Shuswap Avenue;
- Southeast side only 700 First Avenue;
- Southwest side only 100 Pine Street;
- 100 Wilson Street;
- Northeast side only 100 Haldane Street;
- 100 Chase Street; and,
- 200 Chase Street,

are permitted to place snow from the sidewalk in front of their place of business into the gutter under the following conditions:

- a cement, asphalt or brick sidewalk exists in front of the business;
- a curb and gutter is associated with the sidewalk;
- the premise abuts the sidewalk and no front yard exists in which to store snow;
- the snow placed in the gutter is only from the sidewalk immediately in front of the business and not any other portion of the property or any parking space; and,

- (2) Where a person has placed snow, rock, wood, concrete, mortar or other items, debris or material from private property onto any parks, highways, boulevards, sidewalks, roads, lanes, and rights-of-way or from any part of a public boulevard, sidewalk or sidewalk crossing onto any parks, highways, boulevards, sidewalks, roads, lanes, and rights-of-way without the written permission of the Village or unless otherwise exempted by this Bylaw, it may be removed by the Village or its agents and the cost of such removal shall be charged to the owner of the private property or the owner of the removed items, and, after 30 days, costs may also be recovered by sale of the removed items. (Amending bylaw 828-2016)
- (3) Owners and occupiers of a property that is next to a highway must clear the public sidewalk, if there is one, of snow and ice accumulation in such a manner that the sidewalk may be safely used by pedestrians.
- (4) No person shall ride, push, drive, coast upon or otherwise propel or use a skateboard, push scooter, bicycle or other wheeled implement except a wheelchair or similar necessary mobility implement, on a sidewalk between the hours of 8:00 a.m. and 8:00 p.m. on Shuswap Avenue between Willson Street and Coburn Street.
- (5) Owners and occupiers of a property that is adjacent to a highway must keep the grass and weeds on the boulevard cut so that it at no time exceeds six inches in height and must generally keep the boulevard clean and free of excessive debris and materials.
- (6) No person may plant trees, shrubs or other plants on a boulevard or place pavement, concrete, brick, gravel or any other material to extend a driveway or for any other purpose, on a boulevard without the written permission of the Supervisor of Public Works.
- (7) No person may allow their personal property which includes but is not limited to, things such as basketball hoops, sheds, building materials, etc. to be placed on or remain on a boulevard or any other public property.
- (8) A person in charge and control of a horse shall not permit or allow the horse to be on a sidewalk.

7. Enforcement

- (1) A Bylaw Enforcement Officer may enforce this Bylaw and issue a penalty for contravention of any provision of this Bylaw in accordance with any of the provisions in section 8.

8. Offences and Penalties

- (1) Every person who violates a provision of this Bylaw or who permits any act or thing to be done in contravention or in violation of any provision of this bylaw is guilty of an offence against this bylaw and liable to any actions and penalties hereby imposed, and is subject to any of the following deemed to be most appropriate by the Bylaw Enforcement Officer:
- (a) a fine in accordance with the Village of Chase Municipal Ticket Information Bylaw if an information respecting the infraction is laid by means of a ticket; or
 - (b) having their vehicle towed and stored by a contractor hired by the Village. In such cases all costs for towing and storage shall be the responsibility of the vehicle owner and are payable directly to the towing company by the vehicle owner; or
 - (c) upon summary conviction, a fine not less than \$200.00 and not exceeding \$2,000.00 and the costs of prosecution.

Each day that a violation continues to exist shall constitute a separate offence.

(Amending bylaw 828-2016)

9. Severability

If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity does not affect the remaining portions of the Bylaw.

READ A FIRST TIME THIS 12th DAY OF APRIL, 2011

READ A SECOND TIME THIS 12th DAY OF APRIL, 2011

READ A THIRD TIME THIS 12th DAY OF APRIL, 2011

ADOPTED THIS 26th DAY OF APRIL, 2011.

X
H. Danyluk, Mayor

X
L. Randle, Corporate Officer