

VILLAGE OF CHASE

BYLAW NO. 482

A Bylaw to Regulate Traffic, Parking and the use of all Public Streets, Boulevards and Sidewalks within the Village of Chase

WHEREAS: Section 120 of the Motor Vehicle Act empowers the Council by Bylaw not inconsistent with or derogatory to that Section to make sundry provisions for the regulations of Traffic and use of Highways within the Municipality.

WHEREAS: Section 579 to 584, inclusive of the Municipal Act, C290 empowers the Council to regulate Traffic, Highways and uses of Highways within the Municipality other than Traffic.

NOW THEREFORE: the Council of the Village of Chase IN OPEN MEETING ASSEMBLED, HEREBY ENACT AS FOLLOWS:

1. INTERPRETATION:

In this Bylaw, unless the context otherwise requires, all words have those meanings assigned to them under the Motor Vehicle Act and the Municipal Act.

"COMMERCIAL VEHICLE"

means a vehicle engaged in carrying or which is designed to carry goods, wares or merchandise and which is licenced as a commercial vehicle under the appropriate Municipal or Provincial Laws and Regulations.

"HIGHWAYS"

includes every Highway within the meaning of the Highway Act and every Road, Street, Lane or Right-of-way designated of vehicles and everyplace owned and operated by the Village of Chase for the purpose of providing off-street parking or for the use of pedestrian or cycle traffic.

"LANE"

includes every Highway within the meaning of the Municipal Act which is six (6) metres or less in width.

"PARADE"

means any procession or body of pedestrians, numbering more than fifteen (15) people, standing, marching or walking upon any Highway or Sidewalk, or any group of vehicles numbering ten (10) or more moving upon any Highway.

"PERSON"

means persons of either sex, associations, corporations, bodies politic and partnerships, whether acting by themselves or by a servant, agent or employee and the singular when necessary includes the plural and the masculine, the feminine.

"PEACE OFFICER" includes a person appointed by the Council to enforce the provisions of this Bylaw.

"RESIDENTIAL DISTRICT"

means any area zoned or currently used for residential land use in the Village's current Zoning Bylaw.

"SIDEWALK" means the area between the curb-line or travelled portion of a roadway and the adjacent property-lines, improved for use of pedestrians.

"SIDEWALK CROSSING" means that portion of a sidewalk permanently improved or designed for the passage of vehicle traffic.

"STREET LINE" means the dividing line between any private property and the adjoining street.

"VILLAGE FOREMAN" means the Public Works Foreman or acting Public Works Foreman for the Village of Chase.

2. TRAFFIC CONTROL DEVICES

2.(a) All traffic control devices placed or erected prior to the adoption of this Bylaw are deemed to be authorized by this Bylaw and shall continue to have force and effect until or unless subsequently altered, removed or revoked by resolution of Council, and every pedestrian and every driver shall obey the directions, instructions, limitations, restrictions or prohibitions of all traffic control devices.

2.(b) Traffic control devices shall be erected or placed by the Village Foreman at such locations as the Council, by resolution, may stipulate from time to time.

2.(c) Except with the approval of the Village Council, a person shall not place, maintain or display upon or in view of any Highway, any sign, signal, mark or device purporting to be imitating or resembling any Traffic-Control Device, or which attempts to direct the movement of traffic or parking of vehicles; or operate any light or sign system which could be confused with a Traffic Control Device.

2.(d) Except with the approval of Village Council, a person shall not move, remove, deface, damage, alter or obstruct the view of or otherwise interfere with any lawfully placed Traffic-Control Device, nor shall any person walk or drive on or over any newly painted line on any highway, the presence of which is indicated by flags, barricades or pylons.

2.(e) The Village Foreman may on any Highway where construction, reconstruction, widening, repair, marking or any other work is being carried out by the Village Crew, place or erect or cause to be placed or erected Traffic-Control Devices indicating men/or equipment are working upon the Highway.

2.(f) The Village Foreman may on any Highway place or erect or cause to be placed or erected Traffic-Control Devices to regulate or prohibit traffic where deemed necessary to ensure the orderly movement of Traffic, or to prevent injury or damage to persons or property, or to prevent injury or damage to the Highway including Road load restrictions and where such Traffic-Control Devices are so placed or erected they shall have the same force and effect as if placed or erected by resolution of Council.

2.(g) Any Officer or Member of the Fire Department of the Municipality, in the course of his duty in or about any fire or accident, may direct traffic on any street in the Municipality.

3. GENERAL PROHIBITIONS

3.(a) A person shall not sleigh-ride or toboggan on any highway or sidewalk.

3.(b) A person shall not form part of a group of persons congregated on a street or sidewalk in such a manner as to obstruct a free passage of pedestrians or vehicles.

3.(c) A person shall not be a member of or take part in any parade unless:

(i) that parade is under the direction or control of some one person as marshal or organizer.

(ii) that written permission for such parade has been issued to the marshal or organizer by the Municipal Clerk and authorized by a resolution of Village Council.

3.(d) A person shall not drive any vehicle through any School Zone or Playground designated by appropriate traffic signs at a speed greater than 30 kilometers per hour.

3.(e) A person shall not drive any vehicle through any School crosswalk or other designated place on any highway when:

(i) there are School Children in that crosswalk; or

(ii) it is indicated not to do so by the member of any School Patrol.

4. TRAFFIC REGULATIONS

4.(a) A person with a motor vehicle or by other means shall not obstruct traffic on any Highway nor the free use of any curb crossing or driveway providing access to private property. This sub-section shall not be construed as prohibiting the assembling of persons to watch a lawful parade.

4.(b) A person shall not place or cause or suffer to be placed by any person in his employ or control, any merchandise, vehicle, chattel or wares of any nature on any Highway or sidewalk for the principal purpose of sale or display or for measuring, packing or unpacking wares or merchandise or for any other purpose whatsoever other than provided for under sub-section (d).

4.(c) A person shall not deliver or pick up any goods, wares or merchandise or fuel across any sidewalk except by way of a loading or commercial zone, a lawfully established curb-crossing, or a temporary boardwalk laid across the sidewalk for its protection.

4.(d) A person shall not drive any vehicle along, over or across any sidewalk at any place other than a lawfully established curb-crossing.

4.(e) A person shall not drive any vehicle of any kind having wheels, tires or tracks constructed or equipped with projecting spiked, cleats, ribs, clamps, flanges, lugs or other attachments or projections engaging the roadway along, on or across any bridge or hard surface highway within the Village without first obtaining the written permission of the Village Foreman who shall determine which bridges and highways may be used and the conditions of such use. Nothing herein contained shall be construed as prohibiting the use of tire chains or studded winter tires.

5. PARKING REGULATIONS

5.(a) A person shall not park any vehicle for a period exceeding the time limit on any Highway where signs have been erected limiting the length of time a vehicle may be parked. Nothing in this section shall alleviate the owner or occupant from providing off-street parking in accordance with the Village's current Zoning Bylaw and amendments thereto.

5.(b) (i) On other than a one-way Highway every driver of a vehicle parking at the curb shall do so with the right-hand side of the vehicle parallel to the curb and the wheels of the vehicle not more than thirty (30) centimeters from the curb except where angled parking is permitted.

(ii) Upon any Highway which has been marked with a sign indicating one-way traffic only, the driver of a vehicle shall park the vehicle with the front thereof pointing in the authorized direction of travel and parallel to the curb with the wheels closest to the curb, not more than thirty (30) centimeters from the curb.

5.(c) A person shall not park a vehicle at a place where signs indicate that angle parking is permitted other than at an angle indicated by parking lines marked on the Highway with the right front wheel of the vehicle not more than thirty (30) centimeters from the curb.

5.(d) A person shall not park a vehicle on any highway for a period in excess of seventy-two (72) hours; except in a residential area and where the Village may, at its discretion, after receipt of a written application, issue permits for extended parking.

5.(e) A driver shall not park any vehicle or any combination of vehicles in an angle parking space if such vehicle or combination of vehicles have a length of seven (7) meters or more.

5.(f) A person shall not park any utility or boat and/or house trailer on any Highway unless attached to a vehicle by which it may be moved or propelled, and when so attached, the trailer shall be deemed a part of the vehicle and subject to the regulations governing vehicles.

5.(g) A person shall not park anytime between 7:00 P.M. and 7:00 A.M. any commercial or industrial trailer or commercial or industrial vehicle with a gross vehicle weight of 7000 kilograms or more on any Highway or property in a residential or commercial area other than those areas zoned

as Highway Commercial or Industrial in the Village of Chase Zoning Bylaw. A person shall not park anytime between 7:00 P.M. and 7:00 A.M. any vehicle on the Municipal Office Parking lot at 809 Shuswap Avenue, Chase, B.C.

- 5.(h) (i) A person shall not stop, stand, or park any vehicle in any lane so as to obstruct or impede the flow of traffic in such lane.

(ii) A person shall not stop, stand or park any vehicle in any lane so as to obstruct the free movement of vehicular traffic into or out of any driveway or private road, garage or carport adjoining such lanes.
- 5.(i) A driver of any vehicle shall not stop such vehicles;

(i) in any loading zone except for the purpose of loading or unloading passengers, goods or materials.

(ii) in any passenger zone except for the purpose of loading or unloading passengers.
- 5.(j) A person shall not park a vehicle on private land which has been clearly marked as such by a sign erected by the owner, tenant or his agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge of the said private land.
- 5.(k) Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a Peace Officer, or traffic control device, a person shall not stop, stand, or park a vehicle:
 - (i) on a sidewalk or boulevard;
 - (ii) in front of a public or private driveway;
 - (iii) within an intersection except as permitted by sign;
 - (iv) on a crosswalk;
 - (v) within six (6) metres upon the approach to any stop sign or traffic control signal located at the side of a Highway;
 - (vi) adjacent to a curb painted yellow;
 - (vii) within fifteen (15) metres of the nearest rail of a railway crossing;
 - (viii) upon any Highway for the principle purpose of;
 - 1.displaying a vehicle for sale;
 - 2.advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency;
 - 3.displaying signs;
 - 4.selling flowers, fruit, vegetables, sea foods, or other commodities or articles;
 - (ix) alongside or opposite a Highway excavation or obstruction;

- (x) on the Highway side of a vehicle stopped or parked at the edge or curb of a Highway;
- (xi) upon a bridge or other elevated structure upon a Highway, except as permitted by a traffic control device;
- (xii) in a place in contravention of a traffic-control device that gives notice that stopping, standing or parking is there prohibited or restricted;
- (xiii) in such a manner as to obstruct the visibility of any standard traffic sign erected by or with the authority of the Village Foreman.

5.(l) (i) A person shall not wash a vehicle upon a Highway or so near a Highway as to result in creating slush or ice or the depositing of mud or water upon a public sidewalk or roadway.

(ii) A person shall not drain the radiator of a vehicle on a Highway so that the contents of the radiator fall upon the Highway.

5.(m) (i) Where a vehicle is standing or parked:

- 1.in violation of any of the provisions of the bylaw; or
- 2.in a position that causes it to interfere with removal of snow, ice or sand from a Highway or sidewalk by a person authorized to do so by the Village Foreman;
- 3.in a position that causes it to interfere with fire fighting; or
- 4.in a position that causes it to interfere with the normal flow of traffic on the Highway; or
- 5.in a position that causes to interfere with the construction, improvement, alteration, extension, widening, marking, repair or maintenance of a Highway

the Village Foreman may move the vehicle or require the driver or person in charge of such vehicle to move it to a position determined by the Village Foreman or move the vehicle or take the vehicle into his custody and cause it to be taken to and stored in a safe and otherwise suitable location

5.(m) (ii) When an unattended vehicle is;

- 1.parked in violation of any of the provisions of this Bylaw; or
- 2.apparently abandoned on or near a Highway; or
- 3.without proper or valid licence plates displayed as required by the British Columbia Motor Vehicle Act,

The Village Foreman may take such vehicle into his custody and cause it to be taken to and stored in a safe and otherwise suitable location.

(iii) Where a vehicle is standing or parked in a position that causes it to interfere with the removal of snow from a Highway or lane by a person authorized to do so by the Village Foreman, the person so authorized may;

1. move the vehicle; or
2. cause it to be moved.

(iv) All costs and charges for the removal, care, storage of a vehicle removed under this Section shall be paid by the owner of the vehicle, and shall be a lien thereon in favour of the keeper of any repair shop, garage, or storage place in which such vehicle is stored, and the same may be enforced by him in the manner provided by the Repairer's Lien Act, Warehousemen's Lien Act, Highway Scenic Improvement Act or Municipal Act.

6. SIGNS, CANOPIES, AWNING, SIGNEBOARDS, ADVERTISING, GUIDE-POSTS

6.(a) A person shall not operate, stand or park any vehicle on any Highway where such vehicle contains advertising other than as set forth in Section (c) hereof.

6.(b) A person shall not carry, erect or propel in the Village any sign, device or apparatus containing advertising on or any Highway, sidewalk or boulevard provided that a permit may be issued by the Village, at its discretion, to allow an installation of a sign, canopy or awning over a Public sidewalk or Street.

(i) Any sign, device or apparatus containing advertising erected prior to the adoption of this Bylaw, and encroaching over any Highway, sidewalk or boulevard shall be allowed to continue.

(ii) Except where a permit issued by the Village allows installation of a sign canopy or awning over a Public sidewalk or Street.

6.(c) Sections (a) and (b) shall not be construed as preventing any firm or business from painting or attaching signs or decals on any vehicle owned or operated by them for the purpose of identifying the firm or business owning or operating such vehicle.

6.(d) A person shall not deface any Highway, sidewalk, boulevard or public building, wall, fence, railing, sign, monument, tree post, pole, bridge abutment or tower, or any other public property by attaching, marking or imprinting thereon in any manner whatsoever any device or character whatsoever.

6.(e) A person shall not attach or display any hand-bills or posters on any public property in the Village.

6.(f) Except with lawful authority, a person shall not tear down, remove, displace, deface or in any way interfere with any traffic control device lawfully erected or place on any Highway within the Village.

6.(g) A person shall not place any hand-bills in or on any vehicle on any highway within the Village.

7. ANIMALS

- 7.(a) A person shall not allow any horse on any sidewalk within the Village.
- 7.(b) A person shall not leave any animal or animal-drawn vehicle unattended on any Highway.
- 7.(c) A person shall not tether any animal to any traffic control device, utility pole, lamp standard, any tree on Public property or any protective device around such tree.

8. OBSTRUCTING, LITTERING, SNOW AND ICE

8.(a) (i) A person shall not place any lumber, stone, chips, shavings, rubbish or other building materials or other matter, whatsoever, on any sidewalk or street except when buildings are being erected or altered, and when buildings are being erected or altered, a person shall not be allowed to occupy more than one-third (1/3) of the roadway with any such building material, and a person shall not place any stone, lumber, or other materials or matter in such a manner as to obstruct the free passage of water in the drain, gutters, or water courses; and a person shall not suffer any such building materials to remain on the streets any longer than is absolutely necessary for the erection of the building for which such material is designed; and every person shall, on the completion of the building, and within three (3) days thereafter, entirely remove the same from the street and the sidewalk and cause the street and the sidewalk to be cleared from all such material and left in good repair.

(ii) An owner or occupier of any premises or any other person purchasing or delivering firewood, lumber, blocks, rock, stone or other material shall not permit such firewood, lumber, blocks, rock, rubbish, stone or other material to remain or to be placed on any Highway, sidewalk or boulevard.

(iii) The Village Foreman may remove or cause to be removed any such firewood, lumber, blocks, rock, rubbish, stone, or other material so deposited and the cost of such removal shall be charged to the owner of the adjacent lands, and shall be recoverable in the same manner as taxes in arrears.

(iv) It shall be the duty of any occupant of any building abutting on any street within the Village to keep the sidewalk(s) adjacent to such building swept or in a proper state of cleanliness, and no occupant shall place the sweepings, ashes, grass, weeds, garbage, trade waste or other refuse from his premises on any sidewalk, Highway, alley or gutter.

8.(b) (i) An owner or occupier of any premises within the Commercial Area of the Village provided they obtain a permit issued by the Village at its discretion, may erect or place flower boxes projecting from their front property line on to the sidewalk at a distance no greater than 0.6 metres (2 feet) and a height than 0.9 metres (3 feet).

(ii) The Council of the Village of Chase may by permit issued at its discretion allow the use of a Highway or boulevard where an existing encroachment is found to occur or where Public use is beneficial to the Village such as Tourism use.

8.(c) A person shall not start, maintain or renew any fire on any sidewalk, boulevard or highway.

8.(d) A person shall not break, tear-up, or remove any planking, pavement, sidewalk, crossing, curbing, macadam or other road surface to make any excavation in or under any street or sidewalk within the Village for any purpose whatsoever, without the permission by way of a permit and it shall be the duty of every person breaking, tearing, or removing any planking, pavement, sidewalk, crossing, curbing, macadam or other road surface or making any excavation in or under any street or sidewalk, to do so as speedily as practicable and under the direction and supervision of the Village Foreman to place, relay, and make up and to put in as good order and repair as before, to the satisfaction of Village design standards.

8.(e) A person shall not take up, dig, or carry away any of the earth, sand, gravel, or any road material in or from any street, road, or lane within the Municipality without the permission of the Village.

8.(f) Any person owning or occupying any business premises abutting directly on any highway or sidewalk in the Village, shall remove from any awning, marquee, canopy, projection or cornice, thereof, all ice, icicles or snow which may be hazardous to vehicles or pedestrians below.

8.(g) (i) It shall be the duty of every person who is the owner or occupier of any business premises within the Village of Chase to remove all snow, ice and rubbish from the sidewalks or any portion of them bordering on the business premises owned or occupied by such person, and such snow, ice or rubbish shall be cleared and removed from the sidewalk before the hour of 11:00 A.M. each day, unless requested to do so sooner by the Village.

(ii) It shall be the duty of every person who is the owner or occupier of any premises within the Village of Chase to remove all rubbish from the sidewalks, and borders, or any portion of them bordering the private premises owned or occupied by such person.

(iii) It shall be the duty of every person who is the owner or occupier of any premises within the Village of Chase to keep all sidewalks and borders, or any portion of them bordering the private premises owned or occupied by such person in a clean and tidy manner and including the removal of snow or ice which shall be cleared before 11:00 A.M. each day, unless requested to do so sooner by the Village.

Where any person fails to comply with the provision of this section, the Village may, by its workmen or others, clean and remove any snow, ice or rubbish from the sidewalks adjacent to the offending property, and the cost of such

cleaning and removal shall be charged to the owner of the adjacent lands and where such charges remain unpaid on the thirty-first (31st.) day of December in the same year, they shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

- 8.(h) Nothing herein shall be construed as prohibiting the Village from plowing snow to the curb lines of any Highway or from removing such plowed snow.
- 8.(i) Nothing herein shall be construed as prohibiting the application of sand, salt or other chemical substances on any street or sidewalk for the purpose of increasing traffic safety, provided always that any chemical substances so used shall not be of a kind or type detrimental to any cement-surface on any Highway, sidewalk or bridge within the Village.

9. TREES

- 9.(a) A person shall not plant, remove, cut down, bark, peel, deface or otherwise injure any tree upon or along any Highway or boulevard within the Village without prior written permission from the Village Council and such permission can be arbitrarily withheld.
- 9.(b) A person shall not cut, injure, damage or deface any protective device around any tree upon or along any Highway, sidewalk or boulevard within the Village.
- 9.(c) A person shall not operate any vehicle in such a manner as to cause injury to any trees adjacent to any Highway.

10. BARBED WIRE, BROKEN GLASS, ELECTRIC FENCE

Barbed wire, broken glass or other similar materials with inherent sharp cutting and puncturing edges shall not be used in fence construction in any area within the boundaries of the Village of Chase except barbed wire in agricultural zones permitted by the Village Zoning Bylaw. For security reasons only a barbed wire fence may be placed above a 1.8 metre high chain link fence.

11. ACCESS

(a) An owner or occupier of any premises within the Village of Chase shall not without prior written approval from the Village of Chase Sub-Division Approving Officer and the Department of Highway's Approving Officer (if within the jurisdiction of the Ministry of Highways) construct or create a means of access to or from any Highway for any parcel of land abutting thereon. Where such approval is obtained, the material, structure and construction of any proposed access shall be supervised by the Village Foreman who may require drawings and specifications pertaining to such proposed access construction.

(b) The cost of constructing any such approved access shall be borne by the applicant, but all standard curbs and ditch

crossings, whether asphalt ramp, drop-curb or culvert, maybe subsidized by the Village on the discretion of Council, in an amount determined by Council where cost sharing is applicable thru the Subdivision Control Bylaw and design standards of the Village of Chase.

12. LOAD LIMITS AND REGULATIONS

12(a) LOAD LIMITS

No person shall, without a permit issued under authority of this Bylaw and subject to the provisions of this Bylaw, operate on a highway a vehicle or combination of vehicles and trailers having a gross weight not conforming to the requirements of the Motor Vehicle Act and the Commercial Transport Act and Regulations thereto.

12(b) VEHICLE SIZE

No person shall, without a permit issued under authority of this Bylaw and subject to the provisions of this Bylaw, operate on a highway a vehicle or combination of vehicles and trailers having a size not conforming to the requirements of the Motor Vehicle Act and Commercial Transport Act and Regulations thereto.

12(c) TRAFFIC AND LOAD RESTRICTIONS

(i) Where, in the opinion of the Village Foreman, any highway is liable to damage because of the gross weight or size of the vehicle or load thereon, he may regulate, limit or prohibit the use of the highway by any person owning, operating or in charge of the vehicle used therein or the goods carried therein and he may post notices or signs to inform the general public of these regulations.

(ii) During any period of traffic and load restrictions as outlined in Subsection (i), any peace officer may intercept any vehicle or combination of vehicles and trailers which, together with its load, such peace officer believes to exceed the said load limit, as set forth in this Division, and require the driver of such vehicle or combination of vehicles and trailers to proceed to weighing scales to properly determine the weight of such vehicle or combination of vehicles and trailers together with its load.

12(d) OVERLOAD OVERSIZE PERMIT

(i) Overload and/or Oversize Permits, allowing the use of the highway, may be issued to persons transporting commodities where the gross weight and size are not in conformance with the Motor Vehicle Act and the Commercial Transport Act and regulations thereto.

(ii) Applications are processed through the Village Office.

(iii) Permit Cost - No charge, except for any direct costs incurred by the Village.

(iv) Council may, at its discretion, require the applicant to deposit with the Municipal Clerk a bond of indemnity to secure payment to the Municipality of the cost of repairing or reconstructing any road or other property of the Municipality damaged by reason of the driving or operating of the vehicle for which the permit is granted. Such bond shall be in an amount prescribed by the Council.

12(e) ARTERIAL HIGHWAYS

None of the powers of this Bylaw shall extend to any Highway classified as "arterial" under the Highway Act.

13. MISCELLANEOUS

A person shall not operate upon a vehicle any calliope, loudspeaker, or other noise making device upon the streets of the Municipality for advertising or other purposes, unless a written permit has been applied for and granted by the Council at it's discretion.

14. PENALTY

Any person who contravenes any of the provisions of this Bylaw shall upon summary conviction, therefore, be liable to a fine of not less than \$50.00 nor more than \$1,000.00 or to imprisonment for a term not exceeding six (6) months.

15. RESCINDING MOTION

The Village of Chase Street and Traffic Bylaw No. 17, 1970 and amending Bylaws No. 80, 289, 441 and 478 are hereby rescinded in the entirety upon adoption of this Bylaw #482 1993.

16. This Bylaw may be cited for all purposes as the Village of Chase Highway, Traffic and Parking Regulations Bylaw No. 482, 1993.

READ A FIRST TIME this 11th.day of February 1993.

READ A SECOND TIME this 11th. day of February 1993.

READ A THIRD TIME this 13th. day of May 1993.

RECONSIDERED AND FINALLY ADOPTED this 27th. day of May 1993.



Mayor C. Marshall



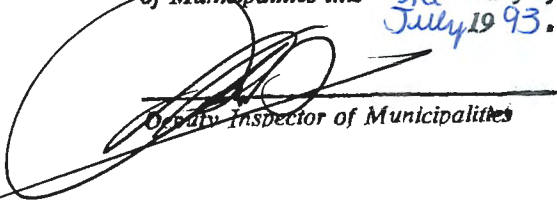
Clerk Treasurer
John K. Spanier

I hereby certify this to be a true and correct copy of Bylaw No. 482 cited as the "Village of Chase Highways, Traffic and Parking Regulations Bylaw No. 482, 1993."



Clerk
John K. Spanier

A true copy of By-Law No. 482
registered in the office of the Inspector
of Municipalities this 20th day of
July 1993.



Deputy Inspector of Municipalities