



AGENDA

Special Meeting of the Council of the Village of Chase held in the Council Chamber at the Village Office at 826 Okanagan Avenue on Tuesday, May 2, 2017 at 3:00 p.m.

1. CALL TO ORDER

2. ADOPTION OF AGENDA

Resolution:

"That the May 2, 2017 Village of Chase Special Council meeting agenda be adopted as presented."

3. NEW BUSINESS

3.2 Neighbourhood Golf Cart Bylaw No. 838-2017

Pages 1-7

Resolution:

"That Council give first, second, and third readings to the Village of Chase Neighbourhood Golf Cart Bylaw No. 838-2017."

4. RELEASE OF IN CAMERA ITEMS

5. IN CAMERA

"That Council recess to an In Camera meeting pursuant to Section 90 (1) of the Community Charter, paragraph (1.c), regarding labour relations; paragraph (2.b), negotiations between the municipality and a provincial government; paragraph (1.g), litigation or potential litigation; paragraph (2.d), a matter regarding the Heritage Conservation Act."

6. ADJOURNMENT

Resolution:

"That the May 2, 2017 Village of Chase Special Council meeting be adjourned."

**VILLAGE OF CHASE
BYLAW NO. 838, 2017**

NEIGHBOURHOOD GOLF CART BYLAW

A Bylaw to Regulate Neighbourhood Golf Carts

WHEREAS on September 6, 2016 the Province of British Columbia has added to Division 24 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58 to add PART 3.1 – NEIGHBOURHOOD GOLF CARTS with amendments effective March 20, 2017;

AND WHEREAS and whereas the Regulation has designated the Village of Chase to allow Neighbourhood Golf Carts on the Village's highways;

AND 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;

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 "Village of Chase Neighbourhood Golf Cart Bylaw No. 838, 2017".

2. NGC HIGHWAYS

Neighbourhood Golf Cart Highways are as shown in Schedule "1" of this bylaw, with neighbourhood golf carts allowed on highways marked in "green" and prohibited on highways marked in "red".

3. NGC REGULATIONS

Neighbourhood Golf Cart Regulations are as shown in Schedule "2" of this bylaw, as outlined in "*Motor Vehicle Act Regulations, B. C. 26/58 – PART 3.1 – NEIGHBOURHOOD GOLF CARTS*".

4. ROAD USE PERMIT FOR NCGs

The authority to issue a road use permit for neighbourhood golf carts is through the Village of Chase. Persons may apply for a permit (shown in "Schedule "3" of this bylaw) by:

- (a) demonstrating compliance with Section 24.215 – Equipment Requirements for Neighbourhood Golf Carts as outlined in Schedule "2" of this bylaw,
- (b) providing a copy of ICBC insurance for the NGC,
- (c) providing a copy of a current Class 5 BC Driver's license, and
- (d) paying a \$25.00 permit fee.

The NGC permit expires on November 15th of each year.

In accordance with the Order of the Lieutenant Governor in Council No. 160, March 20, 2017, the effective date of this bylaw shall be June 5, 2017.

READ A FIRST TIME this day of 2017.

READ A SECOND TIME this day of 2017.

READ A THIRD TIME this day of 2017.

ADOPTED THIS day of 2017.

Rick Berrigan, Mayor

Sean O'Flaherty, Corporate Officer



**SCHEDULE "2" TO BYLAW NO. 838, 2017
COPY OF NGC LEGISLATION**

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 606, Approved and Ordered August 11, 2016.
Order in Council No. 160, Approved and Ordered March 20, 2017.

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective September 6, 2016, the Motor Vehicle Act Regulations, B.C. Reg. 26/58, are amended as set out in the attached Schedule.

Original Order signed by the Minister of Transportation and Infrastructure and the Presiding Member of the Executive Council

Authority under which Order is made: Motor Vehicle Act, R.S.B.C. 1996, c.318, ss. 209 (2) and 210
Other: OIC 1004/58 – June 16, 2016, March 20, 2017

SCHEDULE

The following Part is added to Division 24 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58:

PART 3.1 - NEIGHBOURHOOD GOLF CARTS

Definitions

24.211

In this Part:

"designated municipality" means either of the following municipalities:

- (a) Village of Chase;
- (b) Town of Qualicum Beach;

"municipal highway" means a municipal highway as defined in the *Transportation Act*;

"neighbourhood golf cart" means a golf cart that

- (a) has 2 axles and 4 wheels,
- (b) has a minimum seating capacity for 2 persons and a maximum seating capacity for 4 persons,
- (c) has a motor that is not capable of propelling the golf cart faster than 32 km/hr on a paved level surface, and
- (d) meets the equipment requirements of section 24.215 (1) and (2);

"NGC highway" means the following located in a designated municipality:

- (a.1) a municipal highway that
 - (i) has a maximum speed limit of over 30 km/hr but no more than 50 km/hr,
 - (ii) is designated, by bylaw of the council of the designated municipality, for use by neighbourhood golf carts, and
 - (iii) has signs erected by the designated municipality indicating that the operation of neighbourhood golf carts is allowed, and
 - (iii) has Maximum Speed When Approaching or Passing Neighbourhood Golf Carts (regulatory) signs, as set out in Schedule 1 of Division 23, erected by the designated municipality; and

- (b) a private place or passageway
 - (i) to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited, and
 - (ii) that is immediately adjacent to a municipal highway referred to in paragraph (a) or (a.1);

"NGC permit" means a neighbourhood golf cart permit issued under section 24.216.

Application

24.212

- (1) Despite Parts 2 and 3 of this Division, this Part authorizes the use of neighbourhood golf carts
 - (a) on NGC highways in the circumstances described in section 24.213, and
 - (b) to cross a municipal highway that is not an NGC highway in the circumstances described in section 24.214.
- (2) Despite sections 24.213 and 24.214, this Part does not affect the use of a golf cart on a highway when the use is authorized under section 3.1 of the Act or Parts 2 and 3 of this Division.

Use of neighbourhood golf carts on NGC highways

24.213

A person must not use a neighbourhood golf cart on an NGC highway unless

- (a) the designated municipality in which the golf cart is being used has issued an NGC permit for the golf cart, the permit is valid and subsisting and the permit is kept with the golf cart,
- (b) the use occurs during the period beginning 1/2 hour before sunrise and ending 1/2 hour after sunset,
- (c) the daytime running lamps on the golf cart are illuminated,
- (d) every person in the golf cart is at least 9 years of age, and
- (e) the roadway is clear of snow, ice and slush.

Intersections

24.214

A person must not use a neighbourhood golf cart that is on an NGC highway to cross another highway that is not an NGC highway unless the other highway is

- (a) a municipal highway that has a maximum speed limit that is 30 km/hr or less,
- (b) a municipal highway that has a maximum speed limit that is greater than 30 km/hr and the intersection is controlled by a traffic control signal,
- (c) a municipal highway that has a maximum speed limit that is greater than 30 km/hr and the intersection is controlled by only stop signs or only yield signs, or
- (d) a municipal highway that has a maximum speed limit that is greater than 30 km/hr and there are signs erected by the designated municipality indicating that neighbourhood golf carts may cross at the intersection.

Equipment requirements for neighbourhood golf carts

24.215

- (1) A neighbourhood golf cart must have the following equipment:
 - (a) a steering wheel;
 - (b) service brakes;
 - (c) a parking or emergency brake that, when applied, will alone stop and hold stationary the golf cart;
 - (d) a rear view mirror;
 - (e) a horn;

- (f) tires that do not have any of the following defects:
 - (i) a cord break or air leak;
 - (ii) cracks, cuts or snags on the tread or sidewall of the tires that exceed 2.5 cm in length and expose the ply cords;
 - (g) daytime running lamps mounted on the front of the golf cart;
 - (h) a lamp type turn signal system consisting of
 - (i) 2 lamps mounted on the front of the golf cart that are capable of displaying flashes of white or amber light that are visible to the front, and
 - (ii) 2 lamps mounted on the rear of the golf cart that are capable of displaying flashes of red or amber light that are visible to the rear;
 - (i) 2 red stop lamps that arc
 - (i) illuminated exclusively on application of the service brakes, and
 - (ii) mounted on the rear of the golf cart near the sides of the golf cart;
 - (j) 2 amber reflectors mounted on the side of the golf cart near the front and 2 red reflectors mounted on the rear of the golf cart;
 - (k) a seat belt assembly, as defined in section 220 (1) of the Act, for each seat in the golf cart.
- (2) The equipment referred to in subsection (1) must be in good working order.
- (3) Divisions 4 [*Lamps*/, 5 [*Brakes*/, 7 [*Other Equipment*/ and 7B [*Slow moving vehicles and equipment*/ do not apply to a neighbourhood golf cart.

NGC permit 24.216

- (1) A designated municipality may issue a neighbourhood golf cart permit to an owner of a motor vehicle if the municipality is satisfied that
- (a) the motor vehicle is a neighbourhood golf cart, and
 - (b) the owner knows the provisions in this Part respecting the use of neighbourhood golf carts.
- (2) An NGC permit expires on the earliest of the following:
- (a) the expiry date specified in the permit;
 - (b) the transfer of ownership of the neighbourhood golf cart;
 - (c) the date that is 2 years after the date the permit is issued.
- (3) A designated municipality that issues an NGC permit for a motor vehicle may cancel the permit if
- (a) the municipality becomes aware that the motor vehicle does not meet the requirements for a neighbourhood golf cart, or
 - (b) the municipality becomes aware that the owner or a person operating the owner's neighbourhood golf cart has contravened section 24.213 or 24.214 and the municipality is satisfied that the contravention presents a safety risk.
- (4) An NGC permit issued by a designated municipality is automatically cancelled on the day that the bylaw designating municipal highways in the designated municipality for use by neighbourhood golf carts is repealed.

Presentation of NGC permit 24.217

A person operating a neighbourhood golf cart on a highway in a designated municipality must, on request of a peace officer, present the NGC permit for the golf cart.

VILLAGE OF CHASE
SCHEDULE "3" TO BYLAW NO. 838, 2017

ROAD USE PERMIT TO OPERATE GOLF CARTS

This permit is issued under Division 24 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58

THE PERMIT HOLDER HEREBY ACKNOWLEDGES AND AGREES:

1. That the neighbourhood golf cart noted in this permit has been modified in accordance with the Part of Division 24 of the *Motor Vehicle Act Regulations*, B. C. Reg. 26/58 (as outlined in Schedule 1 of Bylaw No. 838, 2017), and
2. That the neighbourhood golf cart noted in this permit is considered a motor vehicle and that I agree that the operators/drivers of this neighbourhood golf cart are subject to the same rules and regulations as with other vehicles (including a driver's license copy attached), and
3. That the neighbourhood golf cart noted in this permit is required to be insured by ICBC (copy of insurance attached), and
4. That, as the owner of the neighbourhood golf cart noted in this permit, I have made myself familiar with the regulations contained in Part of Division 24 of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58 which governs neighbourhood golf carts, and that I agree to abide by these regulations in the operation of the neighbourhood golf cart noted in this permit.

I have read the above-noted and hereby acknowledge that I fully understand the conditions of this permit.

_____	\$ _____	_____
Signature of Permit Holder	Fee Paid	Date

Permit issued to:

Name	
Address	
Telephone	
Vehicle Registration Number	

Permit issued by:

Signature	
Print Name	
Village Title	
Date (yyyy/mm/dd)	

Attachments: Copy of current BC Driver's License
 Copy of current ICBC insurance document

Permit expires on November 15th each year.

This permit is to be kept with the golf cart.