

**DISTRICT OF LANTZVILLE
BYLAW NO. 28**

**A BYLAW TO REGULATE TRAFFIC, PARKING AND THE USE OF STREETS
WITHIN THE DISTRICT OF LANTZVILLE**

WHEREAS the Council of a municipality may, by bylaw, as authorized by the *Motor Vehicle Act* and the *Community Charter*, regulate traffic on highways and regulate in relation to highway services, including regulation of access to and from highways and regulation of the use of highways for purposes other than public passage;

AND WHEREAS the Council deems it desirable and expedient to provide such legislation for the purposes of enforcement;

NOW THEREFORE the Council of the District of Lantzville, in an open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited as “District of Lantzville Traffic and Parking Regulations Bylaw No. 28, 2004”.

Interpretation

2. Words or phrases defined in the *Motor Vehicle Act* or the *Commercial Transport Act*, or their regulations, have the same meaning in this bylaw, unless otherwise defined in this bylaw.
3. In this bylaw
 - (a) “**Angle Parking**” means the parking of a motor vehicle other than parallel to a curb or lateral lines of a Roadway.
 - (b) “**All Terrain Vehicle**” means any 2, 3 or 4 wheeled motorized bike used for sport or transportation off road, and not requiring a motor vehicle licence, under the regulations of the *Motor Vehicle Act*.
 - (c) “**Arterial Highway**” means a Highway so classified pursuant to the *Highway Act* and over which the Ministry of Transportation has jurisdiction.
 - (d) “**Boulevard**” means the area between the curb lines, the lateral lines or the shoulder of a Highway and the adjacent property line and includes curbs, Sidewalks and ditches.
 - (e) “**Bylaw Enforcement Officer**” means an official or employee of the District whose designated duties include the control of Traffic or parking within the District, and includes the Chief Administrative Officer of the District, the Corporate Administrator of the District, the Superintendent of Public Works of the District, Royal Canadian Mounted Police officers, Royal Canadian Mountain Police Auxiliary Officers, officers and members of the Fire Department of the

District while attending upon any fire or emergency in the course of their duty; and their duly appointed designates;

- (f) **“Certificate of Insurance”** means a certificate of automobile insurance issued under the *Motor Vehicle Act* and to the holder of a licence, Permit or any class of licence or Permit issued under the *Motor Vehicle Act*, whether issued as part of the licence or Permit or a separate document.
- (g) **“Combination of Vehicles”** means a combination of motor vehicles and Trailer, or motor vehicle and Trailer.
- (h) **“Council”** means the Council of the District of Lantzville.
- (i) **“Cycle”** means a device having any number of wheels that is propelled by human power and on which a Person may ride.
- (j) **“District”** means the Corporation of the District of Lantzville.
- (k) **“District Property”** means all District owned property, parks, open spaces, all road allowances and land easements with all works and appurtenances.
- (l) **“Driver”** means any Person who drives, operates, propels, or who is in the physical control of a motor vehicle.
- (m) **“Drivers Licence”** - means a drivers certificate or licence as defined in the *Motor Vehicle Act*.
- (n) **“Emergency Motor Vehicle”** means:
 - (i) a motor vehicle carrying rescue or first aid equipment where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this bylaw or the *Motor Vehicle Act*, or
 - (ii) a motor vehicle driven by a member of the fire department in the discharge of his duties, or
 - (iii) motor vehicle driven by an Royal Canadian Mounted Police officer or member of the police branch of the Armed Forces in the discharge of his duties.
- (o) **“Engine/Exhaust Brake”** means a supplementary braking system device used to slow the speed of which a vehicle is travelling.
- (p) **“Exemption Permit”** means the Permit issued to exempt a requirement of this bylaw, but only when this bylaw allows said exemption.

- (q) **“Extraordinary Traffic”** means the carriage of goods or Persons over a Highway, at either one or more times, and whether in motor vehicles drawn by animal power or propelled by some other means, that when taken in conjunction with the nature or existing condition of the Highway is so extraordinary or improper in the quality or quantity of goods or the number of Persons carried, or in the mode or time of use of the Highway, or in the speed in which the motor vehicles are driven or operated, as to in the opinion of the Council, to substantially alter or increase the burden imposed on the Highway, over that imposed through its proper use by ordinary Traffic, and to cause damage and expense in respect of the Highway, beyond what is reasonable or ordinary.
- (r) **“Farm Motor Vehicle”** means a "farm tractor" as defined in the *Motor Vehicle Act*.
- (s) **“Fire Chief”** means the Person appointed by Council.
- (t) **“Government Motor Vehicle”** means a motor vehicle operated by the District of Lantzville, the Province of British Columbia, or the Government of Canada.
- (u) **“Highway”** includes the area of every public right of way lying between two property lines title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles or Persons and means the area of every public right of way lying within any District park title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles.
- (v) **“Intersection”** means the area embraced within the prolongation of the lateral property lines of streets which join one another, whether such streets at the junction cross each other or merely meet at an angle without crossing each other.
- (w) **“Lane”** means a secondary Highway more than 3 metres, but not exceeding 8 metres, in width, which provides a secondary access to one or more parcels of land.
- (x) **“Licence Plate”** means the numbered Licence Plate issued under the *Motor Vehicle Act*, as well as validation decals for attachment to the numbered Licence Plate.
- (y) **“Motor Cycle”** means a motor vehicle running on 2 or 3 wheels and having a saddle or seat for the Driver to sit astride.
- (z) **“Motor Home”** means a motor vehicle designed and used primarily for accommodation during travel or recreation.

- (aa) **“Off-Street Parking Facility”** means any real property owned or leased by the District for the purpose of providing off the street parking.
- (bb) **“Owner”** means
 - (i) in respect of a motor vehicle, a Person or Persons duly registered from time to time under the *Motor Vehicle Act* or *Commercial Transport Act*, as the case may be, as the Owner or Owners of that motor vehicle; and
 - (ii) in respect of any land, building, or premises, the tenant, lessee, agent, licensee and any other Person who has the right of access to and control of that land, building or premises to which any of the provisions of this bylaw apply.
- (cc) **“Parade”** means any group of more than 10 people standing, marching or walking upon any Highway, and any group of 10 or more vehicles, livestock, or domesticated animals (except a funeral procession), standing or moving on a Highway.
- (dd) **“Parked”** means the standing of a motor vehicle, whether occupied or not upon a Highway, except when standing temporarily for the purpose of loading and unloading merchandise or passengers or in obedience of Traffic Control Devices.
- (ee) **“Pedestrian”** means a Person moving independently on foot or with a wheelchair or carriage.
- (ff) **“Permit”** means a written document issued pursuant to District bylaws.
- (gg) **“Person”** means a Person pursuant to the *Interpretation Act*.
- (hh) **“Roadway”** means the portion of the Highway that is improved, designed or ordinarily used for vehicular Traffic, but does not include the shoulder; and where a Highway includes two or more separate Roadways, the term Roadway shall refer to any one Roadway separately and not all Roadways collectively.
- (ii) **“Sidewalk”** means the area between the curb-lines or lateral lines of a Roadway and the adjacent property lines, improved for Pedestrian use; or any other improved area set aside for Pedestrian use only.
- (jj) **“SPARCS”** means the Social Planning and Research Council of British Columbia handicapped/disabled Persons parking permit.
- (kk) **“Tow Away”** means to mechanically remove a motor vehicle or chattel from its location by means of a Tow Truck, a crane, or other device.

- (ll) **“Tow Away Zone”** means any area designated by a Traffic Control Device where parking or stopping of a vehicle or chattel is unlawful at any time.
- (mm) **“Tow Truck”** means a motor vehicle designed and used primarily for towing other motor vehicles and or chattels.
- (nn) **“Trailer”** means a vehicle without motive power designed for carrying Persons or property and for being drawn on a Highway by a motor vehicle, and includes a semi-Trailer as defined in the *Commercial Transport Act* but does not include an implement of husbandry; a side car attached to a motorcycle; or a disabled motor vehicle that is being towed.
- (oo) **“Traffic”** means the flow of motor vehicles, Cycles and Pedestrians on the Highway for the purposes of travelling from one point to another.
- (pp) **“Traffic Control Device”** means a sign or signal; painted marking on the pavement, a barrier or a parking space; a barrier or device placed or erected by the District or other government agency.
- (qq) **“Traffic Patrol”** means an adult school crossing guard or a school pupil acting as a member of a school patrol where such guards or pupils are provided under the *Public Schools Act* or authorized by the police.
- (rr) **“Truck Route”** means the route in which vehicles weighing in excess of 13,500 kg must travel within the boundaries of the municipality.

Enforcement

Regulations and Offences Other Than Parking

- 4. Except where otherwise directed, NO PERSON SHALL:
 - (a) **Driving on Sidewalk or Boulevard** - Drive a motor vehicle, All Terrain Vehicle or ride any Cycle or herd any large animal along any Sidewalk, or Boulevard unless otherwise permitted to do so by an applicable Traffic Control Device;
 - (b) **Debris Left on Highway** - Leave any glass or other debris from an accident or any material that falls from an unsecured load upon a Roadway;
 - (c) **Open Excavation** - Leave an excavation or other obstruction upon a Highway, without sufficient fencing, barricading or warning lights;
 - (d) **Obstruct Traffic** - Stand or loiter in such a manner as to obstruct, impede or interfere with Traffic on a Roadway;

- (e) **Tracked Vehicle** - Operate any tracked vehicles on Sidewalks, Boulevards, Roadways or Lanes, except where specifically authorized by order of a Bylaw Enforcement Officer;
- (f) **Exceed 20 km/hr - Lane** - Drive a motor vehicle upon a Lane in excess of 20 kilometres per hour unless otherwise indicated by a Traffic Control Device;
- (g) **Exceed 20 km/hr-Construction Zone** - Drive a motor vehicle in excess of 20 kilometres per hour in a zone where signs are posted indicating the road is being repaired, widened or marked or under construction, unless otherwise indicated by a Traffic Control Device;
- (h) **Chattel on Highway** - Place or permit to be placed any fuel, lumber, merchandise, chattel or ware of any nature on a Highway;
- (i) **Drag or Skid any Object on Highway** - Drag or skid any object along or over a Highway in such a manner that the object damages the surface of the Highway;
- (j) **Earth, Mud or Rocks on Highway** - Being the Owner or occupier of property abutting a Highway allow or permit any earth, mud, rocks, stones, logs, stumps or other things to cave, fall, crumble, flow, drift, slide or accumulate or to be tracked or carried from the property onto the Highway and remain there;
- (k) **Obstruct Visibility** - Being the Owner or occupier of property abutting a Highway at an Intersection of another Highway, construct or permit a fence, hedge, vehicle or chattel to be built or placed so that the fence, hedge, vehicle or chattel obstructs visibility;
- (l) **Removal of Notice** - Remove any notice or ticket affixed or placed on a motor vehicle by the Bylaw Enforcement Officer, unless he is the Owner or operator of the motor vehicle;
- (m) **Drive within Parks or on Beaches** - Drive a motor vehicle, All Terrain Vehicle, or motorized Cycle other than a Government Motor Vehicle within any municipal park, open space, or on any public beach, except upon Highways provided and signed for that purpose;
- (n) **Obstruct Ditches/Water Flow** - Construct, fill or modify a ditch, causing water damage on a Highway;
- (o) **Distribute Leaflets** - Distribute leaflets on any Highway by placing them on the windshield of a motor vehicle Parked upon the Highway;
- (p) **Unsecured Load** - Operate upon a Roadway a motor vehicle carrying any material or goods which are not secured in such a manner that the materials or

goods are able to fall from the motor vehicle while the motor vehicle is proceeding down the Highway;

- (q) **Passing in School Zone** - Overtake and pass another motor vehicle in a designated school or playground zone or at a crosswalk, as indicated by a Traffic Control Device; or
- (r) **Crosswalk Area** - Drive through a crosswalk while it is being used by a Pedestrian to cross the Highway.

Parking Regulations and Offences

- 5. Except when necessary to comply with the law or the directions of a Bylaw Enforcement Officer, to avoid conflicts with Traffic; to comply with directions of a Traffic Control Device; or while operating Government, public utility or Emergency Motor Vehicles while engaged in their duties; or if a motor vehicle that a Person is driving is so mechanically disabled as to render it immobile; **NO PERSON SHALL STOP, STAND OR PARK a motor vehicle or Trailer:**
 - (a) **Sidewalk/Boulevard** - on any Sidewalk, Boulevard or any portion of a Highway that has been improved for the travel of Pedestrians or Cycles;
 - (b) **Driveway** - in front of a public or private driveway;
 - (c) **Lane** - in any Lane or within 3 metres of the entrance or exit of any Lane;
 - (d) **Intersection** - within an Intersection, except as permitted by a Traffic Control Device;
 - (e) **Hydrant** - within 5 metres of a fire hydrant measured from a point on the curb or edge of the Roadway which is closest to the fire hydrant;
 - (f) **Crosswalk** - on a crosswalk or within 6 metres of the approach of a crosswalk;
 - (g) **Exit** - within 6 metres on either side of the entrance or exit from a hotel, theatre, fire hall, playground or other public meeting place;
 - (h) **Stop Sign** - within 6 metres of a stop sign or Traffic Control Device located on any Highway;
 - (i) **Sales** - upon any Highway for the principle purpose of:
 - (i) displaying a motor vehicle for sale,
 - (ii) advertising, greasing, painting, wrecking or repairing a motor vehicle, except where repairs are of an emergency nature,

- (iii) displaying signs, or
- (iv) selling flowers, fruits, vegetables, seafood or other commodities or articles;
- (j) **Obstruction** - alongside a street excavation or so as to obstruct or interfere with the free passage of Traffic;
- (k) **Double Parking** - beside another motor vehicle stopped or Parked parallel to the Highway;
- (l) **Bridge** - upon a bridge except as permitted by the applicable Traffic Control Device;
- (m) **Where Prohibited by a Traffic Control Device** - in any place in contravention of a Traffic Control Device that gives notice that stopping, standing or parking is prohibited or restricted in that place;
- (n) **Obstruct Visibility** - in such a manner as to obstruct the visibility of any Traffic Control Device;
- (o) **Wrong Side/Facing Wrong Direction** - being on the right side of a two-way Roadway with the Driver’s side of the motor vehicle adjacent to that side; except where there is provision for Angle Parking, as signified by the appropriate Traffic Control Device or lines painted on the surface of the Highway;
- (p) **Distance from the Curb** - more than 30 centimetres from the curb of a Roadway, if a curb has been constructed or the edge of a Roadway;
- (q) **Angle Parking** - in a designated Angle Parking zone where the length of the motor vehicle, Motor Home or Combination of Vehicles and or any Trailer attached thereto exceeds 6 metres;
- (r) **Reserved Parking** - in any space designated by a Traffic Control Device adjacent to any Federal, Provincial or Municipal public building which is designated as being reserved for the use of officials;
- (s) **Unlicensed Vehicle** – upon any portion of a Highway without proper or valid number plates as required under the *Motor Vehicle Act*;
- (t) **Trailers/Motor Homes** -
 - (i) any Trailer on any portion of a Highway when not attached to a motor vehicle; or

- (ii) any Trailer or Motor Home on any portion of any Highway, for accommodation purposes;
- (u) **Commercial Motor Vehicle** - being a commercial motor vehicle, having a gross vehicle weight in excess of 4,536 kilograms on any Highway, between the hours of 11 p.m. of one day and 8 a.m. of the following day;
- (v) **Parking Lots** - in a District owned public parking lot between the hours of 11 p.m. of one day and 6 a.m. of the following day; or parking outside of the marked parking spaces;
- (w) **Loading Zone** - in a loading zone designated by a Traffic Control Device unless the motor vehicle is actually in the process of being loaded or unloaded;
- (x) **Fire Zone** - in a fire zone designated by a Traffic Control Device, except for emergency vehicles which are in actual use for official duties;
- (y) **Taxi or Bus Zone** - in a zone reserved for taxi cabs or buses designated by a Traffic Control Device;
- (z) **Handicapped/Disabled Parking Zone** - in a designated handicapped or disabled parking stall unless displaying a valid Handicapped/Disabled Parking Permit;
- (aa) **Tow Away Zone** - in a Tow Away Zone designated by a Traffic Control Device;
or
- (bb) **Park, Open Spaces or Beaches** - within any park, public place or on any beach, except in parking areas provided and signed for that purpose.

Removal of Vehicles and Chattels

6. Subject to Section 5, all motor vehicles, Trailers or chattel standing or Parked on a Highway are subject to the requirements of any Traffic Control Device erected pursuant to the provisions of this bylaw and any motor vehicle, Trailer or chattel unlawfully occupying any portion of a Highway or public place may, on the order of a Bylaw Enforcement Officer, be removed, detained or impounded by the District's employees, contractors or agents, as set out in Section 19.

Municipal Off Street Parking Facilities

7. The Council may from time to time provide certain off street public parking facilities, at locations approved by Council.
8. Rates for parking, if established, shall be set by Council bylaw.

9. Signs limiting use of off street parking facilities shall be erected and the Council may set time restrictions and regulations controlling parking.

Commercial Motor Vehicles

10. A commercial motor vehicle may park in a Lane while the vehicle is actually being loaded or unloaded, and then only when stopped or Parked in such a manner as to allow for the passage of vehicular Traffic.

Handicapped/Disabled Parking Permits

11. Any vehicle displaying a handicapped/disabled parking permit issued by SPARCS of British Columbia or a member municipality is authorized to park in a designated handicapped or disabled parking stall.
12. The handicapped/disabled parking Permit must be displayed in or on the motor vehicle while parking in a handicapped/disabled parking stall by suspending it from the rear view mirror inside the motor vehicle so that it is in plain view of any Person looking through the windshield of the motor vehicle from the Sidewalk or roadside, or by placing it on the Driver's side of the dashboard of the motor vehicle so that it is visible from outside the motor vehicle.
13. No Person shall lend or transfer a handicapped/disabled parking permit to another Person, whether or not that Person is handicapped or disabled.
14. Use of the handicapped/disabled parking permit contrary to the provisions of this subsection shall render the permit void.

Bylaw Enforcement Officer

15. A Bylaw Enforcement Officer is authorized and empowered to inspect, compel and require that all the regulations and provisions prescribed in this bylaw be carried out.
16. No Person shall unreasonably obstruct or prevent a Bylaw Enforcement Officer from carrying out his duties as prescribed in this bylaw.

Offences

17. Any Person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed. Each day that such violation is permitted to continue shall constitute a separate offence.

18. Any Person who violates any of the provisions of this bylaw shall upon summary conviction be liable to a penalty of not more than \$2000 or a term of imprisonment not exceeding sixty days or both.

Motor Vehicle and Chattel Impoundment

19. Any motor vehicle, Trailer or chattel which unlawfully occupies any portion or a Highway or public place, or violates any portion of this bylaw shall be removed, towed away or impounded by the District's employees, contractors or agents, upon the order of a Bylaw Enforcement Officer.
20. No motor vehicle, Trailer or chattel will be released to its Owner until all provisions of this bylaw are met, upon presenting proof of ownership, and upon payment in full of any fines, fees and penalties which may be levied pursuant to the provisions of this bylaw.
21. Written notice shall be given by registered mail to the registered Owner of the motor vehicle, as shown on the records of the Registrar of Motor Vehicles, advising him of seizure and impoundment, the sum payable to release the motor vehicle and the date of advertising for sale by public auction, if unclaimed.
22. The registered Owner shall be responsible for all uncollected fees, fines or penalties in respect of an impounded motor vehicle, Trailer or chattel, whether or not he effects the release of the motor vehicle, Trailer or chattel.

Posting Notices

23. No Person shall post or exhibit any advertisement, poster, playbill, card or placard of any kind upon a Highway except an Arterial Highway, or utility pole upon a Highway except an Arterial Highway, by means of paste, glue or similar adhesive or by nailing, stapling or similar method.
24. No Person shall erect or maintain a sign, advertisement or guide-post on or over a Highway or alter, repaint, tear down or remove any sign, or guide-post erected or maintained on a Highway.
25. This section shall not apply to:
 - (a) election signs,
 - (b) real estate signs,
 - (c) Traffic Control Devices
 - (d) District signs,

- (e) any sign or notice affixed to kiosks or notice boards specifically designated for that purpose.

Highway Restrictions

26. On any Highway within the District, other than Arterial Highways, **no Person shall**, except with the written approval of Council:
- (a) Damage any Highway because of Extraordinary Traffic operating upon it. The Bylaw Enforcement Officer may regulate, limit or prohibit the use of the Highway by any Person operating or in charge of the Extraordinary Traffic, or owning the goods so carried or the motor vehicles used;
 - (b) Use or operate any megaphone, loudspeaker or other sound amplifying device, instrument or system on any Highway for the purpose of broadcasting a message or advertising;
 - (c) Use or operate Engine/Exhaust Brakes within the municipal boundaries of the District at any time. This does not preclude the use of Engine/Exhaust Brakes by vehicle operators for safety reasons.
 - (d) Dig up, break or remove any part of any Highway; excavate in or under any Highway; or cut down or remove trees or timber growing on a Highway;
 - (e) Cause damage to, cut down or remove trees, grass, shrubs, plants, bushes and hedges, fences, signs or other things erected, planted or maintained by the District on the Highway;
 - (f) Change the level of a Highway in any manner whatsoever, or stop the flow of water through any drain, sewer or culvert on, through or under a Highway;
 - (g) Place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a Highway or any portion of a Highway;
 - (h) Mark, imprint or deface in any manner whatsoever a Highway or a structure situated upon a Highway;
 - (i) Operate a vehicle, weighing in excess of 13,500 kg on any Roadway within the municipal boundaries of the District other than on the Truck Route which is identified as follows:
 - i) that portion of Ware Road that intersects the Island Highway and proceeds north to the intersection of Lantzville and Ware Roads, then proceeds west along Lantzville Road until Lantzville Road intersects with Superior Road,

proceeding south to the point that Superior Road intersects with the Island Highway.

- (j) Operate a tracked vehicle, whether equipped with road plates or not, on Sidewalks, Boulevards, Roadways or Lanes other than for the purpose of snow removal or grading;
- (k) Construct or install a Boulevard crossing, including a culvert, curb, ditch or Sidewalk crossing without Council approval; or
- (l) Cause damage to Municipal works on a Highway or Boulevard that occurs as a result of the work covered by a development or building Permit on neighbouring property, such as excavating a foundation upon the property, bringing heavy equipment onto the property from the adjacent Roadway or transporting materials from or to the property across a curb or ditch.

Bonding Against Damage to Highway

- 27. All applicants completing a building Permit shall, at the time of the application for Permit, post a damage deposit by way of a certified cheque or cash accounting as set forth by the District.
- 28. Return of the damage deposit shall occur when all works, including repairs to damaged District property, have been completed to the satisfaction of the Superintendent of Public Works.
- 29. Repairs, not completed within thirty days of written notification of the damage, shall be undertaken by the District, the cost of which shall be deducted from the damage deposit. Any portion of the total damage deposit may be used for repairs on any lot or lots covered by the deposit.
- 30. Should there be insufficient monies on deposit with the District to cover damage costs, then the holder of the building Permit and the registered Owner of the land at the time at which payment of these monies becomes due shall be jointly and severally liable for payment, and shall pay that forthwith, upon invoice, the balance required by the District to carry out or cause to be carried out, the necessary repairs, clean-up or Highway reconstruction.

Traffic Control Devices

Placement

- 31. Council hereby authorizes the placing or erection of applicable Traffic Control Devices at the places the Bylaw Enforcement Officer designates for the purpose of giving effect to the requirements of this Bylaw and the *Motor Vehicle Act*.

32. Such Traffic Control Devices shall include all signs contained in the *Motor Vehicle Act* regulations, and without limiting the generality of the foregoing, shall also include:
- (a) **Sidewalks, Bridges, Lanes** - Signs to regulate, control or prohibit Pedestrian Traffic, ridden or herded animal Traffic, vehicular Traffic and Cycle Traffic on Sidewalks, bridges, walkways, Boulevards or Lanes;
 - (b) **Stop Signs** - Signs to regulate, control or prohibit the stopping of motor vehicles;
 - (c) **Parking** - Signs for the regulations, control or prohibition of standing or parking motor vehicles and signs at the entrance to a Highway or upon Highways where provision is made for parking of motor vehicles in public parking lots;
 - (d) **Public Buildings** - Signs to set apart and allot portions of Highways adjacent to government buildings for the exclusive use of Officials and officers engaged therein for the parking of motor vehicles and the regulation of such parking;
 - (e) **No Passing** - Signs at locations approaching crosswalks, school and park zones indicating that passing is prohibited;
 - (f) **Construction Zone/Detour** - Signs where construction, reconstruction, widening, repair, marking or other work is being carried out, for the purposes of this by-law, to regulate or prohibit Traffic in the vicinity of such works;
 - (g) **Pedestrians** - Signs to regulate or prohibit Pedestrian Traffic on Highways, other than at crosswalks;
 - (h) **Skates/Skateboards** - Signs to regulate, control or prohibit Persons using roller skates, roller blades, skates, skis, skateboards or other similar means of conveyance upon a Highway or Sidewalk;
 - (i) **Turn Prohibition** - Signs at Intersections and in advance of Intersections where it is required to prohibit certain movements;
 - (j) **Do Not Enter** - Signs at the end of a one-way Roadway to prevent Traffic entering the restricted area;
 - (k) **One Way** - Signs on Highways upon which Traffic is required to travel in one direction only;
 - (l) **Two Way Traffic** - Signs at the transition from one-way to two-way Roadways to indicate that normal travel is restricted to the right hand side of the Roadway;
 - (m) **Do Not Pass** - Signs at the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous;

- (n) **Keep Right** - Signs within and at the end of median strips and Traffic islands;
- (o) **Loading Zones** - Signs at locations where due to adjacent commercial facilities or other types of loading operations such as small boat loading and unloading, it is desirable to reserve space for the loading and unloading on a restricted time basis;
- (p) **Truck Signs** - Signs in locations where truck Traffic is prohibited;
- (q) **Maximum Speed** - Signs at locations where due to limitations of sight distances, road surfaces, Traffic flows and frequency of Intersections, speeds in excess of those prescribed on the signs constitute a hazard to Traffic or may cause excessive damage to the road;
- (r) **Taxi or Bus Zones** - Signs at locations where, due to frequent use by the public, it is desirable to reserve a place for taxicabs or busses to stop, stand or park to pick up fares. No other type of motor vehicle shall stop, stand or park in a place designated as reserved for the exclusive use of taxicabs or buses;
- (s) **No Stopping** - Signs at locations where the free flow of Traffic is required, and where it is desirable, therefore to permit no stopping on the Roadway, except in the case of an emergency;
- (t) **School** - Signs at locations where it is required to give advance information and warning, such as the presence of a school adjacent to a Roadway, a school crosswalk, or a school maximum speed zone;
- (u) **Playground** - Signs at locations where it is required to give advance information and warning of a playground adjacent to a Roadway, or its maximum speed zone;
- (v) **Crosswalk** - Signs or lines at locations where heavy Pedestrian Traffic crosses a Roadway and at locations other than an Intersection such as at schools, playgrounds and public buildings where it is required to control Pedestrian Traffic;
- (w) **Angle Parking** - Signs or lines in locations where it is permissible to angle park;
- (x) **Warning** - Signs at locations where it is required to warn Traffic of hazardous conditions, either on or adjacent to the Roadway or to prohibit Traffic from using the Roadway;
- (y) **Traffic Signals** - Signs at Intersection and other locations where the existing Traffic Control Devices are not adequate to control the Traffic efficiently;and
- (z) **Fire Zone** - Signs at locations where standing, stopping or parking of a motor vehicle would impede the passage or operation of fire fighting equipment,

indicating that the area is a "Fire Zone" and that standing, stopping or parking is prohibited in that area.

Management

33. A Bylaw Enforcement Officer may order the alteration, repainting, tearing down or removal of any sign, advertisement or guide-post erected or maintained on or over any Highway and in exercise of this authority no compensation shall be paid any Person for loss or damage resulting from alteration, repainting, tearing down or removal of any sign, advertisement or guide-post upon any Highway.
34. No Person, other than a Bylaw Enforcement Officer shall place or erect a sign on real property which purports to regulate the adjacent Highway.
35. When, for any reason, any Highway or portion thereof is unsafe or unsuitable for Traffic or it is deemed advisable that Traffic should be restricted therein and diverted there from, the Bylaw Enforcement Officer, may temporarily close the Highway or a portion thereof or restrict or divert Traffic therein or there from, and for that purpose may erect Traffic Control Devices pursuant to this Bylaw.
36. When a Highway or portion thereof is temporarily closed or the Traffic therein is restricted or diverted, pursuant to Section 41 then no unauthorized Person shall enter upon, or travel upon the Highway or portion thereof in contravention of the applicable Traffic Control Device.
37. A Bylaw Enforcement Officer may place or cause to be placed temporary “no parking” signs or other applicable Traffic Control Devices on a Highway:
 - (a) along the route of any Parade;
 - (b) in the vicinity of a Special Event;
 - (c) to facilitate the fighting of fires or in the interest of public safety; or
 - (d) to facilitate the completion of work upon a Highway

This section does not apply to Arterial Highways.

Motor Vehicle Restrictions

38. Except as authorized in writing by the Bylaw Enforcement Officer, no Person shall drive or operate on any Highway:
 - (a) **Spikes, Cleats, Other Attachments** - A motor vehicle having wheels, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections which extend beyond the tread or traction

surface of the wheel, tread or track and except that this prohibition does not apply to a motor vehicle equipped with tire chains of reasonable proportions when required for safety; or

- (b) **Unsecured Load** - A motor vehicle unless so constructed and loaded as to prevent any of its load; from shifting or swaying in such manner as to affect the operation of the motor vehicle; or from dropping, sifting, leaking or otherwise escaping there from, except that sand may be dropped for the purpose of securing traction, and water may be sprinkled on the Roadway in cleaning or maintaining the Roadway; a motor vehicle with any load unless the load and any covering therein is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner hazardous to other users of the Highway.
39. Except as authorized in writing by the Bylaw Enforcement Officer, no Person shall drive or operate on any Highway:
- (a) A motor vehicle having a height, with or without load in excess of 4.2 metres;
 - (b) A single motor vehicle having an overall length which exceeds 11 metres, except; in the case of a refrigeration van, where the overall length may be extended to include the refrigeration or heating unit; or, in the case of a semi-Trailer the overall length of which exceeds 14 metres, except in the case of the refrigeration van first described above;
40. This section does not apply to:
- (a) an implement of husbandry temporarily operated on a Highway during daylight hours;
 - (b) A commercial motor vehicle engaged in construction of and operating within the limits of a Highway construction project as established and posted by the Ministry of Transportation or the District;
 - (c) A motor vehicle operated by the Ministry of Transportation or the District, engaged in road maintenance or snow removal; or
 - (d) Arterial Highways.
41. Where a Traffic Control Device expressly limits the maximum height, length or width of a motor vehicle or load allowable on a Highway or a portion of a Highway, including a bridge, the limits prescribed in the Traffic Control Device shall prevail over the preceding sections of this Bylaw.

Exemption Permit

- 42. Written approval for an exemption from any requirement outlined in this bylaw, when said exemption is allowed in this bylaw shall be in the form prescribed in Schedule "A" attached and forming a part of this bylaw.
- 43. An Exemption Permit issued pursuant to this Bylaw must be carried in the motor vehicle at all times when operated upon a Highway, and be produced at the request of the Bylaw Enforcement Officer.
- 44. Any Person who is refused an Exemption Permit may appeal such refusal to Council within ten (10) days from the date of refusal. The Notice of Intent to Appeal shall state in concise fashion the grounds upon which the appeal is based. The Corporate Administrator shall thereupon refer the matter to Council in order to appoint a time and place for the hearing of the Appeal.

Administration

- 45. If any portion of this Bylaw is declared ultra vires by the Court of Competent Jurisdiction, that portion shall be deemed to be severed from the Bylaw to the intent that the remainder of the Bylaw shall continue in full force and effect.

READ a First time this 13th day of September, 2004.

READ a Second time this 27th day of September, 2004.

READ a Third time this 12th day of October, 2004.

RECONSIDERED AND FINALLY ADOPTED this 25th day of October, 2004.

ORIGINAL SIGNED

ORIGINAL SIGNED

Mayor

Corporate Administrator

I hereby certify that the above is a true and correct copy of “District of Lantzville Parking and Regulations Bylaw No. 28, 2004” as adopted by Council of the District of Lantzville on the 25th day of October, 2004.

Corporate Administrator

SCHEDULE "A"
TRAFFIC & PARKING EXEMPTION PERMIT

Date: _____

Name of Applicant: _____

Address: _____

Phone Number: _____

Exemption Requested

Section Number: _____

Reason for Exemption Request: _____

Date(s) Exemption Required: _____

Licence Plate No. of Motor Vehicle: _____

I/We hereby make application for an Exemption Permit in accordance with particulars as stated above and declare that the above statement is true and correct and I/we undertake to comply with "District of Lantzville Traffic and Parking Regulations Bylaw No. 28, 2004"

Signature of Applicant

Date

| <i>OFFICE USE ONLY</i> | |
|--|----------------|
| Approved: | Denied: |
| <i>Permit is valid for the Period:</i> | <i>to</i> |
| <i>Reason for Refusal (if applicable):</i> | |
| <i>Refer to Council (date):</i> | |
| <i>Council Decision:</i> | |
| <i>Comments:</i> _____ | |
| <i>Authorized Signature:</i> | |

