

CITY OF TERRACE
CONSOLIDATED FOR CONVENIENCE
BYLAW NO. 1313-1993/1335-1993/1415-1994/
1528-1996/1612-1998/1651-1998/1698-2000/1776-2002

"A BYLAW OF THE CITY OF TERRACE TO REGULATE TRAFFIC"

WHEREAS pursuant to Section 124 of the Motor Vehicle Act and Sections 524 to 539 inclusive, and 551, 552, and 554, and 906 of the Local Government Act, Council is authorized to regulate traffic and the use of highways;

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

1.0 SEVERABILITY

If any section, subsection, clause, sub-clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

2.0 *Metric units are used for all measurements in this Bylaw.*

3.0 Index

The contents of this Bylaw include:

PART I	-	<i>Definitions</i>
PART II	-	<i>Authorities</i>
PART III	-	<i>Traffic Regulations</i>
PART IV	-	<i>Parking & Stopping Regulations</i>
PART V	-	<i>Loads & Tires</i>
PART VI	-	<i>General Street Regulations</i>
PART VII	-	<i>Impoundments</i>
PART VIII	-	<i>Penalties</i>
APPENDIX "A"	-	<i>Prohibited Skateboarding (Specified Downtown Commercial Area)</i>
APPENDIX "B"	-	<i>Sample of City of Terrace Handicap and Senior Placards</i>

INDEX

PART I DEFINITIONS

PART II AUTHORITIES

1. *Director of Engineering*
2. *Peace Officers*
3. *Bylaw Enforcement Officer*
4. *Fire Chief*

PART III TRAFFIC REGULATIONS

5. *Pedestrian Regulations*
6. *Traffic Control Devices*
7. *Conformance*
8. *Damage to Devices*
9. *Sidewalk Crossing*
10. *Obey Commands*
11. *Speed Limits - Street (Paved and Gravel)*
12. *Speed Limits - Lane*
13. *Speed Limits - Construction*
14. *Noise Increase or Flame Prohibited*
15. *Cycles (Skateboards)*

PART IV PARKING & STOPPING REGULATIONS

16. *Unlawful Parking*
17. *Time Limits*
18. *Prohibited Parking*
19. *Residential Area Length Restriction*
20. *Limited Time Parking Areas*
21. *Right-Hand Side From Curb*
22. *Double Parking*
23. *Loading Zones*
24. *Angle Parking*
25. *School Bus Stop Zone*
26. *Handicapped Zones*
27. *Residential Parking Permit*
28. *Removal of Traffic Notices or Chalk Marks*

PART V **LOADS & TIRES**

- 29. *General Restrictions*
- 30. *Traffic & Load Restrictions*
- 31. *Overload, Oversize Permits*
- 32. *Load Weighing*

PART VI **GENERAL STREET REGULATIONS**

- 33. *Funeral Processions*
- 34. *Parade or Procession Permit*
- 35. *Noise and Advertising*
- 36. *Littering*
- 37. *Leaflets, Flyers*
- 38. *Chattels and Obstructions*
- 38.1 *Merchant Sidewalk Sales or Street Vending*
- 39. *Liquid Waste, Earth, Etc.*
- 40. *Debris From Accidents*
- 41. *Skidding*
- 42. *Fireworks and Firearms*
- 43. *Excavations*
- 44. *Property Access*
- 45. *Boulevards and Sidewalk Crossings*
- 46. *Trees and Shrubs Setbacks*
- 47. *Horses*
- 48. *Snowmobiles*
- 49. *Cleaning of Sidewalk*
- 50. *Debris on Highway*
- 51. *Snow Removal Route*
- 52. *Snow on Highway*
- 53. *Parking on Snow Removal Route*

Amended by #1335-1993

PART VII **IMPOUNDMENTS**

- 54. *Impoundment of Vehicles, Cycles & Chattels*
- 55. *Removal of Vehicles on Private Property*

PART VIII **PENALTIES**

- 56. *General Penalty*
- 57. *Specific Penalties*
- 58. *Default*
- 59. *Responsibility of Owner*

APPENDIX "A" *Prohibited Skateboarding
(Specified Downtown Commercial Area)*

APPENDIX "B" *Sample of City of Terrace Handicap and Senior Placards*

PART I - DEFINITIONS

In this Bylaw, unless the context otherwise requires, the expressions and definitions contained within the "Motor Vehicle Act", the "Motor Carrier Act", the "Highway Act", the "Local Government Act", the "Interpretation Act" and the "Commercial Transport Act" and regulations thereto, shall be applicable and these additional interpretations shall prevail throughout:

"ACCESS" *means a driveway intended for ingress and/or egress to abutting property from a street.*

"ACCESS PERMIT" *means a permit which authorizes provision of access to an abutting property from an adjacent street.*

"ANGLE PARKING" *means the parking of a vehicle other than parallel to a curb.*

"BOULEVARD" *means that portion of a street between the curb lines or the lateral lines of a roadway and the adjoining property line, exclusive of any sidewalk, and includes curbs, sidewalks, and ditches.*

"BYLAW ENFORCEMENT OFFICER" *means the person appointed as such by the City and any person to assist him in enforcing municipal laws and regulations as set out in this Bylaw.*

"CHATTEL" *means any article of movable, personal property.*

"CHIEF OF POLICE" *means the senior resident member of the Royal Canadian Mounted Police.*

"CITY" *means the Corporation of the City of Terrace.*

"CITY COUNCIL" *means the Municipal Council of the Corporation of the City of Terrace.*

"DIRECTOR OF ENGINEERING" *means the person appointed as such by the City, and any person delegated to assist him in carrying out his duties under this Bylaw.*

"COMMERCIAL VEHICLE"

means a vehicle defined as such and licenced under the Commercial Transport Act and a vehicle not so licenced but used for collection or delivery of merchandise or other commodities in the ordinary course of a business undertaking, but excludes vehicles exempted under Section 667 of the Local Government Act.

"CURB"

means the raised structural element which may be installed at the outside edge of a street or median parking area, primarily for a gutter.

**"CYCLE"
(SKATEBOARDS)**

means a device having any number of wheels that is propelled by human power and on which a person may ride, but which does not include a child's tricycle.

"DESIGNATED PERSON"

means any person who, on application to the office of the Director of Permits & Licences of the City of Terrace, is adjudged by that office to be physically challenged or over the age of Sixty-five and who has been issued with a Placard by that office.

"DOUBLE PARKING"

means the standing of a vehicle in the travelled portion of the street, adjacent to a parked vehicle, or parking space.

"FIRE CHIEF"

means the person appointed as such by the City and any person delegated to assist him in carrying out his duties under this Bylaw.

"HANDICAPPED ZONE"

means that portion of a street designated by a traffic device for exclusive use of vehicles displaying an authorized handicapped identification label.

Replaced by
#1698-2000

"HIGHWAY"

includes:

- a) *every Highway within the meaning of the Highway Act;*
- b) *every road, street, lane or right of way designed or intended for or used by the general public for the passage of vehicles; and*
- c) *every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.*

- "LANE"** means a street which is not designed for general travel and which is used primarily as a means of access to the rear of residences and business establishments.
- "LOADING ZONE"** means that portion of a street designated by a traffic control device for the exclusive use of vehicles loading or unloading passengers or property.
- "PARADE"** means the procession or group of pedestrians (except members of the Armed Forces) numbering more than twenty, standing, marching, or walking on any street or sidewalk, or any group of vehicles numbering ten or more (except funeral processions) standing or moving on any street.
- "PARK"** means the standing of a vehicle, whether occupied or not, upon the street, other than the temporary standing of a commercial vehicle for the purpose of and while actually engaged in loading or unloading merchandise at the front entrance of a place of business, where there is no loading zone available and no facilities for loading or unloading at the rear entrance of the place of business, or the standing of a vehicle in obedience of a traffic control device or a Peace Officer.
- A vehicle shall be deemed to be continuously parked until it has been moved out of the City block in which the same was originally parked.
- "PARKING SPACE"** means any portion of a street marked by painted lines or other device indicating that it is intended for the parking of a vehicle.
- "PEACE OFFICER"** means any member of the Royal Canadian Mounted Police and any person delegated to assist him in carrying out his duties under this Bylaw.
- "PEDESTRIAN"** means a person afoot, or an invalid or child, in a wheelchair or carriage.
- "PERSON"** means human being, male or female, and includes a Corporation or Firm.

- "PLACARD"** means any placard issued by the Office of the Director of Permits & Licences of the City of Terrace for the purpose of bestowing on a person the status of a Designated Person.
- "PNEUMATIC TIRE"** means a tire made of rubber or other resilient material and which depends upon compressed air for the support of the load.
- "PUBLIC PLACE"** means any place, building or conveyance to which the public has access by right or by invitation, express or implied.
- "RESIDENTIAL AREA"** means any area zoned for residential land use in the Zoning Bylaw.
- "SIDEWALK"** means that portion of a street intended exclusively for the use of pedestrians.
- "SIDEWALK CROSSING"** means that portion of a street between roadway and the property line adjoining the street that is improved or designed for the passage of vehicular traffic.
- "SNOW VEHICLE"** means a motor vehicle that:
- a) is designed for:
 - i) travel on snow or ice, and
 - ii) the transportation of passengers or equipment, or both, and
 - b) is self-propelled by means of one or more endless belts driven in contact with the ground.
- "SOLID TIRE"** means a tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.
- "TRAFFIC CONTROL DEVICE"** means a sign, traffic control signal, line, parking meter, marking, space, barricade, or other device, placed or erected under this Bylaw.

"VEHICLE" means a device in, upon, or by which a person or thing is or may be transported or drawn upon a street, except a device designed to be moved by human power or used exclusively upon stationary rails or tracks.

"WEAPON" means and includes all types of firearms and as well, air guns, air rifles, air pistols, spring guns, catapults, sling-shots, longbows and crossbows.

PART II - AUTHORITIES

DIRECTOR OF ENGINEERING

1. (1) Unless otherwise authorized by any provision of this Bylaw, any order(s) made by the Director of Engineering pursuant to this Bylaw, shall be required to be approved by resolution of City Council and shall come into force immediately upon such approval being given unless a later date is specified in the order(s)
- (2) The Director of Engineering, or any person duly authorized, may:
 - (a) direct that any street where construction, re-construction, widening, repair, marking or other work is being carried out, traffic control devices be erected or placed to indicate such work and to regulate or prohibit traffic in the vicinity of such work and/or limit the rate of speed of vehicles;
 - (b) by order pursuant to Section 2(a) of this Part, place, replace or alter traffic control devices at any location he may determine to give effect to the provisions of the Motor Vehicle Act and this Bylaw;
 - (c) issue permits where so specified and required under this Bylaw.

- PEACE OFFICERS**
2. (1) *Peace Officers, or any person duly authorized, may:*
- (a) *issue traffic notices for violations of this Bylaw;*
 - (b) *direct and regulate traffic in any manner deemed necessary and, in doing so, may disregard any traffic control device;*
 - (c) *impound any vehicle, trailer or cycle in violation of this Bylaw;*
 - (d) *require the driver of any vehicle to weigh same at any weigh scale forthwith.*
- BYLAW ENFORCEMENT OFFICER**
3. (1) *The Bylaw Enforcement Officer, or any person duly authorized may:*
- (a) *issue traffic notices for violations of this Bylaw;*
 - (b) *place temporary "No Parking" signs and barricades or other applicable traffic control devices;*
 - (c) *impound any vehicle, trailer or cycle in violation of this Bylaw;*
 - (d) *issue residential parking permits as authorized by this Bylaw.*
- FIRE CHIEF**
4. (1) *The Fire Chief, or any person duly authorized may:*
- (a) *direct and regulate traffic in any manner deemed necessary and, in doing so, may disregard any traffic control device;*

- (b) *impound, if necessary, for the purposes of carrying out required duties, any vehicle or trailer;*
- (c) *designate in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass.*

PART III - TRAFFIC REGULATIONS

PEDESTRIAN REGULATIONS

5. *No pedestrian shall:*
- (1) *stand on the travelled portion of a street while waiting to cross a street;*
 - (2) *leave the curb, or other place of safety and walk or run into the path of a vehicle that is so close that it is impractical for the driver to stop;*
 - (3) *walk on the travelled portion of a street if a sidewalk or shoulder or other space is available as a walking area;*
 - (4) *when crossing a street where marked crosswalks exist, cross outside the limits of the markings;*
 - (5) *cross a street in a crosswalk in contravention of a traffic control device;*
 - (6) *stand upon or walk along a travelled portion of the street for the purpose of soliciting a ride;*
 - (7) *cross a street at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection.*

*Replaced by
#1651-1998*

TRAFFIC CONTROL DEVICES

- 6. (1) *Notwithstanding any other provisions of this Bylaw, all traffic control devices installed in the City shall be deemed to be duly authorized traffic control devices under this Bylaw.*
- (2) *Such traffic control devices shall include, but not be limited to, signs in locations which prohibit parking except for the parking of vehicles which display a Placard.*

CONFORMANCE

- 7. *No person shall park, drive or operate a vehicle or cycle in contravention of a traffic control device.*

DAMAGE TO DEVICES

- 8. *No person shall drive or walk on or over a newly painted line or marking, nor remove or alter any traffic control device.*

SIDEWALK CROSSING

- 9. (1) *No person shall drive on or over any sidewalk, curb or boulevard so as to encumber, obstruct, or damage the same;*
- (2) *When a sidewalk crossing is not available, crossing by a vehicle will be permitted upon adequate provision being made to protect the sidewalk or boulevard from damage by the use of suitable planking or other material, having due consideration for the size and weight of the vehicle and load and approved by the Director of Engineering.*

OBEY COMMANDS

- 10. *Every person shall at all times comply with any lawful order, direction, signal or command made or given by a peace officer, bylaw enforcement officer, fireman, flagman, ambulance attendant, or school patrol.*

SPEED LIMITS - STREET

- 11. (1) *No person shall operate a vehicle on any street at a greater rate of speed than 50 km/h unless otherwise posted.*
- (2) *No person shall operate a vehicle on any gravel street at a greater rate of speed than 30 km/h unless otherwise posted.*

**SPEED LIMITS -
LANE**

12. *No person shall operate a vehicle on any lane at a greater rate of speed than 20 km/h unless otherwise posted.*

**SPEED LIMITS -
CONSTRUCTION**

13. *No person shall operate a vehicle within a construction zone, or on any gravel road, at a speed greater than 30 km/h unless otherwise posted.*

**NOISE INCREASE OR
FLAMES PROHIBITED**

14. *Pursuant to Motor Vehicle Act Regulation No. 26/58, Division (7), Section 7.03 (5), no person shall drive or operate a motor vehicle propelled by an internal combustion engine equipped with a muffler or exhaust system to which is attached any device which increases the noise of the expulsion of the gases from the engine or allows a flame to be emitted from the exhaust system.*

**CYCLES
(SKATEBOARDS)**

- 15. *No person shall:*
 - (1) *ride a cycle on any sidewalk;*
 - (2) *leave a cycle (skateboard) on a street or public place in a position which obstructs the free movement of pedestrian or vehicle traffic;*
 - (3) *use roller skates, skateboards, roller blades, skis or other similar means of conveyance on any street or sidewalk within the specified downtown commercial area of the City (see Appendix "A"), or on any street or sidewalk within the City of Terrace.*

PART IV - PARKING & STOPPING REGULATIONS

UNLAWFUL PARKING

16. (1) *No person shall park a vehicle in any public place unless such person shall comply with all conditions of this Bylaw and other regulations posted by traffic control devices.*

TIME LIMITS

17. *Notwithstanding any other provisions of this Part, no person shall park a vehicle or trailer on any street for more than seventy-two (72) hours continuously.*

**PROHIBITED
PARKING**

18. *Except when necessary to avoid conflicts with traffic, parking or to comply with the law or the directions of a peace officer or traffic control device or traffic patrol and except when operating a Municipal or Provincial utility vehicle or vehicles of a public utility corporation while engaged in their duties, or except a vehicle so mechanically disabled as to render it immobile, no person shall stop, stand or park a vehicle:*
- (1) on a sidewalk or boulevard;*
 - (2) in front of a public or private driveway;*
 - (3) within an intersection;*
 - (4) within 6m of an intersection;*
 - (5) in any lane unless actively engaged in the loading or unloading of goods, providing such vehicle does not stop the normal flow of traffic in the lane;*
 - (6) within 5m of a fire hydrant measured from a point on the curb or edge of the roadway which is closest to the fire hydrant;*
 - (7) on a crosswalk;*
 - (8) within 6m of the approach side of a crosswalk;*
 - (9) within 6m upon the approach to a stop sign or traffic control device located at the side of a roadway;*
 - (10) adjacent to a painted yellow curb;*
 - (11) where vehicles are parked parallel to the edge of the roadway, no closer than 1m to any other parked vehicle;*

- (12) upon any street for the purpose of:
- (a) displaying a vehicle for sale;
 - (b) advertising, greasing, painting, wrecking, storing, or repairing any vehicle, except where repairs are necessitated by an emergency;
 - (c) making a "U" turn;
- (13) unless so authorized by permit, in a place in contravention of a traffic control device that gives notice that stopping, standing or parking is there prohibited, reserved or otherwise restricted;
- (14) in such a manner as to obstruct the visibility of any standard traffic sign;
- (15) (a) on a street in such a manner as to obstruct or impede the normal flow of traffic;
- (b) or on a marked lane of a laned street;
- (16) Between the hours of 9:00 p.m. in the afternoon and 6:00 a.m. in the forenoon of the following day on any Highway in a residential area, if it is a commercial vehicle of either:
- (a) A gross vehicle weight of 4 tonne (8,000 lbs.) or greater.
 - (b) A manufacturer's rated capacity of 1 tonne (1 ton) or more.

**RESIDENTIAL
AREA LENGTH
RESTRICTIONS**

19. No person shall park a commercial vehicle, trailer or combination thereof, in excess of 7.5m in length on a local street within a residential area, except for loading or unloading purposes.

**LIMITED TIME
PARKING AREAS**

20. (1) *No person shall stop, stand, park or overpark a vehicle on a street, for any length of time, in excess of the maximum period of parking time posted.*

*Amended by
#1415-1994*

(2) *Notwithstanding paragraph 19(1) of this section, where signs referred to in that paragraph signify the hours applicable, the multiple of two of the total of such hours, including fractions of hours, shall be applicable to vehicles which display a valid numbered "Seniors" Placard or valid numbered "Handicap" Placard that has been issued by the City of Terrace (see attached Appendix "B").*

*Added by
#1612-1998*

Applicants must meet all requirements as set out in City of Terrace Policy Nos. 69 and 70 when applying for a Handicap or Seniors Placard, and pay an applicable fee, as set out in City of Terrace Access to Information and Fees and Charges Bylaw No. 1724-2001.

**RIGHT-HAND SIDE
FROM CURB**

21. *No person shall park a vehicle on a street except on the right - hand side thereof, and the right-hand wheels shall be not further than 30cm from the face of the curb.*

DOUBLE PARKING

22. *No person shall double park a vehicle on a street.*

LOADING ZONES

23. *No person shall park a vehicle in a loading zone unless he is actively engaged in the loading or unloading of goods or passengers from a vehicle, and then the maximum duration of parking shall be ten minutes, unless otherwise posted.*

ANGLE PARKING

24. (1) *No person shall park a vehicle within an "Angle Parking Zone" except so that it shall stand within 0.3m of and at an angle with the curb as indicated by the lines, markings or other signs placed for that purpose;*

(2) *No person shall park a vehicle having an overall length in excess of 6m in an "Angle Parking Zone".*

SCHOOL BUS STOP ZONE 25. *No person shall stop or park a vehicle in a school bus stop zone.*

HANDICAPPED ZONES 26. *No person shall park a vehicle in a parking space designated for use by handicapped persons, unless such vehicle displays a valid handicap numbered Social Planning and Review Council of British Columbia (S.P.A.R.C.) certificate, a valid numbered City of Terrace Handicap Placard (see Appendix "B" attached), or in a case of an out-of-province vehicle, any similarly authorized permit.*

*Added by
#1612-1998*

Applicants must meet all requirements as set out in City of Terrace Policy No. 69 when applying for a Handicap/Disabled Placard, and pay an applicable fee, as set out in City of Terrace Access to Information and Fees and Charges Bylaw No. 1724-2001.

RESIDENTIAL PARKING PERMIT 27. *No person shall park a vehicle on a street in a residential area contrary to a traffic control device unless such person has acquired an authorized Residential Parking Permit, and such permit is displayed on the vehicle, and the vehicle is parked in accordance with the conditions of the permit.*

REMOVAL OF TRAFFIC NOTICES OR CHALK MARKS 28. (1) *No person, other than the owner or operator of a vehicle, shall remove from a vehicle any traffic notice issued under the authority of this Bylaw;*

(2) *No person shall remove, obliterate, or otherwise interfere with any markings used to determine the length of a time a vehicle remains parked in one location.*

PART V - LOADS & TIRES

GENERAL RESTRICTIONS 29. *No person shall, without a permit issued by the City Engineer pursuant to this Bylaw, drive or operate on any street:*

- Pneumatic Tires* (1) *a vehicle, any wheel of which is not equipped with a pneumatic tire in good order or with a solid tire, the thickness of which between the rim of the wheel and the surface of the street is less than 35mm;*
- Spikes, Cleats, Studs, etc.* (2) *a vehicle having wheels, tires 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 but not to prohibit the use of tire chains of reasonable proportion, when required for safety and winter studded tires pursuant to the "Motor Vehicle Act";*
- Escaping Loads* (3) *a vehicle that is not constructed or loaded as to prevent any of its load:*
- (a) *from dropping, sifting, leaking or otherwise escaping therefrom;*
- (b) *from shifting or swaying in such a manner as to affect the operation of the vehicle;*
- Secure Loads* (4) *a vehicle, the load of which and any covering or Coverings thereof which is not securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the street;*
- Overheight & Overwidth* (5) *a vehicle, with or without load, which is in excess of:*
- (a) *4.15 m in height;*
- (b) *2.6 m in width;*

*Amended by
#1528-1996
Deletion of 29(6)*

*Amended by
#1528-1996*

30. (1) *No person shall, without a permit issued by the Director of Engineering pursuant to this Bylaw, drive or operate:*

(a) **Truck Routes:** a vehicle or combination of vehicles and trailers, having a weight not conforming to the requirements of the Commercial Transport Act and Regulations thereto on any street designated as a Truck Route on Appendix "C".

(b) **Non Truck Routes:** a commercial vehicle or combination of commercial vehicles and trailers, having a weight in excess of 60% of legal axle weight on any street not designated as a Truck Route on Appendix "C".

(2) Where, in the opinion of the Director of Engineering, any street is liable to damage through extraordinary traffic thereon, he may regulate, limit or prohibit the use of the street by any vehicles in excess of 12,000 kg or in excess of 60% legal axle weight.

(3) Any vehicle, with or without a load, which is in excess of 2.4 m. in width shall not use Lanfear Hill.

**OVERLOAD,
OVERSIZE PERMITS**

31. The Director of Engineering may issue Overload and/or Oversize Permits to persons transporting extraordinary commodities on City streets.

LOAD WEIGHING

32. The driver of a vehicle on a street, when so required by a Peace Officer or other person duly authorized, shall:

(1) stop the vehicle at the time and place specified for the purpose of weighing the whole, or part thereof, by means of a portable or stationary scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any other purpose to ensure the regulations of this or any other Bylaw are being adhered to;

- (2) *drive the vehicle to scales in the City or portable scales for the purpose of weighing the vehicle and load;*
- (3) *remove the whole or part of the load from the vehicle in order to comply with this Part before continuing to drive or operate the vehicle.*

PART VI - GENERAL STREET REGULATIONS

FUNERAL PROCESSIONS

- 33. (1) *The operator of a vehicle in the lead of funeral procession approaching an intersection where a traffic control device exists, shall comply with the instruction of such device and shall not enter the intersection until it safe to do so;*
- (2) *Every person operating a vehicle in a funeral procession shall have the headlamps of such vehicle on for the duration of the procession;*
- (3) *No driver of a vehicle shall drive between the vehicles comprising a funeral procession or other authorized procession while it is in motion, except in obedience to the directions of a traffic control device or of a Peace Officer, providing that during the hours of daylight a vehicle shall be deemed not to be in a procession unless the headlamps thereof are highlighted.*

PARADE OR PROCESSION PERMIT

- 34. *No person shall be a member or take part in any parade or procession with the exception of funeral processions, on any street within the City unless there has first been obtained a permit for such from the Director of Engineering, or permission has been granted by Council Resolution.*

NOISE AND ADVERTISING

- 35. *No person shall operate upon a vehicle any loudspeaker or other noise-making device on the streets of the City for advertising or other purposes unless a permit has been applied for and granted by the Director of Engineering.*

LITTERING 36. *No person shall place, throw, deposit or discard on any street any rubbish, litter or waste material of any description.*

LEAFLETS, FLYERS 37. *No person shall distribute leaflets, flyers, pamphlets, circulars or other printed matter upon any street by placing same on the windshield on a motor vehicle parked upon the street, save for traffic violation notices by any person so authorized.*

CHATTELS AND OBSTRUCTIONS 38. *Unless a permit has been obtained from the City Engineer no person shall place, deposit or leave upon or in any street or public place any chattel, obstruction or other thing which is, or is likely, to be a nuisance, cause damage to the street or impede traffic.*

This Section is not intended to apply to moving vans and/or delivery vehicles actively engaged in the delivery or pickup of goods or merchandise.

Amended by **MERCHANT SIDEWALK SALES OR STREET VENDING** 38.1 *Unless permitted by the City's Business Licence Inspector, and complying with the provisions of City of Terrace Business Licence Bylaw No. 1227-1990, and amendments thereto, no person or merchant shall use a City highway for merchant sidewalk sales or street vending.*
1136-1993

LIQUID WASTE, EARTH, ETC. 39. *No person being the owner or occupier of property abutting a street shall allow or permit any earth, rocks, stones, liquids, logs or stumps or other things to cave, fall, crumble, slide, flow or accumulate from such property onto or over such street without a permit issued by the Director of Engineering.*

DEBRIS FROM ACCIDENTS 40. *The operator of a tow-truck, or any other person who has removed a wrecked or damaged vehicle from the scene of an accident, shall be responsible for cleaning the street of any glass or other debris from the accident.*

SKIDDING 41. *No person shall drag or skid anything along or over a street so that the surface of the street is, or is likely to be, damaged.*

**FIREWORKS
& FIREARMS**

- 42. *No person shall:*
 - (1) *without a permit issued by the Fire Chief, explode any firecrackers or other fireworks upon or from any street or other public place;*
 - (2) *without expressed written consent from the Chief of Police, discharge any weapon, the projectile from which may enter, cross or traverse any street or public place within the City.*

EXCAVATIONS

- 43. (1) *No person, except the agents or employees of the City acting in the course of their employment, shall excavate in or disturb the surface of any street without a permit issued by the Director of Engineering who may impose such terms and conditions as deemed necessary;*
- (2) *Where authorized excavation or other works are carried out on, over, or under any street, appropriate signs, flashers, barricades or other warning devices shall be provided to the satisfaction of the Director of Engineering.*

PROPERTY ACCESS

- 44. *No person shall alter any existing access to a property or construct a new access to a property without obtaining an access permit from the Director of Engineering.*

**BOULEVARDS &
SIDEWALK CROSSINGS**

- 45. (1) *No person shall at any time destroy or injure any tree, shrub, flower, foliage, grass or other growing things upon any boulevard;*
- (2) *No person shall drive upon or over any sidewalk, boulevard or curb so as to encumber, obstruct, or damage the same;*
- (3) *When a sidewalk crossing is not available, crossing by a vehicle will be permitted upon adequate provision being made to protect the sidewalk, curb or boulevard from damage and upon approval by the Director of Engineering.*

**TREES AND SHRUBS
SET-BACKS**

- 46. (1) *No person shall plant any tree, shrub, bush or hedge closer than one-half meter (0.5 m) to the street line;*
- (2) *Every person being the owner or occupier of real property shall cause all trees, shrubs or other vegetation to be properly trimmed and cut back, so as to prevent physical obstruction and visibility impairment to pedestrian and vehicle traffic on the sidewalk or street.*

HORSES

- 47. (1) *No person in charge of a horse-drawn vehicle or animal shall allow or permit such vehicle or animal to proceed on, along or across any sidewalk or boulevard, except at a recognized crossing of such sidewalk or boulevard;*
- (2) *No person shall race with or drive furiously any horse or other animal upon any street.*

SNOWMOBILES

- 48. *No person shall operate any snow vehicle on any street.*

**CLEANING OF
SIDEWALK**

- 49. *Every person being an occupant or owner of any property abutting or fronting upon a portion of a sidewalk in a commercially zoned area shall cause such portion of the sidewalk to be cleared and kept clear of all snow, ice, dirt, litter and rubbish and shall dispose of same otherwise than by leaving it upon the street.*

DEBRIS ON HIGHWAY

- 50. *Every person being the owner or occupier of property abutting on a Highway shall not allow or permit any earth, rocks, stones, logs, stumps, snow or ice to cave, fall, crumble, slide, or accumulate from any such property upon a Highway, or being there, to remain thereon.*

**SNOW REMOVAL
ROUTE**

- 51. *Each and every Highway and portion of Highway within the jurisdiction of the City shall be designated a Snow Removal Route.*

SNOW ON HIGHWAY

52. *Except as authorized by a Permit issued by the Engineer pursuant to this Bylaw, no person shall place, or permit or allow to be placed, any snow or ice upon a Highway.*

*Replaced by
#1776-2002*

53. *Except when necessary to avoid conflict with traffic, to comply with the law, the direction of a peace officer, traffic patrol or traffic control device, and except while operating a municipal or provincial utility vehicle or vehicles while engaged in their duties, no person shall stop, stand or park a vehicle on any street or road that is designated as a snow removal route during the period of November 15 to April 1, effective each and every year. Parking on a snow removal route is prohibited and any vehicle that impedes snow removal and/or road maintenance work on any snow removal route can be towed.*

PART VII - IMPOUNDMENTS

**IMPOUNDMENT OF
VEHICLES, CYCLES
AND CHATTELS**

54. (1) *Any chattel, including any vehicle or cycle, or any obstruction unlawfully occupying any portion of a street or public place may be removed, detained or impounded by the Bylaw Enforcement Officer or other person duly authorized;*

- (2) *Prior to the redemption of the chattel or obstruction, all fees and charges for the removal, care or storage of a vehicle, chattel or obstruction removed and/or impounded under this Bylaw shall be paid by the owner of such vehicle or property;*
- (3) *If a motor vehicle is removed, detained or impounded, written notice shall be given to the registered owner at his address as shown on the records of the Registrar of Motor Vehicles advising him of the seizure, the sum payable to release the vehicle and the date of advertising for sale by public auction if unclaimed;*
- (4) *Any vehicle, chattel or obstruction not claimed by its owner within thirty (30) days of its impounding or detention may be sold at public auction which auction shall be advertised at least once in a newspaper circulating in the City;*
- (5) *The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to the fees, costs and expenses of the City or its contractors and thirdly the balance, if any, shall be held by the City for one (1) year from the date of the sale for the owner. If unclaimed at the end of the year such sum shall be paid into the General Revenue of the City.*

**REMOVAL OF
VEHICLES ON PRIVATE
PROPERTY**

55. *Where a vehicle is standing or parked on private property in violation of this Bylaw, a Peace Officer or a person authorized by the City of Terrace may, with the permission of the owner of the private property on which the vehicle is standing or parked:*
 - (1) *move the vehicle, or require the driver or person in charge of the vehicle to move it, to a position determined by the Peace Officer or other persons; or*

- (2) *move the vehicle or take the vehicle into his custody and cause it to be taken to and stored at a safe and otherwise suitable place.*

- (3) *Notwithstanding Section 54 (1) & (2), where a vehicle is standing or parked in violation of the Bylaw on private property in respect of which off-street parking has been provided in accordance with any bylaw enacted pursuant to Section 906 of the Local Government Act, the owner or occupier of that private property on which the vehicle is standing or parked shall move the vehicle or require the driver or person in charge of the vehicle to move it.*

PART VIII - PENALTIES

GENERAL PENALTY

- 56. *Every person who violates any of the provisions of this Bylaw for which a specific penalty has not otherwise been designated, shall be deemed to have committed an offence against this Bylaw and shall be liable to a fine of not less than Twenty-five (\$25.00) Dollars nor more than Two Thousand (\$2,000.00) Dollars for each offence.*

**SPECIFIC
PENALTIES**

- 57. (1) *Every person who violates any of the provisions of Section 6 of this Bylaw shall be liable to a fine of not less than Twenty-Five (\$25.00) Dollars;*

- (2) *Every person who violates any of the provisions of Part IV of this Bylaw shall be liable to a fine of not less than Twenty-Five (\$25.00) Dollars.*

DEFAULT

58. *In addition to any other penalty which may be incurred, anyone failing to comply with the provisions of Part VII of this Bylaw within the time limited therefore, or within a reasonable time upon notice to that effect by the City, shall be subject to the City carrying out such work at the expense of the offender, and any charges or costs incurred by the City in this regard, shall be recoverable by it in any Court of competent jurisdiction.*

RESPONSIBILITY OF OWNER

59. (1) *The owner of a vehicle shall incur the penalties provided for any violation of this Bylaw with respect to any vehicle owned by him unless at the time of such violation the vehicle was in the possession of some person other than the owner without the owner's consent; but nothing in this Section shall relieve the operator of a vehicle not being the owner, from incurring the penalties provided for such violation;*
- (2) *The onus of establishing that the vehicle was in possession of some person other than the owner rests with the owner.*

4.0 *This Bylaw repeals Street & Traffic Bylaw No. 830-1978, and amendments thereto.*

5.0 *This Bylaw may be cited as "**Street and Traffic Bylaw No. 1313-1993.**"*

This Bylaw is consolidated for convenience only. If discrepancies exist between this Consolidation and the original bylaws, the original bylaws shall prevail.

BYLAW #1313-1993 READ a first time this 13th day of April, 1993.

BYLAW #1313-1993 READ a second time this 13th day of April, 1993.

BYLAW #1313-1993 READ a third time this 13th day of April, 1993.

BYLAW #1313-1993 received the approval of the **MINISTER OF TRANSPORTATION AND HIGHWAYS** this 7th day of June, 1993.

ORIGINAL SIGNED BY MINISTER OF HIGHWAYS
(Deputy Minister)

BYLAW #1313-1993 ADOPTED this 12th day of July, 1993.

ORIGINAL SIGNED BY "J. TALSTRA"
Mayor

ORIGINAL SIGNED BY "E.R. HALLSOR"
Clerk-Administrator