

City of Chilliwack

Bylaw No. 3023

A Bylaw to Regulate the use of Highways

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

CITATION

1. This Bylaw may be cited as **“Highway and Traffic Bylaw 2004, No. 3023”**.

REPEAL

2. “Highway and Traffic Bylaw 1996, No. 2344” and amendments thereto are hereby repealed.

INTERPRETATION

3. In this Bylaw:

“boulevard” means the area between the curb lines, the lateral lines or the shoulder of a roadway and the adjacent property line;

“Bylaw Enforcement Officer” means a person appointed by Council as a Bylaw Enforcement Officer for the City of Chilliwack and includes a Traffic Warden;

“Chief of Police” means the senior member of the Royal Canadian Mounted Police in the City of Chilliwack or designate;

“City” means the City of Chilliwack;

“combination of vehicles” means a combination of motor vehicle and trailer or motor vehicle and trailers;

“Council” means the Council of the City of Chilliwack;

“crosswalk” means a portion of the roadway at an intersection or elsewhere indicated for pedestrian crossing by signs or lines or other markings on the road surface;

“cycle” means a device having any number of wheels that is propelled by human power and on which a person may ride;

“cycle path” means that portion of a highway that is designated for use by cyclists and which is adjacent and parallel to the highway and separated from it by means of road markings;

“emergency vehicle” means a motor vehicle:

- (a) carrying rescue or first aid equipment where there is an urgent emergency;
- (b) driven by a member of a fire department in the discharge of their duties;
- (c) driven by a peace officer, constable or member of the police branch of Her Majesty's Armed Forces in the discharge of their duties;

INTERPRETATION (continued)

“Engineer” means the Director of Engineering and Operations for the City of Chilliwack or person authorized by Council, by name of office or otherwise, to act in the place of the Director;

“extraordinary traffic” includes carriage of goods or persons over a highway whether in vehicles drawn by animal power or propelled by other means, that in conjunction with the nature or existing condition of the highway is so extraordinary or improper in the quality or quantity of the goods or the number of persons carried, or in the mode or time of use of the highway, or in the speed at which the vehicles are driven or operated, as to, substantially alter or increase the burden imposed on the highway through its proper use by ordinary traffic, and cause damage and expense to the highway beyond what is reasonable or ordinary;

“highway” means a street, road, lane, bridge, viaduct and any other way open to the use of the public, and includes any adjacent allowance, boulevard or right-of-way;

“local service call” means the driving or operating of a motor vehicle upon a highway for the purpose of collecting, transporting or delivering goods and merchandise, and includes driving to or from the place of business from which the motor vehicle operates;

“motor vehicle” means a vehicle designed to be self propelled, except a vehicle operating wholly on fixed rails or tracks;

“panhandle” means to beg for or ask for money, donations, goods or other things of value, without consideration, whether by spoken, written or printed word or bodily gesture, but does not include soliciting for charitable purposes by an organization with permission to do so from the City;

“parade” means any assembly or group of pedestrians numbering more than 30, standing, marching or walking upon any highway, or any assembly or group of vehicles numbering more than 10, standing or moving on any highway, except a funeral procession or members and vehicles of Her Majesty's Armed Forces;

“taxi” means a motor vehicle that is designed to carry not more than 10 persons and that, with its driver, is licensed and operated for hire;

“tow truck” means a motor vehicle designed, equipped and used exclusively for towing and rendering assistance to motor vehicles experiencing a defect or disability in their means of locomotion;

“trailer” means any vehicle that is designed to be attached to a motor vehicle to be drawn or propelled by the motor vehicle; and

“vehicle” means a device in, on or by which a person or thing is or may be transported or drawn on a highway, except a device designed to be moved by human power or used exclusively on stationary rails or tracks.

APPLICATION

WHEELCHAIRS EXEMPT

4. This Bylaw shall not apply to the driving or operation of a mechanically propelled

wheelchair or invalid chair when used to transport a physically disabled person.

USE OF ANIMALS

5. A person riding an animal or driving an animal-drawn vehicle upon a highway has all the rights, and is subject to all the duties, that a driver of a motor vehicle has under this Bylaw.

AUTHORITY OF OFFICERS AND EMPLOYEES

6. Where, pursuant to this Bylaw, an officer or employee of the City is empowered to make an order respecting a matter, that power includes the power to rescind, revoke, amend, or vary the order.
7. Council may appoint Bylaw Enforcement Officers to enforce the provisions of this Bylaw and for the purposes of this Bylaw, members of the Chilliwack Detachment of the Royal Canadian Mounted Police are Bylaw Enforcement Officers.
8. Every officer and member of the City Fire Department, while in the course of attending upon any fire or emergency, is appointed a Bylaw Enforcement Officer for the purposes of this Bylaw.
9. Every Bylaw Enforcement Officer is authorized to take such course of action as they may deem necessary to regulate and control traffic during times of emergency or where the attendance of emergency equipment is required.

USE OF HIGHWAYS

SIGNS ON OR OVER HIGHWAY

10. No person shall erect or maintain, or cause to be erected or maintained, a sign, guidepost or other similar device, whether temporary, portable or permanent, on or over a highway except in accordance with this Bylaw.
11. Every person wishing to erect a temporary sign on a highway shall make application to the Engineer for a Highway Works Permit as set out in Schedule 1 of this Bylaw and pay the fee set out in that schedule and the Engineer, upon being satisfied that all applicable regulations, terms and conditions have been met, shall issue the permit.
12. Signs, guideposts, or other similar devices erected or maintained in violation of this Bylaw may, at the discretion of the Engineer, be altered, repainted, torn down or removed without compensation to any person for any loss or damage which may result from the action.

PARADES

13. No person shall hold or participate in a parade on a highway unless a permit has first been obtained pursuant to this Bylaw.
14. Every person wishing to hold a parade on a highway shall make application to the Engineer for a Highway Works Permit as set out in Schedule 2 of this Bylaw and pay the fee set out in

that schedule and the Engineer, upon being satisfied that all applicable regulations, terms and conditions have been met, shall issue the permit.

CONSTRUCTION

15. No person shall engage in road or utility construction, maintenance or repair, whether temporary or permanent, on a highway except in accordance with this bylaw.

16. Every person wishing to engage in road or utility construction, maintenance or repair shall make application to the City Engineer for a Highway Works Permit as set out in Schedule 1.

TEMPORARY BUSINESS AND SOLICITING

15.17. Council may grant approval to a person, group or organization to:

- (a) operate a business on a temporary basis, on a highway subject to the provisions of the City's Business Licence Bylaw and Zoning Bylaw, in force from time to time; or
- (b) solicit for donations of money or material assistance for charitable or similar purposes subject to the terms and conditions set out in City's Policy Directives, in force from time to time.

CONVEYANCES

16.18. No person shall use skateboards, roller skates, roller blades, ice skates, sleighs, skis, snowboards or other similar conveyances on any highway in the prohibited area set out in Schedule 7 of this Bylaw.

17.19. The Engineer may temporarily close any highway or part of it for the purpose of permitting the use of conveyances prohibited under Section 16 and for that purpose may cause traffic control devices to be erected, placed, marked or made temporarily inoperable as the Engineer deems necessary.

OBSTRUCTIONS

18.20. No owner or occupier of real property shall allow any obstruction to the line of vision from a highway intersection between the height of 0.5m and 3m above the average height of the crown of a highway and within a 25m radius from the intersection of the centrelines of the highway if the obstruction reduces the sight distance to less than the minimum set out in Schedule 8 of this Bylaw.

MAINTAIN BOULEVARD AND SIDEWALK

19.21. Every owner or occupier of real property adjacent to a boulevard, sidewalk or public footpath on a highway shall:

- (a) remove all snow and ice from the sidewalk or public footpath as soon as practicable following a snowfall, icfall or frost within a reasonable time of its deposit, but in any case no later than noon on the day following its deposit; and

- (b) keep it clear of all litter, rubbish, debris and unsightly or overgrown vegetation.

PROHIBITED USES OF HIGHWAY

20.22. Except as herein provided, no person shall use any highway for the purpose of performing any work or doing any act not associated with the normal use of a highway or which in any way impedes or interferes with traffic or defaces or injures a highway.

23. No person shall perform any work prohibited on a highway unless that person has been issued a permit by the City.

21.24. Without limiting the generality of Section 20, no person shall:

- (a) construct or install, or cause to be constructed or installed, any access culvert, bridge, sidewalk or other access on or to any highway except as permitted under this Bylaw;
- (b) make any repairs to a motor vehicle while it is upon any highway other than such temporary repairs as are necessary for the removal of the motor vehicle;
- (c) engage in any sport, amusement, exercise or occupation on any highway which may delay the passage of traffic or cause any obstruction;
- (d) build, construct, place, maintain, occupy or cause to be built, constructed, placed, maintained or occupied, any structure, object, substance, or thing which obstructs the free use of any highway or encroaches upon it;
- (e) lay, construct or reconstruct any highway, or any sidewalk which is on or adjacent to any highway; or
- (f) place, throw, deposit or cause to flow upon any highway or walkway:
 - (i) any noxious, offensive or filthy water or substance;
 - (ii) any refuse, garbage, debris, bottle or container;
 - (iii) any rock, stone, earth or soil; or
 - (iv) any unlicensed or derelict motor vehicle.

(g) engage in panhandling:

- (i) on any highway which causes delay in the passage of traffic;
- (ii) which interferes with safe movement of traffic;
- (iii) which causes any obstruction; or
- (iv) risks harm to the panhandler themselves.

REAL PROPERTY ADJOINING HIGHWAY

22.25. No owner or occupier of real property adjoining a highway shall allow or permit any earth, rock, log, stump, water or other fluid or material, to fall, slide, flow, accumulate or otherwise be deposited from the property upon the highway, or having been so deposited, to remain on it.

MATERIAL FALLING FROM VEHICLE

23.26. Where any article, substance or material becomes loose or detached, or blows, spills or falls from any vehicle on to any highway, it shall be the duty of the driver of the motor vehicle to immediately take all necessary precautions to safeguard traffic and to remove such material from the highway.

TOW TRUCK OPERATORS

24.27. It shall be the responsibility of the driver or operator of a tow truck removing from the highway any motor vehicle damaged in an accident or otherwise, to also remove any dirt, broken glass, metal and debris deposited on the highway as a result of the occurrence.

NOISE ON HIGHWAY

25.28. No person shall make or create any noise on a highway, whether from a motor vehicle or not, which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity, or which Council believes is objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

26.29. Council may, on application by a person wishing to operate a motor vehicle while using a public address system or other sound producing device, permit such activity on a highway subject to such terms and conditions as Council may prescribe.

WILLFUL DAMAGE

27.30. No person shall deface any highway in any manner or damage, modify, alter or remove any boulevard, tree, shrub, plant, bush, hedge, fence or highway lighting adjacent to any highway.

PRIVATE ROADS

28.31. The owner of a private road or highway shall maintain it in a clean, fit and safe condition and shall display suitable thoroughfare signs.

TRAFFIC REGULATION

TRAFFIC CONTROL DEVICES

29.32. The Engineer may order the erection and placement of traffic control devices upon any highway to give effect to this Bylaw and to the *Motor Vehicle Act*, as amended.

30.33. The Chief of Police may order the erection and placement of temporary traffic control devices upon any highway to give effect to this Bylaw and to the *Motor Vehicle Act*, as amended.

31.34. Except where otherwise directed by a peace officer, a person authorized by a peace officer or a flagperson, every driver of a motor vehicle and every pedestrian shall obey the directions and instructions of a traffic control device.

32.35. No person shall interfere in any way with any traffic control device, whether temporary or permanent, which has been erected or placed pursuant to this Bylaw.

TRUCK ROUTES

33.36. No person shall operate a motor vehicle with a gross vehicle weight exceeding 10,000 kg on any highway other than on a highway designated as a City truck route as set out in Schedule 6 of this Bylaw.

34.37. Section 33 of this Bylaw shall not apply to:

- (a) an emergency vehicle;
- (b) a motor vehicle while on a local service call, where the site cannot be reached except by travelling on a portion of highway not designated as a City truck route;
- (c) a motor vehicle lawfully engaged in highway construction or maintenance, including travelling to or from the work site, where the site cannot be reached except by travelling on a portion of highway not designated as a City truck route; or
- (d) a motor vehicle owned or operated by any municipal, provincial or federal government.

ENGINE BRAKES

38. No person shall, except in the case of emergency, use an engine brake of any kind (including a Jacobs brake) to slow or stop a motor vehicle on a highway within the City of Chilliwack boundaries.

SIZE AND WEIGHT RESTRICTIONS

35.39. Except as authorized by permit, in the form attached hereto as Schedule “2” and forming part of this Bylaw, no person shall drive or operate a motor vehicle or combination of vehicles exceeding the permitted limits of dimension, weight, load, drive axles, horsepower and other limits prescribed in the *Commercial Transport Act*, as amended.

ESCAPING OR INSECURE LOAD

36.40. No person shall drive or operate on a highway a motor vehicle or combination of vehicles unless the load is secured in a manner which complies with the requirements of the *Motor Vehicle Act*, as amended.

TIRES

37.41. No person shall drive or operate on a highway a motor vehicle or combination of vehicles unless equipped with tires which comply with the requirements of the *Motor Vehicle Act Regulation*, as amended.

37.42.

WEIGHING

38.43. Where directed by a peace officer, the driver of a motor vehicle on a highway shall:

- (a) stop the motor vehicle for the purpose of weighing, measuring or inspecting the whole or part of the vehicle or its load or for any other purpose pursuant to this Bylaw or the *Motor Vehicle Act*, as amended;
- (b) drive the motor vehicle to the nearest public scales for the purpose of weighing the motor vehicle and load; and
- (c) rearrange the load upon the motor vehicle, or remove the whole or part of the load, to comply with this Bylaw or the *Motor Vehicle Act*, as amended, before continuing to drive or operate the motor vehicle.

WEIGHING (continued)

39.44. Where directed by a traffic sign on a highway to drive over scales, the driver of a motor vehicle shall drive to the scales for the purpose of weighing, measuring or inspecting the whole or part of the vehicle or its load or for any other purpose pursuant to this Bylaw or the *Motor Vehicle Act*, as amended.

PROHIBITED USES OF SIDEWALK

40.45. No person shall ride or drive any motor vehicle, cycle or animal or any other means of conveyance upon or across any sidewalk, walkway, or boulevard, except that a cycle may be ridden on any sidewalk adjacent to the following highways:

- (a) Vedder Road between Keith Wilson Road and Luckakuck Way.
- (b) Yale Road from Yale Road West to Alexander Street.

SNOW VEHICLES

41.46. No person shall, on any highway or sidewalk, drive, operate or ride a snowmobile or snow vehicle except in times of emergency.

ANIMALS

42.47. No person shall, on any highway or sidewalk:

- (a) leave any horse or other animal without the horse or animal being tethered in a manner so as to prevent it from running away, or from moving onto the highway in any way, or from obstructing any portion of the highway or sidewalk;
- (b) tie or fasten any horse or other animal to any traffic sign, parking meter, tree or any object which can be pushed or dragged onto a highway or sidewalk; or

- (c) ride, lead or drive any horse or other animal unless the horse or animal is being ridden, led or driven under the control of a competent person at all times.

PEDESTRIAN CROSSINGS

- 43.48. The Engineer may establish pedestrian crossings upon a highway, and may establish traffic control devices to regulate the use of the pedestrian crossings.
- 44.49. Where a pedestrian crossing exists across a highway, no pedestrian shall cross the highway at any other place other than at the pedestrian crossing within one block or 200m of the pedestrian crossing, whichever is less.
- 45.50. Council hereby vests in school children and others engaged in traffic safety with respect to schools, the power to require vehicles to stop at pedestrian crossings or other designated places on a highway pursuant to the *School Act*, as amended, or appointment by the Chief of Police.

SPEED LIMITS

- 46.51. No person shall drive or operate a motor vehicle or vehicle on a highway, at a rate of speed in excess of:
 - (a) the posted speed limit;
 - (b) 50 km per hour where there is no posted speed limit;
 - (c) the speed limit set out in Schedule 3 of this Bylaw for that highway or portion of it; or
 - (d) 20 km per hour on a lane not exceeding 8m in width.

WARNING DEVICES

- 47.52. No person shall interfere in any way with any barrier, lamp, sign or any other device lawfully placed upon any highway at or near any excavation, construction or other work.

EXTRAORDINARY TRAFFIC

- 48.53. Where, in the opinion of the Engineer, a highway may be damaged by extraordinary traffic the Engineer may regulate, limit or prohibit the use of the highway by the motor vehicle or vehicles constituting the extraordinary traffic.
- 49.54. Any person to whom Section 48 applies may make application to the Engineer for a Highway Use Permit on the form set out in Schedule 2 of this Bylaw and pay the fee set out in that schedule and in addition, pay a fee to the City as compensation for the damage or expense which may, in the opinion of the Engineer, be caused by the extraordinary traffic and the Engineer, upon being satisfied that all applicable regulations, terms and conditions have been met, shall issue the permit.

CONTROLLED USE OF HIGHWAY

50.55. The Engineer may limit or prohibit the use of any highway, including but not limited to:

- (a) prohibiting the use of or presence on a designated highway, or part of it, by or of a designated vehicle, or type of vehicle, either at all times or at designated times;
- (b) specifying the maximum rate of speed at which any vehicle may travel;
- (c) requiring that any vehicle be preceded or followed, or both, by a pilot car; and
- (d) requiring that any vehicle be driven or operated on certain highways only.

51.56. The Engineer may close to traffic or use, any highway at a time and for a period of time and for classes of traffic or use as in their opinion may be necessary for:

- (a) construction or protection of a highway or other public work;
- (b) the protection of persons using the highway; or
- (c) the enabling of permitted traffic to be handled safely and expeditiously.

ACCESS TO HIGHWAY

52.57. No person shall construct or allow to be constructed any access to and from any highway for adjacent real property, or any cattle guard, fence or gate across a highway unless a permit has first been obtained pursuant to this Bylaw.

53.58. Every owner of real property wishing to construct an access to and from a highway, or a cattle guard, fence or gate across a highway, shall make application to the Engineer for a Highway Works Permit on the form set out in Schedule 1 of this Bylaw and pay the fee set out in that schedule and the Engineer, being satisfied that all applicable regulations, terms and conditions have been met, shall issue the permit.

PARKING REGULATION

DESIGNATED PARKING

54.59. The Engineer may establish the following designated parking stalls and parking zones:

- (a) loading zones, commercial loading zones, passenger zones and bus zones;
- (b) disabled persons parking stalls;
- (c) public parking passes for designated public parking lots; and
- (d) taxi stands.

STOPPING, STANDING AND PARKING

55.60. Unless permitted by a traffic control device, no person shall stop, stand or park a motor vehicle:

- (a) upon any portion of a highway marked for parallel parking, other than between the lines or markings indicating the limits of a single stall, except where a motor vehicle is longer than the length of the parking stall in which case it may occupy no more than two stalls;
- (b) upon any portion of a highway marked for angle parking, other than between the lines or markings indicating the limits of a single stall and within 30 cm of the curb;
- (c) in any passenger zone for a period longer than 5 minutes;
- (d) in any loading zone except while actually engaged in loading or unloading of goods or merchandise and then only for a maximum of 30 minutes;
- (e) in a bus zone;
- (f) in a stall designated for use by a taxi unless the motor vehicle is currently licensed to operate as a taxi;
- (g) in a stall designated for use by physically disabled motorists unless a valid placard issued by the Social Planning and Research Council of British Columbia has been obtained and is displayed in the front windshield of the motor vehicle;
- (h) on a sidewalk or boulevard;
- (i) in front of a public or private driveway;
- (j) within 5m of a fire hydrant;
- (k) on a crosswalk or within 6m of the approach side of a crosswalk, flashing beacon, stop sign or traffic control signal located at the side of a highway;
- (l) within 6m of either side of an entrance to or exit from a hotel, theatre, public meeting place, dance hall, fire hall or playground;
- (m) within 15m of a rail of a railway crossing;
- (n) on a highway for the principal purpose of:
 - (i) displaying the motor vehicle for sale;
 - (ii) advertising, greasing, painting, wrecking, storing or repairing a motor vehicle, except where repairs are necessitated by an emergency; or
 - (iii) displaying signs.
- (o) alongside or opposite a highway excavation or obstruction when such stopping, standing or parking obstructs traffic;

STOPPING, STANDING AND PARKING (continued)

- (p) on the highway side of a motor vehicle stopped or parked parallel to the curb or side of a highway;
- (q) on a bridge or other elevated structure on a highway, or in a highway tunnel;
- (r) in a manner that obstructs the visibility of a traffic control device;
- (s) on other than the right side of a two-way highway, with the right hand wheels parallel to that side and where there is a curb, within 30 cm of the curb;
- (t) on a cycle path;
- (u) in any lane in such a manner as to leave less than 3.5m of the travelled portion of the lane for the free movement of vehicular traffic;

STOPPING, STANDING AND PARKING (continued)

- (v) on the paved portion of any highway without curbs where the pavement is 7.3m or less in width;
- (w) with a gross vehicle weight exceeding 5,500 kg on any City public parking lot.

EXEMPTIONS

56.61. Section 55 of this Bylaw shall not apply to:

- (a) an emergency motor vehicle;
- (b) a police motor vehicle;
- (c) a motor vehicle owned or operated by a municipal, provincial or federal government;
- (d) a motor vehicle of a public utility corporation;
- (e) a tow truck;
- (f) a Department of National Defence motor vehicle;
- (g) a motor vehicle used to service equipment in a business premises where it is not possible to service the equipment from another location; and
- (h) an armoured motor vehicle used for picking up or delivering cash and other securities; while the vehicle is actually engaged in definite works of necessity requiring them to be stopped or parked in contravention of this Bylaw and provided that adequate warning flags, cones or lights are used where necessary.

VEHICLES, TRAILERS AND CYCLES

57.62. No person shall stop, stand or park upon any highway:

- (a) any trailer or other vehicle designed for occupancy by persons or for the carriage of goods and merchandise unless it is capable of independent propulsion or is attached to a motor vehicle mechanically capable of towing or pulling it at all times;
- (b) any combination of vehicles, including any towing apparatus, in excess of 18.3m in length;
- (c) any motor vehicle or trailer exceeding a gross vehicle weight of 5,500 kg, where the adjacent real property is zoned “residential” pursuant to the City's Zoning Bylaw, in force from time to time, between 7:00 p.m. and 7:00 a.m. of the following day; and
- (d) any cycle except in an upright position in a stand designated and lawfully placed for such use.

REMOVAL OF PARKING TICKETS OR MARKINGS

58.63. No person shall:

- (a) remove any notice or ticket placed or affixed on a vehicle by a Bylaw Enforcement Officer except the owner or operator of the motor vehicle; or
- (b) remove, obliterate, or otherwise interfere with any marking placed on a vehicle by a Bylaw Enforcement Officer for any purpose relating to this Bylaw.

TIME-LIMIT PARKING

59.64. No person shall park a motor vehicle in a stall for a period of time greater than the time indicated by the traffic control device governing the stall except where the vehicle is parked in a public parking lot designated for the use of public parking passes and where a valid pass is displayed from the rear-view mirror of the vehicle.

60.65. Where the time limit for parking in a stall has expired and a person requires further parking, the person may:

- (a) park the vehicle in another stall located a minimum 50m from the stall vacated, or
- (b) occupy the same stall a minimum of 30 minutes after the stall is vacated.

TIME-LIMIT PARKING EXEMPTIONS

61.66. The Engineer may exempt any person or organization that the Engineer deems eligible from time restrictions by permitting the person or members of the organization to park in time-limit parking stalls in excess of the posted time.

ENFORCEMENT

BYLAW VIOLATION NOTICES

62.67. A Bylaw Enforcement Officer may issue a bylaw violation notice in the form substantially set out in Schedule 5 of this Bylaw for any violation of this Bylaw and where required, to attach the notice to a motor vehicle.

63.68. A notice issued under Section 64 shall be deemed to be sufficiently served if the notice is signed by the issuing officer and is:

- (a) personally served to the person who is the subject of the notice or is the owner or operator of the motor vehicle, vehicle, chattel or obstruction which is the subject of the notice; or
- (b) placed, affixed or attached to a motor vehicle, vehicle, chattel or obstruction which is the subject of the notice.

RESPONSIBILITY OF VEHICLE OWNER

64.69. Where there is a violation of this Bylaw with respect to a motor vehicle, the person registered with the Superintendent of Motor Vehicles as the owner of the vehicle shall be responsible for the violation and any fine or penalty incurred, whether or not they were in care and control of the vehicle at the time the violation occurred.

PAYMENT OF FINE

65.70. Payment of a fine for a bylaw violation notice as set out in Schedule 4 of this Bylaw may be made in person at the City Hall, or by depositing the payment together with notice in the mail slot at City Hall, or by mail.

66.71. Where payment of a bylaw violation notice issued pursuant to this Bylaw is received by the City within three working days of the date of issue, the penalty shall be reduced by 50%.

RIGHT TO DISPUTE

67.72. Any person issued a bylaw violation notice pursuant to this Bylaw may appeal to the Bylaw Enforcement Office in writing within three days from the date the notice was issued, and who shall review and decide upon the appeal and the decision shall be final.

IMPOUNDING

68.73. Where any motor vehicle, vehicle, chattel or obstruction is occupying a highway in violation of this Bylaw, the Bylaw Enforcement Officer may, in addition to or instead of any other power granted under this Bylaw, remove, detain or impound the motor vehicle, vehicle, chattel or obstruction.

IMPOUND OF VEHICLES

69.74. Where a licensed motor vehicle or vehicle is removed, detained or impounded pursuant to this Bylaw:

- (a) and is not redeemed by the registered owner within 24 hours of the impoundment, written notice shall be given to the owner of the vehicle at the address shown on the records of the Superintendent of Motor Vehicles advising the owner of the seizure of the vehicle and of the procedure to redeem it; and
- (b) if the motor vehicle is not claimed within 14 days of receipt of a notice given pursuant to subsection (a), it shall become the property of the City and may be disposed of by the City at its sole discretion.

IMPOUND OF CHATTELS AND OBSTRUCTIONS

70.75. Any chattel or obstruction removed, detained or impounded pursuant to this Bylaw:

- (a) may be recovered by the owner by paying the fees, costs and expenses set out in Schedule 4 of this Bylaw to the City and presenting the receipt and proof of ownership at the City public works yard or other place of storage as the City may designate, or by paying the contractor for the City at their place of business; and
- (b) if the chattel or obstruction is not claimed by its owner within 30 days of the date of impoundment, it shall become the property of the City and may be disposed of by the City at its sole discretion.

SALE OF IMPOUNDED PROPERTY

71.76. The proceeds from the sale of any motor vehicle, vehicle, chattel or obstruction impounded pursuant to this Bylaw shall be applied to the cost of selling it and to the fees, costs and expenses incurred by the City or its contractors in impounding it and the balance if any, shall be paid into the general revenue account of the City.

OFFENCE AND PENALTY

72.77. Every person who violates any provision of this Bylaw, or who allows or permits any act or thing to be done in violation of any provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and each day that a violation continues to exist is deemed to be a separate offence against the Bylaw.

73.78. Every person who commits an offence contrary to the provisions of this bylaw is liable upon summary conviction to a penalty of not more than \$10,000.00 in addition to the costs of the prosecution.

74.79. Notwithstanding remedies, penalties and fines specified within this Bylaw, a person in violation of the regulations contained in this Bylaw may be subject to penalties specified in the City of Chilliwack “Municipal Ticket Information Bylaw”, in force from time to time.

SEVERABILITY

75.80. If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then that invalid portion must be severed and the remainder of this Bylaw must be deemed to have been adopted without the severed portion.

“Highway and Traffic Bylaw 2004, No. 3023” adopted on the 21st day of June, 2004.
Amendment Bylaw No. 3194 adopted on the 17th day of October, 2005.

“Clint Hames”

Mayor

“Robert L. Carnegie”

Clerk

City of Chilliwack
Highway and Traffic Bylaw – Schedule 1
HIGHWAY WORKS APPLICATION AND PERMIT – Page 1 of 2

Type of Application:

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> Highway Access | <input type="checkbox"/> Temporary Sign | <input type="checkbox"/> Gate |
| <input type="checkbox"/> Road Allowance Works | <input type="checkbox"/> Fence | <input type="checkbox"/> Cattle Guard |
| <input type="checkbox"/> Other: _____ | | |

Location of Work:

Civic Address: _____

Legal Description: _____

Name of Applicant:

Company or Firm: _____

Address: _____

Postal Code: _____ Telephone: _____ Fax: _____

General Terms and Conditions

1. Every applicant is required as part of their application to submit suitable plans or drawings of the proposed work, to the satisfaction of the Engineer.
2. The fee for a permit shall be as set out in the City's Building Bylaw and is non-refundable.
3. All work shall conform in every respect to the current B.C. Building Code and City Bylaws where applicable, and to the satisfaction of the Engineer, who shall have free access to all parts of the work for the purpose of inspection.
4. Prior to commencing construction, notice in writing of intent to construct shall be given to the Engineer at least seven (7) days before the work is commenced.
5. Where the work comes in contact with any culvert, ditch or other existing work, the existing work shall be maintained and supported so as not to interfere with its proper function. Where an existing work is damaged or disturbed, it shall be completely restored to its proper and original condition.
6. Where the work does not require a servicing agreement, the Engineer may require a security deposit not to exceed \$1,000.00 for each work to be constructed or altered prior to the permit being issued.
7. Where required, all excavations and materials shall be fenced, secured, signed and monitored and all other precautions taken to ensure the safety of the public. Where, in the opinion of the Engineer, the work endangers the safety of persons or property, the Engineer may, at the expense of the permit holder, require the construction of a retaining wall, culvert or other structure the Engineer deems necessary, using plans prepared by a professional Engineer.
8. Where the work has not been completed to the required specifications and standards, or City property has been damaged by the work being installed, the security deposit shall be forfeited to the City. The security deposit is not made as liquidated damages and the City may recover from the permit holder such additional costs as may be incurred in excess of the security deposit. Upon satisfactory completion of the works and compliance with the terms and conditions specified in the permit, any monies remaining from the security deposit shall be returned to the permit holder.
9. Where ownership of the completed work is assumed by the City, the permit holder shall maintain the work for a period of one year from the date of completion and the security deposit for the work shall be held by the City for that period.
10. Where an adjustment to the completed work is required due to reconstruction of the highway, the person named on this permit shall be liable for the costs incurred for the adjustment.
11. This permit may be cancelled at any time by the Engineer if, in their opinion, any aspect of the work is not being satisfactorily carried out.

City of Chilliwack
Highway and Traffic Bylaw – Schedule 1
HIGHWAY WORKS APPLICATION AND PERMIT – Page 2 of 2

I HEREBY COVENANT to and with the City of Chilliwack that upon permission being granted to me pursuant to the City's Highway and Traffic Bylaw to construct the works set out in this permit, I will construct it in accordance with the plans and specifications submitted as part of this application and to the satisfaction of the Engineer, and that I will observe, perform and carry out the regulations and provisions of all applicable City bylaws and the terms and conditions of this application and permit.

I HEREBY CERTIFY that I will indemnify and save harmless the City of and from all claims, damages and causes of action whatsoever including costs, which may be made, brought against or suffered by the City for or in respect of the construction, existence, maintenance or use, either directly or indirectly, of the work authorized by this permit.

I HEREBY REPRESENT that I have read, examined, and thoroughly understand the pertinent sections of all applicable City bylaws and the terms and conditions of this application and permit and that the statements made by me on this application are true to the best of my knowledge.

Dated this _____ day of _____ 20____

Signature of Applicant

OFFICE USE ONLY

PERMISSION IS HEREBY granted to construct the works set out in this permit pursuant to the City's Highway and Traffic Bylaw, all other applicable municipal bylaws and subject to the following additional conditions:

Check appropriate box:

- This permit is valid for the period of: _____
- PERMIT FEE OF: \$ _____ PAID.
- SECURITY DEPOSIT OF: \$ _____ RECEIVED.
- BUILDING PERMIT OBTAINED

Date

Signature of Engineer

Copy to Officer in Charge, RCMP Chilliwack

City of Chilliwack
Highway and Traffic Bylaw – Schedule 2
HIGHWAY USE APPLICATION AND PERMIT – Page 1 of 2

Type of Application:

Oversize/Overweight Vehicle Parade Other: _____

Name of Applicant: _____

Company or Organization: _____

Address: _____

Postal Code: _____ Telephone: _____ Fax: _____

Proposed Route: _____

Date(s) and Time(s): _____

Details (requested by Engineer): _____

General Terms and Conditions – PARADES

1. Every applicant shall submit details of the parade route to the Engineer at least 15 days prior to the proposed date of the parade.
2. Where, in the opinion of the Chief of Police or Engineer, traffic control devices are required, the City shall provide the devices at no cost to the permit holder who shall be responsible for placing and removing the devices. If the City is required to place or remove the devices, the permit holder shall compensate the City for its services at the cost estimated by the Engineer.
3. Any permit issued by the Engineer may be rescinded, revoked, amended or varied without compensation or prior notice to the permit holder.

General Terms and Conditions – OVERSIZE/OVERWEIGHT VEHICLES

1. The permit period shall not exceed one year for motor vehicles and 30 days for all other vehicles.
2. The Engineer may require the permit holder to compensate the City in an amount determined by the Engineer for the estimated damage or expense which may result from the permitted activity, which shall be paid prior to the permit being issued.
3. If at any time, in the opinion of the Engineer, the permitted activity results in damage or expense greater than was anticipated, the Engineer may rescind, revoke, amend or vary the permit effective immediately upon notice to the permit holder.
4. The permit must be carried in the vehicle at all times and shall apply only to that vehicle and is not transferable.

City of Chilliwack
Highway and Traffic Bylaw – Schedule 2
HIGHWAY WORKS APPLICATION AND PERMIT – Page 2 of 2

I HEREBY COVENANT to and with the City of Chilliwack that upon permission being granted to me pursuant to the City's Highway and Traffic Bylaw for the use of highways set out in this permit, I will use the highways in accordance with any plans, route maps or schedules submitted as part of this application and to the satisfaction of the Engineer, and that I will observe, perform and carry out the regulations and provisions of all applicable municipal bylaws and the terms and conditions of this application and permit.

I HEREBY CERTIFY that I will indemnify and save harmless the City of and from all claims, damages and causes of action whatsoever including costs, which may be made, brought against or suffered by the City or in respect of, either directly or indirectly, the use authorized by this permit.

I HEREBY REPRESENT that I have read, examined, and thoroughly understand the pertinent sections of all applicable municipal bylaws and the terms and conditions of this application and permit and that the statements made by me on this application are true to the best of my knowledge.

Dated this _____ day of _____ 20 _____

Signature of Applicant

OFFICE USE ONLY

PERMISSION IS HEREBY granted for the use of highways as set out in this permit pursuant to the City's Highway and Traffic Bylaw, all other applicable municipal bylaws and subject to the following conditions:

This permit is valid for the period of: _____

Oversize/Overweight Vehicles Only:

Vehicle Make: _____ Maximum Width: _____ metres
 Vehicle Model: _____ Maximum Height: _____ metres
 Vehicle Licence: _____ Maximum Length: _____ metres
 Max Length of Combination Vehicles: _____ metres
 Total Weight of Vehicles Including Load: _____ kilograms

ONE DAY FEE - \$10.00 PAID 30 DAYS FEE - \$50.00 PAID 1 YEAR FEE - \$200.00 PAID

ESTIMATED DAMAGE FEE _____ PAID SECURITY DEPOSIT OF _____ RECEIVED
 \$ _____ \$ _____

 Date Signature of Engineer

Copy to Officer in Charge, RCMP Chilliwack

Schedule 3

HIGHWAY SPEEDS

1. Highways posted at 60 km per hour:

Adams Road	(Hopedale Road to Lickman Road)
Annis Road	(Prairie Central Road to Yale Road East)
Bailey Road	(Elk View Road to Chilliwack River Road)
Banford Road North	(Chilliwack Central Road to Yale Road East)
Banford Road South	(Prairie Central Road to McGuire Road)
Castleman Road	(McGrath Road to Standeven Road)
Chadsey Road	(South Sumas Road to Yale Road West)
Chapman Road	(Yale Road East to Camp River Road)
Chilliwack Central Road	(Broadway Street to Ford Road)
Chilliwack Lake Road	(City Boundary to Vedder Road)
Ford Road	(Chilliwack Central Road to Nevin Road)
Gibson Road	(Prairie Central Road to Yale Road East)
Industrial Way	(Lickman Road to Highway No. 1)
Keith Wilson Road	(Unsworth -Lickman Road to Chadsey Road)
Lickman Road	(Keith Wilson Road to Luckakuck Way)
Luckakuck Way	(Orr Road to Lickman Road)
Luckakuck Way	(Vedder Road to Young Road)
McLeod Road	(Yale Road East to Castleman Road)
Prairie Central Road	(Chilliwack River Road to Annis Road)
Prest Road	(First Avenue to Bailey Road)
Prest Road	(First Avenue to Yale Road East)
South Sumas Road	(Evans Road to Sumas Prairie Road)
Standeven Road	(Camp River Road to Castleman Road)
Sumas Central Road	(Lickman Road to Evans Road)
Upper Prairie Road	(Chilliwack Central Road to Yale Road East)
Vedder Mountain Road	(B.C. Rail to Quarry West of Cultus Lake Road)
Yale Road East	(Latimer Road to Hillcrest Road)
Yale Road East	(Banford Road to Rosedale Secondary School)
Yale Road East	(C.N. Railway to City Boundary)
Yale Road West	(Highway 1 to Lickman Road)

2. Highways posted at 30 km per hour:

Arlington Drive-Roseberry Road in the vicinity of Watson Elementary School pathway
Ashwell Road-Princess Avenue to Wellington Avenue
Banford Road in the vicinity of Cheam Elementary School
Bernard Avenue in the vicinity of Bernard School and Yale Road Overpass
Castleman Road in the vicinity of Timothy Christian School
Chadsey Road in the vicinity of Chadsey School
Chilliwack Central Road in the vicinity of East Chilliwack School
Clare Avenue in the vicinity of Strathcona School <u>Fairfield Island Playground</u>
College Street in the vicinity of Chilliwack Central School

Schedule 3 - HIGHWAY SPEEDS

2. Highways posted at 30 km per hour: (continued)

Coote Street in the vicinity of Johnson Street playground
Crescent Drive in the vicinity of the playground
Crystal Drive in the vicinity of Strathcona Elementary School
Edward Street in the vicinity of Princess Avenue
Elliott Avenue in the vicinity of Strathcona Elementary School pathway
Hamilton Street in the vicinity of McCammon Elementary School
Henley Avenue between Harrison Street and Hillier Street
Hodgins Avenue in the vicinity of the hospital
Johnson Street in the vicinity of the Playgroundplayground
Lenora Crescent in the vicinity of the playground
Lickman Road in the vicinity of ~~Achelitz School~~ Ecole LaVerendrye
Macken Avenue in the vicinity of Little Mountain Elementary School
Manuel Road in the vicinity of Sardis Elementary School
Mary Street in the vicinity of St. Mary's School
McCutcheon Avenue in the vicinity of the playground
McGrath Road in the vicinity of Rosedale Elementary School
McIntosh Drive in the vicinity of Spartan Crescent
McNaught Road in the vicinity of Chilliwack Christian School
Paula Crescent in the vicinity of the playground
Portage Avenue in the vicinity of Little Mountain Elementary School
Portage Avenue in the vicinity of Woodbine Street
Princess Avenue in the vicinity of Edwards Street
Promontory Road in the vicinity of Vedder Elementary School
Quarry Road in the vicinity of Little Mountain Elementary School
Railway Avenue in the vicinity of Yale Road Overpass
Selkirk Street in the vicinity of Tyson Elementary School
Shamrock Drive in the vicinity of Topley Avenue
South Sumas Road in the vicinity of Tyson Elementary and Vedder Middle Schools
Southlands Crescent in the vicinity of Robertson ~~Annex~~ Elementary School
Stewart Road in the vicinity of John Calvin School
Spartan Crescent in the vicinity of McIntosh Drive
Strathcona Road in the vicinity of Strathcona Elementary School
~~South Sumas Road in the vicinity of Vedder Junior Secondary School~~
Sumas Prairie Road in the vicinity of Greendale Elementary School
Teskey Road–Lutz Road to 5364 Teskey Road
Unsworth Road in the vicinity of Unsworth Elementary School
Watson Road in the vicinity of Watson Elementary School
Walden Street in the vicinity of F. G. Leary Fine Arts Elementary School
Wellington Avenue in the vicinity of McCammon Elementary School
Wilson Road in the vicinity of Yarrow Elementary School
Wiltshire Street between Pioneer Drive (north and south)
Yale Road East in the vicinity of Mt. Cheam Christian School
Young Road in the vicinity of ~~Chilliwack~~ Central Elementary School
School Lane in the vicinity of Sardis Park

Schedule 4

PENALTIES AND FEES

1. Penalties for Parking Violations:

(1)	Parking Time Limit Violations	\$ 20.00
(2)	Disabled Parking Stall Violations	\$ 50.00
(3)	Loading Zone	\$ 30.00
(4)	No Parking Zone	\$ 30.00
(5)	All Other Parking Violations	\$ 30.00

NOTE: Penalty for parking violations reduced by 50% if payment is received by the City within three working days.

2. Penalties for Overweight Vehicles:

Every person who drives or operates an overloaded vehicle is liable to a fine of not less than \$100.00 and, in addition, to a penalty of \$10.00 per 100 kg, or part of it, of the gross weight in excess of that allowed by the regulations or a permit.

3.	All Other Violations (other than M.T.I.)	\$ 100.00
4.	Impound Fee	\$ 40.00

Schedule 5

TICKET A - STANDARD BYLAW VIOLATION NOTICE

**CITY OF CHILLIWACK
BYLAW VIOLATION NOTICE**

Licence No.: _____ Colour: _____

Make: _____ Model: _____

Location: _____

Issue Date: _____ Time: _____ am/pm

The Enforcement Officer says that he or she has reasonable and probable grounds to believe and does believe, that the operator of the above-described vehicle did commit the offence indicated below, pursuant to the Highway and Traffic Bylaw of the City of Chilliwack:

- DISABLED PARKING \$ 50.00
- LOADING ZONE \$ 30.00
- NO PARKING ZONE \$ 30.00
- PARKING TIME LIMIT \$ 20.00
- OTHER PARKING VIOLATION \$ 30.00

Specify: _____

Issuing Officer: _____

INSTRUCTIONS

Payment may be made in cash or by direct payment, cheque or money order to:

CITY OF CHILLIWACK
8550 Young Road, Chilliwack, B.C. V2P 8A4

Note: If payment is received within three working days from the date of issue the penalty shall be reduced by 50%.

- After-hours payment may be made by depositing this ticket along with payment in a sealed envelope marked “Bylaw Enforcement” in the mail slot at the City Hall.
- If you wish to dispute the allegation contained in this ticket you must file a Notice of Dispute within three working days from the date of issue at the City Hall, 8550 Young Road, Chilliwack B.C.
- Vehicles with two or more outstanding bylaw violations are subject to tow without further notice.

White - Office Copy No 030901

Schedule 6

MUNICIPAL TRUCK ROUTES

1. The following highways or portions of highways are designated as Municipal Truck Routes:

Airport Roadfrom Yale Road to Broadway Street
Annis Road.....from Highway No. 1 to Yale Road
Bailey Road.....from Chilliwack River Road to Prest Road
Boundary Roadfrom No. 3 Road to Keith Wilson Road
Broadway Street.....from Airport Road to Yale Road
Chilliwack Mountain Roadfrom Lickman Road to Wolfe Road
Chilliwack River Road.....from Prairie Central Road to Promontory Road
Corbould Streetfrom Hodgins Avenue to Lewis Avenue
Eagle Landing Parkwayfrom Chilliwack Creek to Deans Avenue
Evans Roadfrom Tyson Road to ~~Luckakuck Way~~Chilliwack Creek
First Avenue.....from Yale Road to Prest Road
Higginson Roadfrom Vedder Road to Chilliwack River Road
Hodgins Avenue.....from Ashwell Road to Yale Road
Hope River Road.....from Young Road to Menzies Street
Industrial Way.....from Highway No. 1 to Lickman Road
Keith Wilson Road.....from Boundary Road to Vedder Road
Lewis Avenuefrom Corbould Street to Young Road
Lickman Road.....from Keith Wilson Road to Chilliwack Mountain Road
Luckakuck Wayfrom Lickman Road to Young Road
Menzies Street.....from Hope River Road to Yale Road
No. 3 Roadfrom Boundary Road to Yarrow Central Road
Prest Roadfrom Yale Road to Bailey Road
Promontory Roadfrom Vedder Road to Sylvan Road
Stevenson Road.....from Evans Road to Vedder Road
Sumas Prairie Roadfrom Keith Wilson Road to Yale Road
Teskey Wayfrom Bailey Road to Promontory Road
Tyson Roadfrom Keith Wilson Road to Evans Road
Vedder Mountain Road.....from Vedder River to Yarrow Central Road
Vedder Roadfrom Vedder River to Highway No. 1
Wolfe Roadfrom Chilliwack Mountain Road to Ashwell Road
Yale Road.....from Highway No. 1 (west end) to eastern boundary
Yarrow Central Roadfrom Vedder Mountain Road to No. 3 Road
Young Roadfrom Prairie Central Road to Tower Road

Schedule 7

PROHIBITED AREA FOR RESTRICTED CONVEYANCES

1. The prohibited area for restricted conveyances includes the following highways or portions of highways:

Cheam Avenue

College Street.....from Wellington Avenue to Victoria Avenue

First Avenue.....from Young Road to Cheam Avenue

Fletcher Streetfrom Victoria Avenue to Yale Road

Hodgins Avenue.....from Yale Road to Newman Road

Kipp Avenuefrom Mary Street to First Avenue

Main Street.....from Wellington Avenue to Yale Avenue

Mary Street.....from Hodgins Avenue to Wellington Avenue

Mill Street

Nowell Streetfrom Victoria Avenue to Princess Avenue

Ontario Avenue

Patten Avenuefrom Main Street to Mary Street

Princess Avenue.....from Nowell Street to Mary Street

School Streetfrom Hodgins Avenue to Ontario Avenue

Spadina Avenuefrom Mary Street to First Avenue

Victoria Avenuefrom College Street to Fletcher Street

Wellington Avenuefrom Mary Street to Young Road

Yale Road.....from Fletcher Street to Hodgins Avenue

Young Roadfrom Victoria Avenue to Cheam Avenue

Schedule 8

MINIMUM INTERSECTION SIGHT DISTANCE DIMENSIONS

<i>Design Speed km/h</i>	<i>Minimum Stopping Sight Distance (metres)</i>	<i>Minimum Approach Sight Distance (metres)</i>	<i>Minimum Departure Sight Distance (metres)</i>	
			<i>Left turn onto major road</i>	<i>Right turn onto or crossing major road</i>
20		15		
30		25		
40	45	35		
50	65	40	105	95
60	85	50	130	110
70	110	60	150	130
80	140	70		
90	170	75		
100	200	85		

The dimensions noted above are for passenger cars on two lane roads.

Other vehicle types and intersection configurations will require review by City staff.

(AB #3194)