



# **STREETS AND TRAFFIC BYLAW**

## **BYLAW NO. 09-079**

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*. (Consolidated on January 24, 2023 up to Bylaw No. 22-088)

This bylaw is printed under and by authority of the Corporate Administrator of the Corporation of the City of Victoria.

NO. 09-079

**STREETS AND TRAFFIC BYLAW**

## A BYLAW OF THE CITY OF VICTORIA

(Consolidated to include Bylaws No. 10-061, 10-074, 12-030, 13-083, 14-023, 14-051, 14-096, 15-042, 16-013, 16-068, 16-089, 18-058, 19-040, 19-048, 19-067, 20-033, 21-056, 21-111, 22-028 and 22-088)

The purpose of this Bylaw is to consolidate, update, and clarify the regulations applicable to streets and traffic.

***Contents*****PART 1 - INTRODUCTION**

- 1 Title
- 2 Application of Bylaw
- 3 Interpretation
- 4 Definitions
- 5 Classification of streets
- 6 Procedures for orders by Director of Engineering
- 7 Powers of Council not affected by an order
- 8 Orders exempt from procedures

**PART 2 - TRAFFIC**

- 9 Powers of Director of Engineering
- 10 Jaywalking
- 11 School Patrols
- 12 Firefighters may direct traffic
- 13 Work in streets
- 14 Moving vehicle into traffic
- 15 Traffic at intersections
- 16 Temporary traffic control devices by police
- 17 Speed zones
- 18 Use of street by buses
- 19 Police traffic direction
- 20 Obeying traffic controls
- 21 Stop signs
- 22 Green light
- 23 Yellow light
- 24 Red light
- 25 Green arrow
- 26 Flashing lights
- 27 Stunting
- 28 Driving on laned roadway
- 29 Highway lines
- 30 Highway lines exception
- 31 Newly painted lines

- 32 Duty when overtaking
- 33 Passing on right
- 34 Passing on left
- 35 Clear view on passing
- 36 Divided highways
- 37 Reverse turn
- 38 Signals on turning
- 39 Means of signalling
- 40 Left hand drive signals
- 41 Driving over fire hose
- 42 Driving on sidewalk
- 43 Cyclist provisions
- 43A Skating provisions
- 44 Motorcycles

### **PART 3 - PARKING AND STOPPING**

- 45 Powers of Director of Engineering - parking and stopping zones
- 46 Powers of Director of Engineering - traffic control devices
- 47 Impounding and tow away zones
- 48 No stopping zone
- 49 No parking zone
- 50 No parking in City lane
- 51 Limited time parking zone
- 52 Limited time parking exemption permit
- 53 Residential parking zone
- 54 Residential parking permit zone
- 55 Truck loading zone
- 56 Hotel zone
- 57 General loading zone
- 58 School loading zone
- 59 Church loading zone
- 60 Parking and loading zones for handicapped persons
- 61 Taxi stand
- 62 Bus zone
- 63 Shuttle bus zone
- 64 Out of town tour bus zone
- 65 Safety zone
- 66 Angle parking
- 67 Reserved parking area
- 68 Special parking zone
- 69 No parking (vehicles over 6m) zone
- 70 Passenger zone
- 71 Parking meter zone
- 72 Pay Station Zone
- 72A Electric vehicle charging zone
- 73 Parking exemptions for persons with disabilities
- 74 Taxis and commercial vehicles in metered / pay station zones
- 75 Trailers in metered spaces
- 76 Temporary discontinuance and reservation of metered space
- 76A Exemption for car share vehicles

- 77 Lawful coins required in parking meter and pay station
- 78 Ticket controlled parking zones
- 79 Sightseeing vehicle stands
- 80 Reserved stand for horsedrawn sightseeing vehicles
- 81 Tourist parking zone
- 82 Vehicle standing while loading or unloading
- 83 Night parking
- 84 Sleeping in vehicles
- 85 Distance between parked vehicles
- 86 Parking on one way street
- 87 Miscellaneous stopping, standing, parking
- 88 Curb parking
- 89 Stopping at intersections
- 90 Yellow curb lines

#### **PART 4 - VEHICLE SIZE AND WEIGHT**

- 91 *Motor Vehicle Act* regulations apply
- 92 Vehicle size and weight
- 93 *Commercial Transport Act* regulations apply to all vehicles
- 94 Engineer's report for permit

#### **PART 5 - GENERAL REGULATIONS**

- 95 Parking commercial vehicle in residential zone
- 96 Trailer left on street
- 97 Driving between vehicles in funeral procession
- 98 Air horn
- 99 Procession in street requires permit
- 100 Commercial goods on street
- 101 Excavations, obstructions on street require permit
- 102 Objects prohibited on streets
- 102A Portable signs
- 103 Obstructing sidewalk, soliciting, fighting
- 103A Boulevards and medians
- 104 Fireworks
- 105 Liquids onto street require permit
- 106 Works on street require permit
- 106A Damage to survey monument fee
- 107 Clearing sidewalk of snow and ice
- 108 Placing wood on a street
- 109 Paint, posters on street structure
- 110 Parking on sidewalk or boulevard requires permit
- 111 Driving on sidewalk permitted in special circumstances
- 112 Trees on and near streets
- 113 Private streets and lanes require sign
- 114 Bicycles on sidewalks, bicycle helmets
- 115 Skating on sidewalk
- 116 Street entertainers

## **PART 6 - ADMINISTRATION AND ENFORCEMENT**

- 117 Chalk mark on vehicle tire
- 118 Identification of street entertainer
- 119 Offence
- 120 Penalties
- 121 Offence notice
- 122 Voluntary Penalties
- 123 Repeal

Schedule A – Street Classifications

Schedule B – Speed Zones

Schedule C – Night Parking Area

Schedule D – Truck Routes

Schedule E – Minimum Fines for Traffic Offences

Schedule F – Minimum Fines for Traffic Offences other than Sections 19 to 44

Schedule G – Voluntary Penalties Payable under Offence Notices

Schedule H – Detention, removal and impoundment fees

Schedule I – Conditions

The Council of the Corporation of the City of Victoria enacts the provisions in this Bylaw under its statutory powers, which include

- (a) sections 8, 35 to 46, 62, 64, 194, and 260 to 263 of the *Community Charter*;
- (b) sections 124, 209, and 214 of the *Motor Vehicle Act*;
- (c) section 14 of the *Victoria City Act, 1919*;
- (d) section 24 of the *Victoria City Act, 1920*;
- (e) section 19 of the *Victoria City Act, 1923*;
- (f) section 9 of the *Victoria City Act, 1934*.

## **PART 1 - INTRODUCTION**

### **Title**

- 1 This Bylaw may be cited as the "STREETS AND TRAFFIC BYLAW".

### **Application of Bylaw**

- 2 (1) The provisions of this Bylaw in relation to drivers of vehicles also apply to all of the following:
  - (a) persons riding a cycle or an animal;
  - (b) persons driving an animal drawn vehicle.
- (2) The provisions of this Bylaw do not apply to any of the following:

- (a) persons, vehicles or other equipment while lawfully engaged in highway or public utility construction, maintenance or repair work on, over or under the surface of a highway;
  - (b) the driver of an emergency vehicle that is
    - (i) responding to an emergency call,
    - (ii) sounding an emergency siren (audible siren, signal bell or exhaust whistle), and
    - (iii) showing an emergency light (flashing red or blue light);
  - (c) the driver of an emergency vehicle that is
    - (i) at the scene of an emergency, and
    - (ii) showing an emergency light (flashing red or blue light);
  - (d) a police officer who is in the immediate pursuit of an actual or suspected violator of the law;
  - (e) a police officer who is engaged in a police duty of a nature that the sounding of a siren or other audible signal would unduly hamper the performance of that duty.
- (3) Where anything in this section conflicts with B.C. Reg. 133/98, the Emergency Vehicle Driving Regulation under the *Motor Vehicle Act* (the "Regulation"), the Regulation prevails.

### Interpretation

- 3 (1) In this Bylaw and orders made under it, the words and expressions used have the meanings given to them by the *Motor Vehicle Act* and its regulations, except as otherwise specified in this bylaw.
- (2) Despite subsection (1) and subject to subsection (3), the definitions in section 4 and elsewhere in this bylaw prevail over the definitions in the *Motor Vehicle Act* and its regulations if they are inconsistent, except as otherwise specified in this bylaw.
- (3) Despite subsections (1) and (2) and section 4, the definitions and interpretation provisions of the *Motor Vehicle Act* and its regulations apply to the words and expressions used in Part 2.

### Definitions

4 In this Bylaw

"air horn"

means a device or contrivance used or intended to be used for the emission of

sound by means of the forced passage of air or gas through that device or contrivance;

"arterial highway"

has the same meaning as in the *Transportation Act*;

"boulevard"

means that portion of a street between the curb lines or the lateral lines of a roadway and the adjoining property line, excluding a sidewalk;

"bus"

means a railless vehicle used as a public utility for the carriage of passengers;

"car share co-op vehicle"

means a vehicle owned by a not-for-profit co-operative association incorporated under the laws of British Columbia and used exclusively in the provisions of the association's car sharing service;

"charging station"

means a battery charging station that is available for public use for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle;

"City"

means the Corporation of the City of Victoria;

"City lane"

means a public highway which is not designed for general travel and which is used primarily as a means of access to the rear of residences or business establishments;

"commercial vehicle"

means a truck or van that is used primarily for the purpose of freight transportation and that displays

- (a) a valid and subsisting commercial licence plate issued under the *Commercial Transport Act*, and
- (b) a valid and subsisting licence plate issued under Division 2 of Part 20 of the *Local Government Act*, other than farm vehicles as defined in the regulations made under the *Commercial Transport Act*;

"continuously parked"

means a vehicle that is parked without being moved from a particular City block;

"council"

means the elected council of the City of Victoria;

"director"

in reference to the head of a City department or other City official, means the person appointed to that position or a successor position with the same responsibilities as the position designated in this bylaw;

"dwelling"

means a building used by one or more persons as a residence, but does not include any of the following types of dwelling:

- (a) a hotel, hostel, or other transient accommodation facility,
- (b) a place of detention;

"electric vehicle"

means a vehicle that operates, either partially or exclusively, on electrical energy from an off-board source that is stored on-board for motive purposes, but does not include vehicles that cannot be licensed by the Insurance Corporation of British Columbia;

"electric vehicle charging zone"

means any street or part of it that has been designated and identified for the exclusive use of electric vehicles;

"holiday"

includes any of the following days:

- (a) Sunday, Christmas Day, Good Friday and Easter Monday;
- (b) Canada Day, Victoria Day, British Columbia Day, Thanksgiving Day, Labour Day, Remembrance Day and New Years Day;
- (c) December 26;
- (d) any day set by the Parliament of Canada, by the Legislature, or by proclamation of the Governor General or the Lieutenant Governor to be observed as a day of general prayer or mourning, a day of public rejoicing or thanksgiving, a day for celebrating the birthday of the reigning Sovereign, or as a public holiday;



"metered space"

- (a) where a parking meter stand has only one parking meter head, means that rectangular portion of the adjacent curb lane measuring
  - (i) not less than 4.8 m nor more than 10.4 m from the centre of the base of the parking meter stand in the direction counter to the direction of the curb lane traffic, and
  - (ii) 2.5 m from the curb in a roadward direction;
- (b) where a parking meter stand has two parking meter heads,
  - (i) with regard to the parking meter head first in sequence in the direction of the curb lane traffic, means that rectangular portion of the adjacent curb lane that is described in paragraph (a), and
  - (ii) with regard to the parking meter head second in sequence in the direction of the curb lane traffic, means that rectangular portion of the adjacent curb lane measuring
    - (A) not less than 4.8 m nor more than 10.4 m from the centre of the base of the parking meter stand in the direction of the curb lane traffic, and
    - (B) 2.5 m from the curb in a roadward direction;
- (c) where a parking meter is installed adjacent to a curb lane which is marked with parallel angular lines or other markings forming parallel angular lines, means that portion of the curb lane designated for the accommodation of a vehicle by the lines or markings and being nearest to the applicable meter head;

"metered zone"

means any street or part of it

- (a) that is designated as a metered zone under this Bylaw, and
- (b) on which a parking meter has been erected to control parking;

"mobile bicycle vendor"

means a person who sells goods from a human-powered or electric motor-assisted bicycle or tricycle;

"multi-use trail"

means a trail intended and marked for general and recreational use by the public, including cyclists, but excluding motor vehicles.

"park", "parking", or "parked"

means the standing of a vehicle, whether occupied or not, on a street, except when the vehicle is standing temporarily for the purpose of, and while actually engaged in loading or unloading;

"parking meter"

means a parking meter stand equipped with a single or double parking meter head;

"parking meter head"

means a mechanical or electronic appliance designed for the purpose of gauging and indicating a time within which a vehicle is or may be parked;

"parking meter stand"

means a pole or stand supporting a single or double parking meter head;

"parking pay station"

means a device operated and maintained by or on behalf of the City for collecting parking fees for parking in, and controlling the use of, parking spaces.

"parking space"

means any portion of a street marked by any one or more of the following to indicate that it is intended for the parking of a vehicle: painted lines, a number, meter, pole or other device.

"passenger vehicle"

means a vehicle that is not a commercial vehicle, a sightseeing vehicle, a bus or a taxi;

"pay station zone"

means a street or a portion of a street designated as such under this bylaw where parking is permitted subject to payment of a charge at a parking pay station.

"person with disabilities"

means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk;

"police chief"

means the person appointed from time to time as the chief of the City of Victoria Police Department.

"police officer"

means a peace officer, constable or person having the powers of a peace officer or constable;

"private lane"

(a) means every way or place that is privately owned and used for vehicular travel by the owner of that way or place, and by those having the express or implied permission of the owner, and

(b) excludes a driveway between a single residence and a street;

"public place"

includes all public squares, public gardens, public recreation grounds, parks, lanes and streets within the City;

"repertoire"

means the complete list or supply of skills, drama or musical works available for performance by a street entertainer;

"semi-trailer"

includes

(a) a vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests on and is carried by the motor vehicle or truck tractor; and

(b) a pole trailer;

"sidewalk"

means the part of a highway that has been improved for pedestrian traffic and, where there is no boulevard between the nearest building and that part of a highway, the sidewalk is deemed to abut that building unless proved otherwise;

"sidewalk crossing"

means the part of a sidewalk designated for the passage of vehicles from the travelled portion of the street to the street line;

"sightseeing vehicle"

(a) means a cab, carriage, omnibus, cart, wagon, dray, truck, motor car, automobile or other conveyance or vehicle that operated by a driver and used primarily for sightseeing purposes,

- (b) includes a horsedrawn vehicle, and
- (c) excludes a vehicle for which a licence is required under the provisions of Part 4 (Taxis) of the Vehicles For Hire Bylaw;

"stop" or "stand"

- (a) when required by this bylaw, means a complete cessation from movement, and
- (b) when prohibited, means the stopping or standing of a vehicle, whether occupied or not, except when that is necessary to avoid conflict with other traffic or to comply with the directions of a police officer or traffic control device;

"street"

includes a highway, as defined in the *Motor Vehicle Act*;

"street line"

means the dividing line between real property and an adjoining street;

"taxi"

has the same meaning as defined in the City's Vehicles For Hire Bylaw;

"ticket dispenser"

means an automatic or other mechanical meter erected, maintained or operated

- (a) on a street or portion of a street, and
- (b) for the purpose of allotting and controlling parking spaces for vehicles by the dispensing of tickets or coupons to the drivers of vehicles parked or intended to be parked in those parking spaces;

"trailer"

means a vehicle, including a semi-trailer, that is at any time drawn upon a street by a motor vehicle, excluding:

- (a) an implement of husbandry;
- (b) a sidecar attached to a motor vehicle; or
- (c) a disabled motor vehicle that is towed by a tow car;

"weapon"

includes all types of firearms, air guns, air rifles, air pistols and spring guns.

“works”

means works owned or operated by the City.

### **Classification of streets**

5 Streets are classified in accordance with Schedule A.

### **Procedures for orders by Director of Engineering**

- 6 (1) Subject to section 8, an order made by the Director of Engineering under a power delegated by this Bylaw must
- (a) be in writing and signed by the Director of Engineering;
  - (b) be forwarded to the Corporate Administrator;
  - (c) come into effect immediately, unless a later date is specified in the order.
- (2) The Director of Engineering may forward an order, that in the Director of Engineering’s opinion concerns a new matter, to the Corporate Administrator with a request that the order be presented
- (a) to the appropriate committee of Council for consideration; or
  - (b) to City Council for ratification.
- (3) The committee that considers an order may present it, with or without a recommendation, to the Council for its ratification or other action.
- (4) An order forwarded to City Council for ratification comes into force immediately on ratification unless a later date is specified in the order.
- (5) The Director of Engineering may exercise the power to make an order under this Bylaw at any time or from time to time, as the Director of Engineering considers necessary or expedient.

### **Powers of Council not affected by an order**

- 7 (1) The giving or delegating of authority, under this Bylaw, to the Director of Engineering does not limit the power of the Council to initiate, adopt, repeal or amend bylaws in respect of any matter within this Bylaw.
- (2) An order made by the Director of Engineering is valid and effective only to the extent that it is not inconsistent with or repugnant to the provisions of a bylaw.
- (3) The Council may, by bylaw, at any time rescind or revoke an order made by the Director of Engineering.

### **Orders exempt from procedures**

- 8 (1) Section 6 does not apply to

- (a) an order made under section 76 or 82, or
  - (b) the issuance of a permit or the granting of a permission or consent, under this Bylaw, by the Director of Engineering or any other of the City's officers or employees who are empowered to issue the permit or grant the permission or consent.
- (2) An order referred to in subsection (1) or an order for the rescission, revocation, amendment or variation of that order must take effect at the time it is made or at the time stipulated by the order.

## PART 2 - TRAFFIC

### Powers of Director of Engineering

- 9 For the purpose of regulating the movement of traffic, the Director of Engineering may make orders designating any of the following matters:
- (a) the intersections where signs bearing words or symbols indicating that U-turns are prohibited must be placed;
  - (b) the locations at intersections where signs bearing words or symbols indicating that left hand turns are prohibited must be placed;
  - (c) the locations at intersections of not more than two streets where signs bearing words or symbols indicating that the driver of a vehicle which is facing the red light at that intersection must not cause the vehicle to make a left turn into a street on which traffic is restricted to one direction of travel;
  - (d) the locations at intersections where signs bearing the words "Stop" must be placed;
  - (e) the locations at or near intersections where signs, bearing words or symbols indicating that drivers must yield, must be placed;
  - (f) the locations where traffic control signals described in section 126 of the *Motor Vehicle Act* must be placed;
  - (g) the intersections where signs bearing words or symbols indicating that a street is a one way street must be placed, together with other signs the Director of Engineering considers advisable in order to prohibit traffic proceeding in more than one direction on a one way street;
  - (h) the portions of streets that are crosswalks and that the crosswalks must be marked by distinctive lines or markers on street surfaces, and the locations where signs, indicating the locations of crosswalks, must be placed;
  - (i) the roadway or part of a roadway, on a street, that must be a laned roadway within the meaning of the *Motor Vehicle Act*, and must be marked with suitable lines on the roadway;

- (j) the lane or lanes on a laned roadway at or near an intersection where suitable traffic control devices must be placed to direct that no turns or turns only in certain directions may be made at the intersection by vehicles travelling in the lane or lanes;
- (k) streets or portions of streets which must be marked with lines in the manner provided by section 155 of the *Motor Vehicle Act*;
- (l) streets or portions of streets which must be divided in the manner described by section 163 of the *Motor Vehicle Act*;
- (m) the locations at or in the vicinity of schools and public playgrounds for children where signs stating a speed limit of 30 km/h, or on which the numeral "30" is prominently shown, must be displayed for the purposes of section 147 of the *Motor Vehicle Act*;
- (n) the locations at intersections where signs bearing words or symbols indicating that right hand turns are prohibited must be placed
- (o) the unmarked crosswalks where signs indicating that pedestrian traffic is prohibited must be placed;
- (p) the streets or portions of streets on which buses that may be a hazard to other users by reason of their size or operating characteristics are prohibited, and the locations where signs indicating that bus traffic is prohibited must be placed;
- (q) for the purpose of preventing a hazard or damage to streets,
  - (i) designate limits for the gross weight of a vehicle or its load, and for the distribution of loads of vehicles,
  - (ii) designate all or part of a street from which vehicles are prohibited if they exceed the limits designated under subparagraph (i), and
  - (iii) designate locations for the placement of signs that indicate the limits and prohibitions designated under subparagraphs (i) and (ii).
- (r) the streets or portions of streets where traffic, classes of traffic, vehicles, or drivers are regulated as the Director of Engineering considers advisable to support the prioritization of pedestrian traffic including:
  - (i) the hours during which and days on which a provision of an order concerning the streets or portions of streets is in effect; and
  - (ii) different provisions, including exceptions, for different classes of traffic, vehicles, or drivers.

**Jaywalking**

- 10 (1) That part of the City bounded by the east side of Douglas Street, the south side of Fort Street, the west side of Government Street, and the north side of Herald Street is designated as a congested district.
- (2) A pedestrian must not traverse or cross any of the streets within a congested district at any place other than in a crosswalk.
- (3) The provisions of subsections (1) and (2) do not apply to any of the following areas:
- (a) that portion of Fisgard Street between Government Street and Douglas Street;
  - (b) that portion of Government Street between Fort Street and Yates Street.
- (4) Despite subsections (1) to (3), a person must not traverse or cross a street in an unmarked crosswalk where a sign is displayed which indicates that pedestrian traffic is prohibited.

**School patrols**

- 11 (1) The principal of a public or private school may appoint a number of pupils of the school, or other persons, as members of a traffic patrol with the power to require vehicles to stop at crosswalks in the vicinity of schools by displaying flags or other devices bearing the word "Stop".
- (2) A driver of a vehicle approaching a crosswalk must not cause or permit the vehicle to proceed through or into the crosswalk when a member of a traffic patrol appointed under subsection (1) displays a flag or other device with the word "Stop" on it facing the traffic approaching from either direction.

**Firefighters may direct traffic**

- 12 (1) An officer or member of the Fire Department in attendance at or near any fire or other emergency may direct traffic on a street in the vicinity of the fire or other emergency.
- (2) A person must comply with directions given under subsection (1).

**Work in streets**

- 13 Without making a formal order, the Director of Engineering may direct that, on any street where construction, reconstruction, widening, repair, marking or any other work is being done, traffic control devices must be erected or placed for any of the following purposes:
- (a) to indicate that crews or equipment are working on the street;
  - (b) to regulate or prohibit traffic in the vicinity of the work;
  - (c) to limit the rate of speed of vehicles in the vicinity of the work.



**Moving vehicle into traffic**

- 14 The driver of a vehicle may move it from a stationary position at a curb or the edge of a roadway into the line of vehicular traffic on the street only if the driver
- (a) first signals an intention to do so by means of an hand and arm signal or a mechanical signal, as prescribed for turns by the *Motor Vehicle Act*, and
  - (b) has ascertained that the movement can be made in safety, having regard to the nature, condition and use of the street and the traffic which actually is at the time, or might reasonably be expected to be, on the street.

**Traffic at intersections**

- 15 Despite a traffic control indication to proceed, a person may drive a vehicle into an intersection or a marked crosswalk only if there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians.

**Temporary traffic control devices by police**

- 16 A police officer may place or employ temporary traffic control devices that the police officer considers necessary to assist in controlling traffic.

**Speed zones**

- 17 (1) A person must not drive a motor vehicle in excess of the maximum rate of speed prescribed in Schedule B for the street, lane or the part of a street or lane listed in Schedule B under that rate of speed.
- (2) The maximum rates of speed prescribed in Schedule B apply to all motor vehicles except where a type of motor vehicle is specified in Schedule B in respect of a specified street or lane or part of a street or lane.
- (3) The Director of Engineering must cause signs to be erected or placed on streets and lanes or the parts of them designated in Schedule B for the purpose of indicating the speed limits prescribed under this section and Schedule B.

**Use of street by buses**

- 18 The driver of a bus must not drive it on a street on which bus traffic has been prohibited by an order made under section 9(p).

**Police traffic direction**

- 19 If a police officer reasonably considers it necessary to
- (a) ensure orderly movement of traffic,
  - (b) prevent injury or damage to persons or property, or
  - (c) permit proper action in an emergency,

the police officer may direct traffic according to his or her discretion and, despite anything in to the contrary in sections 20 to 44, a person must obey the police officer's directions.

### **Obeying traffic controls**

- 20 Unless otherwise directed by a police officer or a person authorized by a police officer to direct traffic, every driver of a vehicle and every pedestrian must obey the instructions of an applicable traffic control device.

### **Stop signs**

- 21 Except when a police officer directs otherwise, if there is a stop sign at an intersection, a driver of a vehicle must stop
- (a) at the marked stop line, if any,
  - (b) before entering the marked crosswalk on the near side of the intersection, or
  - (c) when there is neither a marked crosswalk nor a stop line, before entering the intersection, at the point nearest the intersecting highway from which the driver has a view of approaching traffic on the intersecting highway;

### **Green light**

- 22 (1) When a green light alone is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the green light
    - (i) may cause the vehicle to proceed straight through the intersection, or to turn left or right, subject to a sign or signal prohibiting a left or right turn, or both, or designating the turning movement permitted;
    - (ii) must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk when the green light is exhibited; and
    - (iii) must yield the right of way to vehicles lawfully in the intersection when the green light is exhibited; and
  - (b) a pedestrian facing the green light may proceed across the roadway in a marked or unmarked crosswalk, subject to special pedestrian traffic control signals directing him or her otherwise, and has the right of way for that purpose over all vehicles.
- (2) When a green light alone is exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle
    - (i) may cause the vehicle to pass the signal, and

- (ii) must yield the right of way to a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited;
- (b) a pedestrian still in the roadway or on a crosswalk in the vicinity of the signal when the green light is exhibited must proceed as quickly as possible from the roadway; and
- (c) a pedestrian must not enter the roadway in the vicinity of the signal until either
  - (i) the traffic control signal facing the vehicular traffic exhibits a red light, or
  - (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

### **Yellow light**

- 23 (1) When a yellow light alone is exhibited at an intersection by a traffic control signal, following the exhibition of a green light,
- (a) the driver of a vehicle approaching the intersection and facing the yellow light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, unless the stop cannot be made in safety;
  - (b) a pedestrian facing the yellow light must not enter the roadway; and
  - (c) a pedestrian proceeding across the roadway and facing the yellow light exhibited after the pedestrian entered the roadway
    - (i) must proceed to the sidewalk as quickly as possible, and
    - (ii) has the right of way for that purpose over all vehicles.
- (2) When a yellow light alone is exhibited at a place other than an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, before reaching the signal, unless the stop cannot be made in safety; and
  - (b) a pedestrian must not enter the roadway in the vicinity of the signal until either
    - (i) the traffic control signal facing the vehicular traffic exhibits a red light, or

- (ii) a traffic control signal instructs the pedestrian that he or she may cross the roadway.

### Red light

- 24 (1) Subject to subsection (2), when a red light alone is exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing the red light must cause it to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, before entering the intersection, and subject to the provisions of subsection (2), must not cause the vehicle to proceed until a traffic control signal instructs the driver that he or she is permitted to do so.
- (2) The driver of a bus approaching an intersection and facing a red light and a prescribed white rectangular indicator may cause the bus to proceed through the intersection.
- (3) Despite subsection (1), and except when a right turn permitted by this subsection is prohibited by a sign at an intersection, the driver of a vehicle facing the red light, and in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then as closely as practicable to the intersection, may cause the vehicle to make a right turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection.
- (4) When a red light alone is exhibited at an intersection by a traffic control signal,
- (a) a pedestrian facing the red light must not enter the roadway unless instructed that he or she may do so by a pedestrian traffic control signal;
  - (b) except when a left turn permitted by this paragraph is prohibited by a sign at the intersection, the driver of a vehicle facing the red light at the intersection of not more than 2 highways, and in obedience to it is stopped as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, as closely as practicable to the intersection, may cause the vehicle to make a left turn into a highway on which traffic is restricted to the direction in which he or she causes the vehicle to turn, but the driver must yield the right of way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection; and
  - (c) a pedestrian proceeding across the roadway and facing the red light exhibited after he or she entered the roadway
    - (i) must proceed to the sidewalk as quickly as possible, and
    - (ii) has the right of way for that purpose over all vehicles.
- (5) When a red light is exhibited at a place other than an intersection by a traffic control signal,

- (a) the driver of a vehicle approaching the signal must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, then before reaching the signal; and
- (b) a pedestrian may proceed across the roadway.

### **Green arrow**

- 25 (1) When a green arrow is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle facing the green arrow may cause it to enter the intersection and to make only the movement indicated by the green arrow, but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk and to other vehicles lawfully in the intersection; and
  - (b) a pedestrian facing the green arrow must not enter the roadway unless a pedestrian traffic control signal or the exhibition of a green light by a traffic control signal instructs the pedestrian that he or she is permitted to do so.
- (2) When a yellow arrow is exhibited at an intersection by a traffic control signal,
- (a) the driver of a vehicle approaching the intersection and facing a yellow arrow must cause the vehicle to stop, unless the stop cannot be made in safety,
    - (i) before entering the marked crosswalk on the near side of the intersection, or
    - (ii) before entering the intersection, if there is no marked crosswalk;
  - (b) the driver of a motor vehicle approaching the intersection and facing the yellow arrow may, when a stop cannot be made in safety, proceed with caution to make the movement indicated by the arrow but must yield the right of way to pedestrians lawfully in the intersection or in an adjacent crosswalk, and to other vehicles lawfully in the intersection;
  - (c) a pedestrian facing the yellow arrow must not enter the roadway; and
  - (d) a pedestrian proceeding across the roadway and facing the yellow arrow exhibited after he or she entered the roadway
    - (i) must proceed to the sidewalk as quickly as possible, and
    - (ii) has the right of way for that purpose over all vehicles.

### **Flashing lights**

- 26 (1) When rapid intermittent flashes of red light are exhibited at an intersection by a traffic control signal,

- (a) the driver of a vehicle approaching the intersection and facing the flashes of red light must cause the vehicle to stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, and must not cause the vehicle to proceed until it is safe to do so; and
  - (b) a pedestrian facing the flashes of red light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (2) When rapid intermittent flashes of red light are exhibited at a place other than an intersection by a traffic control signal,
  - (a) the driver of a vehicle approaching the signal
    - (i) must cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk then before reaching the signal, and
    - (ii) may, after having caused the vehicle to stop, cause it to pass the signal and any crosswalk only if conditions of pedestrian traffic in the roadway or any crosswalk in the vicinity of the signal permit it to do so with safety; and
  - (b) a pedestrian may proceed across the roadway.
- (3) When rapid intermittent flashes of yellow light are exhibited at an intersection by a traffic control signal,
  - (a) the driver of a vehicle facing the flashes of yellow light may cause it to enter the intersection and proceed only with caution, but must yield the right of way to pedestrians lawfully in the intersection or an adjacent crosswalk; and
  - (b) a pedestrian facing the flashes of yellow light may proceed with caution across the roadway, in a marked or unmarked crosswalk.
- (4) When rapid intermittent flashes of yellow light are exhibited at a place other than an intersection by a traffic control signal,
  - (a) the driver of a vehicle approaching the signal may cause the vehicle to pass the signal only with caution, and must yield the right of way to pedestrians in the roadway or on any crosswalk in the vicinity of the signal; and
  - (b) a pedestrian may proceed across the roadway with caution.
- (5) When rapid intermittent flashes of green light are exhibited at an intersection or at a place other than an intersection by a traffic control signal,
  - (a) the driver of a vehicle approaching the intersection or signal and facing the signal must cause it to approach the intersection or signal in such a

manner that he or she is able to cause the vehicle to stop before reaching the signal or any crosswalk in the vicinity of the signal if a stop should become necessary, and must yield the right of way to pedestrians lawfully in a crosswalk in the vicinity of the signal or in the intersection; and

- (b) a pedestrian may proceed across the roadway with caution and at an intersection only in a marked or unmarked crosswalk.

### **Stunting**

- 27 A person, whether as a pedestrian, passenger, or driver, and whether or not with the use or aid of any animal, vehicle, or other thing, must not perform or engage in any stunt or other activity on a street that is likely to distract, startle, or interfere with other users of the street.

### **Driving on laned roadway**

- 28 A driver who is driving a vehicle on a laned roadway
  - (a) must not drive it from one lane to another when only a broken line exists between the lanes, unless the driver has ascertained that movement can be made with safety and will in no way affect the travel of another vehicle;
  - (b) must not drive it from one lane to another if that action necessitates crossing a solid line;
  - (c) must not drive it from one lane to another without first signalling his or her intention to do so by hand and arm or approved mechanical device in the manner prescribed by sections 39 and 40;
  - (d) when approaching an intersection intending to turn left must drive the vehicle in the centre lane or in the lane nearest the centre of the roadway on the right hand half of the highway;
  - (e) when approaching an intersection intending to turn right must drive the vehicle in the lane nearest to the right hand side of the roadway;
  - (f) must not pass a vehicle on the left if that action necessitates driving on that part of the highway designated for travel in the opposite direction; and
  - (g) if a traffic control device directs slow moving traffic to use a designated lane, must when driving slowly drive the vehicle in that lane only.

### **Highway lines**

- 29 (1) Despite anything in this Part, if a highway is marked with
  - (a) a solid double line, the driver of a vehicle must drive it to the right of the line only;
  - (b) a double line consisting of a broken line and a solid line,

- (i) the driver of a vehicle proceeding along the highway on the side of the broken line must drive the vehicle to the right of the double line, except when passing an overtaken vehicle, and
  - (ii) the driver of a vehicle proceeding along the highway on the side of the solid line must drive the vehicle to the right of the double line, except only when finishing the passing of an overtaken vehicle; and
  - (c) one single line, broken or solid, the driver of a vehicle must drive the vehicle to the right of the line, except only when passing an overtaken vehicle.
- (2) Subsection (1) (b) (i) and (c) do not apply if a driver is avoiding an obstruction on the highway and first ascertains that the movement can be made with safety and without affecting the travel of any other vehicle.

### **Highway lines exception**

- 30 If the driver of a vehicle is causing the vehicle to enter or leave a highway and the driver has ascertained that he or she might do so with safety and does so without unreasonably affecting the travel of another vehicle, the provisions of sections 28 and 29 are suspended with respect to the driver while the vehicle is entering or leaving the highway.

### **Newly painted lines**

- 31 A person must not drive on or over a newly painted line or marking on a highway when the line is indicated by a traffic control device.

### **Duty when overtaking**

- 32 (1) Except as provided in section 33, the driver of a vehicle overtaking another vehicle
- (a) must cause the vehicle to pass to the left of the other vehicle at a safe distance; and
  - (b) must not cause or permit the vehicle to return to the right side of the highway until safely clear of the overtaken vehicle.
- (2) Except when overtaking and passing on the right is permitted, a driver of an overtaken vehicle,
- (a) on hearing an audible signal given by the driver of the overtaking vehicle, must cause the vehicle to give way to the right in favour of the overtaking vehicle; and
  - (b) must not increase the speed of the vehicle until completely passed by the overtaking vehicle.



**Passing on right**

- 33 (1) The driver of a vehicle must not cause or permit the vehicle to overtake and pass on the right of another vehicle, except
- (a) when the vehicle overtaken is making a left turn or its driver has signalled his or her intention to make a left turn;
  - (b) when on a laned roadway there is one or more than one unobstructed lane on the side of the roadway on which the driver is permitted to drive; or
  - (c) on a one way street or a highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and is of sufficient width for 2 or more lanes of moving vehicles.
- (2) Despite subsection (1), a driver of a vehicle must not cause the vehicle to overtake and pass another vehicle on the right
- (a) when the movement cannot be made safely; or
  - (b) by driving the vehicle off the roadway.

**Passing on left**

- 34 A driver of a vehicle must not drive to the left side of the roadway in overtaking and passing another vehicle unless the driver can do so in safety.

**Clear view on passing**

- 35 A driver of a vehicle must not drive to or on the left side of the roadway, other than on a one way highway, unless the driver has a clear view of the roadway for a safe distance, having regard for all the circumstances.

**Divided highways**

- 36 If a highway has been divided into 2 roadways by a physical barrier or clearly indicated dividing section constructed so that it impedes vehicular traffic, a driver must not
- (a) drive a vehicle over, across or within a barrier or dividing section, except at a crossover or intersection; or
  - (b) drive a vehicle on the left hand roadway unless directed or permitted to do so by a police officer or a traffic control device.

**Reverse turn**

- 37 Except as provided by the bylaws of a municipality, a driver must not turn a vehicle so as to proceed in the opposite direction
- (a) unless the driver can do so without interfering with other traffic; or

- (b) when he or she is driving,
  - (i) on a curve,
  - (ii) on an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 m,
  - (iii) at a place where a sign prohibits making a U-turn,
  - (iv) at an intersection where a traffic control signal has been erected, or
  - (v) in a business district, except at an intersection where no traffic control signal has been erected.

### Signals on turning

- 38 (1) If traffic may be affected by turning a vehicle, a person must not turn it without giving the appropriate signal under sections 39 and 40.
- (2) If a signal of intention to turn right or left is required, a driver must give it continuously for sufficient distance before making the turn in order to warn other traffic.
- (3) If there is an opportunity to give a signal, a driver must not stop or suddenly decrease the speed of a vehicle without first giving the appropriate signal under sections 39 and 40.

### Means of signalling

- 39 (1) Subject to subsection (2), where a signal is required a driver must give it by means of
- (a) his or her hand and arm,
  - (b) a signal lamp of a type approved under the *Motor Vehicle Act*, or
  - (c) a mechanical device of a type approved under the *Motor Vehicle Act*.
- (2) When a vehicle is constructed or loaded in a manner that makes a signal by hand and arm not visible both to its front and rear, or a body or load extends more than 60 cm to the left of the centre of the steering wheel, a driver must give signals as provided by subclauses (1) (b) or (c), and a person must not drive the motor vehicle on a highway unless it is so equipped.

### Left hand drive signals

- 40 (1) When a driver of a left hand drive vehicle gives a signal by hand and arm, the driver must do so from the left side, and must signify
- (a) a left turn by extending his or her left hand and arm horizontally from the vehicle;

- (b) a right turn by extending his or her left hand and arm out and upward from the vehicle; and
  - (c) a stop or decrease in speed by extending his or her left hand and arm out and downward from the vehicle.
- (2) A person must not drive a right hand drive vehicle on a highway unless it is equipped with a mechanical or electrical signalling device approved by the Lieutenant Governor in Council.

### **Driving over fire hose**

- 41 Unless he or she has received consent of the fire department official in command or a police officer, a person must not drive a vehicle over an unprotected hose of a fire department when laid down on a highway or private driveway at a fire or an alarm of fire.

### **Driving on sidewalk**

- 42 A driver must not drive on a sidewalk, walkway or boulevard, except when entering or leaving a driveway or lane or when entering or leaving land adjacent to a highway, or by permission granted under a bylaw.

### **Cyclist provisions**

- 43 (1) In addition to the duties imposed by this section, a person operating a cycle on a highway has the same rights and duties as a driver of a vehicle.
- (2) A person operating a cycle
- (a) must not, for the purpose of crossing a highway, ride on a crosswalk unless
    - (i) authorized to do so by a bylaw,
    - (ii) directed to do so by a sign, or
    - (iii) entering or leaving a multi-use trail on a crosswalk linking portions of the trail to one another or to a highway;
  - (b) must, subject to paragraph (a), ride as near as practicable to the right side of the highway;
  - (c) must not ride abreast of another person operating a cycle on the roadway;
  - (d) must keep at least one hand on the handlebars;
  - (e) must not ride other than on or astride a regular seat of the cycle;
  - (f) must not use the cycle to carry more persons at one time than the number for which it is designed and equipped; and

- (g) must not ride a cycle on a highway where signs prohibit the cycle's use.
- (3) Nothing in subsection (2)(b) requires a person to ride a cycle on any part of a highway that is not paved.
- (4) A person operating a cycle who intends to turn it to the left at an intersection where there is more than one lane from which left turns are permitted must
  - (a) cause the cycle to approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted;
  - (b) keep the cycle to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane;
  - (c) after entering the intersection, turn the cycle to the left so that it will leave the intersection to the right of the line referred to in paragraph (b); and
  - (d) when practicable, turn the cycle in the portion of the intersection to the left of the centre of the intersection.
- (5) A person must not ride a cycle, skateboard, roller skates, in-line roller skates, sled, play vehicle or other similar means of conveyance when it is attached by the arm and hand of the rider or otherwise to a vehicle on a highway.
- (6) A person must not operate a cycle on a highway without due care and attention or without reasonable consideration for other persons using the highway.

### Skating provisions

- 43A (1) Subject to the applicable provisions of the *Motor Vehicle Act* and its regulations and in addition to the duties imposed by this Bylaw, a person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway has the same rights and duties as a driver of a vehicle.
- (2) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway
  - (a) must not, for the purpose of crossing a highway, use the device on a crosswalk unless
    - (i) authorized to do so by a bylaw,
    - (ii) directed to do so by a sign, or
    - (iii) entering or leaving a multi-use trail on a crosswalk linking portions of the trail to one another or to a highway,
  - (b) must, subject to section 115(1), use the device as near as practicable to the right side of the highway,

- (c) must not use the device abreast of another person using a cycle, skateboard, roller skates, in-line skates, or a non-motorized scooter on the highway,
  - (d) if the device is a skateboard or non-motorized scooter, must keep at least one foot on the skateboard or non-motorized scooter,
  - (e) must not carry a passenger on the device, and
  - (f) must not use the device on a highway where signs prohibit the device's use.
- (3) Nothing in subsection (2)(b) requires a person to use a skateboard, roller skates, in-line skates, or a non-motorized scooter on any part of a highway that is not paved.
- (4) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway who intends to turn left at an intersection where there is more than one lane from which left turns are permitted must
- (a) approach the intersection in the lane closest to the right side of the highway from which a left turn is permitted,
  - (b) keep to the right of the line that divides the lane referred to in paragraph (a) from the lane immediately to the left of that lane,
  - (c) after entering the intersection, turn to the left so that the device will leave the intersection to the right of the line referred to in paragraph (b), and
  - (d) when practicable, turn in the portion of the intersection to the left of the centre of the intersection.
- (5) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway between 1/2 hour after sunset and 1/2 hour before sunrise must wear the following equipment:
- (a) a lighted lamp on the person's front and under normal atmospheric conditions capable of displaying a white light visible at least 150 m in the direction the person is pointed;
  - (b) a red reflector of a make or design approved by the Insurance Corporation of British Columbia for the purposes of section 183(6)(b) of the *Motor Vehicle Act*;
  - (c) a lighted lamp, visible to the rear, displaying a red light.
- (6) If an accident occurs by which a person or property is injured, directly or indirectly, owing to the use of a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway or a sidewalk, the person using the skateboard, roller skates, in-line skates, or a non-motorized scooter must

- (a) remain at or immediately return to the scene of the accident,
  - (b) render all possible assistance, and
  - (c) give to anyone sustaining loss or injury the person's name and address.
- (7) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway without due care and attention or without reasonable consideration for other persons using the highway.
- (8) A person using a skateboard, roller skates, in-line skates, or a non-motorized scooter on a highway must signify
- (a) a left turn by extending the person's left hand and arm horizontally,
  - (b) a right turn by doing either of the following:
    - (i) extending the person's left hand and arm out and upward so that the upper and lower parts of the arm are at right angles;
    - (ii) extending the person's right hand and arm horizontally, and
  - (c) a stop or decrease in speed by extending the person's left hand and arm out and down.

### **Motorcycles**

- 44 (1) A person operating a motorcycle must ride only astride the regular seat attached to it.
- (2) A person, other than the operator, must not ride on a motorcycle unless
- (a) it is designed and equipped to carry more than one person; and
  - (b) the other person rides
    - (i) astride the permanent and regular seat if designed for 2 persons,
    - (ii) astride another seat firmly attached to the motorcycle behind the seat occupied by the operator; or
    - (iii) on or in another seat firmly attached to one side of the motorcycle.
- (3) A person who is operating a motorcycle must not permit another person to ride on it in violation of subsection (2).
- (4) Except when overtaking and passing other motorcycles, more than 2 operators of motorcycles must not operate their motorcycles side by side in the same direction in the same traffic lane.

### PART 3 - PARKING AND STOPPING

#### **Powers of Director of Engineering - parking and stopping zones**

- 45 For the purpose of regulating the parking and stopping of vehicles, the Director of Engineering may make orders designating certain streets or portions of streets as any of the following Zones, and designating the following regulations indicated for those Zones:
- (a) Impounding Zones or Tow Away Zones;
  - (b) No Stopping Zone, and the hours during which stopping is prohibited in it;
  - (c) No Parking Zone and the hours during which parking is prohibited in it;
  - (d) Limited Time Parking Zone, and
    - (i) the length of time that a vehicle may be parked continuously in that Zone,
    - (ii) the hours during which the regulations concerning it are in effect, and
    - (iii) the circumstances under which a vehicle may be removed from that Zone when the vehicle is parked in contravention of that Zone's regulations;
  - (e) Residential Parking Zone and the hours during which and the days on which it is in effect;
  - (f) Truck Loading Zone, and the hours during which it is in effect;
  - (g) Hotel Zone;
  - (h) General Loading Zone, and the hours during which it is in effect;
  - (i) School Loading Zone, and
    - (i) the length of time that a vehicle may be continuously parked in that Zone, to a maximum of five minutes, and
    - (ii) for days when school is in session, the hours between 8:00 a.m. and 5:00 p.m., of the same day, during which the regulations concerning that Zone are in effect;
  - (j) Church Loading Zone for the exclusive use of the official vehicles of a funeral procession or wedding party;
  - (k) Accessible Loading Zone or Parking Zone, and
    - (i) the length of time that vehicles may be continuously standing, stopped or parked, and
    - (ii) the hours during which the regulations concerning the Zone are in effect;
  - (l) Taxi Stand for the exclusive use of taxis or a class of taxi;

- (m) Bus Zone for the exclusive use of transportation buses or a class of transportation bus, or their operators or owners, and the days and the hours during which stopping, standing or parking is prohibited for a vehicle that is not a designated bus;
- (n) Shuttle Bus Zone for the exclusive use of passenger transportation buses for the use of which a fare is not charged, or for any class or type of free bus, or their operators, and the days and the hours during which stopping, standing or parking is prohibited for a vehicle that is not a designated free bus;
- (o) Out of Town Tour Bus Zone only on the south side of the 800 block of Humboldt Street for the exclusive use of transportation buses operating tours starting from outside the City limits, and the months or weeks, the days and the hours during which stopping, standing or parking is prohibited for a vehicle that is not a transportation bus described in this paragraph;
- (p) Safety Zone for the exclusive use of pedestrians and providing for the erection in that Zone of a platform, curbing or structure that the Director of Engineering considers advisable for the greater convenience or safety of pedestrians;
- (q) Angle Parking Zone within which vehicles must be parked only at an angle with the curb or edge of the roadway;
- (r) Reserved Parking Zone only adjacent to a Federal, Provincial, or Municipal public building, exclusively for the parking of the vehicles of officials and officers engaged in that building, and designating the hours of the day during which that Zone is in effect;
- (s) Special Parking Zone, and the hours and days during which stopping, standing or parking of vehicles is permitted
  - (i) other than in the manner prescribed by section 88(2),
  - (ii) in the manner indicated by the lines, signs, or other markings displayed in that Zone, and
  - (iii) the types of vehicles to which an order made under this paragraph applies;
- (t) No Parking Zone for vehicles over 6 m long, including their load or trailer, except while loading or unloading freight;
- (u) Passenger Zone for the exclusive use of vehicles while engaged in the loading or unloading of passengers;
- (v) Metered Zone, including Small Vehicle Parking Metered Zone, and Pay Station Zone in which parking meters and pay stations, respectively, shall be erected, maintained and operated to collect fees; prescribing the size of spaces within the Small Vehicle Parking Metered Zone; and prescribing fees for the use of parking spaces located in those zones, and the fees may be different in different parts of those zones;



- (w) Ticket Controlled Parking Zone in which ticket dispensers must be erected, maintained, and operated for the purpose of allocating and controlling parking spaces for vehicles, and
  - (i) the fee to be deposited in these ticket dispensers by the drivers of vehicles parked or intended to be parked in these parking spaces, and
  - (ii) the length of time during which a vehicle may be continuously parked within that Zone;
- (x) Sightseeing Stand for the exclusive use of sightseeing vehicles, which designations may differ for different classes or kinds of sightseeing vehicles;
- (y) Tourist Parking Zone for the exclusive use of a person who does not reside within the Capital Regional District, and designating the days and the hours during which that Zone is in effect;
- (z) Residential Parking Permit Zone, and the hours and days during which it is restricted to Residential Permit Parking;
- (aa) Car Share Co-op Parking Zone for the exclusive use of car share co-op vehicles and stopping, standing or parking in that zone by other vehicles is prohibited;
- (bb) Electric Vehicle Charging Zone in which charging stations for the exclusive use of electric vehicles shall be erected, maintained, and operated, prescribing fees for the use of charging stations and parking spaces in that zone, prescribing the length of time during which a charging station may be utilized or electric vehicle may be continuously parked within that zone, and prohibiting the stopping, standing or parking in that zone by other vehicles.

#### **Powers of Director of Engineering - traffic control devices**

- 46 The Director of Engineering may make orders providing for the erection, placing, painting, or marking on a street of a traffic control device that the Director of Engineering considers necessary or expedient to give effect to the provisions of this Bylaw, orders made under this Bylaw, or the provisions of, or orders made under, the *Motor Vehicle Act* and its regulations.

#### **Impounding and tow away zones**

- 47 (1) No person shall park a vehicle in a Tow Away Zone or an Impounding Zone.
- (2) The Director of Engineering or the Police Chief may remove or cause to be removed and impounded a vehicle standing, stopped or parked on the street in a Tow Away Zone or an Impounding Zone.
- (3) The owner of a vehicle removed or impounded under subsection (2) must pay to the City all of the fees, costs and expenses of removal, impoundment and storage of the vehicle before the vehicle will be released to the owner.

- (4) The Director of Engineering may proceed in accordance with the provisions of the *Warehouse Lien Act*, as if the City were a warehouse under that Act, for the sale of a vehicle if any fees, costs, or expenses referred to in subsection (3) are not paid immediately.

#### **No stopping zone**

- 48 The driver of a vehicle must not cause or permit it to stop or remain standing in a No Stopping Zone during the hours when stopping is prohibited.

#### **No parking zone**

- 49 The driver of a vehicle must not park it or permit it to remain parked in a No Parking Zone during the hours when parking is prohibited.

#### **No parking in City lane**

- 50 The driver of a vehicle must not park it or permit it to remain parked at any time in a City lane.

#### **Limited time parking zone**

- 51 (1) The driver of a vehicle must not park it or permit it to remain parked in a Limited Time Parking Zone for longer than the time during which continuous parking is allowed in accordance with signs placed in or near that Zone.
- (2) Subsection (1) does not apply to the driver of a vehicle that
- (a) belongs to the City, its officers, employees, or agents, and
  - (b) is being used in the course of employment of a person referred to in paragraph (a), as evidenced by a sign, marking, or notice that is signed by the Director of Engineering, Corporate Administrator, or Chief of Police and is displayed on the vehicle.
- (3) The owner of a vehicle that is removed under the direction of the Director of Engineering or the City's Chief of Police from a Limited Time Parking Zone may redeem the vehicle by paying all of the fees, costs, and expenses of removal, detention, and impoundment, including charges for storage.
- (4) The Director of Engineering may proceed in accordance with the provisions of the *Warehouse Lien Act*, as if the City were a warehouse under that Act, for the sale of a vehicle if any fees, costs, or expenses referred to in subsection (3) are not paid immediately.
- (5) Subsection (1) does not apply to a person to whom an Employee Parking Exemption Permit for a person with disabilities, or a Parking Exemption (temporary) Permit for a person with disabilities, has been issued if that permit allows its holder to park in a Limited Time Parking Zone.

- (6) A separate offence is committed at the expiry of each period of time during which a vehicle is illegally parked in a Limited Time Parking Zone in violation of
  - (a) a provision of this section, and
  - (b) signs placed in or near that Zone.
- (7) A person must not do any of the following acts within the time period posted in a City block that is in a Limited Time Parking Zone:
  - (a) move a vehicle from one location to another in the same block;
  - (b) drive a vehicle out of the block and return to the same block.

### **Limited time parking exemption permit**

- 52 (1) In this section, "permit" means a Limited Time Parking Exemption Permit, substantially in the form shown in subsection (14), as a Restricted Parking Exemption Permit.
- (2) Despite section 51, and subject to the *Motor Vehicle Act* and any other relevant provisions of this Bylaw, a person who holds a valid and subsisting permit and resides within the areas designated as Zones under Parts 1, 2, 3 and 7 of the Zoning Regulation Bylaw may park a passenger vehicle or motorcycle, on which the permit is displayed in accordance with this section, in that portion of a street
  - (a) on which that person's place of residence abuts; and
  - (b) that is included within the area bounded by the extension across the street of the lateral boundaries of the lot on which that person's residence is located.
- (3) A permit must be conspicuously displayed on a parked passenger vehicle or motorcycle in a manner that allows the permit to be readily observed and read by persons standing adjacent to the passenger vehicle or motorcycle.
- (4) A person may from time to time apply in writing to the Director of Engineering for a permit if that person
  - (a) does not have off-street parking at that person's residence; and
  - (b) resides within any of the designated areas referred to in subsection (2) in
    - (i) a single family dwelling, or a duplex, as defined in the Zoning Regulation Bylaw, that was built before 1956, or
    - (ii) a building that contains 3 self-contained dwelling units and was built before 1985.
- (5) The Director of Engineering may issue a permit after considering the space available for parking on the street to which the permit applies.

- (6) The Director of Engineering may revoke or refuse to renew a permit if for any reason the space available for residential parking is reduced on the street to which the permit applies or would apply.
- (7) A permit that has not been revoked sooner or renewed is valid for one year.
- (8) A permit holder may renew a permit by applying in writing to the Director of Engineering.
- (9) If a permit holder ceases to be a resident of the place of residence shown on the permit, the permit expires immediately.
- (10) A person must not hold more than one subsisting permit.
- (11) The Director of Engineering may revoke the permit of a person who has obtained it by supplying false information.
- (12) A permit must not be issued for a residence while another permit is in effect for that residence.
- (13) The Director of Engineering may issue a replacement permit to a person who has lost or destroyed a permit if that person produces reasonable evidence of the loss or destruction.
- (14) A permit must be substantially in the following form:

"RESTRICTED PARKING EXEMPTION PERMIT

Holder:

Place of Residence (street address)

Date of Issue:                      Renewed:

This vehicle may be parked on the street abutting the residence at the above address, in the manner required by section 52 of the Streets and Traffic Bylaw, at any time and for periods in excess of the time limit shown on signs posted on that street under the Bylaw. This permit expires one year from the date of its issuance or last renewal and may be renewed on application to the Director of Engineering."

- (15) This section does not exempt a person from any other provision of this Bylaw or the *Motor Vehicle Act* in connection with the parking and stopping of vehicles.

**Residential parking zone**

- 53 (1) The driver of a vehicle may park it or permit it to remain parked on the street in a Residential Parking Zone if, in relation to a dwelling located on a City block abutting that Zone, the driver:
  - (a) resides there;
  - (b) is visiting an occupant there; or

- (c) is transacting business, performing work, or rendering services there.
- (2) Despite subsection (1), if only one side of a street is designated a Residential Parking Zone for a City block or part of a City block, a driver of a vehicle may park the vehicle or permit it to remain parked on that side of the street for any one or more of the purposes described in subsection (1) in relation to a dwelling if the dwelling is located on a lot that
  - (a) abuts a No Stopping Zone or a No Parking Zone that is on the other side of the street,
  - (b) is located on that City block,
  - (c) is located on the other side of the street directly across from the Residential Parking Zone, and
  - (d) is zoned, under the Zoning Regulation Bylaw or Zoning Bylaw 2018, for single family dwelling or duplex use.

### **Residential parking permit zone**

- 54
- (1) The driver of a passenger vehicle or motorcycle may park it or permit it to remain parked in a designated Residential Parking Permit Zone during the hours when it is in effect for a particular City block or portion of a City block only if a valid permit issued under this section is displayed in or on the vehicle or motorcycle.
  - (2) A residential parking permit must be conspicuously displayed on a parked passenger vehicle or motorcycle in a manner that allows the permit to be readily observed and read by persons standing adjacent to the passenger vehicle or motorcycle.
  - (3) A person who resides at a dwelling that is located on a lot in a Residential Parking Permit Zone may apply in writing to the Director of Engineering for a permit.
  - (4) The Director of Engineering may issue a permit
    - (a) after considering the space available for parking on the street to which the permit applies, and
    - (b) upon payment of an annual fee of \$20.00.
  - (5) The Director of Engineering may revoke or refuse to renew a permit if for any reason the space available for residential parking is reduced on the street to which the permit applies or would apply.
  - (6) A permit that has not been revoked sooner or renewed is valid for one year.
  - (7) A permit holder may renew a permit by applying in writing to the Director of Engineering.

- (8) If a permit holder ceases to be a resident of the place of residence shown on the permit, the permit expires immediately.
- (9) A person must not hold more than 2 subsisting permits.
- (10) The Director of Engineering may revoke the permit of a person who has obtained it by supplying false information.
- (11) The Director of Engineering may issue a replacement permit to a person who has lost or destroyed a permit if that person produces reasonable evidence of the loss or destruction.
- (12) This section does not exempt a person from any other provision of this Bylaw or the *Motor Vehicle Act* in connection with the parking and stopping of a vehicle.

### **Truck loading zone**

- 55 (1) Subsection (2) does not apply to either of the following vehicles:
- (a) a commercial vehicle from which goods, wares or merchandise are actually being loaded or unloaded;
  - (b) a Canada Post Corporation vehicle into which mail is actually being loaded from a receptacle that is located on a street or sidewalk and authorized by Canada Post Corporation for the posting of mail.
- (2) The driver of a vehicle must not cause or permit it to stop or remain standing in a Truck Loading Zone during the hours the Zone is in effect.
  - (3) The driver of a vehicle described in subsection (1) must not cause or permit it to stop or remain standing in a Truck Loading Zone for longer than one half hour when the Zone is in effect.
  - (4) A separate offence is committed at the expiry of each half hour during which a vehicle is parked in a Truck Loading Zone in violation of a provision of this section.

### **Hotel zone**

- 56 (1) Subject to subsections (2) to (5), the driver of a vehicle may cause or permit it to stop or remain standing in a Hotel Zone
- (a) for not more than 10 minutes, and
  - (b) only if the vehicle is being used by a person who is leaving or entering the hotel building immediately adjacent to the Hotel Zone.
- (2) The Director of Engineering may issue a Hotel Zone permit to a person with a sightseeing vehicle.
  - (3) A Hotel Zone permit authorizes a sightseeing vehicle to park in a Hotel Zone that is designated in the permit.

- (4) A permit issued under this section is valid for 6 months from the date it is issued.
- (5) A permit issued under this section must be displayed on the vehicle for which it is issued in a manner that allows the permit to be readily visible from outside the vehicle.

### **General loading zone**

- 57 (1) The driver of a vehicle may cause or permit it to stop or remain standing in a General Loading Zone, during the hours the Zone is in effect, only for a period not exceeding
  - (a) 3 minutes for the purpose of loading or unloading passengers, or
  - (b) 15 minutes while goods or merchandise are actually being loaded or unloaded from the vehicle.
- (2) A separate offence is committed at the expiry of each 15 minutes during which a vehicle is parked in a General Loading Zone in violation of this section.

### **School loading zone**

- 58 The driver of a vehicle must not park it or permit it to remain parked in a School Loading Zone for longer than the time during which continuous parking is allowed in accordance with signs placed in or near that Zone.

### **Church loading zone**

- 59 The driver of a vehicle that is not an official vehicle of a funeral procession or wedding party, must not park the vehicle or permit it to remain parked within a Church Loading Zone that is designated for the exclusive use of those official vehicles.

### **Parking and loading zones for persons with disabilities**

- 60 (1) The driver of a vehicle must not cause or permit the vehicle to park, stop or remain standing in a Loading Zone for persons with disabilities when the Zone is in effect, except for the purpose of loading or unloading disabled passengers.
- (2) For the purposes of this section,
  - (a) “designated authority” means the Victoria Resource Centre for Independent Living as organizations entitled to issue an accessible parking permit on being satisfied with an application in the manner prescribed by Division 38 of the Regulations referred to in subsection(2)(b);
  - (b) “accessible parking permit “ means a permit in the form prescribed by Division 38 of the Motor Vehicle Act Regulations, B.C. Reg 26/58, issued by a designated authority or a placard, permit, decal or licence plate issued for the same purpose by an authority having jurisdiction elsewhere in British Columbia or Canada or in another country;

- (c) “permitted driver” means the driver of a vehicle who is the valid holder of and displays an accessible parking permit in the vehicle by
  - (i) suspending it from the rearview mirror inside the vehicle so that it is in plain view of any person looking through the windshield of the vehicle from the sidewalk or roadside, or
  - (ii) by placing it on the dashboard in front of the driver's position.
- (3) No person, other than a permitted driver, may park or stop a vehicle, or cause or permit it to remain standing, in a Parking Zone for persons with disabilities.
- (4) A permitted driver must not park a vehicle in a Parking Zone for persons with disabilities for longer than the time during which a vehicle may be continuously parked in that Zone in accordance with signs placed in or near that Zone.

#### **Taxi stand**

- 61 The driver of a vehicle that is not a taxi must not cause or permit it to stop or remain standing in an area designated as a Taxi Stand.

#### **Bus zone**

- 62 The driver of a vehicle must not cause or permit that vehicle to stop or remain standing in a Bus Zone during the times when the Zone is in effect unless the vehicle is
  - (a) a transportation bus of a class for which the exclusive use of an area has been designated as a Bus Zone;
  - (b) a vehicle belonging to an operator for whom an area has been designated as a Bus Zone.

#### **Shuttle bus zone**

- 63 The driver of a vehicle must not cause or permit the vehicle to stop or remain standing in a Shuttle Bus Zone during the times when the Zone is in effect unless the vehicle is
  - (a) a transportation bus of a class for which the exclusive use of an area has been designated as a Shuttle Bus Zone;
  - (b) a vehicle belonging to an operator for whom an area has been designated as a Shuttle Bus Zone.

#### **Out of town tour bus zone**

- 64 The driver of a vehicle that is not a transportation bus, for which an area is designated as an Out of Town Tour Bus Zone, must not cause or permit the vehicle to stop or remain standing within that Zone during the times when the Zone is in effect.



**Safety zone**

65 The driver of a vehicle must not cause or permit it to proceed into or be in a Safety Zone.

**Angle parking**

- 66 (1) The driver of a vehicle must park it within an Angle Parking Zone to stand within 30 cm of, and at an angle with, the curb, as indicated by the lines that mark that Zone.
- (2) The driver of a vehicle that is longer than 6 m must not park it in an Angle Parking Zone.
- (3) The driver of a vehicle must park it in a space in an Angle Parking Zone so that the curb or edge of the roadway is at the forward end of the vehicle.

**Reserved parking area**

67 The driver of a vehicle that is not for the use of an official or officer referred to in section 45(r) must not park the vehicle or permit it to remain parked in a Reserved Parking Area during the times that it is in effect.

**Special parking zone**

68 The driver of a vehicle must not park the vehicle in a Special Parking Zone contrary to the regulations under this bylaw posted in that Zone.

**No parking (vehicles over 6m) zone**

69 The driver of a vehicle over 6 meters long must not park the vehicle in a No Parking (Vehicles over 6m) Zone except for the purpose of loading or unloading freight.

**Passenger zone**

- 70 (1) The driver of a vehicle must not cause or permit it to stop or remain standing in a Passenger Zone for
- (a) longer than 3 minutes, and
- (b) any purpose other than loading and unloading passengers.
- (2) A separate offence is committed at the expiry of each 15 minutes that a vehicle is stopped or parked in a Passenger Zone in violation of this section.
- (3) Subject to subsection (4), the driver of a single horsedrawn sightseeing vehicle may park in a Passenger Zone on the west side of Menzies Street between Belleville and Quebec Streets.
- (4) The driver of a single horsedrawn sightseeing vehicle parked in a Passenger Zone described in subsection (3) must yield to a motor vehicle that requires the use of that Zone.

### Parking meter zone

- 71
- (1) The driver of a vehicle must not park the vehicle or permit it to remain parked on a portion of a street in a Metered Zone or a Pay Station Zone except within a Parking Space.
  - (2) The driver of a vehicle parked in a metered space must immediately deposit in the appropriate meter a fee for parking in the manner and in accordance with the rate prescribed and measured by the meter.
  - (3) When the information displayed in a parking meter head indicates that there is no time left within which a vehicle may be parked in a metered space, the driver of the vehicle may park it in that space only for the purpose of depositing, and for as long as is reasonably necessary for the driver to deposit, the required fee.
  - (4) A driver must not cause or permit a vehicle to remain parked in a metered space longer than the time during which a vehicle may be continuously parked within the space as indicated on the parking meter or by a sign.
  - (5) A separate offence is committed at the expiry of each maximum period of time during which a vehicle is illegally parked in a Metered Zone in violation of
    - (a) a provision of this section, and
    - (b) signs placed in or near that Zone.
  - (6) The driver of a vehicle must park the vehicle in a metered space, marked to indicate angle parking, in a manner that places the front of the vehicle next to the parking meter.
  - (7) The driver of a vehicle must not park it within a metered space that is occupied by another validly parked vehicle.
  - (8) The vehicle closest to the parking meter for a metered space is the only vehicle that is considered to be validly parked when 2 or more vehicles are parked in that metered space at the same time.
  - (9) Despite subsections (7) and (8), 2 motorcycles may validly park in one metered space.
  - (10) Subject to any special regulation that is made under this Bylaw and is indicated by a sign at or near a metered space
    - (a) subsections (2), (3) and (4) do not apply on:
      - (i) holidays other than Sundays,
      - (ii) days other than holidays between 6:00 p.m. of one day and 8:00 a.m. of the next day, and
      - (iii) Sundays between 6:00 p.m. and 8:00 a.m. of the following Monday.

- (b) Despite subsection (10)(a)(i), subsections (2) and (3) do not apply on Sundays to a permitted driver as defined in section 60.
- (11) Subsections (2), (3) and (4) do not apply to the driver of a vehicle belonging to any of the following classes:
- (a) a vehicle that belongs to the City, its officers, employees, or agents, and that is being used in the course of that person's employment, as indicated by
    - (i) a sign or marking, or
    - (ii) a notice signed by the Director of Engineering, Corporate Administrator, or Chief of Police, and displayed on the vehicle;
  - (b) a vehicle that belongs to, and is being used to transport the Mayor, a City Councillor, a member of Parliament, or a Member of the Legislative Assembly, as indicated by a notice signed by the Director of Engineering or Chief of Police, and displayed on the vehicle;
  - (c) a vehicle being used by the Canadian Armed Forces, or by a public utility, and designated as an emergency vehicle by the Director of Engineering;
  - (d) an ambulance, or a vehicle being used by an organized Fire Department or Police Department;
  - (e) a vehicle bearing the flag or insignia of the Lieutenant Governor of British Columbia or of the Senior Officer commanding the Canadian Armed Forces on Vancouver Island.
- (12) The following requirements apply to a Small Vehicle Parking Metered Zone that is not more than 3 m long:
- (a) the Zone may be used only by vehicles that are less than 3 m long, including but not limited to motorcycles, mopeds, scooters, and automobiles;
  - (b) a vehicle must be parked parallel to the curb unless otherwise indicated by sign or street markings.

### **Pay Station Zone**

- 72 (1) A person who parks in a parking space in a Pay Station Zone must immediately pay the parking fee for that space and the desired time at the nearest pay station by any method indicated in the instructions on the pay station.
- (2) (a) No person shall park in a parking space within a Pay Station Zone for any longer than the amount of time purchased for that space.
- (b) Subsection (a) does not apply to the act of parking or to the necessary time to pay the parking fee at the nearest parking pay station.

- (3) Despite any amount paid, no person shall park in any parking space within a Pay Station Zone for any longer than the limited period of time for which parking is lawfully permitted as stated in the legend on the parking space or the parking pay station.
- (4) No person shall park in a Pay Station Zone except within a parking space.
- (5) The exemptions for parking in sections 71(10) and (11) apply in Pay Station Zones to parking by
  - (a) all persons during the days and times set out in section 71(10), and
  - (b) the classes listed in subsections 71(11)(a) to (e), both inclusive, under the same terms and conditions set out in section 71(11) as applicable to those classes.
- (6) the exemptions granted under section 73 to a person with disabilities who holds a valid and subsisting Employee Accessible Parking Permit, an Accessible Parking (Temporary) Permit or an Accessible Parking Permit are applicable to that holder when parking in Pay Station Zones under the same terms and conditions applicable to the holder under section 73.
- (7) No person shall park a vehicle within a parking space in a Pay Station Zone already occupied by another vehicle.
- (8) If more than one vehicle is parked in a parking space in a Pay Station Zone, the vehicle parked in the manner directed by section 86 and nearest to the delineated forward end of the parking space is deemed to be validly parked and any other vehicle parked in that parking space is deemed to be unlawfully parked.
- (9) Despite subsections (7) and (8), two motorcycles may validly park in one parking space in a Pay Station Zone.
- (10) If a person parks a vehicle contrary to the provisions of this section, a separate offence is deemed to have been committed for each successive period of time during which the vehicle could have been lawfully parked during the period of time the vehicle was unlawfully parked in the parking space.

### **Electric Vehicle Charging Zone**

- 72A
- (1) The driver of an electric vehicle must not cause or permit the electric vehicle to park, stop or remain standing in an Electric Vehicle Charging Zone when the Zone is in effect, except for the purpose of charging the electric vehicle at a charging station for the permitted time in accordance with signs placed in or near that Zone.
  - (2) The driver of a vehicle that is not an electric vehicle must not cause or permit the vehicle to stop or remain standing within an area designated as an Electric Vehicle Charging Zone during the times when the Zone is in effect.

- (3) The driver of an electric vehicle must immediately upon parking, connect the electric vehicle to the charging station closest to the parking space at which the electric vehicle is parked to initiate a charging session, and pay the fee for that space and charging time at the end of the session by any method indicated in the instructions on the charging station.
- (4) No person shall use a charging station for any longer than
  - (a) the amount of time purchased for that space; and
  - (b) the limited period of time for which charging is lawfully permitted as stated on the charging station or posted sign.
- (5) No person shall tamper with, deface, damage, or destroy a charging station.
- (6) No person shall plug or unplug an electric vehicle not under their custody from a charging station.
- (7) If a person parks or charges a vehicle contrary to the provisions of this section, a separate offence is deemed to have been committed for each successive period of time during which the vehicle could have been lawfully parked during the period of time the vehicle was unlawfully parked in the parking space.

#### **Parking exemption permits for persons with disabilities**

- 73
- (1) Subsections 71(2), (3) and (4) and 72(1), (2) and (3) do not apply to a person who is
    - (a) the holder of a valid and subsisting Employee Parking Exemption Permit for persons with disabilities or Parking Exemption (Temporary) Permit for persons with disabilities, or
    - (b) the holder of, or the driver of a holder of, a valid and subsisting Parking Exemption Permit for persons with disabilities.
  - (2) A person with disabilities who is employed in an area of the City in which Metered Zones are designated may apply to the Director of Engineering for an Employee Parking Exemption Permit for persons with disabilities and must
    - (a) deliver with this application a letter from that person's employer stating the employee's need for convenient parking and access to that person's place of employment,
    - (b) possess a person with disabilities parking permit issued by a designated authority as defined in section 60, and
    - (c) pay an annual permit fee of \$60.00 per month for a one-year, all-day parking permit.

- (3) The Director of Engineering must issue an Employee Parking Exemption Permit for persons with disabilities when satisfied that an applicant has complied with subsection (2).
- (4) An Employee Parking Exemption Permit for person with disabilities issued under subsection (3)
  - (a) is valid for one year from the date on which it is issued,
  - (b) is valid only for the person to whom it is issued, and
  - (c) entitles its holder to park, without payment of a parking fee, in a parking space in a Parking Meter Zone or Pay Station Zone for which the parking time is not limited to 20 minutes.
- (5) A person with disabilities who is physically incapable of operating a parking meter may apply to the Director of Engineering for a Parking Exemption Permit for persons with disabilities and must:
  - (a) possess a person with disabilities parking placard of the Social Planning and Research Council of British Columbia (SPARCBC), issued by the Victoria Resource Centre for Independent Living, and
  - (b) pay an annual fee of \$20.00 for a one-year, two-hour limit parking permit for each location of parking up to a maximum of 2 continuous hours.
- (6) The Director of Engineering must issue a Parking Exemption Permit for persons with disabilities when satisfied that an applicant has complied with subsection (5).
- (7) A Parking Exemption Permit for persons with disabilities issued under subsection (6):
  - (a) is valid for one year from the date on which it is issued,
  - (b) is valid only for the person to whom it is issued, and
  - (c) entitles the holder of the permit or the driver of the vehicle in which the holder of the permit is a passenger, to park for up to 2 continuous hours, without payment of a meter fee, in a metered space for which the parking time is not limited to 20 minutes.
- (8) The driver of a vehicle must not display in that vehicle a Parking Exemption Permit for persons with disabilities at a time when the driver is not in the course of providing transportation to the person with disabilities to whom the permit is issued.
- (9) A person with disabilities may apply to the Director of Engineering for a Parking Exemption (Temporary) Permit for persons with disabilities and
  - (a) when required, must deliver with this application a medical doctor's certificate that verifies the temporary disability, and

- (b) must pay any of the following permit fees:
  - (i) \$20.00 for a seven-day, all-day parking permit;
  - (ii) \$4.00 for one all-day parking permit.
- (10) The Director of Engineering must issue a Parking Exemption (Temporary) Permit for persons with disabilities when satisfied that an applicant has complied with subsection (9).
- (11) A Parking Exemption (Temporary) Permit for persons with disabilities issued under subsection (10)
  - (a) is valid for the period indicated on the permit,
  - (b) is valid only for the person to whom it is issued, and
  - (c) entitles its holder to park, without payment of a meter fee, in a metered space for which the parking time is not limited to 20 minutes.
- (12) A permit issued under this section must be in a form that is approved and signed by the Director of Engineering.

#### **Taxis and commercial vehicles in Metered or Pay Station Zones**

- 74 The driver of a taxi may stand it in a parking space in a Metered Zone or Pay Station Zone without charge for not longer than 2 minutes for the purpose of loading and unloading passengers.

#### **Trailers in Metered or Pay Station Zones**

- 75 The driver of a vehicle must not cause or permit it to be parked in a parking space in a Metered Zone or Pay Station Zone if the vehicle has a trailer attached to it.

#### **Temporary discontinuance and reservation of parking spaces in a Metered or Pay Station Zone**

- 76 (1) The Director of Engineering by order may
- (a) temporarily discontinue the use of parking spaces in Metered or Parking Pay Station Zones, and
  - (b) cause the placement of temporary signs that prohibit parking in parking spaces that are temporarily discontinued.
- (2) The driver of a vehicle must not park in a parking space while its use has been discontinued under this section.
- (3) The Director of Engineering, by order, may reserve one or more parking spaces for the use of persons carrying out a special purpose or construction, repair, demolition, or other work in or near a Metered or Parking Pay Station Zone.

- (4) A person for whom the Director of Engineering reserves a parking space for commercial use must pay a fee of \$20.00 per day or \$2,000.00 per year.
- (5) The driver of a vehicle must not park in a parking space that has been reserved under subsection (3) for another person.

### **Exemption for car share vehicles**

76A (1) In this section:

“Car Share Organization”

means an organization which owns ten or more vehicles for the purpose of shared use among its members

“Free Floating Vehicle”

means a vehicle owned by a Car Share Organization which is shared among the organization’s members and has no fixed or dedicated public parking space.

- (2) A Car Share Organization may apply to the Director of Engineering for an annual exemption from payment at metered or parking pay station zones within the City by submitting an application in the form prescribed by the Director of Engineering.
- (3) Upon receipt of the following from a Car Share Organization
  - (a) an application under subsection (2) and
  - (b) a payment of \$2,000 for each of its Free Floating Vehicle used within the City,

the Director of Engineering may issue an annual exemption from payment at metered or parking pay station zones to that Car Share Organization.
- (4) Sections 71(2) to (4) and 72(1) and (2) of this bylaw, do not apply to the driver of a Free Floating Vehicle provided that:
  - (a) the Free Floating Vehicle is owned by a Car Share Organization that holds a valid permit issued under subsection (3); and
  - (b) the Free Floating Vehicle is clearly identified as being owned and operated by the Car Share Organization that holds a valid permit under subsection (3).

### **Lawful coins required in parking meter and pay station**

77 A person must not insert in a parking meter or pay station any object that is not a lawful coin of Canada or the United States of America.



### **Ticket controlled parking zones**

- 78 (1) Subsection (2) applies only when a ticket dispenser is in effect in a Ticket Controlled Parking Zone in accordance with a sign that is displayed, by the order of the Director of Engineering, in that Zone in the vicinity of the dispenser.
- (2) The driver of a vehicle may cause or permit it to be parked or remain parked in a parking space in a Ticket Controlled Parking Zone only if the driver has
- (a) deposited coins in the ticket dispenser for that Zone, in the amount and manner indicated on the sign described in subsection (1),
  - (b) obtained the tickets issued by the dispenser, and
  - (c) displayed the tickets on the dash of the vehicle in a manner that permits the tickets to be readily observed and read from outside the vehicle.
- (3) The driver of a vehicle may park it or cause or permit it to remain parked in Ticket Controlled Parking Zone only if the vehicle is within a parking space that is marked under an order made under this Bylaw.
- (4) The driver of a vehicle must not insert or deposit in a ticket dispenser any object that is not a lawful coin of Canada or the United States of America.
- (5) Despite any provision of this or any other Bylaw, for the purposes of this Bylaw a parking facility is in a Ticket Controlled Parking Zone
- (a) when a ticket dispenser is in operation in or on that parking facility,
  - (b) whether the parking facility is outdoors or within a structure, and
  - (c) when the parking facility is owned or operated by or on behalf of the City.
- (6) The driver of a vehicle may park it in a parking space that is within a Ticket Controlled Parking Zone clearly designated as reserved for parking for persons with disabilities only if that driver has clearly displayed in or on the vehicle
- (a) An accessible parking placard of the Social Planning and Research Council of British Columbia, issued by the Victoria Resource Centre for Independent Living, or
  - (b) a similar placard, permit, decal or licence plate issued by another jurisdiction having another jurisdiction having authority to do so.
- (7) The driver of a vehicle must not park it or cause or permit it to remain parked in a Ticket Controlled Parking Zone longer than the time during which vehicles may be continuously parked in that Zone, as indicated by signs placed in or near that Zone.

### **Sightseeing vehicle stands**

- 79 A person must not cause or permit a vehicle to stop or remain in a Sightseeing Stand if that vehicle is not a sightseeing vehicle licensed under the Vehicles For Hire Bylaw.

### **Reserved stand for horsedrawn sightseeing vehicles**

- 80 A person must not park or stop a vehicle in a Horsedrawn Sightseeing Stand if that vehicle is not a horsedrawn sightseeing vehicle licensed under the Vehicles For Hire Bylaw.

### **Tourist parking zone**

- 81 (1) A driver who is not a tourist for whom an area designated as a Tourist Parking Zone is set apart must not cause or permit the driver's vehicle to stop or remain standing within a Tourist Parking Zone during the times when the Zone is in effect.
- (2) A driver who is a tourist must not cause or permit the driver's vehicle to remain parked in a Tourist Parking Zone for longer than the permitted time indicated by a sign placed in or near that Zone.

### **Vehicle standing while loading or unloading freight**

- 82 (1) This section does not apply in an Angle Parking Zone.
- (2) The driver of a vehicle may permit it to stand in a street in a manner other than prescribed in section 88(2) while the driver of a vehicle is loading or unloading merchandise or freight,
- (a) unless otherwise provided by an order of the Director of Engineering, and
  - (b) at any time
    - (i) on a holiday,
    - (ii) between 7:30 a.m. and 6:00 p.m. of a day other than a holiday, or
    - (iii) designated by the Director of Engineering.
- (3) The driver of a vehicle that is standing as provided in this section must ensure that the vehicle is
- (a) within a 30 degree angle with the curb, and
  - (b) not farther than 30 cm from the curb at its nearest point to the vehicle.

### **Night parking**

- 83 (1) A person having the charge, possession or control of a vehicle must not cause or permit it to be parked or remain parked on a street within the area described in Schedule C at any time between 2:30 a.m. and 5:30 a.m. on any day.

- (2) Subject to subsection (3), a person having the charge, possession or control of a vehicle must not cause or permit it to be continuously parked or remain continuously parked on a street outside the area described in Schedule C between 2:30 a.m. and 5:30 a.m. on any day.
- (3) Despite subsections (1) and (2), a vehicle, other than a commercial vehicle, may be parked on a street between 2:30 a.m. and 5:30 a.m. of the same day if the person in possession, charge or control of the vehicle resides adjacent to that portion of the street in which the vehicle is parked.
- (4) A person must not park a semi-trailer on a street between 10:00 p.m. of one day and 6:00 a.m. of the next day.
- (5) A vehicle that is
- (a) a motor home,
  - (b) a camper truck,
  - (c) a trailer used for recreational purposes,
  - (d) a pleasure boat and trailer used for recreational purposes; or
  - (e) a trailer that is in excess of:
    - (i) 1400 kg., registered GVW, or
    - (ii) 6 metres in length,

and that is registered to, or owned by, a person with an address within the Capital Regional District must not be parked on any street between 10:00 p.m. of one day and 6:00 a.m. of the next day.

### **Sleeping in vehicles**

- 84 (1) A person must not park a vehicle in a street for the purpose of sleeping overnight in the vehicle.
- (2) A person must not sleep overnight in a vehicle parked on a street.

### **Distance between parked vehicles**

- 85 The driver of a vehicle must not cause or permit it to be parked closer than 1 m to another vehicle if those vehicles are parked parallel to the edge of a roadway.

### **Parking on one way street**

- 86 (1) The driver of a vehicle may stop, stand or park the vehicle on the left side of the roadway on a one way street if that is not otherwise prohibited.
- (2) The driver of the vehicle parked as described in subsection (1) must ensure that the wheels of the vehicle are

- (a) parallel to the left side of the roadway on which the vehicle is parked, and
- (b) within 30 cm of the curb, if there is a curb.

**Miscellaneous stopping, standing, parking**

- 87 (1) Subsection (2) does not apply when the stopping, standing or parking of a vehicle is necessary
- (a) to avoid conflict with traffic, or
  - (b) to comply with the directions of a police officer or a traffic control device.
- (2) A person must not stop, stand or park a vehicle in a manner or location described below:
- (a) subject to section 111, on a sidewalk or boulevard;
  - (b) in front of a public or private driveway;
  - (c) in any intersection unless permitted by a sign;
  - (d) within 5 m of a fire hydrant, measured from a point on the curb or edge of the roadway which is closest to the fire hydrant;
  - (e) on any crosswalk;
  - (f) within 6 m of the approach side of any crosswalk;
  - (g) within 6 m upon the approach to a flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
  - (h) within 15 m of the nearest rail of a railway crossing;
  - (i) in front of or within 1 m of a sidewalk crossing;
  - (j) on a highway for the principal purpose of:
    - (i) displaying a vehicle for sale,
    - (ii) advertising, greasing, painting, wrecking, storing, or repairing a vehicle unless an emergency makes repairs necessary,
    - (iii) displaying a sign, or
    - (iv) selling flowers, fruit, vegetables, seafood, or any other commodity;
  - (k) alongside or opposite a street excavation or obstruction when the stopping, standing, or parking obstructs traffic;
  - (l) on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;

- (m) on a bridge or other elevated structure on a highway except where the stopping, standing, or parking is permitted by a traffic control device;
  - (n) in a place where a traffic control device that gives notice that stopping, standing or parking is prohibited or restricted;
  - (o) in a manner that obstructs the visibility of a standard traffic sign erected by or with the authority of the Minister of Transportation and Highways, or under the authority of this Bylaw.
- (3) Despite subsection (2)(j)(iv), a mobile bicycle vendor is permitted to sell products as defined and under the conditions specified in Schedule I.
- 87A (1) The Director may designate an area at or near a fire hydrant as a taxi stand and may cause a sign indicating that the area can be used by taxi cabs to be erected at or near such fire hydrant.
- (2) Notwithstanding section 87(2)(d), a licenced taxi may stop, stand or park as directed by the sign erected pursuant to subsection (1), provided the driver remains in the vehicle at all times.
- (3) A taxi driver must remove the taxi cab from the area designated under subsection (1) if directed to do so by a police officer, a firefighter or in the event of an emergency requiring the use of the fire hydrant.

### **Curb parking**

- 88 (1) Subsection (2) does not apply on a street or portion of a street
- (a) within an Angle Parking Zone, or
  - (b) where stopping, standing or parking is permitted under subsections 45(s) or 88(2), or section 86.
- (2) A driver must not stop, stand, or park a vehicle on a roadway other than on the right side of the roadway and with the right hand wheels
- (a) parallel to that side, and
  - (b) if there is a curb on that side, within 30 cm of the curb.

### **Stopping at intersections**

- 89 (1) Subsection (2) does not apply when a police officer directs a driver otherwise than as prescribed in subsection (2).
- (2) If there is a stop sign at an intersection, the driver of a vehicle must stop
- (a) if there is a marked stop line, at that line;
  - (b) before entering a marked crosswalk on the near side of the intersection;

- (c) if there is neither a marked crosswalk nor a stop line, before entering the intersection, at the point nearest the intersecting highway from which the driver has a view of approaching traffic on the intersecting highway.

### **Yellow curb lines**

- 90 (1) Subject to an order made under section 45, a person may stop, park, or leave standing an attended or unattended motor vehicle adjacent to a portion of a curb painted yellow, only when that is necessary
  - (a) to avoid conflict with other traffic, or
  - (b) to comply with the direction of a police officer.
- (2) Despite subsection (1) a mobile bicycle vendor may stop on a yellow curb within 6 metres of a legal parking or loading space for up to 60 minutes, unless otherwise restricted by a traffic order under this Bylaw.

## **PART 4 - VEHICLE SIZE AND WEIGHT**

### ***Motor Vehicle Act* regulations apply**

- 91 Division 35 of the Motor Vehicle Act Regulations of the *Motor Vehicle Act*, B. C. Reg. 26/58 (Cargo Securement) apply with the necessary changes and as applicable, to the driving or operation of a vehicle on a street.

### **Vehicle size and weight**

- 92 (1) Division 7 (Size and Weight) of the Commercial Transport Act Regulations of the *Commercial Transport Act*, B.C. Reg. 30/78, apply with the necessary changes and as applicable, to regulate the size and weight of a vehicle that is driven or operated on a street.
- (2) For the purposes of interpreting section 93 and Division 7 referred to in subsection (1), the following definitions apply:
  - (a) section 1 of the *Motor Vehicle Act*,
  - (b) section 1 of the *Commercial Transport Act*,
  - (c) Division 1 of the *Motor Vehicle Act* Regulations, for Cargo Securement, (Division 35 of British Columbia Regulation 26/58);
  - (d) Division 1 of the *Commercial Transport Act* Regulations, for Size and Weight (Division 1 of British Columbia Regulation 30/78).
- (3) The definitions under subsection (2)(d) prevail if there is an inconsistency among the definitions under subsection (2).
- (4) Despite any other provision of this Bylaw, including a regulation referred to in subsection (1), a person may drive, operate, or permit the driving or operation of

- (a) a vehicle or combination of vehicles with a licensed gross vehicle weight on any group of axles of 22,680 kg. or less, on any street, or
  - (b) a commercial vehicle, as defined under subsection (2)(b) with a licensed gross vehicle weight on any group of axles of more than 22,680 kg, on a street listed in Schedule D.
- (5) The penalties and offence provisions applicable to the regulations referred to in subsection (1) do not apply to the enforcement of those regulations for the purposes of this Bylaw.

**Commercial Transport Act regulations apply to all vehicles**

- 93 (1) The regulations and the definitions respectively referred to in subsections 92(1) and (2) apply to all vehicles as if they were the commercial vehicles referred to in those regulations and definitions.
- (2) Despite section 92, the City's Director of Engineering or a person authorized by the City's Director of Engineering may issue a permit to authorize the driving or operation of a vehicle that contravenes the regulations prescribed under those sections.
- (3) For the purposes of subsection (2), the City's Director of Engineering or a person authorized by the City's Director of Engineering may
- (a) issue a permit,
  - (b) limit the time during which a permit is valid, and
  - (c) establish terms and conditions of a permit.

**Engineer's report for permit**

- 94 As a prerequisite to the issuance of a permit under this Part, the Director of Engineering may require an applicant for the permit to submit a report by a British Columbia Professional Engineer concerning any aspects of the proposed use of a City street.

**PART 5 - GENERAL REGULATIONS**

**Parking commercial vehicle in residential zone**

- 95 (1) A person must not park or permit to remain parked a commercial vehicle with a licensed gross vehicle weight in excess of one ton in front of land zoned for residential purposes under the City's Zoning Regulation Bylaw or Zoning Bylaw 2018, between the hours of 6:00 p.m. of one day and 7:00 a.m. of the next day.
- (2) Subsection (1) does not apply to a commercial vehicle parked contrary to subsection (1) if it is there for the purpose of enabling its driver or user to perform a commercial service that cannot conveniently be performed otherwise.
- (3) A person who carries on a business in or from a house on land in a zone under the City's Zoning Regulation Bylaw or Zoning Bylaw 2018 which permits single

family dwellings or duplexes, must not at any time park or allow to be parked more than two commercial vehicles in a street in that zone.

- (4) A person must not park or permit to remain parked a charter bus or a sightseeing bus in front of land zoned for residential purposes under the Zoning Regulation Bylaw or Zoning Bylaw 2018.

#### **Trailer left on street**

- 96 A person must not leave, or permit to be left, a trailer on a street unless it is
- (a) authorized by a permit issued under section 107, or
  - (b) attached to a motor vehicle.

#### **Driving between vehicles in funeral procession**

- 97 (1) The driver of a vehicle must not drive between vehicles in a funeral procession or any other authorized procession while it is in motion unless obeying the directions of a traffic control device or a police officer.
- (2) For the purposes of this section, during daylight hours a vehicle is considered not to be in a procession unless the headlights of the vehicle are lighted.

#### **Air horn**

- 98 (1) Despite the Noise Abatement Bylaw, the driver, operator, or other person in charge of a motor vehicle equipped with an air horn must not sound or permit the air horn to be sounded in the City at any time.
- (2) The driver, operator, or other person in charge of a vehicle equipped with a horn that is not an air horn must not sound or permit it to be sounded in the City except
- (a) as required under the *Motor Vehicle Act*, or
  - (b) for the purpose of giving reasonable warning to persons using or about to use a street, of a hazard or danger arising out of the presence or approach of the vehicle.
- (3) Subsection (1) does not apply to the driver, operator, or any other person in charge of an emergency vehicle.

#### **Procession in street requires permit**

- 99 (1) A person must not be a member of or take part in a procession through, in, on, over or above a street unless a permit for the procession has been issued under an order of the Director of Engineering.
- (2) For safety purposes, the Director of Engineering may impose terms and conditions on a permit issued under this section.



**Commercial goods on street**

- 100 (1) A person must not permit any goods, merchandise, or any other articles of trade or commerce to remain on any part of a street longer than is reasonably necessary to deliver them expeditiously or to remove them into a vehicle.
- (2) Despite subsection (1), a mobile bicycle vendor may sell commercial goods on the street as defined in Schedule I.

**Excavations, obstructions on street require permit**

- 101 (1) A person must not do any of the following activities unless the person first obtains a permit from Council, who may impose conditions on the permit:
- (a) excavate in, disturb the surface of, or cause a nuisance in, on, over, under or above a street or other public place;
  - (b) encumber, obstruct, injure, foul or damage a street, a sidewalk, or another public place;
  - (c) do anything that is likely to cause anything described in paragraph (b).
- (2) Subsection (1) does not apply to any of the following persons or objects:
- (a) employees or agents of the City while they are acting in the course of their employment;
  - (b) articles of trade or commerce lawfully in a street or other public place;
  - (c) a portable sign permitted under section 102A of this Bylaw;
  - (d) works for which a permit is issued under this section or section 106 of this Bylaw, or under a bylaw passed under section 14 of the *Victoria City Act, 1919*.
- (3) The holder of a permit issued under this section must comply with the terms and conditions contained in it.
- (4) The City Manager may issue a permit for the purposes of this section
- (a) in cases of urgency,
  - (b) where an obstruction is minor or inconsequential, or
  - (c) where an obstruction is not likely to continue for more than 72 hours.

**Objects prohibited on streets**

- 102 (1) Without limiting the generality of subsections 101,
- (a) a person must not place, or cause or permit to be placed or left on, above or in a street, sidewalk or other public place any of the following items:

- (i) an object, obstruction or other thing that is or is likely to be a nuisance, or
    - (ii) a sign, as defined in the Sign Bylaw.
  - (b) a person who owns, controls, or possesses an item referred to in paragraph (a) must not permit or cause it to remain on, above or in a street, sidewalk or other public place.
  - (c) a person must not place or cause or permit to be placed on, above or in a street, sidewalk, or other public place waste matter of any description, including without limitation, litter, rubbish, garbage, offal, filth, or any noxious, offensive or unwholesome substance or matter;
  - (d) a person must not distribute or deliver, or cause or permit to be distributed or delivered in or near any street, sidewalk, or other public place, a pamphlet or any other printed or written matter for the purpose of publicizing an event, fact, product, or thing if the probable result of that action is
    - (i) the matter will be discarded on a street, sidewalk, or other public place by a person receiving the matter, or
    - (ii) passage in or on a street will be impeded or obstructed.
- (2) Subsection (1)(a) does not apply to any of the following persons or objects:
- (a) employees or agents of the City while they are acting in the course of their employment;
  - (b) articles of trade or commerce lawfully in a street or other public place;
  - (c) a portable sign permitted under section 102A of this Bylaw;
  - (d) works for which a permit is issued under section 102 or 106 of this Bylaw, or under a bylaw passed under section 14 of the *Victoria City Act, 1919*.
- (3) The Director of Engineering, a person authorized by the Director of Engineering, or a member of a police force, on behalf of the City may cause the removal, detention or impounding of an object, obstruction, or thing unlawfully occupying a portion of a street or public place.
- (4) After the detention, removal or impoundment of an object, obstruction, or thing a person entitled to its possession may obtain its release by
- (a) signing an undertaking that the person will not again place it on, above, or in any street, sidewalk or other public place in contravention of this section, and
  - (b) paying the city the fees prescribed in subsection (5).

- (5) For each detention, removal, and impoundment under subsection (3), the person entitled to possession of an object, obstruction, or thing must pay to the City the applicable fees prescribed in Schedule H.
- (6) As soon as is possible, the Director of Engineering must cause a detained object to be sold, by public auction, to the highest bidder if
  - (a) the person entitled to the possession of the object, within 30 days of its detention, including the date of detention, does not satisfy the requirements of subsections (4) and (5), and
  - (b) it appears to the Director of Engineering that the object has market value.
- (7) The Director of Engineering must cause a detained object to be discarded as garbage if
  - (a) the person entitled to the possession of the object, within 30 days of its detention, including the date of detention, does not satisfy the requirements of subsections (4) and (5), and
  - (b) it appears to the Director of Engineering that the object has no market value.
- (8) The City's Corporate Administrator must apply the proceeds of an auction sale held under this section in the following manner:
  - (a) firstly, deduct the costs of the auction;
  - (b) secondly, deduct the fees payable to the City under subsection (4);
  - (c) finally, pay the surplus, if any, to the person entitled to possession if that person's identity and location are known.
- (9) The Corporate Administrator must apply the surplus referred to in subsection (8)(c) in the following manner if the identity or location of the person entitled to the surplus is not known:
  - (a) hold the surplus for one year from the date of the auction;
  - (b) pay the amount of the surplus into the City's General Revenue if the surplus is not claimed within one year from the date of the auction.
- (10) An amount paid into General Revenue under subsection (9)(b) is forfeited to the City.
- (11) An action taken under this section does not preclude the prosecution of a person who contravenes a provision of this Bylaw.

## Portable signs

102A (1) In this section:

“arcade”

means two or more ground floor businesses located within a single building or property that are accessed from the sidewalk through a common entrance or pathway;

“Licence Inspector”

means a person appointed by Council as a business licence inspector;

“park”

has the same meaning as in the Parks Regulation Bylaw except it does not include Bastion Square or Centennial Square;

“portable sign”

means a sign which is self-supporting and easily moved;

“portable sign permit”

means a permit issued under subsection (3) or renewed under subsection (4); and

“sign”

has the same meaning as in the Sign Bylaw.

- (2) A person must not place, construct, erect or cause or permit to be placed, constructed or erected a portable sign that encroaches on, obstructs, or otherwise occupies any public place or sidewalk without first obtaining a portable sign permit.
- (3) The Licence Inspector must issue a permit for the placement of a portable sign on a sidewalk or other public place, other than a park, provided that:
- (a) a valid Business Licence for the business the portable sign relates to has been issued pursuant to the *Business Licence Bylaw*;
  - (b) the applicant has submitted an application in the form prescribed by the Licence Inspector;
  - (c) the applicant has paid:
    - (i) a non-refundable application fee of \$30.00 plus applicable taxes;
    - and

- (ii) a non-refundable annual use of public space charge of \$5.00 plus applicable taxes;
  - (d) the Licence Inspector is satisfied that the proposed portable sign and its location otherwise comply with the requirements of this section; and
  - (e) a portable sign permit for the business the sign relates to has not been issued already.
- (4) The Licence Inspector must renew a permit for the placement of a portable sign on a sidewalk or other public place, other than a park, provided that:
- (a) the applicant held a valid portable sign permit for the same portable sign and address in the previous year;
  - (b) the Business Licence for the business the portable sign relates to has been renewed;
  - (c) the applicant has paid:
    - (i) a non-refundable annual permit fee of \$30.00 plus applicable taxes; and
    - (ii) a non-refundable annual use of public space charge of \$5.00 plus applicable taxes;
  - (d) the Licence Inspector is satisfied that the portable sign and its location continue to comply with the requirements of this section; and
  - (e) a portable sign permit for the business the sign relates to has not been renewed already.
- (5) A single portable sign, advertising one or more businesses located in an arcade, may be displayed at an entrance to the arcade provided that:
- (a) the owner, or representative of the owner, of the arcade applies for a portable sign permit;
  - (b) every business advertised on the sign has a valid Business Licence; and
  - (c) all other provisions of this section are complied with, as if the arcade was a single business.
- (6) A portable sign permit expires on January 15 of the year immediately following the year for which it had been issued or renewed.
- (7) A portable sign permit must specify the address where the portable sign may be placed and is not valid for any other address.

- (8) Notwithstanding subsections (3) and (4), the Licence Inspector must not issue or renew a portable sign permit unless:
- (a) the business the sign relates to has a dedicated and direct access to the business from the sidewalk.
  - (b) the sidewalk in front of the business the sign relates to is at least 2.6 meters in width;
  - (c) the business the sign relates to has at least 1.5 meter street frontage on the sidewalk where the portable sign is located;
  - (d) if the portable sign is to be located in Bastion Square or Centennial Square, the Director of Parks, Recreation and Culture, having considered the other permitted uses and planned activities, has consented to the issuance of the permit; and
  - (e) the applicant maintains valid liability insurance in respect of the portable sign in an amount of at least \$2,000,000.
- (9) A portable sign must be placed:
- (a) in front of:
    - (i) the business it relates to, or
    - (ii) the entrance to the arcade, if the sign relates to a business or businesses located in the arcade.
  - (b) either:
    - (i) as close to the property line of the business it relates to as practical; or
    - (ii) as close to the curb as practical but no closer than 0.3 meters from the curb;
  - (c) at least 2 meters from another portable sign;
  - (d) at least 1.5 meters from any works; and
  - (e) in such a way that it does not:
    - (i) impede pedestrian or vehicular traffic;
    - (ii) leave less than 2 meters of sidewalk width clear for pedestrians and other users of the sidewalk;
    - (iii) restrict access to and egress from vehicles lawfully parked or stopped on a street;

- (iv) interfere with the use of any City infrastructure, including street furniture and bus stops; or
  - (v) cause any damage to City property.
- (10) A portable sign must not:
- (a) be displayed when the business the sign relates to is not open to the public;
  - (b) be illuminated;
  - (c) be attached to the ground, a building or other structure, or any type of conveyance;
  - (d) exceed 60 cm in width, 60 cm in depth and 90 cm in height;
  - (e) have more than 80% of the sign area used for changeable text;
  - (f) be placed on a sidewalk until snow and ice has been removed in accordance with section 107(2) of this Bylaw;
  - (g) have anything attached to it, including but not limited to balloons, pamphlets, pennants or flags; or
  - (h) display any advertising other than that related to the business in front of which it is located or, if the sign is located in front of an entrance to an arcade, the businesses located in that arcade.
- (11) The holder of the portable sign permit must, at all times the portable sign is displayed on a street or in a public place, maintain the sign in a safe and clean condition and in good repair.
- (12) The holder of the portable sign permit must affix to the portable sign a decal issued by the Licence Inspector at the time the portable sign permit is issued or renewed and write the portable sign permit number on the decal in such a way that it is clearly visible and legible.
- (13) The Licence Inspector or a Bylaw Officer may impound or cause to be impounded any portable sign that does not display a decal with a valid permit number as required by subsection (12) or otherwise contravenes this section.
- (14) On an application of the holder of the portable sign permit and payment of a replacement fee of \$10, the Licence Inspector may issue a replacement decal if the Licence Inspector is satisfied that the original decal has been lost or damaged.
- (15) The Director or a person authorized by the Director may request the portable sign permit holder, or the person in charge of the business to which the sign relates, to temporarily remove the portable sign for any reason, including:

- (a) street or sidewalk cleaning;
- (b) installation, maintenance, service or repair of City property or any infrastructure;
- (c) construction activity on the street or sidewalk;
- (d) any emergency where the Director or a person authorized by the Director determines that the circumstances require the sidewalk to be kept clear of obstructions; or
- (e) to accommodate another permitted event or activity on a City street or in a public place, and

the portable sign permit holder, or the person in charge of the business to which the sign relates, shall promptly remove the portable sign.

- (16) Notwithstanding any other provision of this section, only one portable sign shall be displayed, at any one time, for each business or arcade.

#### **Obstructing sidewalk, soliciting, fighting**

- 103 (1) Without limiting the generality of section 101, a person must not obstruct a sidewalk by squatting, kneeling, sitting, or lying down on it between the hours of 8:00 a.m. and 9:00 p.m. of the same day if the sidewalk is located at any of the following locations:
- (a) in the area that is bounded by Cook, Pembroke, Store, Wharf, Government, Superior and Southgate Streets;
  - (b) abutting or adjacent to those parts of Cook, Pembroke, Store, Wharf, Government, Superior and Southgate Streets that form the boundary of the area referred to in paragraph (a).
- (2) The prohibition set out in subsection (1) does not apply to circumstances that involve any of the following activities or objects:
- (a) a medical emergency or wheelchair;
  - (b) sitting on a seat at a bus zone while waiting for a bus;
  - (c) sitting on a chair or bench that is supplied by a public agency or an abutting private property owner and that is permitted by a street use permit issued by the City;
  - (d) sitting at a sidewalk café that is licensed under the Sidewalk Cafes Regulation Bylaw;
  - (e) sitting while engaged in the activity of a hawker, peddler, or street entertainer who is licensed for that purpose under the Street Vendors Bylaw and the Business Licence Bylaw;



- (f) a parade, rally, demonstration, performance, or gathering that is permitted by a street use permit issued by the City;
  - (g) the soliciting of aid by an organization that holds a valid permit issued for that purpose under the Street Collections Bylaw, 1977.
- (3) Subsection (1) is not intended to create a result through enforcement that is absurd or unreasonable.
- (4) In this subsection and subsection (5),  
 “automated teller machine”

means a device that is linked to a financial institution’s account records, and that is able to carry out transactions that include account transfers, deposits, cash withdrawals, balance inquiries, payments of amounts owed, or other financial transactions;

"cause an obstruction"

means:

- (a) to sit or lie on a street in a manner which obstructs or impedes the convenient passage of any pedestrian traffic in a street, in the course of solicitation,
- (b) to continue to solicit from or otherwise harass a pedestrian after that person has made a negative initial response to the solicitation or has otherwise indicated a refusal,
- (c) to physically approach and solicit from a pedestrian as a member of a group of 3 or more persons,
- (d) to solicit on a street within 6 m of
  - (i) an entrance to a bank, credit union, or trust company,
  - (ii) an automated teller machine, or
  - (iii) a parking ticket dispensing machine, or
- (e) to solicit from an occupant of a motor vehicle in a manner which obstructs or impedes the convenient passage of any vehicular traffic in a street;

"solicit"

means, without consideration, to ask for money, donations, goods, or other things of value whether by spoken, written or printed word or bodily gesture, for one’s self or for any other person, and solicitation has a corresponding meaning, but does not include soliciting for charity

- (a) by the holder of a permit for soliciting for charity under the Street Collections Bylaw, 1977, and
- (b) by the holder of a licence for soliciting for charity under the provisions of the Business Licence Bylaw;

"trust company"

means an office or branch of a trust company to which the *Trust and Loans Company Act (Canada)* applies and in which deposit accounts are held.

- (5) A person must not solicit in a manner that causes an obstruction.
- (6) A person must not obstruct or create a nuisance upon any portion of a street or other public place by participating in a consensual fight or other similar physical confrontation between consenting adults.

### **Boulevards and medians**

103A (1) In this section:

"boulevard"

includes:

- (a) on a street with curbs, the unpaved portion of street between the outside curb and adjoining property line; and
- (b) on a street without a curb, the unpaved portion of street between the edge of the roadway and the adjoining property line.

"median"

includes:

- (a) an area that is painted, curbed or raised and is located between traffic lanes to separate vehicles travelling in opposite directions;
- (b) any unpaved portion of the road allowance, including but not limited to landscaped areas and greens, located between two or more roadways or streets; and
- (c) a traffic circle or other traffic divider.

"roadway"

means that portion of a street improved, designed or intended for vehicular use.

- (2) A person must not place, construct, erect or cause or permit to be placed, constructed or erected any structure, tent, object or thing that encroaches on,

obstructs, or otherwise occupies a boulevard or median without first obtaining written permission from the Director of Engineering.

- (3) Subsection (2) does not apply to any of the following persons or objects:
  - (a) employees or agents of the City while they are acting in the course of their employment;
  - (b) a special event for which a permit has been issued by the Director of Parks, Recreation and Community Development;
  - (c) works for which a permit is issued under section 102 or 106 of this Bylaw, or under a bylaw passed under section 14 of the *Victoria City Act, 1919*; and
  - (d) boulevard gardening to the extent permitted pursuant to subsection (10).
- (4) The Director of Engineering, a person authorized by the Director of Engineering, a Bylaw Officer, or a member of a police force, on behalf of the City may cause the removal, detention or impounding of any structure, tent, object or thing found on a boulevard or median in contravention of this section.
- (5) Between sunset of one day and sunrise on the next day, a person must not:
  - (a) occupy a median by squatting, kneeling, sitting, or lying down on it;
  - (b) stand or walk on a median except while lawfully crossing a street.
- (6) The prohibition set out in subsection (5) does not apply to any of the following:
  - (a) employees or agents of the City while they are acting in the course of their employment;
  - (b) police officers in the performance of their duties;
  - (c) a medical emergency;
  - (d) sitting on a seat, or standing, at a bus zone while waiting for a bus;
  - (e) persons participating in or attending a special event for which a permit has been issued by the Director of Engineering or the Director of Parks, Recreation and Community Development; and
  - (f) walking on a path or trail designed for that purpose.
- (7) A person must not do any of the following on a boulevard:
  - (a) cut, break, injure, remove, climb, or in any way destroy or damage
    - (i) a tree, shrub, plant, turf, flower, or seed, or

- (ii) a building or structure, including a fence, sign, seat, bench, or ornament of any kind;
- (b) dispose of household, yard, or commercial waste.
- (8) Prohibition contained in subsection (7)(a) does not apply to any of the following:
  - (a) employees or agents of the City while they are acting in the course of their employment; and
  - (b) persons acting under an agreement with the City or a permit issued by the Director of Parks, Recreation and Community Development.
- (9) For certainty, this section applies to any boulevard and median that is also a park, notwithstanding section 16A of the Parks Regulation Bylaw.
- (10) A person may plant or maintain a garden on a boulevard, provided:
  - (a) the person owns or occupies the property immediately adjacent to the portion of boulevard which the person is gardening,
  - (b) the person provides the City's Director of Parks and Recreation written notice of that person's intention to garden in the boulevard 30 days prior to commencing any gardening activities,
  - (c) the notice set out in paragraph (b) includes the person's full name, address and telephone number where that person can be contacted,
  - (d) the person does not
    - (i) install any permanent structures on the boulevard, including but not limited to irrigation systems and affixed ornaments,
    - (ii) cut or otherwise damage the roots, trunks, bark or branches of the boulevard trees, or
    - (iii) affix signs, trellises or other objects to a boulevard tree,
  - (f) none of the garden beds:
    - (i) exceed 8m in length or width, or
    - (ii) are raised in excess of 45cm,
  - (g) all plants and garden beds are at least:
    - (i) 60cm from any curb adjacent to a permitted parking area, and
    - (ii) 1.5m from fire hydrants, utility poles, bus shelters, concrete bus pads,

- (h) none of the garden plants:
    - (i) impede sightlines for pedestrians or vehicles.
    - (ii) hang over or grow into a street or sidewalk,
  - (i) upon receiving notice from the City's Director of Parks and Recreation that any or all of the garden obstructs or interferes with the sight-lines, mobility or safety of vehicles or pedestrians, the person trims, alters or removes the boulevard garden, or portions thereof, to the satisfaction of the City's Director of Parks and Recreation,
  - (j) the person keeps the garden well-maintained, and
  - (k) that when the garden maintenance stops, that person removes the garden and returns the area to the state it was in immediately before the garden was planted.
- (11) If a person who planted or maintained a boulevard garden does not comply with subsection (10), the City may, at any time, cause the boulevard garden area to be brought into compliance, and that person shall pay to the City the fee specified in Schedule "F" of this bylaw."

### **Fireworks**

- 104 A person may explode fireworks in a street or other public place only in accordance with the Fireworks Bylaw.

### **Liquids onto street require permit**

- 105 (1) A person owning or occupying property which abuts on, or is contiguous with, a street may permit a liquid substance to flow from the property onto or over the street only if that person first obtains a permit from the Director of Engineering.
- (2) For safety purposes, the Director of Engineering may impose terms and conditions on a permit issued under this section.
- (3) The person to whom a permit is issued under this section must observe and perform the terms and conditions imposed by the permit.

### **Works on street require permit**

- 106 (1) The Director of Engineering may issue a written permit for the obstruction of a street or sidewalk for any of the following purposes:
- (a) removal of a building, structure or object;
  - (b) repair, alteration, or reconstruction of a building;
  - (c) for any other necessary work.

- (2) A person must not occupy any part of a street or sidewalk for a purpose mentioned in subsection (1) if that person does not have a permit issued under subsection (1).
- (3) An applicant for a permit to occupy a street or sidewalk must
  - (a) in the application, state the period for which it is expected that the permit is required, and
  - (b) pay to the City those of the following fees that apply to the occupation:
    - (i) \$10.00 per day for occupation of each 13 m<sup>2</sup>, or part of a 13 m<sup>2</sup> area, of a sidewalk;
    - (ii) subject to subparagraph (iii), the following amounts for occupation of each 13 m<sup>2</sup>, or part of a 13 m<sup>2</sup> area, of a street:
      - (A) \$20.00 per day on a street in a Metered or Pay Station Zone;
      - (B) \$15.00 per day on a street that is not in a Metered or Pay Station Zone;
    - (iii) \$25.00 in addition to the fee required under subparagraph (ii) if the occupation of a street extends into the travelled portion of the street;
    - (iv) \$20.00 for each attendance of a City crew that is required for traffic control in connection with the occupation of a street during the crew's regular working hours;
    - (v) the actual cost of a City crew that is required for traffic control in connection with the occupation of a street during weekends and times outside the crew's regular working hours.
- (4) The applicant for a permit must pay, in advance, the applicable fees specified in subsection (3)(b)(i) to (iv).
- (5) The City must provide an applicant with an estimate of the cost described in subsection (3)(b)(v).
- (6) A permit holder must satisfy the following requirements if that person's degree of occupancy of a street or sidewalk is required to change during the progress of that person's work on the street or sidewalk:
  - (a) obtain the approval for an extension or modification of occupancy from the Director of Engineering;
  - (b) pay any additional fee required in accordance with subsection (3).

- (7) The Director of Engineering may reserve for the sole use of any permit holder, during the period in which the permit is in force, curb space for necessary access and loading purposes opposite the building for which the permit is issued.
- (8) The fees prescribed by this section are due to the City whether or not a permit has been issued.

#### **Damage to survey monuments fee**

106A A person who damages, destroys, or moves a survey monument located within a street, sidewalk, boulevard, or public place, must pay the City a fee of \$2,000 to replace or restore the survey monument.

#### **Clearing sidewalk of snow and ice**

- 107
- (1) In this section, “occupier” means a person who occupies land, but does not include the occupier of a unit in an apartment, hotel or institution.
  - (2) The owner or occupier of land must remove snow and ice from a sidewalk bordering that land before 10:00 a.m. of each day.
  - (3) The owner or occupier of land must remove, from all roofs and other parts of structures located on that land, snow, ice, and rubbish that is hazardous to the use of an adjacent highway or sidewalk.
  - (4) Owners and occupiers of land must not use corrosive materials for removing snow or ice on a sidewalk.

#### **Placing wood on a street**

- 108
- (1) A person must not place wood, sawdust, or coal on a street if it is likely to be an obstruction to users of the street.
  - (2) A person to whom wood, sawdust, or coal has been delivered must not permit it to remain on a street for longer than 24 hours.

#### **Paint, posters on street structure**

- 109
- (1) A person must not do any of the following acts on a street or a sidewalk, or on a structure or fixture that is in or on a street or sidewalk:
    - (a) paint, draw, or write;
    - (b) place a notice, handbill, poster or advertisement;
    - (c) mark or disfigure in a manner not referred to in paragraphs (a) and (b).
  - (2) Subsection (1) does not apply to any of the following matters:
    - (a) an agreement or regulation made under the *Victoria City Act, 1919*, that authorizes a person to do any of the acts prohibited by subsection (1);

- (b) any placement of marks, letters or symbols during the execution of authorized work in a street or on a sidewalk.
- (3) Subsection (1)(b) does not apply to the placing of a notice, handbill, poster or advertisement on any of the following structures:
  - (a) a poster cylinder installed on a City lamp post for the purpose of affixing posters and advertisements;
  - (b) a poster board installed at the entrance to a City parkade.
- (4) Subsection (1)(a) does not apply to chalk drawings and writings on a sidewalk on Yates Street between Blanshard and Douglas Streets on July 1.
- (5) For the purposes of the City's enforcement of this section,
  - (a) evidence that a notice, handbill, poster, or advertisement was placed contrary to the provisions of this section may be treated as evidence that the notice, handbill, poster, or advertisement was placed by the person who caused or authorized that placing, and
  - (b) in the absence of evidence to the contrary, a person, business, or mercantile, commercial or other establishment that is promoted by a notice, handbill, poster or advertisement may be presumed to have authorized and caused its placing.

#### **Parking on sidewalk or boulevard requires permit**

- 110 A person may cause or permit a vehicle to stop, stand, or park on a sidewalk or boulevard only in accordance with the terms and conditions, applicable for the purposes of safety, of a permit issued by an order of the Director of Engineering.

#### **Driving on sidewalk permitted in special circumstances**

- 111 (1) A person may drive a vehicle on that portion of a sidewalk or boulevard that does not lie within a sidewalk crossing only
- (a) in accordance with the terms and conditions, applicable for the purposes of safety, of a permit issued by order of the Director of Engineering,
  - (b) when entering or leaving a driveway or lane, or
  - (c) when entering on or leaving land that is adjacent to a street.
- (2) A person must not drive a vehicle on or over a curb.

#### **Trees on and near streets**

- 112 (1) A person must not plant a tree, hedge, bush, or shrub closer than 45 cm to a street line.
- (2) The owner or occupier of land adjacent to a street must



- (a) trim and cut back a tree, hedge, bush, or shrub on the owner's land to prevent injury to a roadbed, sidewalk or other works or obstruction to or interference with the free use of the street by persons or vehicles; and
  - (b) trim, remove, or cut down a tree, hedge, shrub, or bush (collectively "tree") on the owner's land within 5 days of receiving notice from the Director of Parks, Recreation and Community Development (the "Director") to do so and that the Director considers the tree to be injurious to a roadbed, sidewalk or other works or an obstruction to or interference with the free use of the street by persons or vehicles.
- (3) The notice under subsection (2) (b) must contain a copy of subsection (4), as notice of the consequences of failure by the owner or occupier to act according to the notice.
- (4) (a) In accordance with sections 16(6)(b) and 17 of the *Community Charter*, if an owner or occupier does not take an action required by a notice given under subsection (3), the City may enter upon the land to take or have the required action taken.
- (b) The Director of Parks, Recreation and Community Development, or any person authorized by that Director, is authorized to enter on land in the manner authorized by section 16 of the *Community Charter* for the purpose of clause (a) of this subsection.
- (c) An action taken by the City under this subsection is at the expense of the owner or occupier, and the City may recover the costs incurred in doing so as a debt from the owner or occupier in accordance with section 17 of the *Community Charter*.
- (d) In accordance with section 258 (1)(c) of the *Community Charter*, if the City takes action and the costs of the action are unpaid on December 31 in the year in which they are incurred, they are deemed to be taxes in arrear.
- (5) Council may take remedial action under Part 3, Division 12 of the *Community Charter* with regard to dangerous or hazardous trees on private property, as authorized under section 73 of the *Community Charter*.

#### **Private streets and lanes require sign**

- 113 The owner of land forming a private street or lane must at all times exhibit, at its junction with any public street, a sign bearing the words "Private Lane" in letters that are at least 8 cm high.

#### **Bicycles on sidewalks, bicycle helmets**

- 114 (1) In this section, "bicycle safety helmet" means a helmet that
- (a) is designated as an approved bicycle safety helmet under section 184 of the *Motor Vehicle Act*, or

- (b) meets the standards and specifications prescribed under section 184 of the *Motor Vehicle Act*.
- (2) A person must not ride or operate a bicycle on or across
    - (a) a sidewalk, or
    - (b) a street or path in a public place where signs are displayed stating that the street or path is for pedestrian traffic only.
  - (3) Subsection (2) does not apply to
    - (a) a police officer who is carrying out the officer's duty, while pursuing an offender, or while acting during an emergency, or
    - (b) a member of the British Columbia Ambulance Service Paramedic Bike Squad who is carrying out the member's duty while making medical assistance available to the public.
  - (4) Subject to subsection (2), a person may operate or ride as a passenger on a bicycle on a path or way that is not a highway and that is not located on private property only if that person is properly wearing a bicycle safety helmet.
  - (5) Subject to subsection (2), a parent or guardian of a person under the age of 16 years may authorize or knowingly permit a person to operate or ride as a passenger on a cycle on a path or way that is not a highway and that is not located on private property only if the person is properly wearing a bicycle safety helmet.

### **Skating on sidewalk**

- 115 (1) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a sidewalk unless
  - (a) permitted to do so by a sign, and
  - (b) the person exercises due care and attention and reasonable consideration for other persons using the sidewalk.
- (2) A person must not use a skateboard, roller skates, in-line skates, or a non-motorized scooter on a street or path in a public place where signs are displayed stating that the street or path is for pedestrian use only.

### **Street entertainers**

- 116 A street entertainer, including a street musician, who performs on a street or a sidewalk or in a public place, must not do any of the following acts:
  - (a) while performing at a location, repeat any skill, drama or musical work included in the street entertainer's repertoire;

- (b) remain in the same location for more than 2 hours or after completion of that person's repertoire, whichever occurs first; and
- (c) move to a new location that is closer than the equivalent of 2 City blocks to a location that was used by that person for the purpose of performing the same day.

## **PART 6 - ADMINISTRATION AND ENFORCEMENT**

### **Chalk mark on vehicle tire**

- 117 A person must not remove, from the tire of a vehicle, a chalk mark being used for the purpose of enforcing a parking provision of a bylaw of the City.

### **Identification of street entertainer**

- 118 A person who remains in a location in contravention of section 116 must immediately give that person's name and address to a person who is authorized to deliver offence notices under section 121 and who requests that information.

### **Offence**

- 119 (1) A person who contravenes a provision of this Bylaw is guilty of an offence and is subject to the penalties imposed by the Ticket Bylaw, this Bylaw and the *Offence Act*.
- (2) Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.

### **Penalties**

- 120 (1) The minimum penalties for offences under sections 19 to 44 are prescribed in Schedule E.
- (2) The minimum penalties for offences under this bylaw, except offences mentioned in subsection (1), are prescribed in Schedule F.

### **Offence Notice**

- 121 (1) An offence notice may be delivered to another person by a person who
- (a) is authorized by or under a resolution of the Council, or under a subsisting contract with the City, and
  - (b) has reason to believe that the other person has committed an offence under this Bylaw.
- (2) An offence notice may be delivered by
- (a) leaving it on the vehicle with which the notice is concerned, or

- (b) giving it to the person who is believed to have committed an offence.
- (3) An offence notice may indicate the alleged offence and the amount of the voluntary penalty that may be paid to the City in respect of the alleged offence.
- (4) A prosecution must not be started for the alleged offence described in an offence notice if the voluntary penalty for that alleged offence is paid in accordance with this Bylaw before an information is sworn and a summons is issued.

**Voluntary Penalties**

- 122 (1) This section does not apply to a contravention of sections 79 or 80 by the driver of a sightseeing vehicle.
- (2) The voluntary penalties referred to in subsection 121(3) are prescribed in Schedule G.

**Repeal**

123 Bylaw No. 92-84, the Streets and Traffic Bylaw, is repealed.

READ A FIRST TIME the	<b>12<sup>th</sup></b>	day of	<b>November</b>	2009
READ A SECOND TIME the	<b>12<sup>th</sup></b>	day of	<b>November</b>	2009
READ A THIRD TIME the	<b>12<sup>th</sup></b>	day of	<b>November</b>	2009
ADOPTED on the	<b>26<sup>th</sup></b>	day of	<b>November</b>	2009

**“ROBERT G. WOODLAND”**  
CORPORATE ADMINISTRATOR

**“DEAN FORTIN”**  
MAYOR

**SCHEDULE A****Streets and Traffic Bylaw****Street Classifications**

1. The following streets are classified as arterial streets:
  - (a) Bay Street - Esquimalt Road to Fernwood Road;
  - (b) Belleville Street - Blanshard Street to Menzies Street;
  - (c) Blanshard Street - Douglas Street to Tolmie Avenue;
  - (d) Burnside Road - Douglas Street to Harriet Road;
  - (e) Cook Street - Tolmie Avenue to Southgate Street;
  - (f) Douglas Street - Caledonia Avenue to Tolmie Avenue;
  - (g) Esquimalt Road - Dominion Road to Johnson Street Bridge;
  - (h) Finlayson Street - Burnside Road to Quadra Street;
  - (i) Fort Street - Foul Bay Road to Harrison Street;
  - (j) Gorge Road - Douglas Street to Harriet Road;
  - (k) Hillside Avenue - Douglas Street to Shelbourne Street;
  - (l) Jutland Road - Burnside Road to Gorge Road;
  - (m) Quadra Street - Johnson Street to Tolmie Avenue;
  - (n) Richmond Avenue - Bay Street to Fort Street;
  - (o) Shelbourne Street - Hillside Avenue to North Dairy Road;
  
2. The following streets are classified as secondary arterial streets
  - (a) Bay Street - Fernwood Road to Richmond Avenue;
  - (b) Begbie Street - Pandora Avenue to Shelbourne Street;
  - (c) Cook Street - Dallas Road to Southgate Street;
  - (d) Dallas Road - Cook Street to Erie Street;
  - (e) Douglas Street - Dallas Road to Humboldt Street;
  - (f) Erie Street - Dallas Road to St. Lawrence Street;
  - (g) Finlayson Street - Cedar Hill Road to Quadra Street;
  - (h) Fort Street - Blanshard Street to Harrison Street;
  - (i) Government Street - Chatham Street to Douglas Street;
  - (j) Government Street - Humboldt Street to Michigan Street;
  - (k) Harriet Road - Burnside Road to Gorge Road;
  - (l) Johnson Street - Blanshard Street to Pandora Avenue;
  - (m) Oak Bay Avenue - Fort Street to Foul Bay Road;
  - (n) Pandora Avenue - Blanshard Street to Fort Street;
  - (o) Quadra Street - Johnson Street to Southgate Street;
  - (p) Richmond Avenue - Bay Street to Newton Street;
  - (q) Richmond Avenue - Fort Street to Oak Bay Avenue;
  - (r) St. Lawrence Street - Erie Street to Superior Street;
  - (s) Shelbourne Street - Begbie Street to Hillside Avenue;
  - (t) Southgate Street - Cook Street to Douglas Street;
  - (u) Superior Street - Douglas Street to St. Lawrence Street;
  - (v) Yates Street - Blanshard Street to Harrison Street.

3. The following streets are classified as collector streets:

- (a) Belleville Street - Menzies Street to Pendray Street;
- (b) Bridge Street - Bay Street to Gorge Road;
- (c) Caledonia Avenue - Cook Street to Douglas Street;
- (d) Catherine Street - Kimta Road to Skinner Street;
- (e) Cedar Hill Road - Finlayson Street to Hillside Avenue;
- (f) Chatham Street - Douglas Street to Store Street;
- (g) Craigflower Road - Dominion Road to Russell Street;
- (h) Crescent Road - Foul Bay Road to Robertson Street;
- (i) Dallas Road - Cook Street to St. Charles Street;
- (j) Dominion Road - Craigflower Road to Pine Street;
- (k) Doncaster Drive - Hillside Avenue to North Dairy Road;
- (l) Fairfield Road - Blanshard Street to Denison Road;
- (m) Fernwood Road - Fort Street to Hillside Avenue;
- (n) Foul Bay Road - Fairfield Road to Oak Bay boundary;
- (o) Hereward Road - Pine Street to Wilson Street;
- (p) Hollywood Crescent - Robertson Street to St. Charles Street;
- (q) Kingston Street - Montreal Street to St. Lawrence Street;
- (r) Menzies Street - Belleville Street to Superior Street;
- (s) Montreal Street - Kingston Street to Quebec Street;
- (t) Pendray Street - Belleville Street to Quebec Street;
- (u) Quebec Street - Montreal Street to Pendray Street;
- (v) Robertson Street - Hollywood Crescent to Ross Street
- (w) Rothwell Street - Esquimalt Road to Wilson Street;
- (x) Skinner Road - Russell Street to Tyee Road;
- (y) Tolmie Avenue - Douglas Street to Quadra Street;
- (z) Tyee Road - Esquimalt Road to Langford Street;
- (aa) Vancouver Street - Pandora Avenue to Southgate Street;
- (bb) Wilson Street - Bay Street to Tyee Road.

4. The following streets are classified as secondary collector streets:

- (a) Balmoral Road - Cook Street to Quadra Street;
- (b) Fisgard Street - Blanshard Street to Quadra Street;
- (c) Foul Bay Road - Crescent Road to Fairfield Road;
- (d) Government Street - Dallas Road to Michigan Street;
- (e) Haultain Street - Cook Street to Shelbourne Street;
- (f) Kimta Road - Catherine Street to Songhees Road;
- (g) Memorial Crescent - Dallas Road to Fairfield Road;
- (h) Menzies Street - Dallas Road to Superior Street;
- (i) Moss Street - Dallas Road to Fort Street;
- (j) Niagara Street - Douglas Street to Menzies Street;
- (k) Oswego Street - Belleville Street to Dallas Road;
- (l) Pine Street - Craigflower Road to Dominion Road;
- (m) Richardson Street - Cook Street to Foul Bay Road;
- (n) Richmond Avenue - Fairfield Road to Oak Bay Avenue;
- (o) Rockland Avenue - Cook Street to Oak Bay Avenue;
- (p) Ross Street - Robertson Street to St. Charles Street;
- (q) St. Charles Street - Dallas Road to Fort Street;
- (r) Simcoe Street - Douglas Street to Oswego Street;

- (s) Toronto Street - Douglas Street to Menzies Street;
- (t) Wilson Street - Bay Street to Hereward Road.

5. The following streets are classified as streets in the downtown core:

- (a) Broad Street - Broughton Street to Fort Street;
- (b) Broad Street - Pandora Avenue to View Street;
- (c) Broughton Street - Blanshard Street to Wharf Street;
- (d) Burdett Avenue - Blanshard Street to Douglas Street;
- (e) Cormorant Street - Blanshard Street to Douglas Street;
- (f) Courtney Street - Blanshard Street to Wharf Street;
- (g) Douglas Street - Burdett Avenue to Caledonia Avenue;
- (h) Fisgard Street - Blanshard Street to Store Street;
- (i) Fort Street - Blanshard Street to Wharf Street;
- (j) Gordon Street - Broughton Street to Humboldt Street;
- (k) Government Street - Chatham Street to Humboldt Street;
- (l) Herald Street - Blanshard Street to Store Street;
- (m) Humboldt Street - Douglas Street to Government Street;
- (n) Johnson Street - Blanshard Street to Wharf Street;
- (o) Langley Street - Broughton Street to Yates Street;
- (p) Pandora Avenue - Blanshard Street to Store Street;
- (q) Store Street - Chatham Street to Johnson Street;
- (r) View Street - Blanshard Street to Government Street;
- (s) Wharf Street - Government Street to Pandora Avenue;
- (t) Yates Street - Blanshard Street to Wharf Street.

## SCHEDULE B

### Streets and Traffic Bylaw

#### Speed Zones

For the purposes of section 17, the rate of speed designated in each of the following headings is the maximum rate of speed at which a motor vehicle, or a type of motor vehicle specified under each respective heading, may be driven on the streets or lanes listed under those headings:

#### 20 km/h

- (a) Lewis Street;
- (b) Terrace Avenue;
- (c) on a lane that is 8 m or less in width;
- (d) trucks operated along Wharf and Government Streets, between Humboldt and Courtney Streets.

#### 30 km/h

- (a) all streets through Beacon Hill Park, excluding Douglas Street, and that part of Heywood Avenue that is not between Park Boulevard and Southgate Street;
- (b) Bridge Street between Garbally Road and Hillside Avenue;
- (c) Cook Street between Southgate and Dallas Road;
- (d) Craigflower Road between Coventry Avenue and Russell Street;
- (e) Crescent Road between Robertson Street and Foul Bay Road;
- (f) Esquimalt Road from the westerly end of Johnson Street Bridge to Harbour Road;
- (g) Fairfield Road between Cornwall and Kipling Streets and between Quadra and Blanshard Streets;
- (h) Fernwood Road between Fort Street and Ryan Street;
- (i) all those portions of Foul Bay Road that are
  - (i) between Oak Bay Avenue and Crescent Road, and
  - (ii) within the City;
- (j) Government Street between Wharf and Yates Streets;
- (k) Government Street, between Superior and Dallas Road;
- (l) Haultain Street, between Cook Street and Shelbourne Street;
- (m) Hereward Road between Pine and Wilson Streets;
- (n) Hollywood Crescent;
- (o) Johnson Street Bridge;
- (p) Johnson Street from Store Street to the easterly end of Johnson Street bridge;
- (q) Richardson Street between Vancouver Street and Foul Bay Road;
- (r) Robertson Street from its northerly intersection with Hollywood Crescent to Ross Street;



- (s) Rockland Avenue between Moss Street and Oak Bay Avenue;
- (t) Skinner Road between Russell and Langford Streets;
- (u) Vancouver Street, between Fort Street and Southgate Street;
- (v) Wilson Street between Catherine Street and Dominion Road;
- (w) motor vehicles, that are not trucks, operated along Wharf Street, between Humboldt and Courtney Streets;
- (x) all streets, lanes and parts of streets or lanes not expressly listed within Schedule A or Schedule B

40 km/h

- (a) Bay Street between Blanshard Street and Richmond Road;
- (b) Bay Street between Esquimalt Road and the Point Ellice Bridge;
- (c) Belleville Street between Government Street and Blanshard Street;
- (d) Broad Street between Pandora Avenue and View Street;
- (e) Broad Street between Fort Street and Broughton Street;
- (f) Broughton Street between Wharf Street and Blanshard Street;
- (g) Burdett Avenue between Douglas Street and Blanshard Street;
- (h) Caledonia Avenue between Douglas Street and Blanshard Street;
- (i) Catherine Street between Esquimalt Road and Dundas Street;
- (j) Chatham Street between Store Street and Douglas Street;
- (k) Cormorant Street between Douglas Street and Amelia Street;
- (l) Courtney Street between Wharf Street and Blanshard Street;
- (m) Craigflower Road between Arm Street and Coventry Avenue;
- (n) Douglas Street between Belleville Street and Dallas Road;
- (o) Fairfield Road between Penwill Street and Blanshard Street
- (p) Fisgard Street between Store Street and Blanshard Street;
- (q) Fort Street between Wharf Street and a point 73m east of the east property line of Blanshard Street;
- (r) Gordon Street;
- (s) Gorge Road;
- (t) Government Street between Belleville Street and Chatham Street;
- (u) Herald Street between Store Street and Blanshard Street;
- (v) Humboldt Street between Government Street and Douglas Street;
- (w) Johnson Street between Wharf Street and a point 108m east of the east property line of Blanshard Street;
- (x) Langley Street;
- (y) Pandora Avenue between Amelia Street and Store Street;

- (z) Quadra Street;
- (aa) Richmond Avenue between Fort Street and Fairfield Road;
- (bb) Southgate Street;
- (cc) Store Street between Johnson Street and Chatham Street;
- (dd) Swift Street;
- (ee) View Street between Government Street and a point 73m east of the east property line of Blanshard Street;
- (ff) Wharf Street between Courtney Street and Pandora Avenue;
- (gg) Yates Street between a point 108m east of the east property line of Blanshard Street and Wharf Street.

**SCHEDULE C****Streets and Traffic Bylaw****Night Parking Restrictions**

The following paragraphs describe the continuous boundary of the area to which the night parking restrictions in s.78 apply:

- (a) starting at a point on the Dominion Government Harbour Line, where that line intersects the northeasterly limit of the Canadian Pacific Railway Company's Wharf, on the southerly side of James Bay;
- (b) then easterly and northerly following the Dominion Government Harbour Line to the south side of Johnson Street Bridge;
- (c) then westerly along the southerly limit of the Johnson Street Bridge to a point on the Dominion Government Harbour Line on the west side of Victoria Harbour;
- (d) then northerly along the Dominion Government Harbour Line to the north side of Johnson Street Bridge;
- (e) then easterly along the northerly limit of Johnson Street Bridge to the Dominion Government Harbour Line on the east side of Victoria Harbour;
- (f) then northerly along the said Dominion Government Harbour Line to a point on the extension westerly of the centre line of Chatham Street;
- (g) then easterly along the centre line of Chatham Street to the centre line of Blanshard Street;
- (h) then southerly along the centre line of Blanshard Street to the centre line of Cormorant Street, then easterly to the centre line of Quadra Street;
- (i) then southerly along the centre line of Quadra Street to the centre line of Johnson Street;
- (j) then easterly and along the centre line of Johnson Street to a point opposite the easterly boundary of City Lot 830;
- (k) then southerly along the easterly boundary of City Lot 830 to the southeast corner of City Lot 830;
- (l) then easterly and along the northerly boundary of City Lots 819 to 812 inclusive to the westerly limit of Vancouver Street;
- (m) then southerly along the said westerly limit of Vancouver Street to the northeast corner of City Lot 801;
- (n) then westerly along the northerly boundaries of City Lots 801 to 794 inclusive to the northeast corner of City Lot 793;

- (o) then southerly along the easterly boundary of City Lot 793, to the southeast corner of City Lot 793;
- (p) then southerly and across View Street to the northeast corner of City Lot 790;
- (q) then southerly and along the easterly boundary of City Lots 790 and 773 to the southeast corner of City Lot 773;
- (r) then southerly across Fort Street to the northeast corner of City Lot 682;
- (s) then southerly and along the easterly boundary of City Lot 682 and that boundary continued to the centre line of Meares Street;
- (t) then westerly along the centre line of Meares Street to the centre line of Quadra Street;
- (u) then southerly along the centre line of Quadra Street to the centre line of Broughton Street;
- (v) then westerly along the centre line of Broughton Street to the centre line of Blanshard Street;
- (w) then southerly along the centre line of Blanshard Street to the centre line of Courtney Street;
- (x) then westerly along the centre line of Courtney Street to the point opposite the easterly boundary of City Lot 104, which point is 120', more or less, easterly from the east boundary of Douglas Street;
- (y) then southerly and following the line of the easterly boundary of the second range of City Lots east of Douglas Street, to the centre line of Burdett Avenue;
- (z) then southerly to a point on the centre line of Belleville Street which point is 120' easterly from the easterly boundary of Douglas Street;
- (aa) then westerly along the centre line of Belleville Street to the centre line of Douglas Street;
- (bb) then southerly along the centre line of Douglas Street to the centre line of Elliott Street;
- (cc) then westerly along the centre line of Elliott Street to the centre line of Government Street;
- (dd) then northerly along the centre line of Government Street to the centre line of Belleville Street;
- (ee) then westerly along the centre line of Belleville Street to the easterly limit of Menzies Street;
- (ff) then northerly along the easterly limit of Menzies Street and the easterly limit of the Canadian Pacific Railway Company's Wharf to the starting point.

## SCHEDULE D

### Streets and Traffic Bylaw

#### Truck Routes

The following streets are the City of Victoria Truck Routes and are the only streets where vehicles with a licensed gross vehicle weight of more than 22,680 kg may be driven or operated without a permit issued under section 94 of this Bylaw:

Bay Street	Esquimalt Road to Blanshard Street;
Belleville Street	Pendray Street to Blanshard Street;
Blanshard Street	Tolmie Avenue to Douglas Street;
Bridge Street	Garbally Road to Bay Street;
Burnside Road	Harriet Road to Douglas Street;
Chatham Street	Store Street to Government Street;
Cook Street	Pandora Avenue to Fairfield Road;
Craigflower Road	Arm Street to Russell Street;
Dallas Road	Erie Street to Montreal Street;
David Street	Bridge Street to Pleasant Street;
Discovery Street	Store Street to Government Street;
Dominion Road	Craigflower Road To Pine Street;
Douglas Street	Tolmie Avenue to Superior Street;
Dunedin Street	Gorge Road to Jutland Road;
Erie Street	Dallas Road to St. Lawrence Street;
Esquimalt Road	Dominion Road to Johnson Street Bridge;
Fairfield Road	Cook Street to St. Charles Street;
Finlayson Avenue	Burnside Road to Blanshard Street;
Fisgard Street	Store Street to Government Street;
Fort Street	Pandora Avenue to Foul Bay Road;
Garbally Road	Douglas Street to Jutland Road;
Gorge Road	Harriet Road to Government Street;
Government Street	Superior Street to Humboldt Street, and Johnson Street to Douglas Street;
Harbour Road	Esquimalt Road to Tyee Road;
Herald Street	Government Street to Inner Harbour;
Hillside Avenue	Pleasant Street to Shelbourne Street;
John Street	Pleasant Street to Government Street;
Johnson Street	Wharf Street to Pandora Avenue;
Jutland Road	Burnside Road to Garbally Road;
Kingston Street	Montreal Street to St. Lawrence Street;
Ludgate Street	John Street to Bay Street;
Market Street	Douglas Street to Blanshard Street;
Montreal Street	Kingston Street to Quebec Street;
Nanaimo Street	Hillside Avenue to Finlayson Street
Oswego Street	Belleville Street to Superior Street;
Pembroke Street	Store Street to Government Street;
Pandora Avenue	Store Street to Fort Street;
Pendray Street	Quebec Street to Belleville Street;
Pleasant Street	David Street to Bay Street;
Quadra Street	Hillside Avenue to Tolmie Avenue;

Quebec Street	Montreal Street to Pendray Street;
Quesnel Street	Topaz Avenue to Market Street;
Rock Bay Avenue	Gorge Road to Bay Street;
Shelbourne Street	Hillside Avenue to North Dairy Road;
Skinner Street	Russell Street to Bay Street;
Spruce Avenue	Douglas Street to Nanaimo Street;
St. Lawrence Street	Kingston Street to Erie Street;
Store Street	Johnson Street to northern end;
Summit Street	Douglas Street to Nanaimo Street;
Superior Street	St. Lawrence Street to Douglas Street;
Swift Street	Store Street to Inner Harbour;
Topaz Avenue	Douglas Street to Blanshard Street;
Tyee Road	Raynor Avenue to Skinner Street, and Bay Street to Esquimalt Road;
Wharf Street	Johnson Street to Government Street;
Wilson Street	Tyee Road to Bay Street;

## SCHEDULE E

### Streets and Traffic Bylaw

#### Minimum Fines for Traffic Offences Sections 19 to 44

<u>Description of offence</u>	<u>Section</u>	<u>Fine</u>
Fail to obey police direction	19	\$ 60.00
Disobey traffic control device	20	75.00
Disobey stop sign	21(a)-(c)	100.00
Fail to yield to pedestrian – green light	21(1)(a)(ii)	100.00
Fail to yield to vehicle - green light	21(1)(a)(ii)	100.00
Fail to stop for yellow light at intersection	23(1)(a)	100.00
Fail to stop for red light at intersection	24(1)	100.00
Fail to yield-right turn-red light	24(3)	100.00
Fail to yield-left turn-red light	24(4)(b)	100.00
Fail to stop-red light – no intersection	24(5)(a)	100.00
Fail to yield on green arrow	25(1)(a)	100.00
Disobey green arrow	25(1)(a)	100.00
Fail to stop-yellow arrow-marked crosswalk	25(2)(a)(ii)	100.00
Fail to stop-yellow arrow-intersection	25(2)(a)(ii)	100.00
Fail to yield-yellow arrow-pedestrian/vehicle	25(2)(b)	100.00
Fail to stop for red flashing light at intersection	26(1)(a)	100.00
Fail to stop for red flashing light -no intersection	26(2)(a)	100.00
Fail to yield to pedestrian -yellow flashing light at intersection	26(3)(a)	100.00
Fail to yield to pedestrian -yellow flashing light -no intersection	26(4)(a)	100.00
Fail to yield to pedestrian at green flashing light	26(5)(a)	100.00
Unsafe lane change	28(a)	60.00
Land change solid line	28(b)	60.00
Change lanes without signal	28(c)	60.00
Left turn from wrong lane	28(d)	60.00
Right turn from wrong lane	28(e)	60.00
Illegal pass on laned roadway	28(f)	60.00
Slow moving in wrong lane	28(g)	60.00
Cross solid double line	29(1)(a)	60.00
Fail to keep right of double broken/ solid line	29(1)(b)(i)	60.00
Fail to keep right of double solid/ broken line	29(1)(b)(ii)	60.00
Fail to keep right of single broken/ solid line	29(1)(c)	60.00

Drive over newly painted lines	31	60.00
Fail to pass at safe distance	32(1)(a)	60.00
Fail to complete pass safely	32(1)(b)	60.00
Fail to yield to passing vehicle	32(2)(a)	60.00
Increase speed while being passed	32(2)(b)	60.00
Pass on right	33(1)	60.00
Unsafe pass on right	33(2)(a)	60.00
Pass on right off roadway	33(2)(b)	60.00
Unsafe pass on left	34	60.00
Pass without clear view	35	60.00
Drive over highway divider	36(a)	60.00
Fail to keep right on divided highway	36(b)	60.00
Unsafe U-turn	37(a)	75.00
Prohibited U-turn	37(b)(iii)	75.00
U-turn – intersection	37(b)(iv)	100.00
U-turn – business district	37(b)(v)	75.00
No signal on turn	38(1)	75.00
Inadequate signal on turn	38(2)	75.00
Fail to signal stop or decrease in speed	38(3)	75.00
Drive vehicle without signal device	39(2)	60.00
No proper signaling equipment (right hand drive)	40(2)	60.00
Drive over fire hose	41	50.00
Drive on sidewalk	42	50.00
Ride cycle on crosswalk	43(2)(a)	60.00
Fail to ride cycle on right	43(2)(b)	60.00
Careless cycling	43(6)	60.00
Cycling without reasonable consideration	43(6)	60.00
Operate motorcycle not on seat	44(1)	75.00
Passenger unlawfully on motorcycle	44(2)(a)	60.00
Motorcycle passenger not lawfully seated	44(2)(b)	60.00
Permit unlawfully seated motorcycle passenger	44(3)	60.00
Operate motorcycle over 2 abreast	44(4)	60.00
Every offence under sections 19 to 44 of this Bylaw other than the sections specifically enumerated in this Schedule		60.00



**SCHEDULE F****Streets and Traffic Bylaw****Minimum Fines for Traffic Offences other than Sections 19 to 44**

The minimum penalties set out in the second column of the following table apply to contraventions of the corresponding sections shown in the first column of the table:

<i>Section numbers</i>	<i>Minimum penalties</i>
48, 53, 54, 55, 65, 83, 87(2)(d),(l)&(m), 89, 90, 110, 112	\$60.00
49 to 51, 56 to 59, 61, 63, 66 to 71, 75, 76, 78, 82, 84 to 86, 87(2)(b),(c),(e) to (k),(n)&(o), 88, 81, 95, 96	\$40.00
60	\$150.00
62	\$80.00
77	\$350.00
79, 80	\$100.00
Part 4 sections, including a statutory or regulatory provision adopted under that Part	\$102.50
102(1), 117	\$102.50
103A(11)	All expenses incurred by the City to bring the boulevard garden into compliance with this bylaw
107, 109(1)(b)	\$100.00
114	\$77.50
115	\$57.50 for 1 <sup>st</sup> contravention \$67.50 for 2 <sup>nd</sup> contravention \$102.50 for 3 <sup>rd</sup> or subsequent contravention
provisions not referred to above	\$42.50

**SCHEDULE G****Streets and Traffic Bylaw****Voluntary Penalties Payable under Offence Notices**

The voluntary penalties set out in the second to fourth columns of the following table apply to contraventions of the corresponding sections shown in the first column of the table:

<i>Section numbers</i>	<i>Voluntary penalty if paid after 14 days from date of offence notice</i>	<i>Voluntary penalty if paid after 14 days from date of offence notice</i>	<i>Voluntary penalty if paid after 45 days from date of offence notice</i>
48, 53, 54, 55, 65, 83, 87(2)(d),(l)&(m), 89, 90, 110, 112			\$60.00
49 to 51, 56 to 59, 61, 63, 66 to 71, 75, 76, 78, 82, 84 to 86, 87(2)(b),(c),(e) to (k),(n)&(o), 88, 81, 95, 96			\$40.00
60			\$150.00
62			\$80.00
77			\$350.00
79, 80			\$100.00
Part 4 sections, including a statutory or regulatory provision adopted under that Part			\$102.50
102(1), 117			\$102.50
107, 109(1)(b)			\$100.00
114			\$77.50
115			\$57.50 for 1 <sup>st</sup> contravention

			\$67.50 for 2 <sup>nd</sup> contravention \$102.50 for 3 <sup>rd</sup> or subsequent contravention
provisions not referred to above			\$42.50

**SCHEDULE H****Streets and Traffic Bylaw****Detention, removal and impoundment fees**

1. The detention and removal fees, shown in the second column of the following table, that correspond to the weight or type of the item shown in the first column, are payable under subsection 102((4) of this bylaw:

<u>Weight or Type</u>	<u>Detention &amp; Removal Fee</u>
65 kg or less	\$25.00 for a first detention or removal  \$100.00 for a second or subsequent detention or removal
over 65 kg	\$40.00 for a first detention or removal  \$100.00 for a second or subsequent detention or removal

2. The impoundment fees, shown in the second column of the following table, that correspond to the weight or type of the item shown in the first column, are payable under subsection 102((5) of this bylaw:

<u>Weight or Type</u>	<u>Impoundment Fee</u>
65 kg or less	\$5.00 per day, including the first day
over 65 kilograms	\$7.00 per day including the first day

**SCHEDULE I****Streets and Traffic Bylaw****CONDITIONS**General Conditions

A mobile bicycle vendor shall:

1. Operate a self-contained mobile bicycle vending unit. The mobile bicycle vendor shall not affix or place any tables, chairs, stools, awnings, or umbrellas to public property.
2. Only sell permitted products, including
  - a. pre-packaged foods and beverages,
  - b. unpackaged, non-potentially hazardous foods and beverages,
  - c. only dispense unpackaged foods and beverages,
  - d. non-alcoholic beverages,
  - e. flowers, and
  - f. handcrafted items made in British Columbia.
3. Only operate on City streets and parks, except Beacon Hill Park, and on designated multi-use pathways within the City of Victoria.
4. Stop on hard surfaced areas in permitted locations for up to 60 minutes.
5. Move to another location at least 2 City blocks away or 100 meters away after 60 minutes.
6. Remain 100 meters away from restaurants, events or concessions that sell a similar product.
7. Remain 30 meters away from a public or private school between 8:00 a.m. and 5:00 p.m. on school days.
8. Operate between 7:00 a.m. – 10:00 p.m. only.
9. Maintain their bicycles and keep them clean and in good repair.
10. Advertise only for their business. Advertising may be integrated into the bike or mounted on the bike.
11. Install a bicycle bell, if desired, but only ring the bell for intervals of 20 seconds or fewer, and only between the hours of 9:00 a.m. – 9:00 p.m.
12. Provide an integrated waste receptacle. Recycling and compost must be separated from garbage, either as part of the bicycle design or at the vendor's base of operations.
13. Comply with all applicable bylaws, including *Streets and Traffic, Park Regulation, Noise* and the *Motor Vehicle Act*.
14. Display a vending decal on each licenced bicycle. The decal is non-transferable.