

THE CORPORATION OF THE VILLAGE OF ASHCROFT

BYLAW NO. 753

A bylaw to regulate and control traffic within the municipal boundaries of the Village of Ashcroft pursuant to the provisions of the "Motor Vehicle Act" (Chapter 318 of the Revised Statutes of British Columbia 1996, and Amending Acts)

The Council of the Village of Ashcroft, in open meeting assembled, enacts as follows:

1. **TITLE**

This bylaw may be cited for all purposes as the "Village of Ashcroft Traffic Regulation Bylaw No. 753, 2008.

2. **DIVISIONS**

This bylaw shall be divided into divisions as follows:

Division I	Interpretation
Division II	General Regulations
Division III	Traffic Control Devices
Division IV	Pedestrian Control
Division V	Vehicle Control
Division VI	Stationary Traffic
Division VII	Bicycle Control
Division VIII	Penalties
Division IX	Repeal of Former Bylaws

DIVISION I – Interpretation

1. For the purposes of the bylaw the following words shall have the meaning thereunto ascribed, namely;

a. **Council**

- means the Municipal Council of the Village of Ashcroft.

b. **Motor Vehicle**

- means a vehicle which is self-propelled but does not include a motorized wheelchair.

c. **Motor Vehicle Act**

- means Chapter 318 of the Revised Statutes of British Columbia 1996 and any Amending Acts. The following words used in this bylaw have the same meaning as in the Motor Vehicle Act:

Boulevard	Lane	Roadway
Crosswalk	Owner	Sidewalk
Emergency Vehicle	Park	Traffic
Highway	Peace Officer	Traffic Control Device
Intersection	Pedestrian	Traffic Control Signal

- d. **Official Standard Time**
- means Standard Time or Daylight Saving Time as may be from time to time in current use within the Village.
- e. **Parade**
- means any procession or body of pedestrians numbering more than 15, standing, marching, or walking together or in an organized manner upon any street or sidewalk or any group of vehicles (except funeral processions) numbering four or more, standing or moving together or in an organized manner upon any street.
- f. **Person**
- means any individual, corporations or associations of individuals or corporations, whether acting by themselves or by an agent, servant or employee.
- g. **Private Road or Driveway**
- means every road or driveway the title or possession of which is not vested in the Crown or the Village.
- h. **Responsible Official**
- means the Foreman of Public Works or any other person required by the terms of his employment, official duties or special designation by Council to be responsible for the carrying out or administration or enforcement or any provision or requirement of this bylaw.
- i. **Street Line**
- means the line of demarcation between any private property or any property not a street and the adjoining street.
- j. **Stop**
- (when required) – means completed cessation of movement.
- k. **Traffic Sign**
- means any warning sign, marking or device, other than traffic signals placed or erected by proper authority for the purpose of directing, warning or regulating traffic or parking.
- l. **Traffic Officer**
- means Peace Officers, Municipal Employees, Firemen attending fires, Emergency Program Organization.
- m. **Village**
- means the municipal area contained within the boundaries of the Village of Ashcroft, or the Village of Ashcroft as the context may require.

DIVISION II – General Regulations

1. No person within the Village shall refuse to comply with any lawful direction command or order, when made, required demanded or signaled by any Traffic Officer.
2. No person driving or operating any vehicle, shall follow closer than one hundred and fifty meters of any emergency vehicle, or drive or stop any vehicle within a radius of one hundred and fifty meters of any fire, or drive within the boundaries of the Village, unless so directed by a Traffic Officer.
3. All Traffic Officers are hereby authorized and empowered to do such things as may be considered necessary to regulate and control traffic during times of emergency arising within or requiring the attendance of emergency equipment from within the boundaries of the Village.
4. All Traffic Officers, other than officers and members of the Fire Department of the Village are hereby authorized and empowered to do such things generally as may be considered necessary to regulate and control traffic in pursuance of this bylaw and to ensure that the requirements of this bylaw are being carried out, provided that nothing shall be done by any Traffic Officer in pursuance hereof, which is contrary to laws, or contrary to express direction of Council acting within its lawful powers to so direct.
5. No person, other than the owner or operator of a motor vehicle, shall remove any notice placed thereon or affixed thereto by a Traffic Officer in the course of his duties in carrying out the provisions of this bylaw.
6. Obstruction on Street, etc.
No person shall cut, saw, break, split, place, or pile firewood, lumber blocks, stone, debris, or other material, or mix mortar, or do any act upon any street, or sidewalk which will obstruct or impede traffic thereon or deface or injure such street or sidewalk. Temporary storage of materials may be authorized in writing by the Foreman of Public Works.
7. Parades
Permission of Council must be obtained for parades to be conducted within the Village. Council may prescribe special regulations and conditions governing the holding of any parade which regulations and conditions shall be complied with by all persons taking part therein.
8. Snow Removal
It shall be unlawful for any person to permit any accumulation of snow or ice to remain upon any sidewalk in front of or abutting any premises owned or occupied by him after ten o'clock in any morning of any day.

DIVISION III – Traffic Control Devices

1. Traffic Signs and Traffic Control Signal – General Provisions
 - a. Traffic signs will conform with the Manual of Standard Traffic Signs and Pavement Marking 2000.
 - b. Council shall approve the installation of all permanent traffic signs and traffic control signals in the Village.
 - c. Maintenance of traffic signs and traffic control signals is the responsibility of the Foreman of Public Works.

- d. Temporary traffic signs and traffic control signals may from time to time be placed by a traffic officer or by an employee of the Village upon authority of the Foreman of Public Works, in the interest of public safety.
- e. No person other than those authorized by this bylaw shall place or maintain, any traffic sign or traffic control signal or other device which attempts to direct the movement of traffic or the parking of vehicles within the Village, unless prior permission has been obtained from the Foreman of Public Works.
- f. No person shall in any way obliterate, deface, damage, move, obstruct or otherwise interfere with any traffic sign or traffic control signal within the Village.

2. Traffic Signs and Control Signals – Signposts – Legality

The following signs erected and located within the Village are authorized and legal:

- a. STOP signs
- b. SPEED control signs
- c. PARKING control signs
- d. YIELD signs and directional signals
- e. PHYSICAL barriers
- f. TRAFFIC WARNING signs

3. Traffic Signs and Control Signals – Roadway Painting – Legality

The following roadway painted markers located within the Village are authorized and legal:

- a. TRAFFIC lanes
- b. PARKING lanes
- c. SPEED CONTROL markings
- d. CROSSWALKS
- e. CURB marking

DIVISION IV – Pedestrian Control

Pedestrians shall be subject to an obey traffic control signals wherever they may be located within the Village, and at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions hereinafter set out.

- 1. Pedestrians shall use existing crosswalks wherever possible.
- 2. Every pedestrian crossing a highway, at any point other than within a marked crosswalk, shall yield the right-of-way to all vehicles upon the highway.
- 3. On the approach of an emergency vehicle, pedestrians shall proceed or return to the nearest sidewalk and remain there until such vehicle has passed.
- 4. No pedestrian shall leave a curb or other place of safety and move into the path of a vehicle which is approaching so closely that it is not possible for the driver of the motor vehicle to yield.
- 5. Every pedestrian shall stop and state correctly his name and address when requested to do so by a traffic officer.
- 6. No person shall form a part of a group of persons congregated on a street or sidewalk in such a manner as to obstruct the free passage of pedestrians or vehicles, except with the written permission of Council.
- 7. No person shall do anything which will direct the attention of persons and cause them to congregate in a group upon any street in such a manner as to obstruct the free passage of

pedestrians or vehicles, or in such a manner that the persons so congregated might thus be in danger of injury from traffic, except with the written permission of the Council.

DIVISION V – Vehicle Control

1. Driving on Sidewalks, etc.

The driver of any motor vehicle, or rider or driver of any animal, shall not drive such motor vehicle or ride or drive such animal upon any sidewalk or boulevard except at a permanent or temporary driveway provided for such purposes.

2. Emerging from Lanes, etc.

The driver of any motor vehicle emerging from any lane, driveway or building shall stop such motor vehicle immediately prior to driving on or across any sidewalk or boulevard extending to or across such lane, driveway or building entrance, and shall yield the right-of-way to any pedestrian approaching along such sidewalk or boulevard so closely that he or she constitutes an immediate hazard.

3. Overtaking Pedestrians, etc.

The driver of any motor vehicle shall exercise due care and attention for the safety of pedestrians and shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

4. Noise Making Devices

No person shall operate upon a motor vehicle any loudspeaker or other noise making device upon the streets of the Village for advertising or other purpose, unless a written permit has been applied for and granted by the Council.

5. Clinging to Moving Motor Vehicle

No person while riding any device (bicycle, etc.) shall cling to any motor vehicle in motion in or upon any street.

6. Traffic Lines

a. The Council may by resolution designate streets or portions of streets on which a distinguishing single line or double line shall be marked, which lines may or may not be in the middle of the travelled portion of the street.

b. Double Lines upon any portion of a street marked with a distinguishing double line, a driver while proceeding on such street shall at all times keep his motor vehicle to the right of such double line so marked.

c. Single Lines upon any portion of a street marked with a distinguishing single line (whether broken or continuous) a driver while proceeding on such street shall keep his motor vehicle to the right of such single line so marked, except when passing another vehicle.

7. Overtaking or Passing

No person operating a motor vehicle upon any street within the Village shall overtake and pass, or attempt to overtake and pass another motor vehicle proceeding in the same direction upon any curve or when approaching the crest of any grade where there is not a clear view of such street

ahead within a distance of 245 meters along such street, or when such overtaking and passing cannot be done with safety.

8. Hospital or Quiet Zones

Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle within such zone shall sound the horn or other warning device of said motor vehicle except in an emergency.

9. Limitations on Backing

The driver of a motor vehicle shall not back the same into an intersection or over a crosswalk and shall not in any event or at any place back a motor vehicle unless such movement can be made in safety.

10. Passengers Conduct

No person while riding in or on any motor vehicle shall do any act which will interfere with the driver's proper control of such motor vehicle.

11. Refuse on Streets

No person shall throw, drop, deposit or leave, or let fall refuse from any motor vehicle or conveyance, moving or stationary on or upon any street. The person who has done so can be ordered by any traffic officer to remove, or cause to be removed the same and every part of the same from such street.

12. Overtaking at a Crosswalk

Whenever any motor vehicle has stopped or slowed down at a marked crosswalk, or at any unmarked crosswalk at any intersection, to permit a pedestrian to cross the roadway, the driver of any other motor vehicle approaching from the rear shall not overtake and pass such motor vehicle.

13. At Controlled Intersections

At intersections where traffic is controlled by traffic control signals or signs or by a traffic officer, the driver or operator of a motor vehicle shall give the right-of-way to pedestrians within a crosswalk or crossing a roadway on a green or "GO" signal, or in accordance with the direction of a traffic officer.

14. Pedestrian Safety Zones

No person shall drive or operate a motor vehicle through or within a Pedestrian Safety Zone.

15. Pedestrian Crosswalks

When traffic control signals are not in place or not in operation, the driver of a motor vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the motor vehicle is travelling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

16. School Crossing

When any portion of a street has been so designated by a warning sign or marking, the driver of every motor vehicle shall, between the hours of 8:00 am and 5:00 pm obey the instruction, prohibition or direction indicated on such warning sign.

17. Reverse Turns / "U" Turns

No driver of any motor vehicle shall turn such motor vehicle so as to proceed in the opposite direction:

- a. On any through street.
- b. Within an intersection at any corner of which a "STOP" sign has been placed, or where a traffic control signal has been installed.
- c. At any other intersection unless such movement can be made to safety without backing, and without interfering with other traffic.
- d. On any street between intersecting streets.
- e. At any land intersection.

18. Funeral or Authorized Procession

- a. No driver of a motor vehicle shall drive between the motor vehicles comprising a funeral or authorized procession while it is in motion. This provision shall not apply at intersections where traffic is being controlled by traffic officers.
- b. Funeral procession shall be identified as such by each motor vehicle therein having its headlights illuminated or by the display of a pennant or other indentifying insignia.

19. One-Way Streets

No driver shall operate a motor vehicle on a one-way street except in the direction indicated by traffic signs.

20. Extraordinary Traffic

- a. No person, except by special permit as hereinafter provided, shall drive a motor vehicle on any street of the Village having a greater gross weight, axle-load or tire load, than the limits of weights and loads prescribed in the regulations pursuant to the provisions of the province of British Columbia; or having greater dimensions (with or without load), or a greater number of motor vehicles coupled together than is prescribed in the said regulations;
- b. Any person desiring a permit required by subsection (a) shall make application in writing thereto to the Foreman of Public Works of the Village giving such particulars herein as the Chief Administrative Officer may require. The Chief Administrative Officer may in his discretion by a special permit, in writing, but subject to the conditions or limitations as may be stated therein, authorize the operation and driving of motor vehicles and loads which are otherwise prohibited from being operated or driven pursuant to subsection (a);
- c. Before any permit is issued pursuant to subsection (b) the applicant shall deposit with the Foreman of Public Works a bond of indemnity to secure payment to the Village to cover the cost of repairing or reconstruction of any street or other property of the Village damaged by reason of the driving or operating of the motor vehicle for which the permit is granted. Such

bond shall be in the amount prescribed by the Village, and shall be in form satisfactory to the Village Solicitor;

- d. No person shall operate or use any motor vehicle having wheels, tires, or treads constructed or equipped with projecting spikes, cleats, rib, clamps, flanges, lugs or other attachments or projections other than winter studs, which extend beyond the tread or traction surface of the wheel, track, or tire.

21. Unattended Motor Vehicles

No person operating or in charge of a motor vehicle on a public highway shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key.

22. Speed in Village

No person shall drive or operate a motor vehicle upon any street within the Village at a greater rate of speed than 50 km per hour or any lane within the Village, greater than 30 km per hour.

DIVISION VI – Stationary Traffic

1. Parking Prohibition

Except in the case of any motor vehicle so mechanically disabled as to prevent the moving of the same, no person shall park or leave standing such motor vehicle or trailer in, along or upon any of the streets or places, as follows:

- a. Within six (6) meters of any traffic sign or traffic signal located at the intersection of any street, or at any corner.
- b. Within any street intersection.
- c. Within five (5) meters of any fire hydrant.
- d. In front of any lane or private driveway.
- e. Alongside or opposite any street excavation or obstruction when such stopping would obstruct traffic.
- f. Upon or within six (6) meters of a Pedestrian Crosswalk.
- g. On the roadway side of any motor vehicle stopped or parked at the edge or curb of a street.
- h. In any lane or alleyway for any period of time longer than is necessary for the expeditious or unloading of passengers, or materials or in such manner as to prevent the free movement of motor vehicular traffic.
- i. On the side of the street in front of the driveway entrance to any Fire Hall.
- j. Within six (6) meters of the main entrance of any school on any street which any school or school property abuts, on any school day between the hours of 8:00 o'clock in the forenoon and 5:00 o'clock in the afternoon.
- k. On the part of any roadway within a distance of six (6) meters on both sides of the centre of the main entrances or exterior vestibule of any hotel or theater unless otherwise marked by traffic signs.

- l. On any portion of a street indicated by traffic signs as reserved for any class of motor vehicle, other than a motor vehicle coming within such class and which is readily recognized as such.
- m. i) On any street for the principal purpose of advertising, washing, greasing, repairing, or wrecking such motor vehicle, (except repairs necessitated by an emergency), or for the principal purposes of displaying such motor vehicle for sale.
- ii) On any street for the principal purpose of storing such motor vehicle for a period exceeding thirty (30) days.
- n. On the paved portion of any street without curbs where the pavement thereof is six (6) meters or less in width.
- o. On any portion of a street for a longer period of time than that indicated on any traffic sign applicable to that portion of the street where such motor vehicle is parked.
- p. On any portion of a street indicated by yellow markings along the curb.
- q. In any lane in such a position or manner as to obstruct the free movement of motor vehicle traffic into or out of any driveway or private road adjoining such lane.
- r. Or any portion of a street where official signs prohibit parking.

2. Parking Restrictions

a. Parallel Parking

Except in the case of any motor vehicle so mechanically disabled as to prevent the moving of same, no person shall park such motor vehicle on any street or the side of any street not designated for angle parking, other than parallel to and within thirty (30) cm of the curb.

b. Angle Parking

Upon those streets which have been marked or signed for angle parking, the driver of a motor vehicle shall park such motor vehicle at the angle to the curb indicated by such marks and as close to the curb as practicable. Where angle parking is indicated by signs only, the angle of parking shall be forty-five degrees.

c. Safety Requirements

No person having control or charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key, or, when standing upon any perceptible grade, permit to stand without first turning the wheels in a direction that will preclude it moving into the traffic portion of the road should the brakes fail.

d. Passenger Zones and Loading Zones

- i. Zones for loading and unloading of passengers and for the loading and unloading of goods and merchandise may be located, established and maintained at such places in or on any street as may from time to time hereafter be approved and designated by resolution of the Council, provided, that it is hereby declared that the passenger and loading zones as presently constituted shall be and be deemed to be for all purposes authorized passenger and loading zones established and located in pursuance of the provisions of this bylaw.

- ii. Traffic signs indicating or marking such zones shall be erected or placed under the direction of the Chief Administrative Officer, and it shall be unlawful for the driver of any motor vehicle to stop, stand or park such.
 - iii. The Council shall cause to be erected traffic signs indicating or marking all loading zones, passenger zones and commercial zones, located and established pursuant to this section. If the resolution establishing such zones shall limit the hours when they shall be in effect, such limitation of hours shall be indicated on the traffic signs so erected.
 - iv. No driver of any motor vehicle shall stop such motor vehicle in any loading zone except while actually engaged in the loading or unloading of passengers or materials.
- e. Parking of Commercial Vehicles, Trucks, Trailers, Boats or Equipment in Residential Districts

No commercial vehicle, automobile, truck, bus, contractors' equipment, dismantled or wrecked automobile, boat, trailer or any similar vehicle, conveyance craft or equipment shall be parked on the street in any R1 Zone, except the following, which may be parked continuously up to 30 days in any one location. No person shall move a vehicle from one location to another in the same block in an attempt to avoid the 30 day time limit:

- i. automobiles and trucks or commercial vehicles not exceeding 909 kilograms (one ton) rate capacity;
- ii. one motor home, vacation trailer, camper or trailered boat not exceeding a body length of 10.7 meters (35 feet).
- iii. trucks, commercial vehicles or equipment required during the construction, repair, servicing or maintenance of the premises and moving of household furniture and appliances.

3. Parking Exemptions

- a. The provisions of this bylaw regulating the parking of motor vehicles shall not apply to any emergency vehicle while attending at any emergency call, but this exemption shall not excuse the driver of any such motor vehicle from exercising due and proper care for the safety of other traffic.
- b. The provisions of this bylaw prohibiting stopping or parking shall not apply to:
 - i. Municipal or Provincial utility motor vehicles.
 - ii. Motor vehicles of a public utility corporation.
 - iii. Emergency vehicles.

4. Obstructing Motor Vehicles

- a. Should any motor vehicle or trailer be abandoned or left standing on any street within the Village in such a manner as to impede or obstruct the lawful flow of traffic or the employees of the Village engaged in the removal of snow or other roads operations, the Chief Administrative Officer, Foreman or any traffic officer may direct the removal of the obstructing motor vehicle which shall be removed to such place as may be directed and the owner of the motor vehicle shall, upon request, pay to the Village the cost of such removal.

DIVISION VII – Bicycle Control

1. Riding on Sidewalks

No person shall ride a bicycle upon the sidewalk of any street or upon any pedestrian path in a public park in a manner which impedes pedestrians.

2. Obstructing Vision

No person riding a bicycle shall carry any package, bundle or article which prevents them from keeping one hand on the handlebar or obstructs their full vision.

3. Parking Stands

The Council may by resolution designate parts of streets for the parking of bicycles, and cause to be placed in such areas racks or stands for convenient parking, adjoining the sidewalk or curb, at a distance of not less than four and one half (4 ½) meters from any corner, intersection or fire hydrant. In areas where such racks or stands are available all bicycles shall be parked in such rack or stand. No person shall park a bicycle on a sidewalk in such an area.

4. Brakes

Every bicycle when operated upon a highway shall be equipped with a brake adequate to control the movement of and to stop such vehicle whenever necessary. Such brake shall be maintained in good working order at all times.

5. Warning Devices

Every bicycle when operated upon a highway shall be equipped with a horn or bell in good working order, capable of emitting sound audible under normal conditions for a distance of not less than thirty (30) meters, and it shall be unlawful for any bicycle to be equipped with a siren or whistle, or to use any such bell or horn otherwise than as a reasonable warning to other users of the highway.

6. General Regulations – Lighting Devices

Every bicycle operated on any street within the Village at night shall be equipped as provided in Section 183(6) of the Motor Vehicle Act.

DIVISION VIII – Penalties

1. Except as in this bylaw is otherwise provided, any person contravening or committing any breach of or committing any offence against any of the provisions of the bylaw or of the regulations or refusing, omitting, or neglecting to fulfill, observe, carry out, or perform any duty or fulfill, observe, carry out, or perform any duty or obligation by this bylaw or by the regulations, created, prescribed or imposed, shall be liable, on summary conviction to a fine of not more than 350 dollars.

DIVISION IX – Repeal of Former Bylaws

1. Repeal

Village of Ashcroft Traffic Regulation Bylaw No. 551, 1993 and all amendments thereto are hereby repealed.

2. Severability

The provisions of this bylaw are severable. If any provisions is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this bylaw.

READ A FIRST TIME THIS 25th DAY OF February , 2008

REVIEWED BY MINISTRY OF TRANSPORTATION THIS DAY OF , 2008


READ A SECOND TIME THIS 14th DAY OF APRIL , 2008

READ A THIRD TIME THIS 14th DAY OF APRIL , 2008

RECONSIDERED AND ADOPTED THIS 12th DAY OF MAY , 2008

RECEIVED THE APPROVAL OF THE MINISTRY OF TRANSPORTATION THIS 03rd.

DAY OF APRIL , 2008


DISTRICT MANAGER,
TRANSPORTATION


Morley H. (Andy) Anderson, Mayor


Thomas H. Clement, Chief Administrative Officer

Certified to be a true and correct copy of Bylaw No. 753 as adopted by Council.


Thomas H. Clement, Chief Administrative Officer