



EXPLANATORY NOTE

HIGHWAY AND TRAFFIC REGULATION BYLAW 2871, AMENDMENT BYLAW No. 4, 2020 No. 3132

The purpose of Bylaw No. 3132 is to incorporate the required wording in the Bylaw to hold the owner of an unauthorized “thing”, or a vehicle, that occupies any portion of a highway or public place, liable for a fee for seizure of the vehicles or things from Highways and Public Places.

If approved, a separate amendment to the Fees and Charges Bylaw is required to set the fee for the actual cost incurred by the City of Langley for the seizure, detention, impoundment, or storage of a vehicle or thing from highways and public places.



**HIGHWAY AND TRAFFIC REGULATION BYLAW 2871,
AMENDMENT BYLAW No. 4, 2020
No. 3132**

A Bylaw to amend the Highway and Traffic Regulation Bylaw.

1. Title

- (1) This bylaw shall be cited as the “Highway and Traffic Regulation Bylaw, 2013, No. 2871, Amendment Bylaw No. 4, 2020, No. 3132”.

2. Amendments

- (1) Highway and Traffic Regulation Bylaw 2871 is hereby amended:
 - (a) In Section 3. General Provisions, subsection (2)(g) in the phrase “impounding of vehicles”, by adding “or things” and removing “and a scale of fees, costs and expenses for that purpose”;
 - (b) In Section 3. General Provisions, subsection (2)(h) in the phrase “in the recovery of fees”, by replacing with “in the recovery of seizure fees”;
 - (c) In Section 3. General Provisions, subsection (2)(h) in the phrase “sale of the vehicle referred to”, by replacing with “sale of the vehicle or thing referred to”;
 - (d) In Section 5. Traffic Regulations, subsection (11) in the phrase “Removing of Vehicles”, by adding “and Other Things from Highways”;
 - (e) In Section 5. Traffic Regulations, subsection (11), by adding subsection (11)(a) stating “For the purpose of this subsection, section 3 and section 10 of this bylaw, “thing” includes a vehicle, vessel or other chattel, or structure.” and updating all the subsequent subsection numberings accordingly;
 - (f) In Section 5. Traffic Regulations, subsection (11)(b) in the phrase “public place may be removed, detained or impounded”, by replacing it with “public place may be seized, removed, detained and/or impounded”;

- (g) In Section 5. Traffic Regulations, subsection (11)(c) in the phrase “No compensation shall be paid to the owner or any person for loss or damage resulting from the removal, detention or impoundment; and the owner or driver shall be liable for all expenses incurred for the removal and storage of such vehicle. by replacing it with “No compensation shall be paid to the owner or any person for loss or damage resulting from the seizure, removal, detention or impoundment of a vehicle unlawfully occupying any portion of a highway or public place; and the owner shall be liable for a fee for the seizure.”
- (h) In Section 5. Traffic Regulations, subsection (11), by adding subsection (11)(d) stating “The fee for seizure of a vehicle from a highway or public place is the total of all expenses incurred by the City for the seizure, impoundment, removal, storage and disposal of such vehicle.”
- (i) In Section 5. Traffic Regulations, subsection (11)(e) in the phrase “The Director of Engineering, Parks & Environment is hereby authorized to remove, any thing from the highway which is or may become an obstruction or inconvenience to the free use of any highway, or which encroaches thereon, but such authority shall not in any way relieve from responsibility or liability any person guilty of any infraction of this bylaw.”. by replacing it with “The Director of Engineering, Parks & Environment is hereby authorized to seize, remove, detain and impound any thing from the highway, other than a vehicle, which is or may become an obstruction or inconvenience to the free use of any highway, or which encroaches thereon, or which is otherwise unlawfully occupying any portion of a highway or public place, but such authority shall not in any way relieve from responsibility or liability any person guilty of any infraction of this bylaw.”
- (j) In Section 5. Traffic Regulations, subsection (11), by adding subsection (11)(f) stating “No compensation shall be paid to the owner or any person for loss or damage resulting from the seizure, removal, detention or impoundment of any thing from any highway under this section; and the owner shall be liable for a fee for the seizure.”
- (k) In Section 5. Traffic Regulations, subsection (11), by adding subsection (11)(g) stating “The fee for seizure of a thing from a highway or public place is the total of all expenses incurred by the City for the seizure, impoundment, removal, storage and disposal of such thing.”
- (l) In Section 10. Recovery of Costs, subsection (1) in the phrase “If a vehicle or thing is seized pursuant to this bylaw and not recovered by its owner as set forth herein within 30 days following the date of seizure, the vehicle or thing may be sold by order of the Director of Engineering, Parks & Environment.”. by replacing it with “If a vehicle, vessel or other chattel,

structure or thing is seized pursuant to this bylaw and not recovered by its owner as set forth herein within 30 days following the date of seizure, the vehicle, vessel or other chattel, structure or thing may be sold by order of the Director of Engineering, Parks & Environment.”

- (m) In Section 10. Recovery of Costs, subsection (2) in the phrase “if an item seized pursuant to section 10(1) is perishable”. by replacing it with “if a vehicle or thing referred to in section 10(1) is perishable.”
- (n) In Section 10. Recovery of Costs, subsection (3) in the phrase “Before selling a vehicle, vessel or other chattel, structure or thing”. by replacing it with “Before selling a vehicle or thing”.
- (o) In Section 10. Recovery of Costs, subsection (5) in the phrase “to prevent or interfere with the seizure, removal, detaining or impounding of any such vehicle, vessel, chattel, structure or thing by the City”. by removing “, vessel, chattel, structure”.

READ A FIRST, SECOND AND THIRD TIME this fourteenth day of September, 2020.

ADOPTED this _____ day of _____, 2020.

MAYOR

CORPORATE OFFICER