



Highway and Traffic Regulation Bylaw, 2013

Bylaw No. 2871

A Bylaw for the regulation of highways traffic within the City of Langley.

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Consolidated as of November 20, 2018

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HIGHWAY AND TRAFFIC REGULATION BYLAW, 2013

BYLAW NO. 2871

A Bylaw for the regulation of highways traffic within the City of Langley.

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

1. Title

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

2. Definitions

In this bylaw:

- (1) “Alley” means a highway which is 8.5 metres or less in width.
- (2) “Boulevard” means:
- (a) on a highway with curbs, the portion of highway between the face of the curb and the adjoining property line; and
 - (b) on a highway without curbs, the portion of highway between the edge of the roadway and adjoining property line, and on a highway where traffic is separated by means of a median, includes the median.
- (3) “Bylaw Enforcement Officer:” means an officer, employee or Parking Officer Contractor of the City who has responsibility for inspection and enforcement related to bylaw compliance.
- (4) “City” means the City of Langley.
- (5) “City Solicitor” means the Solicitor of the City for the time being authorized to carry out the duties ascribed to the said City Solicitor, under the provisions of this or any other bylaw of the City.
- (6) “Commercial Vehicle” means a vehicle displaying a current commercial decal issued by the City of Langley except those vehicles exempted from registration and licensing under the *Motor Vehicle Act*.
- (7) “Council” means the Council of the City of Langley.

- (8) "Crosswalk" means that portion of a roadway ordinarily included within the prolongation of curb and property lines, at highway intersections, or any other portion of highway clearly indicated for pedestrian crossing by lines or other markings on the road surface.
- (9) "Director of Engineering, Parks & Environment" means the person appointed as the Director of Engineering, Parks & Environment for the City or a person designated to act in place of the Director of Engineering, Parks & Environment.
- (10) "GVW" means "Gross Vehicle Weight" as defined in the *Commercial Transport Act*.
- (11) "Heavy Truck" means a motor vehicle with greater than 11,800 kg licenced gross vehicle weight.
- (12) "Highway" includes public road, highway, bridge, viaduct, lane and sidewalk and any other way normally open to the use of the public, but does not include a private right-of-way on private property nor a provincial arterial highway.
- (13) "Idle" means the operation of the engine of a vehicle while the vehicle is not in motion and "idling" has a corresponding meaning.
- (14) "Intersection" means the area created by the extension of the lateral lines of roadways which join one another, whether such roadways at the junction cross each other or meet at an angle without crossing each other.
- (15) "Licenced Gross Vehicle Weight" means "licenced gross vehicle weight as defined in the *Commercial Transport Act*."
- (16) "Median" means an area that is painted, curbed or raised and is located between traffic lanes to separate vehicles travelling in opposite directions.
- (17) "Motor Vehicle" means a vehicle which is self-propelled but does not include a motorized wheelchair or a vehicle operated on rails or tracks.
- (18) "Parade" means a procession or body of pedestrians, except members of the Armed Forces, numbering more than ten (10), standing, marching or walking upon any highway or sidewalk, or any group of ten or more vehicles, except funeral processions, standing or moving on any highway.
- (19) "Parking" means the standing of a vehicle, whether occupied or not, upon a highway, but does not include the temporary standing for the purpose of, and while actually engaged in, loading or unloading.
- (20) "Parking Officer Contractor" means an individual or company working under contract to the City of Langley to enforce this Bylaw.
- (21) "Peace Officer" means any member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer.
- (22) "Pedestrian" means a skater or a person on foot, in a wheelchair whether motorized or not, or in a carriage.

- (23) "Private Road" means every highway or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner.
- (24) "Provincial Arterial Highway" means "Provincial arterial highway" as defined in the *Transportation Act*.
- (25) "Recreational Vehicle" means a vehicle or combination of vehicles, motor home, or truck and camper constructed or equipped for the principal purpose of habitation during travel or recreation.
- (26) "Roadway" means the portion of a highway that is improved, designed or ordinarily used for vehicular traffic.
- (27) "Sidewalk" means that portion of any highway between the face of the curb and the adjacent property line intended for the use of pedestrians.
- (28) "Skater" means a person who is skateboarding or rollerskating with any form of skate or similar means of conveyance.
- (29) "Stop" means:
 - (a) when required, a complete cessation of movement, and
 - (b) when prohibited, the stopping of a vehicle, whether occupied or not except when necessary to avoid conflict with other traffic or to comply with the directions of a Peace Officer, traffic sign or traffic control signal.
- (30) "Towing Contractor" means an individual or company working under contract to the City of Langley to provide towing services.
- (31) "Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any highway.
- (32) "Traffic Control Signal" means any device manually, electrically or mechanically operated for the regulation of traffic, by which traffic is alternately directed to stop and to proceed.
- (33) "Traffic Sign" means any sign, signal, marking or other device painted, placed or erected for the purpose of directing, warning, or regulating traffic or parking.
- (34) "Trailer" means a vehicle that is at any time drawn on a highway by a motor vehicle, except:
 - (a) a sidecar attached to a motorcycle; and
 - (b) a disabled motor vehicle that is towed by a tow car and includes a semi-trailer as defined in the *Commercial Transport Act*.
- (35) "Vehicle" means any device by which a person or thing may be transported or drawn on a highway, irrespective of the motive power but does not include railway cars running upon rails.

- (36) “Walkway” means that portion of a highway improved for the use of non-vehicular traffic and includes a sidewalk.

3. General Provisions

- (1) In this bylaw, subject to section 2 – Definitions, and unless the context otherwise requires, words shall be defined in the *Motor Vehicle Act*.
- (2) The Director of Engineering, Parks & Environment is authorized to make orders in respect of the following matters, and by those orders to exercise the powers of the City under this bylaw, subject to the terms and conditions described in this bylaw:
- (a) the placing or erection of traffic signs or traffic control signals to give effect to this bylaw;
 - (b) the regulation, control or prohibition of pedestrian traffic, ridden or herded animals, vehicular traffic and traffic by other conveyances, either singly or together, on sidewalks, walkways or boulevards, or in or on lanes or ways separating the rear property lines of parcels of land fronting on highways running more or less parallel to and on each side of the lanes or ways, and at intersections of the lanes or ways with each other or with highways;
 - (c) the regulation, control or prohibition of the stopping, standing or parking of vehicles in the City;
 - (d) in accordance with any regulation made under section 209(2)(h) of the *Motor Vehicle Act*, for parking zones for persons with disabilities, on highways that are not arterial highways, including providing for a system of permits for those parking zones;
 - (e) the setting apart and allotting of portions of highways adjacent to federal, provincial or municipal public buildings for the exclusive use of officials and officers engaged in them for the parking of vehicles, and the regulation of that parking;
 - (f) the erection, maintenance and operation on a highway or portion of it, of automatic or other mechanical meters, for the purpose of allotting and controlling parking spaces for vehicles, and measuring and recording the duration of parking, and requiring the driver of every vehicle parked in a parking space to deposit in the appropriate meter, a fee for parking in the manner and at the rate prescribed and as measured by the meter;
 - (g) the seizure, removal, detention or impounding of vehicles or things unlawfully occupying a portion of the highway or public place, ~~and a scale of fees, costs and expenses for that purpose~~;
 - (h) the recovery of seizure fees, costs and expenses from the owner or by sale of the vehicle or thing referred to in subsection 3(2)(g) at public auction or by action in a court of competent jurisdiction;
 - (i) the establishment and use of loading, commercial and passenger zones in the municipality and their designation;

- (j) in respect of a highway, except a provincial arterial highway, the regulation of the width, length, and height of vehicles and the width, length, height, fastenings and distribution of loads on vehicles driven or operated on them;
- (k) that on a highway where construction, reconstruction, widening, repair, marking or other work is being carried out, traffic signs or traffic control signals must be erected or placed indicating that people or equipment are working on the highway;
- (l) that on a highway where people are working or construction, reconstruction, widening, repair, marking or other work is being carried out, traffic signs or traffic control signals must be erected or placed to regulate or prohibit traffic in the vicinity of the work;
- (m) the regulation, control and prohibition or erection or maintenance, or both, of signs, advertisements or guide posts on or over highways other than arterial highways in the City, and their alteration, repainting, tearing down or removal without compensation to any person for the loss or damage that results;
- (n) the regulation or prohibition of pedestrian traffic on highways other than at crosswalks;
- (o) the prohibition of pedestrian traffic in an unmarked crosswalk designated by a traffic sign or traffic control signal;
- (p) the establishment of school crossings in the City and the regulation and control of pedestrian and vehicular traffic with respect to them;
- (q) the regulation and control of processions on highways in the City;
- (r) the regulation and control of persons using roller skates, sleighs, skates, skis or other similar means of conveyance on highways in the City;
- (s) the enforcement of bylaws adopted under this section by fine or imprisonment, or both, and imposing fines, penalties and costs;
- (t) the use, in places, under conditions and in circumstances specified by the bylaw, of sidewalks and crosswalks by persons riding cycles;
- (u) permitting, regulating, controlling and prohibiting the temporary occupation of a portion of a highway, for any purpose or project, for the period necessary to complete such purpose or project, including a requirement for persons to pay a highway occupancy fee and/or provide an indemnity and/or proof of insurance for the benefit of the City;
- (v) permitting, regulating, controlling and prohibiting fixed or longer term encroachments on or over a highway, including a requirement for persons to pay a highway occupancy fee and/or provide an indemnity and/or proof of insurance for the benefit of the City;
- (w) the issuance of a “Stop Work Order” for the following:
 - (i) failure to produce a Traffic Control Plan as per the British Columbia Ministry of Transportation *Traffic Control Manual for Work on Roadways* or otherwise as required and approved by the Engineer;

- (ii) non-compliance with a Traffic Control Plan as per the British Columbia Ministry of Transportation *Traffic Control Manual for Work on Roadways* or otherwise as required and approved by the Engineer; or
 - (iii) failure to provide evidence of insurance.
- (3) The Director of Engineering, Parks & Environment is authorized to permit the temporary occupation of a portion of a highway or a highway for the purpose of a parade or special event, including a requirement for persons to pay a highway occupancy fee and/or provide an indemnity and/or proof of insurance for the benefit of the City.
- (4) The Director of Engineering, Parks & Environment, Fire Chief or Deputy Fire Chief or any Peace Officer may erect or place a temporary traffic sign, at any time in any public place in the interest of public safety. If the traffic control sign is to remain in place for more than 72 hours, the person placing such sign shall forthwith notify the Chief Bylaw Enforcement Officer in writing.
- (5) Every Bylaw Enforcement Officer and Peace Officer is authorized to do all things necessary to control traffic pursuant to this bylaw and to ensure the requirements of this bylaw are being carried out.

4. Exemptions

The provisions of this bylaw do not apply to:

- (1) Persons employed by the City, vehicles or other equipment owned or operated by employees of the City while lawfully engaged in highway or public utility construction, maintenance or repair work on, over or under the surface of a highway;
- (2) the driver of any emergency vehicle:
 - (a) while it is responding to an emergency call and sounding an audible signal, siren, or bell, and showing a flashing red or blue light; or at the scene of an emergency and showing a flashing red or blue light;
 - (b) who is a Peace Officer in immediate pursuit of an actual or suspected violator of the law; or
 - (c) who is a Peace Officer engaged in a police duty of a nature that the sounding of an audible signal or siren would unduly hamper the performance of that duty;
- (3) the stopping, standing or parking of vehicles:
 - (a) being owned, leased or under contract with the Government of Canada, Province of British Columbia or the City;
 - (b) by a public utility corporation; or
 - (c) as a tow vehicle

while such vehicles are in actual use for official purposes and meet the Ministry of Transportation Traffic Control Manual for Work in Roadways or Worksafe Requirements. Notwithstanding the foregoing, the stopping, standing or parking of such vehicles shall, wherever possible, obstruct traffic as little as possible.

- (4) A Bylaw Enforcement Officer engaged in the performance of his or her duties in enforcing the bylaws of the City.

5. Traffic Regulations

- (1) Every driver and pedestrian shall obey the directions or instructions of or indicated by any traffic sign or traffic control signal unless otherwise directed by a Peace Officer.
- (2) No person shall establish, place or maintain, or display or cause to be established, placed, maintained or displayed in, upon, or in view of any highway, any unauthorized sign, signal, marking or other device which purports to be, or is in imitation of, or resembles any traffic sign or traffic control signal, or which attempts to direct the movement of traffic or the parking of vehicles, or which hides from view or interferes with the effectiveness of any authorized traffic sign or traffic control signal.
- (3) No person shall move, remove, deface, damage or alter nor obstruct the view of, or otherwise interfere with any traffic sign or traffic control signal.
- (4) The Director of Engineering, Parks & Environment may close or permit to be closed to traffic, any highway or portion thereof, at such time and for such periods as may be deemed necessary; and may indicate such closure with a traffic sign or traffic control signal.
- (5) Pursuant to section 5(4) it shall be unlawful for any person excepting any Peace Officer, Fire Department member or driver of any emergency vehicle while they are in the course of responding to an emergency, to remove, interfere with, or pass beyond such barrier, device or warning, or to enter such closed area.
- (6) The Director of Engineering, Parks & Environment may designate the location of traffic lanes for traffic on any paved highway and such lanes shall be painted white or otherwise marked on the surface of such pavement, at such places and locations and in such manner as the Director of Engineering, Parks & Environment may deem advisable.
- (7) The Director of Engineering, Parks & Environment may designate highways or portions of highways on which lines or symbols shall be marked, which need not be in the middle of the travelled portion of the highway.
- (8) Parades
 - (a) No person shall be a member of, or take part in, any parade upon or adjacent to a highway unless:
 - (i) such parade is under the direction or control of a marshal or organizer, and

- (ii) the marshal or organizer has obtained prior written permission for such parade upon application to the Director of Engineering, Parks & Environment.
 - (b) An application to the Director of Engineering, Parks & Environment shall specify the nature of the parade, the day and hour on or at which such parade is to be held, the place or places of formation or commencement thereof, the route intended to be taken, and the point of disbandment or dispersal of same and the approximate length thereof.
 - (c) The Director of Engineering, Parks & Environment may issue a permit for a parade subject to any conditions they may impose as to time, route or otherwise. Any person subject to the permit must apply with all conditions thereby imposed.
- (9) Rate of Speed
- No person shall:
- (a) drive or operate a vehicle upon a highway, other than an alley, at a greater rate of speed than 50 km/h unless permitted by a traffic sign;
 - (b) drive or operate a vehicle upon an alley at a greater rate of speed than 20 km/h;
 - (c) drive or operate a vehicle upon a highway at a greater rate of speed than 30 km/h where a traffic sign indicates the highway is being repaired, widened or marked;
 - (d) drive or operate a vehicle upon a highway at a greater rate of speed than 30 km/h where a traffic sign indicates that a zone, place or area is in the vicinity of a school and the speed is restricted between the hours of 8:00 am and 5:00 pm of any day of which school is regularly held;
 - (e) drive or operate a vehicle upon a highway at a greater rate of speed than 30 km/h where a traffic sign indicates that a zone, place or area is in the vicinity of a playground and the speed is restricted between dawn and dusk; and
 - (f) drive or operate a vehicle upon that portion of the highway at a greater rate of speed than that indicated on the traffic sign where the Director of Engineering, Parks & Environment has caused a traffic sign to be erected or placed on a highway limiting the rate of speed of vehicles driven or operated on a designated portion of the highway.
- (10) No person shall drive on any highway at such a rate of speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe driving or operation is in compliance with the law. A Peace Officer may cause such vehicle to be removed or to be temporarily removed from the highway for such time as he may see fit for the purpose of restoring the normal and reasonable movement of traffic.
- (11) Removal of Vehicles and Other Things from Highways
- (a) For the purpose of this subsection, section 3 and section 10 of this bylaw, “thing” includes a vehicle, vessel or other chattel, or structure.
 - ~~(a)~~(b) Any vehicle unlawfully occupying any portion of a highway or public place may be seized, removed, detained and/or impounded by a Peace Officer or the Towing Contractor.

- (c) 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 or driver shall be liable for a fee for the seizure all expenses incurred for the removal and storage of such vehicle.
- (b)(d) 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.
- (e) The Director of Engineering, Parks & Environment is hereby authorized to seize, remove, detain and impound any object or 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.
- (f) 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.
- (g) 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.
- (12) Any person removing a wrecked or damaged vehicle from a highway shall also remove all glass or other injurious substances and any other objects dropped upon the highway from such vehicle.
- (13) No person shall operate a vehicle while sounding a loud speaker or other noise making device, unless written permission has been granted by the Director of Engineering, Parks & Environment.
- (14) No person shall cause or allow to be caused, the emission of any loud or unnecessary noise from a motor vehicle:
- (a) by using or by means of the horn, engine, exhaust system, braking system, acceleration system, tires in contact with the highway; or
 - (b) by the amplified sound of an alarm system, radio, television, player or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by someone outside the motor vehicle; or
 - (c) otherwise, from the motor vehicle, or any part thereof, or any thing or substance that the motor vehicle or a part thereof comes into contact with.
- (15) Pedestrians
- (a) No person shall:
 - (i) cross a highway in contravention of a traffic sign or traffic control signal;

- (ii) walk on the roadway where there is a sidewalk that is reasonably passable on either or both sides of a highway;
- (iii) engage in any sport, amusement, exercise or occupation on a highway or stand, walk, run or loiter in such a manner as to obstruct, impede or interfere with the free passage of vehicles on a highway.
- (iv) engage in any sport, amusement, exercise or occupation on a sidewalk or stand, walk, run or loiter in such a manner as to obstruct, impede or interfere with the free passage of another person on a sidewalk.
- (v) cling to any vehicle in motion nor ride a bicycle, toy vehicle, sleigh or similar device while clinging to any vehicle in motion in or upon a highway.

(16) Cyclists

- (a) A person operating a cycle must not:
 - (i) ride upon the sidewalk of any highway in the area (downtown core) set out in the plan attached to and forming part of this Bylaw as Schedule “C”;
 - (ii) ride upon any pedestrian path in a public park if prohibited by a traffic sign;
 - (iii) ride on a marked crosswalk for the purpose of crossing a highway, unless otherwise directed by a traffic control sign;
 - (iv) leave a cycle on a sidewalk so as to interfere with or obstruct the flow of pedestrian traffic;
 - (v) park a cycle other than in a bicycle rack or stand where a bicycle rack or stand is provided for that purposes;
 - (vi) ride a cycle on a highway where a traffic control sign prohibits the use;
 - (vii) ride a cycle without wearing a helmet, unless exempted by regulation made by the Lieutenant Governor in Council;
 - (viii) carry any other person on the bicycle, provided that, if a bicycle is specially constructed to carry more than one person with separate seats for each person, the number of persons for which it is constructed may ride that bicycle; and
 - (ix) carry any package, bundle or article which prevents them from keeping both hands on the handle bar, or obstructs their vision.
- (b) Except for the purposes of overtaking another bicycle, no person shall ride a bicycle on a highway on the left side of any other bicycles riding on that highway.
- (c) In addition to the duties imposed by this section, a person operating a cycle on a highway must do so in accordance with section 183 of the *Motor Vehicle Act*.

6. Parking and Stopping

- (1) Except when necessary to avoid conflict with traffic or to comply with the directions of a Peace Officer, traffic sign or traffic control signal, no person shall stop, stand or park a vehicle in, along or upon any of the following highways or places:
 - (a) within 6 metres on the approach to a stop sign, yield sign or traffic control signal, located at the side of the highway;
 - (b) within 6 metres of an intersecting highway;
 - (c) within 5 metres of a fire hydrant measured from a point in the curb or edge of the roadway which is closest to the fire hydrant;
 - (d) within 2 metres of any alley or driveway measured from the top of the curb cut, or the point at which the curb begins to slope downward toward highway level;
 - (e) alongside or opposite any highway excavation or obstruction when such stopping would obstruct traffic;
 - (f) on a sidewalk, crosswalk, boulevard or median;
 - (g) within 6 metres of the edge of a marked crosswalk;
 - (h) on the roadway side of any vehicle stopped or parked at the edge or curb of a highway;
 - (i) in an alley except for vehicles actively and visibly engaged in loading or unloading passengers or materials and then only when stopped or parked in such a manner as to allow for the passage of vehicular traffic;
 - (j) in an alley in such a position or manner as to obstruct the free movement of vehicular traffic into or out of any driveway or road adjoining such alley;
 - (k) on any bridge;
 - (l) within 15 metres of the nearest railroad crossing;
 - (m) on any highway for the principal purpose of:
 - (i) advertising, washing, greasing, repairing, wrecking or storing such vehicle, excepting repairs necessitated by an emergency,
 - (ii) displaying such vehicle for sale;
 - (iii) displaying signs; or
 - (iv) selling flowers, fruits, vegetables, seafood or other commodities or articles.
 - (n) on the paved portion of any highway where the pavement is 7 metres or less in

width;

- (o) on any portion of a highway or in a City owned public parking lot in contravention of a traffic sign or traffic control signal which gives notice that standing, stopping or parking there is restricted or prohibited;
- (p) on a highway other than on the right side of the highway and
 - (i) with the right hand wheels parallel to that side, and
 - (ii) where there is a curb, within 30 cm of the curb or the edge of the roadway as measured from the nearest wheel;
- (q) so as to obstruct or interfere with the normal passage of vehicular or pedestrian traffic;
- (r) on a highway designated for angle parking at an angle other than forty-five degrees to the curb or edge of the roadway or other such angle indicated by such marks or a traffic control signal, and in the direction of travel, and where there is a curb, within 30 cm of the curb as measured from the nearest wheel;
- (s) in a designated angle parking zone where the length of the vehicle and/or trailer exceeds 6 metres;
- (t) on a highway or in a City owned public parking lot where parking stalls have designated, other than wholly within the designated parking stall;
- (u) in such a manner to obstruct the visibility of a traffic sign or traffic control signal;
- (v) within 10 metres of the approach of, or 7 metres beyond any bus stop sign;
- (w) in a passenger zone or loading zone except, for when actively and visibly engaged in loading or unloading persons or goods;
- (x) in a commercial zone except, a commercial vehicle.

(2) Time Limited Parking

No person shall park a vehicle:

- (a) on any highway or in any City owned public parking lot in contravention of the length of time allowed for parking as indicated by a traffic sign;
- (b) on a highway for a period longer than 72 consecutive hours where a traffic sign does not further restrict parking limits;
- (c) nor move a vehicle from one location to another on the same block or lot to avoid a time limit regulation.

(3) Idling

- (a) No person shall cause or permit a vehicle to idle:

- (i) for more than three minutes in a 60 minute period; or
 - (ii) while unattended.
- (b) Section 6(3)(a) does not apply to:
- (i) police, fire, ambulance or other emergency vehicles in the course of the performance of police, fire, ambulance or other emergency duties including training activities;
 - (ii) vehicles assisting in an emergency activity;
 - (iii) vehicles for which idling is required as part of a repair or regular pre-check maintenance process;
 - (iv) vehicles engaged in a parade or race or other event for which a permit has been issued by the Director of Engineering, Parks & Environment;
 - (v) vehicles idling while passengers are in the course of embarking or disembarking;
 - (vi) armoured vehicles used to transport money or valuables in which a person remains to guard the contents in the course of the loading or unloading of the money or valuables;
 - (vii) vehicles that contain or have attached to it equipment requiring power from the engine to operate in the course of the operation of such equipment for a commercial or public purpose; or
 - (viii) City of Langley vehicles engaged in City business.

(4) Vehicles as Living Quarters

No person shall occupy a vehicle as living quarters while it is parked upon any street or in any other public place.

(5) Unlicensed Vehicles

- (a) No person shall park on any highway a vehicle that is unlicensed or uninsured or that does not display a valid licence plate or valid licence decal in the manner required by the *Motor Vehicle Act*.

(6) Recreational Vehicles and Trailers

- (a) (i) Subject to section 6(b) & (c), no person shall park a recreational vehicle or trailer on a highway for a period exceeding 48 hours, following which the recreational vehicle or trailer must be moved to a location outside a two block radius of the original location or to an off-highway location for a period of not less than 48 hours before the recreational vehicle or trailer may once again be parked in the original block.
- (ii) For the purposes of subsection (a)(i), any location to which the recreational vehicle or trailer is moved must comply with this or any other bylaw;

(b) No person shall use a recreational vehicle for living quarters while parked on a highway; and

(c) No person shall park a trailer on a highway without it being hitched to a motor vehicle.

(7) Disabled Parking

(a) No person shall stop, stand or park a vehicle in a disabled zone unless the vehicle displays in a prominent position visible through the front windshield:

(i) a valid “Disabled Persons Parking Placard” issued pursuant to Division 38 of the Motor Vehicle Regulation, BC Regulation 26/58; or

(ii) a permit of similar nature issued by another jurisdiction.

(8) Commercial Vehicle Parking

No person shall park a commercial vehicle in excess of 5600 kg on a highway between the hours of 12:00 midnight and 8:00 am.

7. Extraordinary Traffic Control

(1) The Director of Engineering, Parks & Environment may, from time to time, make orders to limit the weight of loads carried by vehicles on any highway or bridge with the exception of provincial arterial highways.

(2) Truck Route

No person shall drive or operate a heavy truck on any highway in the City except those highways set out in Schedule B of this bylaw (hereinafter called the “Truck Route”) except:

(a) any heavy truck operating for or on behalf of the City;

(b) as authorized by a permit issued by the Director of Engineering, Parks & Environment;

(c) where it is necessary to deviate from the truck route for the purpose of delivering or receiving goods or other such common commercial purpose, by the shortest route from the nearest truck route with the least impact on residential areas; or

(d) where a heavy truck is stored at a location off the truck route, a person may drive the truck to and from the place where it is stored and in doing so shall drive it on those highways forming the shortest route between the storage location and the truck route.

(3) Maximum Vehicle Size

- (a) No person, except as authorized by a permit issued by the Director of Engineering, Parks & Environment, shall drive a vehicle on any highway having a greater gross weight, dimension, axle load, or tire load, than the limits prescribed pursuant to the *Commercial Transport Act*, as amended, and the Regulations passed thereunder.
- (b) Farm machinery and farm implements which exceed the specifications as set out in subsection (1) may be moved on any highway between sunrise and sunset if the extremities of the said farm machinery and farm implements are clearly indicated with red flags and warning devices.
- (4) Notwithstanding subsections (1), (2) and (3), no person shall drive or operate a vehicle with a licensed gross vehicle weight greater than 63,500 kilograms on any highway.
- (5) No person, except as authorized by a permit by the Director of Engineering, Parks & Environment, shall operate or use upon any highway, any vehicle having wheels, tires, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs, studs, or other attachments or projections which extend beyond the tread or traction surface of the wheel, tire or track except for studs and snow chains as reasonably required for extreme weather conditions.

8. Use of Highways

- (1) No person shall:
 - (a) throw, drop, deposit, leave or allow to fall from a vehicle or their person, any substance or material, on any highway, and any person who has thrown, dropped, deposited, left or allowed to fall from a vehicle or their person any such object or material must forthwith remove the same from that highway.
 - (b) cut, saw, break, split, place or pile firewood, lumber, blocks, rocks, stones, debris or other material, or mix mortar, or do any act which will deface or damage such highway.
 - (c) throw, deposit, cause to be deposited or to flow upon a highway, any noxious, offensive or filthy water or substance.
 - (d) leave any excavation or other obstruction insufficiently fenced or barricaded and marked with warning lights.
 - (e) mark, imprint or deface, in any manner whatsoever, a highway or structure thereon.
- (2) Except as authorized by a permit issued by the Director of Engineering, Parks & Environment, no person shall:
 - (a) undertake any works, construction, dig up, break up or remove any part of a highway or excavate in or under a highway;
 - (b) plant, cause damage to, trim, cut down, or remove trees or timber, sod, shrubs, plants, bushes and hedges from a highway;

- (c) cause damage to, deface, or remove fences, signs, posts, benches, or other street furniture, utilities, survey monuments and services or other things erected by the City on or under a highway;
- (d) change the level of a highway whatsoever, or stop the flow of water through any drain, sewer or culvert on or under a highway;
- (e) construct or maintain a ditch, culvert or drain across or within any highway;
- (f) place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs, street furniture, ramps, or any other structure or thing on a highway;
- (g) erect or maintain any sign, advertisement or guide-post on or over any highway or alter, repaint, tear down or remove any sign, advertisement or guide-post erected or maintained on any highway;
- (h) ride, drive, lead, move or propel any vehicle or animal in excess of 270 kg over or across a boulevard including any curb, sidewalk or ditch unless such has been constructed or improved to form a suitable crossing;
- (i) construct a boulevard, boulevard crossing, including a curb, ditch or sidewalk crossing on any highway;
- (j) in any way obstruct or create an obstruction to the flow of traffic on a highway;
- (k) construct or maintain a driveway or roadway on any highway;

(3) Regulations for Property Owners

Owners or occupiers of real property abutting on a highway shall not:

- (a) allow or permit any earth, rocks, stones, trees, garden waste, logs, stumps, a fence or portions of a fence, or other material to cave, fall, crumble, slide, accumulate or to be otherwise deposited on any highway, except as authorized by a permit issued by the Director of Engineering, Parks & Environment.
- (b) allow or permit any tree, shrub or landscape screen on such property to extend over such highway at a height of less than three metres above the pavement of such highway.
- (c) allow or permit any vehicle used in any excavation or fill of said property to deposit, throw, spill or track any earth, soil, gravel, clay, peat or any other combination thereof upon a highway.
- (d) dump or discharge or allow or permit to be dumped or discharged any snow onto a sidewalk, walkway or highway.

(4) Duties of Property Owners

- (a) Owners or occupiers of real property shall at their own expense:

- (i) remove soil or rubbish from the sidewalk and walkways bordering the real property within 24 hours of the accumulation of such soil or rubbish on such sidewalk or walkway.
 - (ii) remove any accumulation of snow or ice from the sidewalks and walkways bordering the real property within 24 hours after the cessation of any snowfall that caused any accumulation of snow or ice on any sidewalk or walkway, or prior to the depth of snow accumulation exceeding ten centimetres.
 - (iii) remove snow, ice or rubbish from the roof or other part of any such structure thereon adjacent to or abutting on any portion of any highway immediately, if such snow, ice or rubbish constitutes a danger to persons using the highway by being so located as to impose the threat of falling upon the highway.
 - (iv) be responsible for the appearance of the boulevard bordering their property, and shall keep the grass and any landscaping trimmed and cut, and the boulevard clean and free of litter, debris, weeds or other unsightly growth.
- (b) Except that where the real property is zoned single family residential, is abutting both a front road, and a rear street that runs approximately parallel to the front road, and the property owner is unable to directly access the boulevard due to steep grades, walls, fences or other obstructions, the owner or occupier need not maintain the boulevard abutting the rear street.
- (c) The City, by or through its officers, employers or agents, may give notice to the owner or occupier of real property on which there is an accumulation of snow, ice, soil or rubbish on the sidewalk bordering the said land, real property or premises, requiring that the accumulation be removed forthwith or within a specified period of time and in default of such removal forthwith or within a specified period of time and in default of such removal, the City by its employees or authorized agents may carry out such removal at the expense of the owner or occupier and may recover the expense of said removal, with interest at the rate applicable thereto, and costs in the same manner as municipal taxes.
- (d) The City, by or through its officers, employers or agents, may give notice to the owner or occupier of real property on which the boulevard has not been maintained in accordance with section 8(a)(iv), requiring that the boulevard be maintained forthwith or within a specified period of time and in default of such maintenance forthwith or within a specified period of time and in default of such maintenance, the City by its employees or authorized agents may carry out such maintenance at the expense of the owner or occupier and may recover the expense of said maintenance, with interest at the rate applicable thereto, and costs in the same manner as municipal taxes.

9. Permits

- (1) The authority to issue permits pursuant to this bylaw shall include the authority to develop procedures and appropriate forms for application and issue of permits and the power to amend, or vary such permits.
- (2) The following general provisions shall apply to any permit issued pursuant to the bylaw:

- (a) The City may, without compensation to the permittee, rescind a permit by giving written notice to the permittee twenty-four (24) hours prior to such a rescission. A permit may be rescinded where a fixture, chattel, activity or other work is found contrary to a City program, bylaw or will interfere with an approved works program;
- (b) Use of the permit contrary to the provisions of this bylaw or contrary to the conditions contained in the permit shall render the permit void.
- (c) Applications for permits shall be made to the office of the person authorized to issue the permit.
- (d) Where a permit is for use of a highway it must be available at the site for inspection by any representative of the City.
- (e) In granting any permit, conditions may be attached thereto as may be reasonably necessary to prevent damage to public or private property or to prevent the operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance. Such conditions may include, but shall not be limited to:
 - (i) limitations of the period of the year in which the work may be performed;
 - (ii) restrictions as to the size and type of equipment;
 - (iii) designations of routes upon which materials may be transported;
 - (iv) the place and manner of disposal of excavated materials;
 - (v) requirements as to the laying of dust, the cleaning of highways, the prevention of noise, and other operations offensive or injurious to the neighbourhood or the general public;
 - (vi) regulations as to the use of highways in the course of the work;
 - (vii) regulations as to size, colour, shape, wording and location, of any street furniture or other appurtenance erected on the highway;
 - (viii) requirements as to insurance, waivers, or other special requirements; and
 - (ix) requirements as to the levying of charges, administration fees and security deposits in respect to the works or uses approved by a permit.

(f) Liability of Permittee

The issuance of a permit under this section entitles the permittee only to do those things which are specifically permitted in the permit and shall not absolve the permittee from satisfying the requirements of any Act, bylaw or other regulation governing the use of a vehicle or the highway.

Prior to the issuance of a permit, liability insurance of a minimum amount as specified in subsections 9(2)(h-m), must be provided for all permits.

(g) Indemnify City

The permittee shall be responsible for all damages or injury to any person or persons using the highway or otherwise and for any and all loss or damage to privately owned or City property which may result from the operation of the vehicle or use of the highway under the authority of the permit; and the permittee shall protect and save harmless the City from all loss, damage or injury resulting, directly or indirectly, from the permitted use.

(h) Parade and Special Event Permits

The Director of Engineering, Parks & Environment may issue a permit to a person or group or organization to do those things otherwise prohibited by this bylaw in accordance with the following conditions:

- (i) Applications shall be directed in writing to the Director of Engineering, Parks & Environment and must be received at least forty-five (45) days before the event.
- (ii) Applicants are required to submit all required documentation at least forty-five (45) days before the event.
- (iii) Applicants for special events and parades must submit evidence of liability insurance in the amount of \$3,000,000. All policies shall contain a cross-liability clause with the City named as an additional insured, and such evidence must be submitted at least thirty (30) days prior to the event and approved by the Director of Engineering, Parks & Environment.
- (iv) Applicants may be required to deposit monies prior to the event sufficient to defray costs of any temporary signing, barricading, highway cleaning, policing or other City costs.
- (v) Where permission of the Ministry of Transportation or other non-City agencies is required, the applicant will be responsible for obtaining such permission.

(i) Highway Use Permit

The Director of Engineering, Parks & Environment may issue a Highway Use Permit for the use of a highway in a manner otherwise prohibited by this bylaw subject to payment of the application fee as prescribed in the City's Fees and Charges Bylaw.

- (i) As a prerequisite to the issuance of a permit under this section, the applicant shall, if required by the Director of Engineering, Parks & Environment, deposit with the City a sum of money, or Irrevocable Letter of Credit from a financial institution acceptable to the Director of Corporate Services if the amount is greater than five hundred dollars (\$500.00), in an amount of 120% of the cost of the proposed works or as sufficient security that the obligations imposed by the permit are fulfilled within the time specified by the permit and, where applicable, one year's maintenance;
- (ii) Where a deposit has been made in accordance with this section, and upon satisfactory completion of the work within the time specified the deposit shall be refunded to the applicant less an inspection charge as set out in the City's Fees and Charges bylaw'

(iii) Failure by the permit holder to repair damage and/or fulfill such obligations as are set out in the permit within the specified time, shall be cause for the City to carry out the repair or fulfill the obligations that have not been met under the terms and conditions of the permit and to deduct the cost thereof from the monies on deposit or through the Letter of Credit then the permittee shall pay the balance forthwith upon invoice of the City and should there be a surplus of funds over and above that required by the City to carry out the works or fulfill the obligation such balance shall be paid to the permittee less an administration fee as set out in the City's Fees and Charges bylaw.

(iv) In addition, if the permitted use involves construction on or within the highway:

- (A) the applicant shall provide, in triplicate, satisfactory plans and/or specifications of the work to be undertaken and, when such are supplied and approved by the Director of Engineering, Parks & Environment and the necessary permit issued, the work shall conform in every way to the plans and specifications so provided;
- (B) all work approved under this permit shall be designed and constructed by a professional engineer in compliance with the Design Criteria Manual of the City of Langley "Subdivision and Development Servicing Bylaw, 2008, No. 2744.
- (C) applicants for highway use permits must submit evidence of commercial general liability insurance in the amount of:
 - (I) \$5,000,000 for all work involving the use of heavy equipment including excavation, paving, and underground or overhead utility work;
 - (II) \$3,000,000 for all work not involving heavy equipment but still located within the edges of the paved roadway including manhole access or median landscaping;
 - (III) \$1,000,000 for all work involving purely hand tools, and located completely within the boulevard and outside of the paved area.

All policies shall contain a cross-liability clause with the City named as an additional insured.

(v) Work authorized by a permit shall be performed between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between 7:00 a.m. and 5:00 p.m. on Saturday excluding Statutory Holidays, unless the permittee obtains written consent from the Director of Engineering, Parks & Environment to do the work at any other hour if, in his judgement, traffic conditions, the safety or convenience of the traveling public or the public interest require the work be performed, the Director of Engineering, Parks & Environment shall have full power to order at the time the permit is granted, that a work crew and adequate facilities be employed by the permittee twenty-four (24) hours a day so that such work may be completed as soon as possible.

10. Recovery of Costs

- (1) 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.
- (2) Despite any other provision of this bylaw, if ~~an item seized pursuant to~~ vehicle or thing referred to in section 10(1) is perishable, or has no market value or only nominal market value, the Director of Corporate Services may dispose of such item in any manner that he or she deem expedient.
- (3) Before selling a vehicle, ~~vessel or other chattel, structure~~ or thing at public auction under this section, the City must advertise the time and place of the proposed public auction in a newspaper circulating in the District, giving at least seven day's notice of such proposed sale, and shall, in cases where a vehicle is intended to be sold and such vehicle is registered with the Registrar of Motor Vehicles, send written notice to the registered owner of the vehicle at the address shown on the records of the Registrar of Motor Vehicles, advising of the seizure, the sum payable to release the vehicle, and the date of proposed sale by public auction, if unclaimed.
- (4) The proceeds of sale by public auction must be applied first to the cost of the sale, second to the fees, cost and expenses of the City, and/or its contractor involved in seizure, removal and/or storage, and the balance shall be held for the owner. If the balance remains unclaimed at the end of one year from the date of sale, such balance must be paid into the general revenue of the City.
- (5) No person shall prevent or attempt to prevent or interfere with the seizure, removal, detaining or impounding of any such vehicle, ~~vessel, chattel, structure~~ or thing by the City under this section.

11. Offence and Penalty

- (1) Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of a separate offence each day that a violation continues to exist.
- (2) Every person who contravenes any of the provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than six months, or to both. Each day that an offence continues shall constitute a separate offence.
- (3) If a driver has parked a vehicle in a parking space in violation of the provisions of this bylaw, a separate offence shall be deemed to be committed upon the expiry of each period of time during which the vehicle could have been lawfully parked as indicated by a traffic sign or traffic control signal.

12. Repeal

- (1) The City's Traffic Regulation Bylaw, 2000, No. 2352 and all amendments thereto are repealed.

- (2) The City's Clearing of Sidewalks Bylaw, 1982, No. 1210 and all amendments thereto are repealed.
- (3) The City's Highway Use Regulation Bylaw, 2001, No. 2402 and all amendments thereto are repealed.
- (4) The City's Truck and Trailer Parking Prohibition and Regulation Bylaw, 1982, No. 1212 and all amendments thereto are repealed.

READ A FIRST, SECOND AND THIRD TIME on this sixth day of May, 2013.

ADOPTED on the thirteenth day of May, 2013.

MAYOR

CORPORATE OFFICER

SCHEDULE “A”**VOLUNTARY PENALTIES**

The voluntary penalties for contravention of this Bylaw are set out below and are due and payable within seven (7) days of a person being notified of the contravention of this Bylaw. Payment may be remitted online, by mail, or made in person, to the City of Langley at 20399 Douglas Crescent, Langley, BC, V3A 4B3. Cheques or money orders must be made payable to the City of Langley.

The words or expressions set forth in Column 1 of Schedule “A” of this bylaw designate the offence committed under the bylaw section number appearing in Column 2 opposite the respective words of expression. The amounts in Column 3 designate the fines for contraventions of the bylaw offences set out in Column 1 opposite the respective amounts.

Column 1 Offence	Column 2 Section	Column 3 Fine
Parked within 6 metres of stop or yield sign or traffic sign	6(1)(a)	\$50.00*
Parked within 6 metres of an intersecting highway	6(1)(b)	\$50.00*
Parked within 5 metres of fire hydrant	6(1)(c)	\$50.00*
Parked within 2 metres of alley or driveway	6(1)(d)	\$50.00*
Parked by excavation obstructing traffic	6(1)(e)	\$50.00*
Parked on sidewalk	6(1)(f)	\$50.00*
Parked within 6 metres of crosswalk	6(1)(g)	\$50.00*
Double parked	6(1)(h)	\$50.00*
Parked in alley	6(1)(i)	\$50.00*
Parked in alley obstructing traffic	6(1)(j)	\$50.00*
Parked on a bridge	6(1)(k)	\$50.00*
Parked within 15 metres of railway crossing	6(1)(l)	\$50.00*
Parked on highway	6(1)(m)(i)	\$50.00*
Parked on highway advertising vehicle for sale	6(1)(m)(ii)	\$50.00*
Parked on highway displaying signs	6(1)(m)(iii)	\$50.00*
Parked on highway for purpose of vending	6(1)(m)(iv)	\$50.00*
Parked on narrow highway	6(1)(n)	\$50.00*
Parked contrary to traffic sign	6(1)(o)	\$50.00*
Parked other than on right side of highway with right hand wheels to that side	6(1)(p)(i)	\$50.00*
Parked further than 0.3 metres from curb	6(1)(p)(ii)	\$50.00*
Parked obstructing vehicular or pedestrian traffic	6(1)(q)	\$50.00*
Parked incorrectly in angled parking spot	6(1)(r)	\$50.00*
Vehicle over 6 metres parked in angled parking spot	6(1)(s)	\$50.00*
Parked wholly or partially outside of parking space	6(1)(t)	\$50.00*
Parked obstructing visibility of traffic sign or traffic control signal	6(1)(u)	\$50.00*
Parked too close to bus stop	6(1)(v)	\$50.00*
Vehicle parked unattended in passenger or loading zone	6(1)(w)	\$50.00*
Non-commercial vehicle parked in commercial zone	6(1)(x)	\$50.00*

* Fine is reduced from \$50.00 to \$25.00 if paid within seven (7) business days from the time issued.

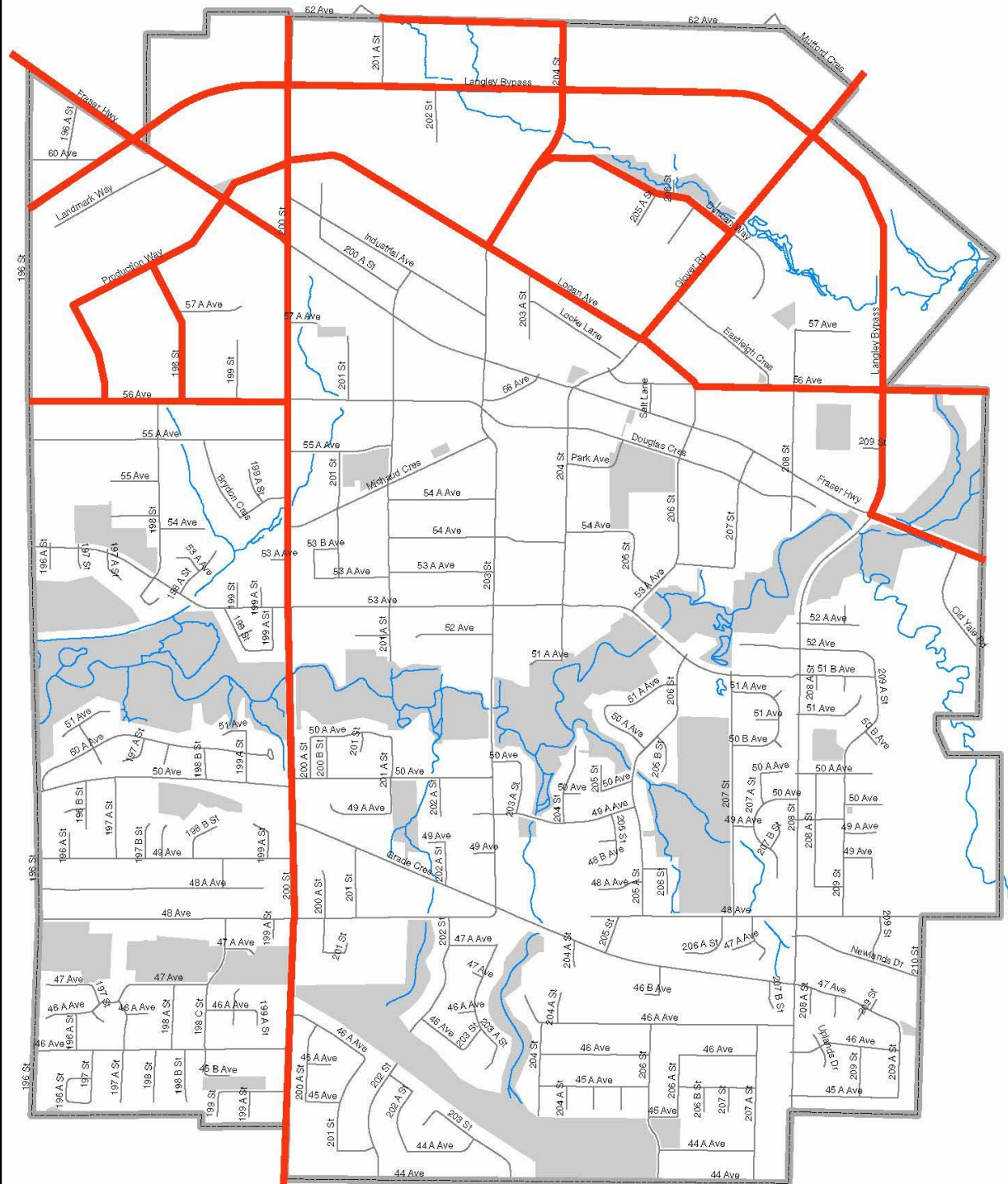
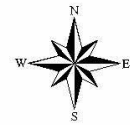
SCHEDULE “A” - continued

Column 1 Offence	Column 2 Section	Column 3 Fine
Overtime parking	6(2)(a)	\$50.00*
Overtime parking – 72 hours	6(2)(b)	\$50.00*
Move to avoid time limitation	6(2)(c)	\$50.00*
Vehicle Idling	6(3)	\$50.00*
Vehicle as living quarters	6(4)	\$50.00*
Unlicensed Vehicle or invalid licence decal	6(5)	\$50.00*
Recreational Vehicles parked over 48 hours	6(6)(a)	\$50.00*
Recreational Vehicle as living quarters	6(6)(b)	\$50.00*
Unhitched trailer on highway	6(6)(c)	\$100.00
Stopped or parked in a disabled zone	6(7)	\$100.00
Commercial vehicle overnight parking	6(8)	\$100.00
Off truck route	7(2)	\$100.00

* Fine is reduced from \$50.00 to \$25.00 if paid within seven (7) business days from the time issued.

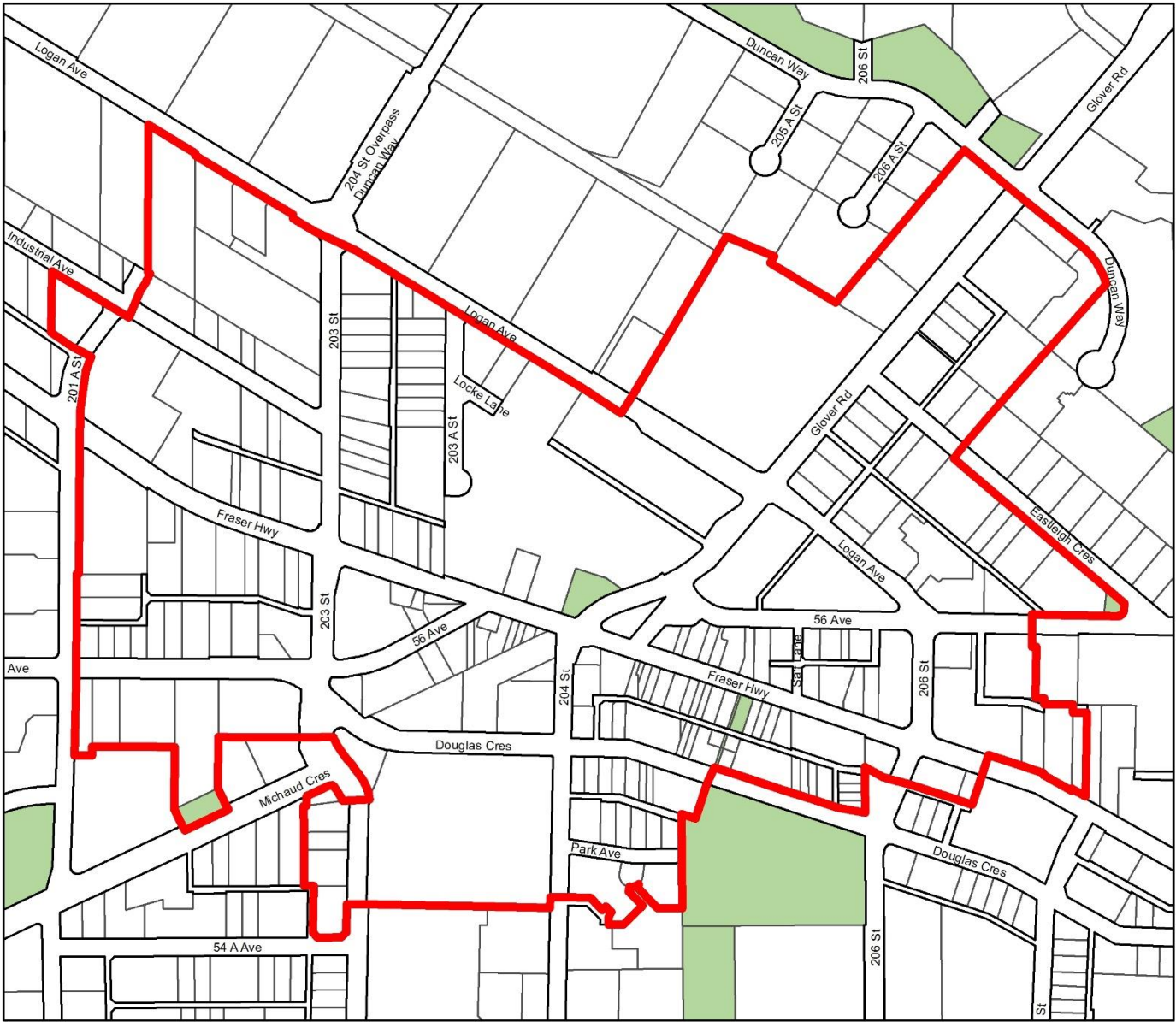
Schedule B – Truck Route

Highway and Traffic Regulation Bylaw No. 2871
Schedule B - Truck Route



Schedule C

Bicycle Riding on Sidewalk Prohibited





EXPLANATORY MEMO

TRAFFIC REGULATION BYLAW 2871, No. 2871

PURPOSE:

The main intent is to update the Traffic Regulation Bylaw and consolidate it with the Clearing of Sidewalks, Highway Use and Truck and Trailer Regulation Bylaws as the subjects are similar and relative to one another. During the consolidation, similar topics were combined where feasible, to make a new bylaw that is much easier to read and understand without having to reference more than one bylaw.

In addition to the consolidation, language has been changed or added to provide clarification and new regulations have been added to:

- require property owners or occupier to maintain boulevards adjacent to their property which is a common requirement in many municipalities.
- Prohibit both pedestrians and vehicles from interfering with the flow of both pedestrian and vehicular traffic to help address solicitation and loitering issues.
- Prohibit the use of vehicles, including recreational vehicles, as living quarters.
- Permit the parking of recreational vehicles for a maximum of 48 hours. This is intended to allow owners to move the vehicle from storage to their home to load supplies, etc.