



Town of Qualicum Beach

TRAFFIC BYLAW Bylaw No. 225, 1970

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of Bylaw No. 225 with the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. The Corporation does not warrant that the information contained in this consolidation is current. Certified copies of the original bylaws should be consulted to ensure accurate, current bylaw provisions.

Amending Bylaw
Bylaw No. 380
Bylaw No. 622

Date of Adoption
September 7, 1982
April 7, 2008

The bylaw numbers in bold in the margin of this consolidation refer to the last bylaw that amended each section of the principal bylaw: "Village of Qualicum Beach Traffic Bylaw No. 225, 1970".

THE CORPORATION OF THE VILLAGE OF QUALICUM BEACH

BYLAW NO. 225

The Corporation of the Village of Qualicum Beach, in open meeting assembled, enacts as follows:

1. This by-law may be cited as “The Village of Qualicum Beach Traffic Bylaw No. 225”.
2. In this bylaw, unless the context otherwise requires, the expressions and definitions contained within the Motor Vehicle Act, the Motor Carrier Act, the Highway Act and the Municipal Act, shall be applicable and these additional local municipal interpretations shall prevail throughout:

Village shall mean The Corporation of the Village of Qualicum Beach and the territory thereof;

Council shall mean the Municipal Council of the Corporation of the Village of Qualicum Beach;

Lane shall mean every land, alley or public thoroughfare, and every way, separating the side or real property lines of parcels of land abutting on highways running more or less parallel to and on each side of such highways, lanes or ways; but does not include a highway within the meaning of the Motor Vehicle Act;

Parade shall mean any procession or body of pedestrians, except members of the Armed Forces, numbering more than thirty people, standing, marching, or walking, upon any highway or sidewalk, or any group of vehicles numbering ten or more, except funeral processions, standing or moving on any highway;

Peace Officer shall mean every person, as defined as such under the Motor Vehicle Act, and shall also mean a person appointed by the Council to enforce the provisions of this bylaw;

Person shall mean and include natural persons of either sex, associations, corporations, bodies politic and co-partnerships, whether acting by themselves or by a servant, agent or employee. The singular shall, when necessary, be held to mean and include the plural; the masculine, the feminine, and the converse thereof;

Bylaw 225 – Traffic Bylaw

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- Private Road Or Driveway shall mean every road or driveway the title to or possession of which is not vested in the Crown or in the Village of Qualicum Beach;
- Town Parkade shall mean the parking area, including accesses, stairways, and stairwells, located beneath the Municipal Offices building located at 660 Primrose Street, Qualicum Beach, B.C. (622)
- Works Superintendent shall mean the Municipal employee of the Village or any other person for the time being authorized to carry out the duties ascribed to the said Works Superintendent under provisions of this or any other bylaw of this Village.
3. Every person operating, driving or propelling any vehicle or riding or propelling any bicycle, or walking, traveling or standing in, upon or on any highway or sidewalk, or riding any horse or other animal shall comply with any lawful direction, command, or order when made, required, demanded or signaled by any Peace Officer.
 4. No person other than the owner or operator of a vehicle shall remove any notice placed thereon or affixed thereto by any Peace Officer in the course of his duty.
 5. The exemptions for any emergency vehicles as set forth in the Motor Vehicle Act shall prevail, and in addition, any member of the Fire Department while in the course of duty, in or about any fire, or at the scene of any accident, in order to expedite traffic or safeguard pedestrians, may direct traffic on any highway in the vicinity, and it shall be unlawful for any person to fail to comply with the directions of any such member of the Fire Department.
 6. For the purposes of enforcing this bylaw, the Village Council may by resolution, authorize and appoint certain employees of the Village as "Officers" who, in addition to the Peace Officers having jurisdiction within the Village, shall exercise all the necessary powers provided herein to enforce the provisions of the bylaw by the laying of an information when necessary.
 7. The Council shall determine and designate the location of all traffic control devices, and may authorize and appoint the Works Superintendent to place and maintain or cause to be placed and maintained all such traffic control devices.
 8. Traffic control devices and temporary traffic control devices shall be erected in accordance with the provisions of this bylaw, and such traffic control devices when so placed or erected shall have full force and effect as to the provisions of the Motor Vehicle Act or the provisions of the bylaw, or any other bylaw of this Village.

9. The Council may, by resolution, close to traffic or any class of traffic, any highway or any portion of any highway, excluding arterial highways, for such time or for such periods of time as may be deemed necessary.
10. The Works Superintendent, Fire Chief, Deputy Fire Chief, or Peace Officer, or any other persons specifically authorized by Council, may erect or place a temporary traffic control device, at any time or place within the Village in the interests of public safety. The person placing such traffic control device shall forthwith notify the Village Clerk in writing and the Village Clerk shall notify the Council at the next regular meeting of such action.
11. The Works Superintendent may erect or place, or permit to be erected or placed temporary traffic control devices on any highway where construction, reconstruction, widening, repair, marking, or any other work is being carried out, to:
 - (a) indicate that men or equipment are working upon the highway, and
 - (b) to regulate or prohibit traffic in the vicinity of such work.
12.
 - (1) Every driver or pedestrian shall obey the directions, or instructions or prohibitions on or indicated by any traffic control device placed or erected in accordance with this or any bylaw of this Village, or the Motor Vehicle Act, unless otherwise directed by a Peace Officer;
 - (2) Where such traffic control devices are erected or placed to close any highway or portion thereof to traffic, it shall be unlawful for any driver to pass beyond such traffic control device, or to enter such closed highway or portion thereof;
 - (3) No person shall deface, damage, injure, move, remove, obstruct, or otherwise interfere with, intentionally or otherwise, any traffic control device placed or erected upon any highway within this Village, pursuant to the provisions of the Motor Vehicle Act, or of this bylaw or any other bylaw of this Village;
 - (4) No person shall establish, place, erect or maintain, or display in, or upon, or in view of any highway, any sign, signal or other device which purports to be, or is in imitation of, or resembles any traffic control device, or which attempts to direct the movement of traffic or the parking of vehicles, or which hides from view any authorized traffic control device.
13.
 - (1) The Council may designate as “No Parking” zones, or as “No Stopping” zones areas in which parking or stopping is prohibited, or designate as restricted parking or restricted stopping zones, areas in which parking or stopping is restricted and may designate certain areas as Loading Zones;

- (2) Unless when so designating any area as a zone in accordance with the foregoing subsection the Council limits the hours or days when the prohibition or restriction shall be in effect, the prohibition or restriction shall be in effect at all times;
 - (3) The Council may place or cause to be placed signs to indicate areas which it designates as “No Parking” zones, “No Stopping” zones, restricted stopping zones, or loading zones.
- 14. The Council may for the better regulation of traffic cause to be placed on any highway movable signs, other than those hereinbefore referred to, displaying the “No Parking By Order of the Council”. It shall be unlawful for any person in charge, control or possession of any vehicle to park such vehicle, except for the purpose of loading or unloading merchandise or freight, in any area designated by such signs.
- 15. No person being in charge, control or possession of any vehicle shall park or stop the said vehicle at any place which is indicated by sign, signal, or other marking, placed in accordance with the restriction indicated by such sign, signal or marking or as hereinafter provided;
 - (a) In the case of “No Parking” zones, no person being in charge of control of any vehicle shall cause or permit such vehicle to remain stationary in a “No Parking” zone for a period in excess of two minutes.
 - (b) No person being in charge, control or possession of any vehicle shall cause or permit such vehicle to stop or remain stationary in any “No Stopping” zone except when necessary to avoid conflict with other traffic, or in compliance with the direction of a Police Officer, or a traffic control signal;
 - (c) The Council may designate and so mark certain portions of highways as bus or taxi zones; and no person in charge, control or possession of any vehicle not being a transportation bus or taxi shall stop his vehicle in any bus or taxi zone.
- 16.
 - (1) The Council may designate highways or parts of highways on which vehicles shall be parked at an angle with the curb or edge of the roadway and it shall be lawful for the Council to place or authorize to be placed on such highways or parts of highways signs indicating that vehicles shall park at an angle with the curb or road edge;
 - (2) No person in charge, control, or possession of any vehicle shall park the said vehicle except so that it shall stand within twelve (12) inches of and at

an angle of forty-five (45) degrees with the curb or road edge and at a distance of not less than two (2) feet from any other vehicle on any highway on which signs have been placed to indicate angle parking.

17. (1) The Council may designate highways or parts of highways on which parking shall be permitted for a limited time only, and it shall be lawful for the Council to place or authorize to be placed signs indicating that parking shall be permitted for a limited time only on such highways or parts of highways;
- (2) No persons being in charge, control or possession of any vehicle shall park such vehicle for a period of time in excess of the time limit indicated by such signs.
18. (1) Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a Peace Officer or traffic control device, or in the case of any vehicles so mechanically disabled as to prevent the moving of the same, no person shall stop, stand or park a vehicle
 - (a) On a sidewalk or boulevard;
 - (b) In front of a public or private driveway;
 - (c) Within an intersection, except as permitted by a sign;
 - (d) Within fifteen feet of a fire hydrant;
 - (e) On a crosswalk;
 - (f) Within twenty feet of the approach side of a crosswalk;
 - (g) Within twenty feet upon the approach onto any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
 - (h) Within twenty feet either side of the entrance to or exit from any hotel, theatre, public meeting place, dance-hall, fire hall or playground;
 - (i) Upon any highways for the principal purpose of
 - (i) displaying a vehicle for sale;
 - (ii) advertising, greasing, painting, wrecking, storing, or repairing any vehicle, except where repairs are necessitated by an emergency;

- (iii) displaying signs;
 - (iv) selling flowers, fruit, vegetables, sea foods, or other commodities or articles;
 - (j) Alongside or opposite a highway excavation or obstruction when stopping, standing or parking obstructs traffic;
 - (k) On the roadway side of vehicle stopped or parked at the edge or curb of a roadway;
 - (l) In a place in contravention of a traffic control device that gives notice that stopping, standing, or parking is there prohibited or restricted;
 - (m) In such a manner as to obstruct the visibility of any standard traffic sign erected by or with the authority of the Minister of Highways or the Village;
 - (n) In any lane or alley in such manner as to obstruct the free movement of vehicular traffic in the lane or alley;
 - (o) In any lane or alley in such a position or manner as to obstruct the free movement of vehicular traffic in or out of any driveway or private road adjoining such lane;
- (2) Except when this bylaw permits and otherwise directs or a police officer so instructs, no driver shall stop, stand or park a vehicle other than on the right side of a highway and with the right hand wheels parallel to that side and where there is a curb, within twelve (12) inches of the curb;
- (3) No person shall remove a vehicle that is not lawfully under his control into any of the places mentioned in subsection (1)
- (4) No person shall enter or remain in the Town Parkade except:
- (a) The owner or driver of a vehicle for the purpose of parking that vehicle at, or removing that vehicle from, the Town Parkade, or for the purpose of attending at that vehicle while it is parked at the Town Parkade; **(622)**
 - (b) The passenger of a vehicle referred to in subsection (a), while that vehicle is being parked at, remains parked at, or is being removed from the Town Parkade. **(622)**

19. For the better regulation of traffic the Council may place or cause to be placed marks or lines upon the surface of any highway or highways indicating the spaces or portions of such highway or highways within which each vehicle shall be parked, and it shall be unlawful for any driver or person in charge, control or possession of any vehicle to park such vehicle on any highway marked as aforesaid unless such vehicle is wholly within the space indicated by such lines or marks.
20. (1) No trailer of any kind whatever shall be parked on any highway of the Town, unless it is attached to a vehicle capable to towing it; **(380)**
20. (2) No motor vehicle of any kind whatsoever shall remain parked on any highway of the Town for continuous period of more than twenty-four (24) hours; **(380)**
20. (3) No person shall park any vehicle having a gross vehicle weight of 4500 kg or more, or a vehicle or trailer having an overall length exceeding 7 metres, for a period longer than two hours on any Street, Toad, or Lane in the Town of Qualicum Beach. **(380)**
20. (4) Except where otherwise directed by a peace officer, the driver shall not stop, stand or park a vehicle on that side and portion of any highway which abuts upon any property occupied by a school, or used as a school playground on any school day between the hours of 8 o'clock in the forenoon and 5 o'clock in the afternoon, and it shall be the responsibility of the Works Superintendent to ensure that signs clearly indicating the restricted parking are erected and maintained adjacent to schools. **(380)**
21. (1) The provisions of this bylaw prohibiting stopping or parking shall not apply:
 - (a) To any emergency vehicle while attending at any emergency call, but this exemption shall not excuse the driver of any such vehicle from exercising due and proper care for the safety of other traffic;
 - (b) To Municipal or Provincial utility vehicles;
 - (c) To vehicles of a public utility corporation;
 - (d) Wrecking vehicles, while such vehicle are actually engaged in works of necessity requiring them to be stopped, to stand, or park, in contravention of such provisions, provided however, the burden of proof shall be upon the operator of such vehicle to establish the

necessity of the operation which produced the contravention of the parking regulation as set down by this bylaw.

22. SPEED LIMIT IN THE VILLAGE:

The speed limit in all lanes throughout the Village shall be not more than twenty (20) miles per hour, for all traffic.

23. NOISE MAKING DEVICES:

No person shall operate upon any motor vehicle or any vehicle, any calliope, loudspeaker, or noise-making device upon the highways of this Village for advertising or for any purposes, unless a written permit has been applied for and granted by the Council.

24. SCHOOL CROSSING:

- (1) The Council is hereby authorized to establish school crossings, upon any highway within the Village, where the same are deemed necessary, and shall by order post traffic control devices for the regulation and control of pedestrian and vehicular traffic, with respect to such crossing;
- (2) The Principal of any regular day school in the Village may appoint from among the students a school patrol to assist pedestrians in crossing highways at designated school crosswalks during the hours of 8:00 a.m. to 5:00 p.m. on any regular school day;
- (3) A Member of a school patrol may control the movement of traffic at such designated school crosswalks by exhibiting a manual control device of a design approved by resolution of the Village Council;
- (4) Drivers of vehicles and pedestrians shall obey the instructions of any approved traffic control device exhibited by a member of a school patrol at designated school crosswalks.

25. DRIVING OVER FIRE-HOSE PROHIBITED:

Unless he has received consent of the fire department official in command or a Peace Officer, a person shall 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.

26. PROTECTION OF HIGHWAYS:

No person shall:

- (1) Throw, drop, deposit or leave, or let fall from or out of any vehicle or conveyance, any bottle, or bottles, glass, crockery, nails, tacks, wood, sawdust, or refuse, or any object or materials whatever, or throw, or cause to be deposited, or let allow to flow any noxious, offensive, or filthy water or substance on or upon any highway;
 - (2) Cut, saw, break, split, place or pile firewood, lumber, blocks, rock, stone, debris, or other materials, or mix mortar to do any job upon any highway or sidewalk which will obstruct or impede traffic thereon or deface or injure such highway or sidewalk;
 - (3) Remove a wrecked or damaged vehicle from any highway without also removing glass or other injurious substances dropped upon the highway from such vehicle;
 - (4) Camp, either by day or night on any highway;
 - (5) Make any fire on any highway, or at any place so as to endanger any installation on any highway;
 - (6) Leave any dead animal on any highway;
 - (7) Construct a ditch, the water from which causes damage to any highway;
 - (8) Drag or haul any timber or other articles along or over any highway in such manner that any of the same shall rest upon or come in contact with the surface of such highway, or to use any drag or stone-boat upon the highways in the Village;
 - (9) Haul or convey any load, or material of any kind, on or through any highway in the Village in any vehicle in such a manner as to permit or allow any portion of such load to overhang the rear or side of the said vehicle and drag upon the surface of the highway.
27. 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, except Sunday.
28. It shall be unlawful for any person to place, or cause or suffer to be placed by any person in his employment or under his control, any merchandise or wares of any nature on any sidewalk in front of or along-side any premises occupied by him for the purpose of display or for any purpose except in the actual course of receipt or delivery; or on any portion of any sidewalk for the purpose of measuring or packing or unpacking goods, wares or merchandise.

29. It shall be unlawful for any person to break, tear up or remove any planking, pavement, sidewalk, crossing, curbing, macadam, or other surface on any highway, or dig or make any excavation in, on, or under any highway within the Village for any purpose whatsoever without having first obtained the written permission of the Works Superintendent to do so; and it shall be the duty of any person having obtained such permission to restore the highway and leave it in as good repair as before such breaking, tearing up, removing, digging, or excavation, and the same shall be done under the direction and supervision of the Works Superintendent, and to his satisfaction, and every person to whom permission as aforesaid shall be granted, shall erect and maintain a good and sufficient fence, railing or barrier, a suitable and sufficient red or amber light during the night, and shall take such further care and precaution as the Works Superintendent may deem necessary and direct for the protection and safety of the public; and shall indemnify the Village against all loss, costs, charges, expenses, and damages to which the Village may be put by reason of such breaking, tearing up, removing, digging or excavation as aforesaid, or by reason of the permission granted him to do so; and it shall be the duty of the Works Superintendent, before giving any such permission to take from every person, security that he will perform all the obligations imposed upon him by the bylaw or any other bylaw of the Village relating thereto; such security as aforementioned shall be in a form acceptable to the Council.
30. Every person who shall make any excavation for any purpose adjoining or adjacent to, any highway within the Village shall build and maintain a good and sufficient fence or other barrier along the line of such highway, so as to guard such excavation, and protect and guard persons, horses, and vehicles traveling along such highway against danger, risk, or accident by reason of such excavation.
31. No person shall erect or maintain any doorstep, porch, railing or other projection or obstruction into or on any highway in the Village without first obtaining a permit from the Council therefore. Awnings shall not be placed or suspended over any part of the highway unless the lowest portion of such awnings is at least seven (7) feet above the sidewalk of said highway.
32. The Works Superintendent is hereby authorized to remove any object or thing which is an obstruction to the free use of any highway in the Village, or which may interfere with the free use thereof, or which may encroach thereon, but such authority as given under this section shall not in any way relieve from responsibility or liability any person guilty of any infraction of any of the provisions of this bylaw or any other bylaw of the Village.
33. (1) No person shall operate or use any vehicle having wheels, tires or treads,

constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments to projections which extend beyond the tread traction surface of the wheel, tire or track, upon any highway in the Village.

- (2) Notwithstanding subsection (1) hereof, it shall be lawful for any person to drive or operate on a highway any vehicle having tires equipped with studs as permitted by the Motor Vehicle Act and Regulations.
34. No person shall remove any earth, rock, boulders, gravel, sand or turf from any highway, without first having obtained a permit in writing from the Council, or from any officer authorized by said Council to issue such permits, upon such terms, conditions and regulations as shall be specified in the permit.
 35. No person shall form part of a group of persons congregated on a highway or sidewalk in such manner as to obstruct the free passage of pedestrians or vehicles, except with written permission of the Council.
 36. No person shall do anything which will direct the attention of persons and cause them to congregate in a group upon any highway or sidewalk in such a manner as to obstruct the free passage of pedestrians or vehicles, or in such manner that persons so congregated might thus be in danger or injury from traffic, except with the written permission of the Council.
 37. PARADE:
 - (1) No person shall be a member of, or take part in any parade unless:
 - (a) Such a parade be under the direction or control of some one person as marshal or organizer and;
 - (b) A written permit for such parade has been issued to such marshal or organizer by the Village Clerk hereinafter provided;
 - (2) No parade shall be held unless application therefore has been made in writing to the Village Clerk by the Marshal or organizer, or other person or persons in charge thereof, at least twenty-four (24) hours before the parade commences;
 - (3) Such application 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 thereof;

- (4) The Village Clerk may issue a permit for a parade, subject to any terms he may impose as to time, route, or otherwise, and if any deviation from such direction is made, or, if such directions be not otherwise complied with, (save as directed by the Village Clerk), the permits shall be void and of no effect.
38. The Council may from time to time designate streets or lanes or portions thereof as one-way streets or lanes and no driver shall operate a vehicle on a one-way street or lane except in the direction indicated by a traffic sign. For the purpose of this section, a one-way street or lane means a street or lane upon which vehicular traffic shall move only in the direction indicated.
39. No person shall lead, ride, drive or tether any animal, or drive or propel any vehicle or bicycle or trailer upon any sidewalk or footpath, provided that this section shall not apply to crossing a sidewalk over a crossing which has been especially constructed for that purpose for gaining entrance or exit to or from premises; and provided further that it shall be lawful for the Works Superintendent to issue a permit granting any person permission to lead, ride or drive or tether any animal or drive or propel any vehicle upon or across any sidewalk for any purpose whatsoever upon such terms and conditions as may be specified in the permit.
40. (1) Any chattel, vehicle or obstruction occupying any portion of a highway or public place, so that it interferes with the normal flow of traffic on the highway or public place, or interferes with the maintenance of the highway or public place by men or equipment provided for that purpose, or any chattel, vehicle or obstruction stopped, standing or parked in contravention of the provisions of the "Motor Vehicle Act: or this by-law, or any other bylaw of the Village, shall be deemed to be unlawfully occupying a portion of the said highway or public place as the case may be.
- (2) Any member of the Royal Canadian Mounted Police, the Qualicum Volunteer Fire Department or an Officer appointed by Council under the provisions of this bylaw may remove or cause to be removed any chattel, vehicle or obstruction, unlawfully occupying any portion of a highway or public place within the Village and shall cause the said property to be towed or taken to a place of storage and shall immediately report the matter to the Royal Canadian Mounted Police, giving a complete description of the property and the location of the place of storage;
- (3) (a) All fees, costs and expenses incurred for the towing, delivery and storing of the chattel, vehicle or obstruction shall be paid by the owner thereof, and in default of payment by the owner within thirty (30) days from the date of impoundment, the Village Clerk is hereby authorized to sell the said property at public auction, or to take

action on behalf of the Village in any Court of competent jurisdiction to recover the said fees, costs and expenses as he may deem necessary and expedient;

- (b) Where the impounded chattel, vehicle or obstruction was stopped, standing or parked in violation of the provisions of this by-law or any other bylaw of the Village and when the owner of the said property has paid all fees, costs and expenses incurred thereof, no further fine, penalty or costs shall be imposed hereby for the said bylaw infraction.
- (4) All property removed, detained or impounded under the provisions of this section shall be deemed to have come into the custody and possession of the royal Canadian Mounted Police on behalf of the Village, and where the owner of the property has not been ascertained, and no order of a competent court has been made with respect thereto, the property shall be disposed of or sold by the Collector as he may deem proper in accordance with the provisions of Section 461 (3) of the Municipal Act.

41. PENALTIES:

Any person contravening or committing any breach of, or committing any offence against, any of the provisions of this bylaw or of the regulations or orders issued under this bylaw, or refusing, omitting, or neglecting to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, or by the regulations or orders created hereunder is liable on summary conviction, to a fine of not more than Five Hundred (\$500.00) Dollars or to a term of imprisonment not exceeding sixty (60) days, or both.

42. Village of Qualicum Beach Traffic Regulation By-law No. 87, 1956 is hereby repealed.

43. This bylaw shall come into force and take effect upon the date of its registration in the office of the Inspector of Municipalities.

READ a first time the ___ day of _____, 1970.

READ a second time the ___ day of _____, 1970.

READ a third time the ___ day of _____, 1970.

RECONSIDERED and ADOPTED the ___ day of _____, 1970.

Clerk

Mayor