

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 1535

A Bylaw to Regulate Traffic and the Use of Highways
Within the District of Central Saanich

WHEREAS the Council of the Corporation of the District of Central Saanich, in open meeting assembled, enacts as follows:

PART 1 - TITLE

1. Title

This Bylaw may be cited for all purposes as “**Central Saanich Traffic and Highways Regulation Bylaw No. 1535, 2006.**”

PART 2 - DEFINITIONS, INTERPRETATION, APPLICATION

2. Definitions

In this Bylaw:

“angle parking”	means the parking of a vehicle other than parallel to a curb or lateral lines of the roadway.
“arterial highway”	means highways classified as such pursuant to the Transportation Act.
“boulevard”	means that part of any highway between: (i) the edge of the pavement; or (ii) the curb; or (iii) the lateral lines of the roadway; and the adjoining property line, exclusive of any sidewalk.
“bicycle”	means any device propelled by human power upon which any person may ride.
“business district”	means any area in the district designated as a “Business District” in Schedule “C” attached to this bylaw.
“Chief Constable”	means the Chief of the Central Saanich Police Service, or his or her Deputy.
“Commercial Truck”	means a vehicle having a gross vehicle weight in excess of 5500 kilograms, an overall height in excess of 2.4 meters or an overall length exceeding 7 meters.
“Council”	means the Municipal Council of the District.
“Disabled Persons’ Parking Permit”	means a parking permit issued to a Disabled Person pursuant to this bylaw and the Regulations.
“Disabled Person”	means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk.
“Disabled Zone”	means a parking zone set aside for the exclusive use of Disabled Persons using a vehicle displaying a Disabled Persons’ Parking Permit.
“District”	means the District of Central Saanich.
“Emergency Vehicle”	means any vehicle of any municipal or other Fire or Police department and any licenced ambulance and such vehicles as are designated as emergency vehicles by the Chief Constable under the Motor Vehicle Act.

- “Fire Chief” means the person duly appointed as such from time to time by the Council, or his or her delegate.
- “government vehicle” means a vehicle operated by the District, the Province of British Columbia or the Government of Canada.
- “highway” Includes:
 - (a) every highway within the meaning of the *Transportation Act*,
 - (b) every road, street, lane or right of way designed or intended for or used by the general public for the passage of vehicles, and
 - (c) every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.
- “off-street parking” “facility” means any real property owned, leased, possessed or otherwise held by the District of Central Saanich from time to time, for the purpose of providing off-street parking and designated as an “Off-Street Parking Facility” in Schedule “A” attached to this bylaw.
- “peace officer” includes a member of the Central Saanich Police Service, District bylaw enforcement officers and any other person employed for the preservation and maintenance of the public peace, including Commissionaires.
- “real property” includes all land owned by persons other than the District.
- “Regulations” means the regulations under the *Motor Vehicle Act*.
- “residential area” means any area zoned residential in the Land Use Bylaw in force in the District from time to time, and includes the highways abutting such zones and where the zone is different on the two sides of the highway, the dividing line shall be the centre of the highway.
- “traffic patrol” means an adult school crossing guard or a school pupil acting as a member of a school patrol where such guards or pupils are provided under the Public Schools Act or authorized by the Police.
- “trailer” means every vehicle with or without motive power designed for carrying persons or property and for being towed or drawn by a vehicle and so constructed that none or only part of its weight rests upon the towing vehicle.
- “wheel-lock” means any device which can be placed on a wheel of a motor vehicle to immobilize the vehicle.

3. Interpretation

Words or phrases defined in the *Community Charter*, the *Local Government Act*, the *Motor Vehicle Act*, the *Transportation of Dangerous Goods Act*, the *Commercial Transport Act*, and the regulations thereto, have the same meaning in this bylaw unless otherwise defined in this bylaw.

4. Application

This Bylaw does not apply to the regulation, control or prohibition of traffic on an arterial highway.

PART 3 - GENERAL REGULATIONS

5. Restrictions

Except where otherwise directed by a peace officer, no person shall:

- CONSTRUCTION ZONE (1) Operate a vehicle at a greater rate of speed than 30
- MAX SPEED km/h in a zone where signs are posted indicating that works are being undertaken on the highway.

DEBRIS LEFT ON HIGHWAY	(2)	Leave any glass or other debris on a highway from wrecked or damaged vehicles at the scene of an accident.
DRAG OR SKID	(3)	Drag or skid any object along or over a highway in such a manner that the object damages the surface of the highway.
DRIVE WITHIN PARKS	(4)	Drive a motor vehicle, other than a government vehicle, except where expressly authorized within the boundaries of any municipal park.
DRIVING ON SIDEWALK OR BOULEVARD	(5)	Drive a motor vehicle, cycle, or ride or herd any animals, upon a sidewalk or boulevard, except on a driveway crossing or as permitted by a traffic control device.
EXTEND BODY	(6)	Extend their body from a moving vehicle or permit a passenger to extend their body from a moving vehicle.
MISUSE OF HORN	(7)	Sound a vehicle horn, except to warn of danger.
NO PASSING SCHOOL	(8)	(a) Being the driver of a motor vehicle, overtake and pass another vehicle in a school or playground zone, as indicated by a traffic control device, or at a crosswalk. (b) Being the driver of a motor vehicle, drive through a crosswalk when a pedestrian is present in the crosswalk or a traffic patrol indicates that vehicles are required to stop.
OBSTRUCT TRAFFIC	(9)	Stand or loiter in such a manner as to obstruct, impede or interfere with traffic on a roadway.
OPEN EXCAVATION	(10)	Leave any excavation, obstruction or works in, on, over or under a highway without placing, erecting and maintaining sufficient fencing, barricading and signage to ensure the safety of all other users of the highway.
PEDESTRIAN CROSSING	(11)	Being a pedestrian, cross a highway at other than a crosswalk except after yielding the right of way to all vehicles.
PLAYING ON HIGHWAY	(12)	Use roller-skates, skateboards, sleighs, in-line skates, skis or other similar means of conveyance on any roadway or sidewalk, not including paved shoulders.
PROCESSION OR PARADE	(13)	Drive or operate a vehicle between the persons or vehicles comprising a funeral procession or parade unless the vehicle is part of the funeral procession or parade.

6. Speed Limits

No person shall operate a vehicle upon a highway within the District at a greater rate of speed than 50 kilometres per hour, except where otherwise indicated by a traffic control device.

7. Garbage Collection

The owner or occupier of property adjacent to a highway shall not place or allow any garbage containers or other facilities related to garbage collection to be upon any portion of the highway, except as permitted by bylaw of the District.

8. Selling on a Highway

- (1) No person shall use or occupy any highway for the purpose of selling or displaying any goods or wares, including without limitation any flowers, fruit, vegetables, seafood, commodity, article or other thing, except as authorized by a business licence issued by the District.
- (2) The provisions of section 8(1) do not apply to farm stands which are operated in compliance with the *Farm Practices Protection (Right to Farm) Act*.

9. Corner Lots

The owner or occupier of property abutting on a highway at an intersection of another highway, shall not construct a fence or grow a hedge, bush or shrub or permit a fence, hedge, bush or shrub or individual tree to remain so that the fence, hedge, bush or shrub and or individual tree is more than 0.7 m higher than the finished grade of the abutting highways for a distance of 25 meters from the center line of the intersecting highways.

10. Refuse on Highway

No person shall:

- (1) Throw, drop, deposit, leave or let fall from or out of any vehicle or conveyance, or any object or material, on or upon a highway, and any person who has thrown, dropped, deposited or left any such object or material shall forthwith remove the same from the highway.
- (2) Place or store any material, object, container or structure on any highway, except as permitted by bylaw of the District.
- (3) Allow or permit any earth, rock, stones, trees, logs, stumps or other substances or materials to cave, fall, crumble, slide, accumulate or to be otherwise deposited on any highway, except as permitted by bylaw of the District.

PART 4 - STOPPING, STANDING AND PARKING

11. Regulations

Except when necessary to comply with the directions of a peace officer, no person shall stop, stand or park a vehicle:

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| 72 HOURS MAXIMUM | (1) | On a highway for a continuous period exceeding seventy-two (72) hours. |
| RESIDENCE | (2) | On a highway for the purpose of temporarily residing, or sleeping between 9:00 pm and 6:00 am. |
| ANGLE PARKING | (3) | In a designated angle parking zone where the length of the vehicle and any attached trailer exceeds 6 metres. |
| BOULEVARD | (4) | On a boulevard where there are curbs. |
| BOULEVARD NO CURBS | (5) | On a boulevard where there are no curbs, unless the distance between the vehicle and the roadway is at least 1.5 meters. |
| BRIDGE | (6) | Upon a bridge. |
| BUS STOP | (7) | In a bus stop. |
| CROSSWALK | (8) | On a crosswalk or within 6 metres of the approach side of a crosswalk. |
| CYCLE PARKING | (9) | Between a portion of a highway that has been designated by the District for the purpose of cycle parking and the highway itself. |
| CYCLES OR PEDESTRIANS | (10) | Upon a portion of a highway that is designated by a traffic control device for the travel of cycles or pedestrians. |
| DISTANCE FROM CURB | (11) | No further than 30 cm from the curb of a roadway if a curb has been constructed. |
| DOUBLE PARKING | (12) | On the roadway side of a vehicle stopped or parked parallel to the edge or curb of a roadway. |
| DRIVEWAY | (13) | In front of or within 2 meters of a public or private driveway. |

EXIT	(14)	Within 6 metres of any entrance to or exit from a hotel, theatre, public meeting place, fire hall or playground.
FIRE ZONE	(15)	In a fire lane or zone.
HYDRANT	(16)	Within 5 metres of a fire hydrant, measured from a point on the curb or edge of the roadway which is closest to the fire hydrant.
IN DESIGNATED AREA ONLY	(17)	On any portion of a highway where parking spaces for vehicles are designated by lines painted upon the surface of the highway, except wholly within the lines designating the parking space.
INTERSECTION	(18)	In an intersection.
LOADING TIME	(19)	In a loading zone, as designated by a traffic control device, for more than 15 minutes.
LOADING ZONE	(20)	In a loading zone, as designated by a traffic control device, unless the vehicle is actually and visibly engaged in the process of being loaded or unloaded.
METERS	(21)	In a parking space at which there is a meter, except upon deposit of the parking fee in the appropriate meter for parking in the manner and at the rate prescribed and as measured by the meter.
OBSTRUCT	(22)	In a manner which obstructs the free passage of traffic on any roadway.
OBSTRUCT VISABILITY	(23)	So as to obstruct the visibility of any traffic control device.
OBSTRUCTION	(24)	Alongside or opposite a highway excavation or obstruction when stopping, standing, or parking obstructs or interferes with the free passage of traffic.
OVERTIME PARKING	(25)	On any portion of a highway for a longer period of time than indicated on a traffic control device applicable to that portion of highway.
PARKING LOTS	(26)	In any off-street parking facility or other public parking lot operated by the District in contravention of the length of time allowed for parking as indicated on a traffic control device applicable to that facility or lot.
PROHIBITED BY SIGN	(27)	So as to contravene a traffic control device.
RESERVED PARKING	(28)	On any portion of a highway indicated by traffic control device as reserved for a class of vehicle, other than a vehicle coming within such class.
SALES	(29)	Upon any highway for the principal purpose of: <ul style="list-style-type: none"> (a) displaying a vehicle for sale, (b) advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency, or (c) displaying signs.
SCHOOL GROUND	(30)	On a highway abutting a school ground or playground, from dawn until dusk, unless the school ground or playground is separated from the highway by a fence.
SIDEWALK	(31)	On a sidewalk.

SIGN	(32)	Within 6 metres of a stop sign or traffic control device located at the side of a roadway.
TRAILER	(33)	Including all trailers, on any highway unless the trailer is attached to a motor vehicle capable of pulling it.
TAXI ZONE	(34)	In a zone reserved exclusively for taxis.
COMMERCIAL TRUCKS IN RESIDENTIAL AREA	(35)	That is a Commercial Truck, on any highway in a residential area except when actively engaged in loading and unloading.
COMMERCIAL TRUCKS AT NIGHT	(36)	That is a Commercial Truck, on a highway abutting premises used for business purposes, between the hours of 10:00 pm and 6:00 am of the following day, except those premises that are located within a business district.
COMMERCIAL TRUCKS FOR MORE THAN 3 HOURS	(37)	That is a Commercial Truck, on a highway abutting premises used for business purposes and/or located in a business district, for more than 3 consecutive hours between 6:00 am and 10:00 pm.
COMMERCIAL TRUCKS NEAR SCHOOL AT NIGHT	(38)	That is a Commercial Truck, on either side of a highway abutting any school or park, including any property zoned P-1, P-1A or P-2 under the District’s zoning bylaw, between the hours of 10:00 pm and 6:00 am of the following day.
COMMERCIAL TRUCKS NEAR SCHOOL FOR 3 HOURS	(39)	That is a Commercial Truck, on either side of a highway abutting any school or park, including any property zoned P-1, P-1A or P-2 under the District’s zoning bylaw, for more than 3 consecutive hours between the 6:00 am and 10:00 pm.
WRONG SIDE FACING WRONG DIRECTION	(40)	On a two-way highway unless the vehicle is parked on the right side of the highway with the right hand wheels of the vehicle parallel to that side, except where angle parking is required.

12. Disabled Persons’ Parking Permits

- (1) Council designates the Social Planning and Research Council of British Columbia as the organization responsible for issuing and cancelling Disabled Persons’ Parking Permits pursuant to the Regulations.
- (2) An application for a Disabled Persons’ Parking Permit shall be made by or on behalf of a Disabled Person to the Social Planning and Research Council of British Columbia.
- (3) All Disabled Zones existing on the date of adoption of this bylaw are deemed to be authorized Disabled Zones established under this bylaw.
- (4) It is unlawful for any person to stop, stand or park a vehicle in a Disabled Zone unless:
 - (a) the vehicle displays a Disabled Persons’ Parking Permit or a permit of a similar nature issued by another jurisdiction, and
 - (b) the vehicle displaying a Disabled Persons’ Parking Permit is stopped, left standing or parked for the purpose of transporting a Disabled Person.

13. Exemptions

- (1) This Part shall not apply to any emergency vehicle while attending at an 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.

- (2) This Part shall not apply to:
 - (a) Government vehicles,
 - (b) vehicles of a public utility corporation, or
 - (c) tow trucks,

while the operators of such vehicles are engaged in work requiring the vehicles to be stopped or parked in contravention of any of the provisions of this Part, or are parked on a stand-by basis for the purpose of being available for emergency use.

14. Mechanically Disabled Vehicles

The provisions of this bylaw relating to limited times of parking shall not apply to any vehicle so mechanically disabled such that the vehicle cannot be moved, until the vehicle has been parked or stopped in a manner contrary to the provisions of this bylaw for a period of 24 hours.

PART 5 - TRAFFIC CONTROL DEVICES

15. Delegation to Chief Constable

The Chief Constable is authorized to issue orders for the placing of traffic control devices at such places as he or she deems appropriate for the regulation of the following traffic matters and by those orders to exercise the following powers of the District under this bylaw, or to give effect to the provisions of this bylaw or the *Motor Vehicle Act*:

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| BUS STOPS | (1) | At locations where a bus stops to pick up passengers. |
| CONSTRUCTION | (2) | On highways where construction, reconstruction, widening, repair, marking or other work is being carried out, the placement of traffic control devices to indicate that persons or equipment are working on the highway, or to regulate or prohibit traffic in the vicinity of such work. |
| CROSSWALK | (3) | At locations where heavy pedestrian traffic crosses a roadway at locations other than an intersection. |
| DISABLED ZONES | (4) | The establishment of Disabled Zones. |
| DO NOT ENTER | (5) | At the end of one-way roadways to prevent traffic entering the restricted area. |
| DO NOT PASS | (6) | At the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous. |
| FIRE ZONE | (7) | To indicate a fire zone. |
| KEEP RIGHT | (8) | Within and at the end of median strips and traffic islands. |
| LOADING ZONES | (9) | The establishment and use of loading zones and their designations. |
| MAXIMUM SPEED | (10) | At locations where, due to limitations of sight distances, road surfaces, traffic flows and frequency of intersections, speeds in excess of those prescribed on the signs constitute a hazard to traffic or may cause excessive damage to the road. |
| MAXIMUM WEIGHT | (11) | At locations where, due to seasonal weakening of road surfaces, obsolescence of bridges or pavements, or roadway repairs, loads in excess of those prescribed on the signs constitute a hazard to traffic or may cause excessive damage to the road. |
| METERS | (12) | The erection, maintenance and operation of automatic or other mechanical meters for allotting and controlling vehicle parking spaces. |
| NO PASSING | (13) | At locations approaching crosswalks, school and park zones indicating that passing is prohibited. |

ONE WAY	(14)	On highways upon which the traffic is required to travel in one direction only.
ONE WAY TRAFFIC	(15)	At the transition from one-way to two-way roadways to indicate that travel is restricted to the right hand side of the roadway.
PEDESTRIANS	(16)	The regulation or prohibition of pedestrian traffic on highways other than at crosswalks.
PROCESSIONS	(17)	The regulation and control of processions on highways in the District.
PUBLIC BUILDINGS	(18)	The setting apart and allotting of portions of highways adjacent to government buildings for the exclusive use of officials and officers engaged therein for the parking of vehicles, and the regulation of such parking.
SCHOOL	(19)	The establishment of school crossings in the District and the regulation and control of vehicle and pedestrian traffic with respect to them.
SIDEWALKS LANES	BRIDGES (20)	The regulation, control or prohibition of pedestrian traffic, ridden or herded animals, vehicular traffic, and cycle traffic on sidewalks, bridges, walkways or boulevards.
SIGNS	(21)	The regulation, control or prohibition of the stopping, standing or parking of vehicles.
SKATES	(22)	The regulation, control or prohibition of persons using roller blades, sleighs, skates, skis, skateboards, or other similar means of conveyance on a highway.
TAXI ZONES	(23)	The establishment and use of taxi stands and their designation.
TRAFFIC SIGNALS	(24)	At intersections and other locations where the existing traffic control devices are not adequate to control the traffic efficiently.
TRUCK ROUTES	(25)	On highways designated as truck routes for movement of truck traffic through the District.
TRUCK SIGNS	(26)	In locations where truck traffic is prohibited or restricted.
TURN PROHIBITION	(27)	At intersections and in advance of intersections where it is required to prohibit certain movements.
WARNING	(28)	To warn traffic of hazardous conditions, either on or adjacent to the roadway or to prohibit traffic from using the roadway.

16. Signs

- (1) The Chief Constable may make orders respecting the regulation, control and prohibition of erection and maintenance of signs, advertisements and guideposts on or over highways and their alteration, repainting, tearing down, or removal.
- (2) No compensation shall be paid to any person for loss or damage resulting from the alteration, repainting, tearing down, or removal of any sign, advertisement or guide-post placed upon any highway.
- (3) No person, other than a person authorized pursuant to this bylaw or the *Motor Vehicle Act*, shall place or erect a sign on real property which purports to regulate the adjacent highway.

17. Issuance and Variation of Orders

- (1) Where the Chief Constable issues orders under this bylaw, the Municipal Clerk shall affix the Corporate Seal to such order and certify the same to be a true copy. Following this procedure, the order shall come into full effect.
- (2) A single order may contain any number of orders.
- (3) The Chief Constable may rescind, revoke, amend or vary any order made by him or her in the same manner as an order is issued.

18. Temporarily Closing Highway

- (1) When, for any reason, any highway, or portion thereof, is unsafe or unsuitable for traffic, or it is deemed advisable that traffic should be restricted thereon or diverted therefrom, the Chief Constable, Fire Chief, or any peace officer, may close the highway, or portion thereof, or restrict or divert the traffic thereon or there-from, and for that purpose may effect traffic control devices.
- (2) Where a highway or portion thereof is temporarily closed, or the traffic thereon is restricted or diverted under (1), then no unauthorized person shall enter upon, or travel upon the highway or portion thereof in contravention of a traffic control devices

19. Temporary Traffic Control Devices

The Chief Constable, the Fire Chief, the Municipal Engineer or any peace officer may place or cause to be placed temporary traffic control devices on a highway:

- (a) along the route of any parade;
- (b) in the vicinity of a large gathering or during special circumstances;
- (c) to permit proper action in an emergency;
- (d) to facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a highway;
- (e) in the interest of public safety, or
- (f) where construction, reconstruction, widening, repair, marking or other work is being carried out, to indicate that persons or equipment are working on the highway, or to regulate or prohibit traffic in the vicinity of such work.

20. Highway Signs

Where traffic control devices have been authorized and placed or erected under the provisions of the *Motor Vehicle Act* by the Province of British Columbia, the same shall be deemed to have been properly placed or erected pursuant to the provisions of this Part.

21. Motor Vehicle Act

Traffic control devices erected pursuant to this part shall, where applicable, comply with the sign regulations as set out in the *Motor Vehicle Act*.

PART 6 - OFFENCE, PENALTIES AND ENFORCEMENT

22. Penalty

Every person who violates any of the provisions of this bylaw, or who suffers or permits any act to be done in violation of any of the provisions of this bylaw, or who neglects to do anything required to be done by any provision of this bylaw, commits an offence punishable upon summary conviction and is liable to a fine not exceeding Ten Thousand Dollars (\$10,000.00), and not less than Five Hundred Dollars (\$500.00).

23. Inspection

Any peace officer may enter, at all reasonable times, upon any property subject to the regulations of this bylaw in order to ascertain whether such regulations or directions are being obeyed.

24. Ticketing

Any peace officer may issue a bylaw enforcement notice or municipal ticket information informing a person that an offence has occurred under this Bylaw.

25. Removal of Notice

No person shall remove any bylaw enforcement notice or municipal ticket information affixed or placed on a vehicle by a peace officer unless he or she is the owner or operator of such vehicle.

PART 7 - REMOVAL OF VEHICLES, CHATTELS, and RUBBISH and VEHICLE IMPOUNDMENT

26. Tow-Away Zones

Without limiting section 27:

- (a) any vehicle, other than a bus operated by School District No. 63 (Saanich), or authorized by the District to provide public transportation, which is stopped, standing or parked on a portion of a highway designated as a bus stop as indicated by a traffic control device,
- (b) any vehicle which is stopped, standing or parked on a portion of a highway designated as a fire zone by a traffic control device,
- (c) any vehicle, which is stopped, standing or parked on a highway in a no stopping zone, as indicated by traffic control device,
- (d) any vehicle which is stopped, standing or parked in an off-street parking facility in contravention of this bylaw,

is subject to immediate tow-away, impoundment or detention by wheel-lock by the District, or its contractors, at all times.

27. Removal of Chattel or Obstruction

Any vehicle, chattel or obstruction unlawfully occupying any portion of a highway or public place may be removed, detained by wheel-lock or impounded by a peace officer or any person authorized to do so by the Chief Constable.

28. Removal and Impoundment

Any vehicle, chattel or obstruction removed, detained or impounded may be recovered by the owner upon presenting proof of ownership, and upon payment in full of all fees, costs and expenses levied pursuant to the provisions of this bylaw to:

- (a) The District's towing contractor or authorized agent, in the case of a vehicle.
- (b) The District during regular business hours, in the case of any chattel or obstruction.

29. Notice to Owner

If a motor vehicle is removed, detained or impounded, and not claimed by the owner within 48 hours, written notice shall be given by registered mail to the registered owner at his address as shown on the records of the Registrar of Motor Vehicles, advising the owner of the seizure and impoundment, the sum payable to release the motor vehicle and the date of advertising for sale by public auction if unclaimed.

30. Fees and Charges

The fees, costs and expenses which shall be paid by the owner of the chattel, obstruction or vehicle removed, detained or impounded pursuant to this Part are set out in Schedule “B” to this bylaw.

31. Public Auction

- (1) Any vehicle, chattel or obstruction not claimed by its owner within thirty (30) days of its impound or detention may be sold at public auction, and such auction shall be advertised at least once in a daily newspaper circulating in the District.

- (2) The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to all unpaid fees, costs and expenses levied in accordance with this bylaw and thirdly the balance, if any, shall be held by the District for one (1) year from the date of sale for the owner, without interest. If unclaimed at the end of the year, such sum shall be paid into the general revenue of the District.
- (3) Should any chattel or obstruction not be purchased at public auction held pursuant to (1), then the chattel or obstruction shall be disposed of in the Capital Region District Landfill, or a place approved by the Chief Constable, and the expenses incurred in the removal or disposal of the chattel or obstruction, less the proceeds (if any) of disposal, are recoverable as a debt due to the District from the owner.
- (4) Should a vehicle not be purchased at public auction held pursuant to (1), then the vehicle shall be disposed of pursuant to the *Warehouse Lien Act*.

32. Market Value Less Than \$100.00

- (1) Notwithstanding section 31, where any garbage, rubbish, or chattel or abandoned or unlicensed vehicle with an apparent market value of less than One Hundred Dollars (\$100.00) is left on any highway, such article or articles may be removed and disposed of by the District without notice to the owner and the full costs of removal and disposal shall be charged to the owner of the garbage, rubbish, chattel or abandoned or unlicensed vehicle.
- (2) Apparent market value shall be determined by the Chief Constable.

33. Removal of Snow and Ice

Owners and occupiers of real property shall remove snow or ice from the sidewalks bordering on their real property within 24 hours of the accumulation of such snow or ice.

34. Maintenance of Boulevard

Owners and occupiers of real property shall maintain that part of any sidewalk or boulevard that abuts their property by keeping it clear of all litter, rubbish, debris and unsightly or overgrown vegetation, and in particular shall:

- (a) remove accumulations of filth, leaves, rubbish, discarded materials, hazardous objects and material which may obstruct a drainage facility;
- (b) keep grassed areas trimmed and free of all weeds including noxious weeds as defined in the Noxious Weeds Bylaw No. 763, 1984, as amended;
- (c) keep in good repair all driveway crossings; and
- (d) trim or maintain plantings (tree, shrubs, bush or hedge installed as natural or improved landscape treatment) on or adjacent to a highway.

35. Material Falling from Vehicle

Where any article, substance or material becomes loose or detached, or blows, spills or falls from any vehicle on to any highway, it shall be the duty of the driver of the motor vehicle to immediately take all necessary precautions to safeguard traffic and to remove such material from the highway.

PART 8 - OBSTRUCTIONS

36. Restrictions

No person shall, without approval of the District:

- (1) CONSTRUCTION Construct a boulevard, sidewalk, curb or ditch.
- (2) DAMAGE TO
 BOULEVARDS Cause damage to, cut down or remove, trees, grass, shrubs, plants, bushes and hedges, fences, signs, highway lighting, or any other thing erected, planted or maintained by the District on a highway.
- (3) DEFACING Mark, imprint or deface in any manner whatsoever a highway or a structure situated upon a highway.

- (4) EFFLUENT FROM DRAIN Construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a highway.
- (5) EXCAVATIONS CUTTING TIMBER Dig up, break up or remove any part of a highway, or cut down or remove trees or timber growing on a highway, or excavate in or under a highway.
- (6) SIGNS 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.
- (7) STOPPING WATER Change the level of a highway in any manner whatsoever, or stop the flow of water through any drain, sewer or culvert on, through, or under a highway.
- (8) STRUCTURES Place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, or any other structure or thing on a highway or any portion of a highway.
- (9) TRACKED VEHICLES Operate tracked vehicles, whether equipped with road plates or not, on sidewalks, boulevards, roadways or lanes, other than for the purpose of snow removal or grading.
- (10) VEHICLES AND ANIMALS 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 so as to form a suitable crossing, except when such vehicle or animal is being used to improve or maintain the boulevard.

PART 10 – MUNICIPAL TICKET INFORMATION

37. Pursuant to the Central Saanich Ticket Information Utilization Bylaw, No. 1178, 1995, as amended, this bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Section 264 of the *Community Charter*.

PART 11 – SEVERABILITY AND REPEAL

38. If a court of competent jurisdiction finds any part, section or subsection to be unenforceable, the remainder of the bylaw shall be severed from the impugned part and remain in force.

39. Street and Traffic Regulations Bylaw 1967, as amended, is hereby repealed.

READ A FIRST TIME this 6th day of **March, 2006**

READ A SECOND TIME this 6th day of **March, 2006**

READ A THIRD TIME this 6th day of **March, 2006**

RECONSIDERED, FINALLY PASSED AND ADOPTED BY THE MUNICIPAL COUNCIL OF THE DISTRICT OF CENTRAL SAANICH, SIGNED BY THE MAYOR AND THE MUNICIPAL CLERK THIS **20th DAY OF March, 2006**.

Jack Mar
Mayor

Trish Flanders
Municipal Clerk

**SCHEDULE “A”
DISTRICT OF CENTRAL SAANICH OFF-STREET PARKING FACILITIES**

The following parking areas are designated as off-street parking facilities, pursuant to this Bylaw:

- Pioneer Park, 7130 West Saanich Rd;
- Central Saanich Cultural Centre, 1209 Clarke Road;
- Municipal Hall, 1903 Mt. Newton Cross Rd;
- Saanichton Green (Park), Section 5, Plan VIP64549, Range 2E, SSD;
- Verdier Park, Lot, 17, Block 45, Plan 1188, Range 2W, SSD;
- Saanichton Bay Park - Lot: PK, Section 5, Plan 44118, Range 4E, SSD (south end near pump station off east end of Mt. Newton X-Rd);
- Centennial Park, 3 parking lots, Lot B, Section 7, Plan 26527, Range 1E, SSD, (1 parking lot), Lot B, Section 8, Plan 23837, Range 2E, SSD (2 parking lots)
- Public Works Yard (2 Visitor's spaces) - 1703 Keating Cross Rd.
- Heritage Acres Park – Lot A, section 9, range 4E, Plan VIP 52520 (off road parking).

SCHEDULE “B”

FEE SCHEDULE – REMOVAL OF CHATTELS, OBSTRUCTIONS AND VEHICLES

The following fees, costs and expenses shall be paid by the owner of any vehicle, chattel or obstruction removed, detained or impounded pursuant to Part 7 of this bylaw:

	UP TO ½ TON ACTUAL VEHICLE WEIGHT	OVER ½ TON AND UP TO ¾ TON ACTUAL VEHICLE WEIGHT	OVER ¾ TON AND UP TO 1 TON ACTUAL VEHICLE WEIGHT	OVER 1 TON AND UP TO 3 TONS ACTUAL VEHICLE WEIGHT
1. <u>REMOVAL OF ANY VEHICLE TO STORAGE</u>				
(a) Flat rate (first 5 kilometres) includes vehicle storage to 12:00 midnight of the day of pick up.	\$ 70.00	\$ 70.00	\$ 70.00	\$ 95.00
(b) Rate per Kilometre over flat rate charge in (a) above.	\$ 2.25	\$ 2.25	\$ 2.25	\$ 2.25
2. <u>EXTRA RATES FOR DOLLY TOW FOR VEHICLE IN ITEM #1 ABOVE</u>				
(a) Flat rate	\$ 29.00	\$ 29.00	N/A	N/A
3. <u>STORAGE OF ANY VEHICLE IN CONTRACTOR'S STORAGE YARD</u>				
(a) Rate per day after the period of storage included in 1(a) above.	\$ 16.75	\$ 16.75	\$ 16.75	\$ 30.00
4. <u>DROP FEE</u>				
(a) Flat rate	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00

	STORAGE FEE PER DAY	REMOVAL FEE	COST OF DISPOSAL
5. <u>CHATELS & OBSTRUCTIONS</u>			
(a) Any chattel weighing under 45 kg and less than 1 metre in any on dimension.	\$ 5.00	\$ 100.00	\$ 100.00
(b) Any chattel weighing over 45 kg or having a dimension exceeding 1 metre.	\$ 5.00	\$ 100.00	\$ 100.00
(c) Any obstruction.	\$ 5.00	\$ 100.00	\$ 100.00

	REMOVAL OF WHEEL-LOCK FEE
6. <u>WHEEL LOCK OF VEHICLE</u>	
(a) For any commercial vehicle.	\$ 100.00
(b) For any other motor vehicle.	\$ 75.00

SCHEDULE “C”

DISTRICT OF CENTRAL SAANICH “BUSINESS DISTRICT”

The following area is designated as a “business district”, pursuant to this bylaw:

