

DISTRICT OF BARRIERE

BY-LAW NO.0029

**A BY-LAW TO REGULATE TRAFFIC, PARKING AND THE USE OF
STREETS, WITHIN THE DISTRICT OF BARRIERE**

TRAFFIC BY-LAW NO.0029

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**A BY-LAW TO REGULATE TRAFFIC, PARKING AND THE USE OF
STREETS, WITHIN THE DISTRICT OF BARRIERE**

WHEREAS under the provisions of the Community Charter S.B.C. 2003, Chapter 26, Section 36, the Council may regulate by by-law all uses of, or involving a highway or position of it or public place except under the terms and conditions imposed by Council.

AND WHEREAS pursuant to the Motor Vehicle Act, S.B.C Section 124(1) Council may by by-law regulate the parking of vehicles and the removal or impounding of vehicles unlawfully occupying a portion of the highway.

The Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. This By-law may be cited as “District of Barriere Traffic By-law No.0029, 2008”.
2. Metric units are used for all measurements in this By-law.
3. INDEX

The contents of this by-law include:

PART I	-	Definitions
PART II	-	Authorities
PART III	-	General Traffic Regulations
PART IV	-	Pedestrian Regulations
PART V	-	Parking Regulations
PART VI	-	Use of Highways Regulations
PART VII	-	Penalties

PART I – DEFINITIONS

In this by-law, unless the context otherwise requires, the expressions and definitions contained within the “Motor vehicle Act”, the “Motor Carrier Act”, the “Highway Act”, the “Community Charter”, the “Municipal Act”, the “Interpretation Act” and the “Commercial Transport Act” and regulations thereto, shall be applicable and these additional interpretations shall prevail throughout:

- “ACCESS” means a driveway intended for ingress and/or egress to abutting property from a highway.
- “ACCESS PERMIT” means a permit which authorizes provision to access to an abutting property from an adjacent highway.
- “ANGLE PARKING” means the parking of a vehicle other than parallel to a curb.
- “ARTERIAL STREET” means a highway classified as arterial by the Official Street Classification Map of the District.
- “BIKEWAY” means the portion of the highway intended either exclusively or partially for use by cyclists.
- “BUS” means a motor vehicle which is designed, constructed and used for the transportation of more than nine passengers.
- “BUS ROUTE SIGN” means a sign designated and issued by the B.C. Transit Authority at which public transit buses may stop and allow the ingress and/or egress of passengers.
- “BUS STOP ZONE” means that entire length of the curb lane within an area extending from 20m on the near side of 7.5m on the far side of any bus route sign indicating a bus stop or any length of curb area delineated by a red curb.
- “BY-LAW ENFORCEMENT OFFICER” means the person appointed by the District and any person delegated to assist him in enforcing municipal laws and regulations as set out in this by-law.
- “CHIEF BUILDING INSPECTOR” means the person appointed as such by the City, and any person delegated to assist him in carrying out his duties under this by-law.
- “COIN” means a lawful coin of Canada or U.S.A.
- “COLLECTOR STREET” means a highway classified as collector by the Official Street Classification Map of the District.
- “COMMERCIAL VEHICLE” has the same meaning as commercial vehicle in the Commercial Transport Act.

“COUNCIL”	means the Council of the District.
“CURB”	means the raised structural element which may be installed at the outside edge of a highway or median parking area, primarily for a gutter.
“DESTINATION”	means the location indicated on a driver’s bill of lading.
“DISTRICT”	means the District of Barriere.
“DOUBLE PARKING”	means the standing of a vehicle in the travelled portion of the highway, adjacent to a parked vehicle, or parking space.
“FIRE CHIEF”	means the person appointed as such by the District and any person delegated to assist him in carrying out his duties under this by-law.
“FIRE ZONE”	means that portion of a highway which is contained within the projected extension of the lateral boundaries of every parcel of land upon which any Fire Hall is constructed and in which any equipment for use in fighting fire and/or other emergency uses is held, stored or maintained by the District.
“GROSS VEHICLE WEIGHT”	means the number of kilograms derived by adding the weights on all the axles of a commercial vehicle.
“HANDICAPPED ZONE”	means that portion of a highway designated by a traffic control device for the exclusive use of vehicles displaying an authorized handicapped identification label.
“HIGHWAY”	includes all public streets, roads, ways, trails, lanes, bridges, trestles, ferry landing and approaches and any other public way or right-of-way designed or intended for or used by the general public for the passage of vehicles.
“HOLIDAY”	means Sunday and any officially proclaimed statutory holiday as well as any other day proclaimed or declared by the Federal, Provincial or Municipal governments as a holiday.
“LAND”	means land owned by the District.
“LANED HIGHWAY”	means a highway or the part of a highway that is divided into two or more marked lanes for the movement of vehicular traffic in the same direction.
“LANEWAY”	means a service road along the back of residential or commercial property not exceeding 8m in width.

“LICENSED GROSS VEHICLE WEIGHT” means the maximum gross vehicle weight for which a commercial vehicle is licensed.

“LIMITED PARKING” means regulated or restricted parking.

“LOADING ZONE” means that portion of a highway designated by a traffic control device for the exclusive use of vehicles loading or unloading passengers or property.

“LOCAL STREET” means a highway classified as local by the Official Street Classification Map of the District.

“OFFICIAL STREET CLASSIFICATION MAP” means the street classification map adopted by Council.

“ONE WAY STREET” means a highway designated as one way, by traffic control devices, upon which vehicles shall move only in the direction indicated.

“OPERATOR” means any person who drives, operates, propels or is in physical control of a vehicle, and shall be deemed to include the person in whose name the vehicle is registered.

“OVERPARKED” means at an unmetered space the standing of a vehicle, whether occupied or not, contrary to a traffic control device.

“OWNER” means as applied to a vehicle:

- (i) the person who holds the legal title to the vehicle; or
- (ii) the person who is entitled to be and is in possession of the vehicle; or
- (iii) the person in whose name the vehicle is registered.

“PARADE” means the procession or group of pedestrians (except members of the Armed Forces) numbering more than twenty, standing, marching or walking on any street or sidewalk, or any group of vehicles numbering ten or more (except funeral processions) standing or moving on any street.

“PARK” when prohibited, means the stopping or standing of a vehicle, whether occupied or not, upon a highway, except when standing temporarily for the purpose of, and while actually engaged in loading or unloading.

“PARKING STALL” means a portion of a highway or District parking lot indicated by a traffic control device as a parking place for one vehicle.

“PERMIT” means a document in writing issued pursuant to this by-law.

- “PERSONS” means human beings, male or female, and includes a company or body corporate.
- “PEACE OFFICER” means any member of the Royal Canadian Mounted Police and any person delegated to assist him/her in carrying out his/her duties under this by-law.
- “PUBLIC TRANSIT BUS” means any vehicle operated under the auspices of the BC Transit Authority for the use by general public.
- “PUBLIC WORKS AND UTILITIES DIRECTOR” means the person appointed as such by the District and any person delegated to assist him in carrying out his duties under this by-law.
- “RECREATION VEHICLE” means a parking stall reserved for a special use as indicated by a traffic control device.
- “RESERVED PARKING” means a parking stall reserved for a special use as indicated by a traffic control device.
- “RESIDENTIAL AREA” means any area zoned for a residential land use in the Zoning By-law.
- “RESIDENTIAL PARKING PERMIT” means a permit which authorizes the parking of a vehicle on a highway contrary to a traffic control device issued pursuant to this by-law.
- “ROAD CLOSURE PERMIT” means a permit which authorizes the closure of a highway or portion of a highway.
- “SHOULDER” means the portion of the highway between the travelled portion of an uncurbed highway and the ditch; or if there is no ditch, the area between the travelled portion of the highway and the boulevard.
- “SIDEWALK” means the portion of a highway intended exclusively for use by pedestrians.
- “SIDEWALK CROSSING” means the alteration portion of a sidewalk or curb for passage of vehicular traffic.
- “TIME” means either Pacific Standard Time, or Pacific Daylight Savings Time, whichever is proclaimed to be in effect by the Province of British Columbia.
- “TRAFFIC NOTICE” means a Notice of Traffic or Parking Violation.
- “TRAFFIC CONTROL DEVICE” means a sign, traffic control signal, line, marking, space, barricade, or other device, placed or erected under this by-law.

- “TRAILER” means a vehicle without motor power designed to be drawn by, or used in conjunction with, a motor vehicle and includes a semi-trailer as defined in the Commercial Transport Act.
- “WALKWAY” means a public way designed and intended exclusively for use by pedestrians.

PART II: AUTHORITIES

PUBLIC WORKS AND UTILITIES DIRECTOR

201. The Chief Administrative Officer, the Public Works and Utilities and Utilities Director by himself or anyone under his direction is hereby authorized and empowered to order to place, replace or alter traffic control devices at any location he may determine to give effect to the provision of the Motor Vehicle Act and this by-law.

PEACE OFFICERS

202. (1) Peace Officers, or any person duly authorized, may:
- (a) issue traffic notices for violations of this by-law;
 - (b) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device;
 - (c) impound any vehicle, trailer or cycle that is in violation of this by-law;
 - (d) require the driver of any vehicle to weigh same at any weigh scale forthwith.

FIRE CHIEF

203. (1) The Fire Chief, or any person duly authorized may:
- (a) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device;
 - (b) impound if necessary for the purpose of carrying out required duties, any vehicle or trailer;
 - (c) designate in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass.

BY-LAW ENFORCEMENT OFFICER

204. (1) The By-law Enforcement Officer, or any person duly authorized, may:
- (a) issue traffic notices for violations of this by-law;

- (b) place temporary “No Parking” signs and barricades or other applicable traffic control devices;
- (c) impound any vehicle, trailer or cycle in violation of this by-law.

PART III: GENERAL TRAFFIC REGULATIONS

TRAFFIC CONTROL DEVICES

301. Notwithstanding any other provisions of this by-law, all traffic control devices installed in the District shall be deemed to be duly authorized traffic control devices under this by-law.

CONFORMANCE

302. No person shall park, drive or operate a vehicle or cycle, in contravention of a traffic control device.

DAMAGE TO DEVICES

303. No person shall drive or walk on or over a newly painted line or marking, nor remove or alter any traffic control device.

OBEY COMMANDS

304. Every person shall at all times comply with any lawful order, direction, signal or command made or given by a police officer, by-law enforcement officer, fireman, flagman, ambulance, attendant, or school patrol.

SPEED LIMITS HIGHWAY

305. No person shall operate a vehicle on a highway at a greater rate of speed than 50km/h unless otherwise posted.

SPEED LIMITS LANEWAY

306. No person shall operate a vehicle on a laneway at a greater rate of speed than 20km/h.

SPEED LIMITS CONSTRUCTION

307. No person shall operate a vehicle within a construction zone at a speed greater than 30km/h unless otherwise posted.

DAMAGE TO SIDEWALKS

308. (1) No person operating a vehicle shall park, drive in, over or upon any walkway, sidewalk, curb or boulevard so as to encumber, obstruct, or damage the same.

(2) When a sidewalk crossing is not available, crossing by a vehicle will be permitted upon adequate provision being made to protect the sidewalk or boulevard from damage by the use of suitable planking or other material, having due consideration for the size and weight of the vehicle and load.

BLOCKING INTERSECTIONS

309. No person operating a vehicle shall block an intersection or a marked crosswalk, notwithstanding any traffic control signal.

VEHICLE WHEELS

310. (1) No person shall, without a permit, operate on a highway a vehicle having wheels, tires, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs, or other attachments or projections which extend beyond the tread or traction surface of the wheel.

(2) Nothing in this section is intended to prohibit the use of snow chains or studded tires during the period from October 1 in any calendar year to April 30 of the following year.

LOAD LIMITS

311. No person shall, without a permit issued under authority of this by-law and subject to the provisions of this by-law, operate on a highway a vehicle or combination of vehicles and trailers having a weight not conforming to the requirements of the Commercial Transport Act and Regulations thereto.

VEHICLE SIZE

312. No person shall, without a permit, and subject to the provisions of this by-law, operate on a highway a vehicle or combination of vehicles and trailers having a size not conforming to the requirements of the motor Vehicle Act and Commercial Transport Act and Regulations thereto.

TRAFFIC AND LOAD RESTRICTIONS

313. Where in the opinion of the Public Works and Utilities Director any highway is liable to damage through extraordinary traffic thereon, he may regulate, limit or prohibit the use of the highway by any person operating or in charge of the extraordinary traffic or owning the goods carried therein or the vehicles used therein.

OVERLOAD OVERSIZE PERMIT

314. (1) Overload and/or Oversize Permits may be issued to persons transporting extraordinary commodities.

(2) Applications are processed through the Engineering Division.

- (3) Permit Cost – No charge, except for any direct costs incurred due to utility relocation.

CYCLES

315. (1) No person shall ride a bicycle on a sidewalk or walkway.
- (2) No person shall leave a cycle on a highway or public place in a position which obstructs the free movement of pedestrian or vehicle traffic, and where a cycle is found as stated herein, the said cycle may be impounded forthwith.
- (3) Cycles impounded will be sold at public auction after 90 days, unless claimed by owner.

DRIVING ON BIKEWAY

316. (1) No person shall ride, drive or lead an animal, or move, drive, run, propel, or park any vehicle along, over or across any bikeway except at bikeway crossings specifically constructed for vehicular traffic.
 - (a) Light carriages or chairs designed for the convenience of children or invalids may be operated on a bikeway.
- (2) All cyclists must yield right-of-way to any pedestrian, light carriages or chairs designed for the conveyance of children or invalids stationed or standing upon crossings or proceeding along any bikeway.

PROOF OF PAYMENT

317. Proof of Payment for any parking or traffic notice shall be an official receipt obtainable at District Hall.

REMOVAL OF TRAFFIC NOTICES

318. No person, other than the owner or operator of a vehicle, shall remove from a vehicle any traffic notice issued under the authority of this by-law.

IMPOUNDMENT OF VEHICLES

319. (1) A Peace Officer finding a vehicle unlawfully occupying any portion of a highway or public place, may detain, remove or

impound such vehicle, and thereupon shall cause it to be taken to a place of storage.

- (2) All costs and charges for the removal, care, or storage of a motor vehicle removed under this by-law shall be paid by the owner of the motor vehicle, and shall be a lien thereon in favour of the keeper of any repair shop, garage, or storage place in which that motor vehicle is stored, and the same may be enforced by him/her in the manner provided by the Repairers Lien Act or the Warehouse Lien Act.

REGULATED PARKING ZONES

320. All highways and District parking lots, where parking is permitted or restricted are hereby designated as regular parking zones and traffic control devices may be laced from time to time to indicate such regulations or restrictions.

PART IV: PEDESTRIAN REGULATIONS

CROSSING HIGHWAYS

401. No pedestrian shall stand on the travelled portion of a highway while waiting to cross a highway.

ENTERING ROADWAY

402. No pedestrian shall leave the curb, or other place of safety and walk or run into the path of a vehicle that is so close that it is impractical for the driver to stop.

BUS STOP

403. No pedestrian shall cross a highway in front of a bus which has stopped to load or unload passengers except at an intersection controlled by a traffic control signal.

WALKING ON ROADWAY

404. No pedestrian shall walk on the travelled portion of a highway if a sidewalk or shoulder or other space is available as a walking area.

CROSSWALKS

405. No pedestrian, crossing a highway where marked crosswalks exist, shall cross outside the limits of the markings.

TRAFFIC CONTROL SIGNAL

406. No pedestrian shall cross a highway in a crosswalk in contravention of a traffic control signal.

HITCHHIKING

407. No pedestrian shall stand upon or walk along a travelled portion of the highway for the purpose of soliciting a ride.

WALKING ON HIGHWAYS

408. Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall give the right of way to all vehicles on the highway.

PART V: PARKING REGULATIONS

UNLAWFUL PARKING

501. (1) No person shall park a vehicle in any public place unless such a person shall comply with all conditions of this by-law and other regulations posted by traffic control devices.
- (2) (a) Where a motor vehicle or trailer is left, without the consent of the occupier of private property on such private property in the District, the owner of a motor vehicle or trailer shall be deemed to have authorized and empowered the occupier to be his/her agent for the purpose of towing the motor vehicle or trailer to a place of storage and of storing it;
- (b) The agent has a lien against the motor vehicle or trailer for all reasonable advances made or charges incurred in connection with the towing and storing of the motor vehicle or trailer in the course of the agency;
- (c) The procedure respecting enforcement of the lien shall be governed by the “Warehouse Lien Act.”

TIME LIMITS

502. Notwithstanding any other provisions of this part, no person shall park a vehicle on any highway for more than forty-eight (48) hours continuously.

PARKING GAP

503. No person, where vehicles are parked parallel to the edge of the roadway, shall park a vehicle closer than 1 m from any other parked vehicle.

LANE PARKING

504. (1) Whenever access can be had to any laneway, all deliveries or collections of goods to or from any commercial building shall be made therefrom.
- (2) No person shall park a vehicle in a laneway unless he is actively engaged in the loading or unloading of goods from a vehicle in which case parking will be permitted for a period of up to fifteen (15) minutes, and such vehicle shall be parked in a manner so as to not block the laneway entirely.
- (3) No person shall park a vehicle in a laneway for the purpose of

loading and unloading where a loading zone is provided on site.

PROHIBITED PARKING

505. (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, no person shall stop, stand or park a vehicle;
- (a) on a sidewalk or boulevard;
 - (b) (i) in front of a public driveway in a residential district;
(ii) in front of nor within 2 m of a public or private driveway in a commercial or industrial zone.
 - (c) within an intersection;
 - (d) within 5 m of a fire hydrant measured from a point in the curb or edge of the highway which is closest to the fire hydrant;
 - (e) on a crosswalk;
 - (f) within 6 m of the approach side of a crosswalk;
 - (g) within 6 m upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a highway.
 - (h) within 6 m of an intersection
 - (i) within 15 m of the nearest rail of a railway crossing;
 - (j) upon any highway for the 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 any product.
 - (k) alongside or opposite a highway excavation or obstruction when stopping, standing or parking obstructs traffic;

- (l) upon a bridge or other elevated structure on a highway, or within a highway tunnel, except as permitted by a traffic-control device;
 - (m)
 - (i) on a highway in such a manner as to obstruct or impede the normal flow of traffic;
 - (ii) or on a marked lane of a laned highway.
 - (n) in a place in contravention of a traffic-controlled device that gives notice that stopping, standing, or parking is there prohibited or restricted;
 - (o) in such a manner as to obstruct the visibility of any standard traffic sign.
- (2) No person shall move a vehicle that is not lawfully under his control into any of the places mentioned in Subsection (1).

LIMITED PARKING AREAS

506. No person shall stop, stand, park or over-park a vehicle on a highway, for any length of time, in excess of the maximum period of parking time posted.

PARKING DISTANCE FROM CURB

507.
 - (1) No person shall park a vehicle on a highway except on the right-hand side thereof, and the right-hand wheels shall be not further than 30cm from the face of the curb.
 - (2) On any one-way highway, a person may park on the left-hand side of the highway, in the same direction as the normal flow of traffic, however, the left wheels shall not be further than 30 cm from the face of the curb.

DOUBLE PARKING

508. No person shall double park a vehicle on a highway.

TRAILER PARKING

509. No person shall park any trailer upon any highway unless in emergency situations or the trailer is attached to a vehicle by which it may be propelled or drawn.

SCHOOL AND PLAYGROUND ZONES

510. No person shall park a vehicle on a highway on the side adjacent to a school or playground where such school or playground is unfenced, or within 8 m from an opening in a fenced school or playground, between

8:00 hours and 17:00 hours in a school zone on days when school is normal in session, and between dawn and dusk in a playground zone on any day.

BUS STOP ZONE

511. No person shall stop or park a vehicle in a bus stop zone.

HANDICAPPED

512. No person shall park a vehicle in a parking space designated for use by handicapped persons, unless such vehicle displays a valid handicap numbered S.P.A.R.C. certificate or other authorized certificates.

WEIGHT RESTRICTIONS

513. Notwithstanding any other provisions of this by-law no person shall park any vehicle having a gross vehicle weight exceeding 5,500 kg, or a length in excess of 7.5 m on a local street within a residential area for a consecutive period long than two (2) hours.

PART VI: USE OF HIGHWAY REGULATIONS

DRAINAGE

601. No person shall alter or stop the flow of water through any drain sewer, ditch or culvert on any highway.

LITTERING

602. (1) No person shall operate on a highway, a vehicle or combination of vehicle and trailer unless it is so constructed, loaded, or covered as to prevent any of its load from dropping, shifting, leaking, or otherwise escaping therefrom.
- (2) Should any material, due to any cause whatsoever, fall from the vehicle, the operator shall forthwith take all reasonable precautions to safeguard traffic from the consequences thereof and shall remove such material from the spillage area.
- (3) No person shall place, throw, deposit or discard on any highway any rubbish, litter or waste material of any description.
- (4) No person shall transport rubbish or refuse of any description in a motor vehicle unless the portion of the motor vehicle in which the refuse is transported is completely covered or enclosed so as to prevent refuse from spilling or escaping from the vehicle.

CONSTRUCTION

603. (1) No person shall excavate or construct any works or occupy the highway for purposes of construction adjacent to the highway unless otherwise authorized by permit.
- (2) Where authorized works are carried out on, over, or under any highway, appropriate signs, flashers, barricades or other warning devices shall be provided around the construction zone to the satisfaction of the Public Works and Utilities Director.

IMPEDING TRAFFIC DAMAGE TO HIGHWAYS

604. No person shall cut, saw, break, split, place or pile firewood, lumber, blocks, stone, debris, or other material or mix mortar or do any act upon any highway which impedes traffic or causes damage to same.

NOISE AND ADVERTISING

605. No person shall operate upon a vehicle any calliope, loudspeaker or other noise-making device upon the streets of the District for advertising or other purposes unless a permit has been applied for and granted by Council.

TREES OVER HIGHWAYS

606. Every person being the owner or occupier of real property shall cause all trees, shrubs or other vegetation to be properly trimmed and cut back, so as to prevent physical obstruction and visibility impairment to pedestrian and vehicle traffic on the sidewalk or highway.

STRUCTURES OVER HIGHWAYS

607. (1) No person shall, except as provided herein or by any other by-law, or unless otherwise authorized by the Public Works and Utilities Director, erect or maintain any structure which encroaches on or over any highway or public land.
- (2) Approved structures overhanging the highway shall have a minimum clearance of 2.5 m above any sidewalk or walkway and 5 m above any roadway.
- (3) No person shall place, erect, remove or alter any sign, structure or other device on or over a street or land without the express consent of the Public Works and Utilities Director.

PARADES

608. (1) Any person desiring to hold a parade shall prior to the event make an application in writing to the Chief Administrative Officer, Public Works and Utilities Director, and in such application, furnish the following information:
- (a) the name and address of the applicant;
 - (b) the nature and object of such a parade;
 - (c) the month, day and hours during which the parade will be held;
 - (d) a description of the intended route of the parade and assembly area or the intended area in which the parade will be limited to, as the case may be; and
 - (e) a description of the composition of the parade.
- (2) The Chief Administrative Officer, The Public Works and Utilities Director may approve or disapprove of the aforesaid application

and, if the approval is given, may issue an order permitting the parade on such terms and conditions as he deems appropriate.

- (3) The Chief Administrative Officer, Public Works and Utilities Director are authorized to regulate and to control pedestrian and vehicular traffic over the route or area in which the parade will occur.
- (4) If the Chief Administrative Officer or Public Works and Utilities Director does not approve the application for the parade then the applicant may present its application to Council.

FUNERAL PROCESSION

- 609.
- (1) The operator of a vehicle in the lead of a funeral procession approaching an intersection where a traffic control device exists, shall comply with the instruction of such device, and shall not enter the intersection until it is safe to do so.
 - (2) Every person operating a vehicle in a funeral procession shall have the headlamps of such vehicle on for the duration of the procession.

PROPERTY ACCESS

610. No person shall alter an existing access to a property or construct a new access to a property without obtaining an access permit from the Chief Administrative Officer or Public Works and Utilities Director.

PART VII: PENALTIES

GENERAL PENALTY

701. Every person who violates any of the provisions of this by-law for which a specific penalty has not otherwise been designated, shall be deemed to have committed an offence against this by-law and shall be liable to a fine of not less than Twenty-five dollars (\$25.00) nor more than Two thousand Dollars (\$2,000.00) for each offence.

VOLUNTARY PAYMENT

702. (1) Any person guilty of an infraction of Section 506 of this by-law shall be liable to a fine of not less than Twenty Dollars (\$20.00)
- Notwithstanding anything hereinbefore contained, where any notice of a parking violation is issued pursuant to the provisions of Section 506 of this by-law, any person may, within twenty-four (24) hours of the issuance of the notice of parking violation, pay to the District the sum of Five Dollars (\$5.00) as full satisfaction for each violation.
- (2) Any person guilty of an infraction of Section 512 of this by-law shall be liable for a penalty of One Hundred Dollars (\$100.00)
- (3) Any person guilty of an infraction of Part V excluding Section 506 of this by-law, any person may, within forty-eight (48) hours of the issuance of the notice of parking violations, pay to the District the sum of Fifteen Dollars (\$15.00) as full satisfaction for each violation.

DEFAULT

703. In addition to any other penalty which may be incurred, anyone failing to comply with the provisions of Part VII of this by-law within the time limited therefore, or within a reasonable time upon notice to the effect by the District, shall be subject to District carrying out any such work at the expense of the offender, and any charges or costs incurred by the District in regard, shall be recoverable by it in any Court of competent jurisdiction.

RESPONSIBILITY OF OWNER

704. (1) The owner of a vehicle shall incur the penalties provided for any violation of this by-law with respect to any vehicle owned by him/her unless at the time of such violation the vehicle was in the possession of some person other than the owner without the owner's consent; but nothing in this section shall relieve the operator of a vehicle not being the owner, from incurring the penalties provide for such violation.

(2) The onus of establishing that the vehicle was in the possession of some person other than the owner rests with the owner.

READ FOR A FIRST TIME this 20th day of October, 2008.

READ FOR A SECOND TIME this 20th day of October, 2008.

READ FOR A THIRD TIME this 20th day of October, 2008.

ADOPTED this 3rd day of November, 2008.

Original Signed by Mike Fennell
Mayor

Original Signed by Wayne Vollrath
Chief Administrative Officer