



# HIGHWAY AND TRAFFIC BYLAW NO. 974, 2011 (CONSOLIDATED)

Record of Amendments to Traffic and Highway				
Amending Bylaw No.	Type of Amendment		Summary of Amendment	Date of Adoption
	Text	Schedule		
1086	X	X	Section 27(a)(x), Section 32(a), and Schedule A	June 6, 2016
1136		X	Schedule A	February 20, 2019
1165		X	Schedule A	June 21, 2021
1181		X	Schedule A	April 19, 2022

**CONSOLIDATED TO: April 19, 2022**

**THIS CONSOLIDATION IS FOR CONVENIENCE AND REFERENCE PURPOSES ONLY.**

If there is any discrepancy between this consolidation and the original Bylaw and any amending Bylaws, Highway and Traffic Bylaw No. 9874 and any amending Bylaws are correct. For confirmation of the exact terms of the Bylaw, you must consult the original Bylaw and the amending Bylaws.



## VILLAGE OF HARRISON HOT SPRINGS BYLAW NO. 974

### A Bylaw to regulate the use of highways

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**WHEREAS** the Village of Harrison Hot Springs has deemed it advisable to establish a bylaw to regulate the use of highways in the Village of Harrison Hot Springs.

**NOW THEREFORE** in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

#### 1. CITATION

This Bylaw may be cited for all purposes as the Village of Harrison Hot Springs "Highway and Traffic Bylaw No. 974, 2011".

#### 2. INTERPRETATION

In this bylaw:

"Boulevard" means the area between the curb lines, lateral lines or shoulder of a roadway and adjacent property line.

"Bylaw Enforcement Officer" means a person appointed by the Council as a bylaw enforcement officer for the Village of Harrison Hot Springs.

"Commercial Vehicle" means a vehicle used for business purposes for the transportation of goods, services or used by tradesmen in the performance of their work.

"Council" means the Council of the Village of Harrison Hot Springs.

"Crosswalks" means a portion of the roadway at an intersection or elsewhere indicated for pedestrian crossing by signs or lines or other markings on the road surface.

"Cycle" means a device having a number of wheels that is propelled by human or electrically assisted power on which a person may ride.

"Cycle Path" means a portion of highway that is designated for use by cyclists and which is adjacent and parallel to the highway and separated from it by a means of road markings.

"Cycle Path" means a portion of highway that is designated for use by cyclists and which is adjacent and parallel to the highway and separated from it by a means of road markings.

"Emergency Vehicle" means a motor vehicle:

- a) carrying rescue or first aid equipment where there is an urgent emergency
- b) driven by a member of the fire department in the discharge of their duties
- c) driven by a peace officer, constable or member of the RCMP

"Engineer" means the engineer for the Village of Harrison Hot Springs as appointed or authorized by Council.

"Extraordinary Traffic" carriage of goods or persons over a highway whether it be vehicles drawn by animal power or propelled by other means that in conjunction with the nature of existing conditions of the highway is so extraordinary or improper and the quality and/or quantity of the goods or the number of persons carried who are in the mode of time of use of the highway or in the speed of which the vehicles are driven or operated has to substantiate, alter or increase the burden imposed on the highway through its proper use by ordinary traffic and cause damage and expense to the highway beyond what is reasonable wear and tear or ordinary use.

"Highway" means the street, road, lane, bridge, viaduct or other way open to use by the public as defined in the *Transportation Act*.

"Mobility device" means any wheelchair, motorized scooter or any other device used by physically challenged or cognitively impaired persons;

"Parade" means any assembly or group of pedestrians numbering more than 20 standing, marching or walking upon a highway or any assembly of groups of vehicles numbering more than 10 standing or moving on any highway except a funeral procession.

"RV Vehicle" means a recreational vehicle that is equipped with a living space and amenities found in a home

"Tow truck" means a motor vehicle designed, equipped and used exclusively for towing and rendering assistance to motor vehicles experiencing a defect or disability and their means of locomotion.

"Vehicle" means a device in, on or by which a person or thing is or may be transported or drawn on a highway except a device designed to be moved by human power.

"Village" means the Village of Harrison Hot Springs

### **3. APPLICATION**

#### Mobility Device Exempt

- a. This bylaw shall not apply to the driving or operation of a mechanically propelled wheelchair, scooter, invalid chair or similar unlicensed devices when used transport a physically disabled person.

#### Use of Animals

- b. A person riding an animal or driving an animal drawn vehicle upon the highway has all the rights and is subject to all the duties of that a driver of a vehicle has under this bylaw.

### **4. AUTHORITY OF OFFICERS AND EMPLOYEES**

Pursuant to this bylaw, an officer or employee of the Village is empowered to make an order respecting the matter. That power includes the power to rescind, revoke, amend or vary the order.

Council may appoint a bylaw enforcement officer to enforce the provisions of this bylaw. For the purposes of this bylaw, members of the Royal Canadian Mounted Police are bylaw enforcement officers.

Every officer and member of the Village Fire Department, in the course of attending upon a fire or emergency, is appointed a bylaw enforcement officer for the purpose of this bylaw.

Every bylaw enforcement officer is authorized to take such course of action as they may deem necessary to regulate and control traffic during times of emergency for the attendance of emergency equipment is required.

### **5. PARADES**

- a. No person shall hold or participate in a parade on a highway unless a permit has first been obtained pursuant to this bylaw.
- b. Every person wishing to hold a parade on a highway shall make application to the Village for a highway parade permit as set out in this bylaw and the Village upon being satisfied that all applicable regulations, terms and conditions have been met shall issue the permit.

## **6. TEMPORARY SOLICITING**

Council may grant approval to a person group or organization to:

Solicit for donations of money or material assistance for charitable or similar purposes subject to the terms and conditions set out by Council.

## **7. CONVEYANCES**

- a. Where, in the opinion of the Bylaw Enforcement Officer that public safety is a concern, no person shall use skateboards, roller skates, rollerblades, ice skates, sleighs, skies, snowboards or other similar conveyances on any highway identified in this bylaw.
- b. The Village may temporarily close any highway or part of it for the purpose of permitting use of conveyances prohibited under the previous section and for that purpose may cause traffic control devices to be erected, placed, marked or made temporarily inoperable as the Village deems necessary.

## **8. OBSTRUCTIONS**

No owner or occupier of real property shall allow any obstruction to the line of vision from a highway intersection between the height of .5 meters and 3 meters above the average height of the ground of the highway and within a 25 meters radius from the intersection of the center lines of the highway if the obstruction reduces site distances to less than a minimum set out in this bylaw.

## **9. MAINTAIN BOULEVARD AND SIDEWALK**

Every owner or occupier of real property adjacent to a boulevard, sidewalk or public footpath on a highway shall:

- a. Remove all snow and ice from the sidewalk or public footpath as soon as practical a snowfall, icfall or frost within a reasonable time of its deposit but in any case, no later than noon on the day following its deposit.
- b. Keep it clear of all litter, rubbish, debris and unsightly or overgrown vegetation.

## **10. PROHIBITED USES OF HIGHWAY**

- a. Except as provided in this bylaw no person shall use the highway for any purposes of performing any work or doing any act not associated with normal use of a highway.
- b. Without limiting generality of the previous section, no person shall:

- i. Construct or install or cause to be constructed or installed any access culvert, bridge, sidewalk or other access on or to any highway except as permitted in this bylaw.
- ii. Make any repairs to motor vehicle while it is upon the highway other than such temporary repairs as are necessary for the removal of the vehicle.
- iii. Engage in any sport, amusement, exercise or occupation of any highway which may delay traffic or cause any obstruction.
- iv. Build, construct, place, maintain, occupy or cause to be built, constructed, place, maintain or occupied any structure, object, substance or anything which obstruct the free use of any highway or encroaches upon it.
- v. Lay, construct or reconstruct any highway or any sidewalk which is on or adjacent to any highway or place, throw, deposit or cause to flow upon any highway or walkway:
  - a. Noxious, offensive or filthy water or substance
  - b. Any refuse, garbage, debris, bottle or container
  - c. Any rocks, stone, earth or soil
  - d. Any unlicensed or derelict motor vehicle

#### **11. REAL PROPERTY ADJOINING HIGHWAY**

No owner or occupier of real property adjoining a highway shall allow or permit any earth, log, rocks, dump water or other fluid or material to fall, slide, flow, accumulate or otherwise be deposited from the property onto the highway or having been so deposited to remain on it.

#### **12. MATERIAL FALLING FROM VEHICLES**

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

#### **13. TOW TRUCK OPERATORS**

It shall be the responsibility of the driver or operator of a tow truck removing from the highway any vehicle damaged in accident or otherwise to also remove any dirt, broken glass, metal and debris deposited on the highway as result of the occurrence.

#### 14. **NOISE ON HIGHWAY**

- a. No person shall make or create any noise on a highway whether from a motor vehicle or not which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort and convenience of the neighbourhood or the persons in the vicinity or which Council believes is objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
- b. Council may on application by a person wishing to operate a motor vehicle while using a public address system or other sound producing device permit such activity on a highway subject to such terms and conditions that Council may prescribe.

#### 15. **LOCAL DAMAGE**

No person shall deface any highway in any manner or damage, modify, alter or remove any boulevard, tree, shrub, plant, bush, hedge, fence or any right of way.

#### 16. **TRAFFIC REGULATIONS**

Traffic Control Devices and Directions of a Peace Officer

- a. The Village may order the erection or placement of traffic control devices on any highway to give effect to this bylaw and to the *Motor Vehicle Act* as amended.
- b. The Bylaw Enforcement Officer, Peace Officer or members of the RCMP may order the erection and placement of temporary traffic control devices upon any highway to give effect to this bylaw and the *Motor Vehicle Act* as amended.
- c. Except where otherwise directed by Peace Officer, a person authorized by a Peace Officer or a flag person, every driver of a motor vehicle and every pedestrian shall obey the directions and instructions of a traffic control device.
- d. No person shall interfere in anyway with any traffic control device whether temporary or permanent which has been erected and place pursuant to this bylaw.
- e. No person shall refuse to comply with any lawful direction, command or order of a Bylaw Enforcement Officer, Peace Officer, or a member of the Fire Department.
- f. Commercial vehicles in excess of 5500 kg (tare weight) are not permitted on residential streets unless the purpose is for the performance of a service or delivery of goods.

**17. SIZE AND WEIGHT RESTRICTIONS**

Except as authorized by permit on a form prescribed, no person shall drive or operate a motor vehicle or culmination of vehicles exceeding the permitted limits or dimensions, weight, load, drive axel, horsepower and other limits prescribed by the *Commercial Transport Act* as amended.

**18. ESCAPING OR INSECURE LOAD**

No person shall drive or operate on a highway a motor vehicle or culmination of vehicles unless the load is secured in a manner which complies with the requirement of the *Motor Vehicle Act* as amended.

**19. WEIGHING**

Where directed by a Peace Officer the driver of a motor vehicle on a highway shall:

- a. Stop the motor vehicle for the purpose of weighing, measuring or inspecting the whole or part of the vehicle or its load or for any other purpose pursuant to this bylaw or the *Motor Vehicle Act*.
- b. Drive a motor vehicle to the nearest public scales for the purpose of weighing the motor vehicle and load.
- c. Rearrange the load upon the motor vehicle or remove the whole or part of the load to comply with the bylaw and the *Motor Vehicle Act* before continuing to drive or operate the motor vehicle.

**20. ANIMALS**

No person shall on any highway or sidewalk:

- a. Leave any horse or other animal without the horse or animal being tethered in a manner so as to prevent it from running away or from moving onto the highway in anyway or from obstructing any portion of the highway or sidewalk.
- b. Tie or fasten the horse or other animal to a traffic sign, tree or any object which can be pushed or dragged onto the highway or sidewalk.
- c. Ride, lead or drive any horse or other animal unless the horse or other animal is being ridden, lead or driven under the control of a competent person at all times.



**21. PEDESTRIAN CROSSINGS**

- a. The engineer may establish pedestrian crossings upon a highway and may establish traffic control devices to regulate the use of the pedestrian crossing.
- b. Where a pedestrian crossing exists across a highway no pedestrian shall cross a highway at any other place other than the pedestrian crossing.

**22. SPEED LIMITS**

No person shall drive or operate a motor vehicle or vehicle on a highway at a rate of speed in excess of:

- a. The posted speed limit
- b. 50 km per hour where there is no posted speed.

**23. WARNING DEVICES**

No person shall interfere in anyway with any barrier, lamp, sign or other device lawfully placed upon the highway at or near any excavation, construction or other work.

**24. EXTRAORDINARY TRAFFIC**

- a. Where in the opinion of the engineer a highway may be damaged by extraordinary traffic the engineer may regulate, limit or prohibit the use of the highway by the motor vehicle or vehicles constituting the extraordinary traffic.
- b. Any person to whom the above noted section applies may make application to the Village for a highway use permit on a prescribed form and in addition pay a fee in the amount of \$50.00 to the Village as compensation for the damage or expense which in the opinion of the engineer be caused by the extraordinary traffic and the engineer upon being satisfied that all applicable regulations, terms and conditions have been met shall issue the permit.

**25. CONTROLLED USE OF THE HIGHWAY**

- a. The engineer may limit or prohibit the use of a highway including but not limited to:
  - i. Prohibiting use or presence on the designated highway or part of it by or of a designated vehicle or type of vehicle either at all times or designated times
  - ii. Specifying the maximum rate of speed of which a vehicle may travel

- iii. Requiring that any vehicle may proceed, be proceeded or followed or both by a pilot car
- iv. Requiring the any vehicle may be driven, or operated on certain highways only
- b. The engineer may close to traffic or use any highway at any time for a period of time and for classes of traffic for use as in their opinion may be necessary for:
  - i. Construction or protection of a highway or other public work
  - ii. Protection of persons using the highway
  - iii. The enabling of permitted traffic to be handled safely and expeditiously

## **26. PARKING REGULATIONS**

### Designated Parking

The Village may establish the following designated parking stall and parking zones:

- a. Loading zones, commercial loading zones, passenger zones and bus zones
- b. Disabled person parking stalls
- c. Public parking passes for designated public parking stalls

## **27. STOPPING, STANDING AND PARKING**

Unless permitted by a traffic control device no person shall stop, stand or park a motor vehicle:

- a. Upon any portion of a highway marked for parallel parking other than between the lines or markings indicating the limits of a single stall except where a motor vehicle is longer than the length of the parking stall in which case it may occupy no more than two stalls
- b. On any portion of a highway marked for designated parking must be between the lines or markings indicated
- c. Any loading zone except where actually engaged in loading or offloading of goods or merchandise and only for a maximum of 30 minutes
- d. In a bus zone

- e. Any stall designated for use by a physically disabled motorist unless a valid placard issued by the Social Planning and Research Council BC (SPARC BC) shall be obtained and is displayed in the front windshield of the motor vehicle.
- f. On the sidewalk or boulevard
- g. In front of a public or private driveway
- h. Within 5 meters of a hydrant.
- i. On a crosswalk or within 5 meters of the approach side of the crosswalk
- j. Within 6 meters of either side of an entrance to or exit from public meeting place, fire hall or playground
- k. Along side or opposite of highway excavation or obstruction when such stopping, standing or parking obstructs traffic
- l. On a highway side of a motor vehicle stopped or parked parallel to the curb side of a highway
- m. On a bridge or other elevated structure on a highway
- n. In a manner which obstructs the visibility of traffic or a traffic control device
- o. On a cycle path on any portion of a highway for a longer period of time than indicated on the traffic control device which applies
- p. At any place on a highway for a continuous period exceeding 48 hours without movement
- q. Commercial vehicles cannot park longer than 24 hours in a given area
- r. Adjacent to a yellow curb
- s. Facing the wrong direction from the normal flow of traffic on the highway
- t. In an area where parking is prohibited
- u. In any lane that leaves less than 3.5 m of the travelled portion of the lane for other vehicle
- v. Park in the boat launch parking area without a permit
- w. In such close proximity to another vehicle as to obstruct or unduly restrict movement of other vehicles

- x. In a parking space at which a parking meter has been installed, except upon depositing the parking fee in the meter assigned to that space, in the manner and at the rate showing on the meter and as measured by the meter; (AB#1086)

Where a highway or portion of a highway is subject to a parking regulation or designation with the time limit either as posted or contained in this bylaw, no person shall move a vehicle from one location to another location that is within four blocks of the initial location in an attempt to avoid the time limit penalties as may be applicable from time to time under this bylaw.

## **28. EXCEPTIONS**

The previous section of this bylaw shall not apply to:

- a. An emergency motor vehicle
- b. A police motor vehicle
- c. A motor vehicle owned and operated by the Village, Province or Federal Governments
- d. A motor vehicle of a public utility corporation, tow truck, a motor vehicle used to service equipment in a business premises where it is not possible to service equipment from another location
- e. An armoured motor vehicle used for picking up and or delivering cash and other securities

## **29. NON-COMMERCIAL VEHICLES, TRAILERS, RECREATIONAL VEHICLES AND CYCLES**

- a. No person shall stop, stand or park upon a highway any trailer, RV or other vehicle where;
  - i. Any culmination of vehicles including a towing apparatus in excess of 15 meters in length.
  - ii. The total gross weight of the vehicle and/or trailer is in excess of 5500 kg and is in a residential zone between the hours of 7:00 p.m. and 7:00 a.m. the following day.
- b. No recreational vehicle will be permitted to park on any street in excess of 8 hours regardless if it is moved or not to another parking location.
- c. No person shall park any unattached utility trailer, boat trailer or recreational trailer on any street.

### **30. REMOVAL OF PARKING TICKETS OR MARKINGS**

No person shall:

- a. Remove any notice or ticket placed or affixed to a vehicle by the bylaw enforcement officer except the owner or operator of the vehicle.
- b. Remove, obliterate or otherwise interfere with any marking placed on a vehicle by the bylaw enforcement officer for any purpose relating to this bylaw.

### **31. TIME LIMIT PARKING**

No person shall:

- a. Park a vehicle in a stall for a period of time greater than the time indicated by the traffic control device governing this stall except for the vehicles parked in a public parking lot designated for the use of public parking passes and where a valid pass is displayed from the rear view mirror of the vehicle or by the parking limitations imposed by this bylaw.
- b. Where the time limit for parking in the stall has expired and the person requires further parking the person may:
  - i. Park the vehicle in another stall located a minimum of 250 meters from the stall vacated.
  - ii. Occupy the same stall 2 hours after vacating that stall.
- c. Parking meters will be installed, maintained and operated on the highways or portion of the highways described in Schedule A, which is attached to and forms part of this Bylaw, for the purposes of allotting and controlling street parking spaces for vehicles; measuring and recording the duration of street parking; and for measuring and collecting fees for parking at the rate prescribed in Schedule A, as amended from time to time;(AB#1086).

### **32. TIME LIMIT PARKING EXCEPTIONS**

The engineer may exempt a person or organization that the engineer deems eligible from time limit restrictions from permitting that person or members of the organization to park in a time limited parking stall in excess of the posted time.

### **33. BYLAW VIOLATION NOTICES**

- a. The Bylaw Enforcement Officer may issue a Bylaw Violation Notice for any violation of this Bylaw and will be required to attach the notice to the motor vehicle.

- b. A notice issued under the above section shall be deemed to be sufficiently served if the notice is signed by the issuing officer and is;
- i. The person who is the subject to the notice, or is the owner or operator of the vehicle which is the subject of the notice, or
  - ii. Placed or fixed or attached to the vehicle which is the subject of the notice.

#### **34. RESPONSIBILITY OF THE VEHICLE OWNER**

Where there is a violation of this Bylaw with respect to a vehicle, the person registered with the Superintendent of Motor Vehicles as the owner of the vehicle shall be responsible for the violation of any fine or penalty incurred whether or not they were in care and control of the vehicle at the time the violation occurred.

#### **35. IMPOUNDING**

Where a vehicle, chattel or obstruction is occupying a highway in violation of this Bylaw the Bylaw Enforcement Officer may in addition to or instead of any other power granted in this Bylaw, remove, detain or impound the vehicle, chattel or obstruction.

#### **36. IMPOUND OF VEHICLES**

- a. Where a licensed vehicle is removed, detained or impounded pursuant to this Bylaw and is not redeemed by the registered owner within 24 hours of the impoundment, written notice shall be given to the owner of the vehicle shown on the records of the Superintendent of Motor Vehicles advising the owner of the seizure of the vehicle and the procedure to redeem it;
- b. Any vehicle, chattel or obstruction removed, detained or impounded pursuant to this Bylaw may be recovered by the owner by paying the fees, costs and expenses to the business place of storage as the Village may designate; and
- c. If the vehicle, chattel or obstruction is not reclaimed by the owner within 30 days of the date of impoundment it shall become the property of the Village and it may be disposed of by the Village at its discretion.

#### **37. SALE OF IMPOUNDED PROPERTY**

Proceeds of the sale of any vehicle, chattel or obstruction impounded pursuant to this Bylaw shall be applied to the cost of selling it and for the fees, costs and expenses incurred by the Village for its contractors impounding it and the balance if any shall be paid to the general revenue account of the Village.

**38. ENFORCEMENT AND PENALTY**

- a. Except where the penalty is otherwise provided for in the **Community Charter**, every person who offends against any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of the provisions of this Bylaw, or neglects to do or refrains from doing anything required to be done by this Bylaw, shall be deemed to have committed an offence under this Bylaw and shall be liable, to fines specified under the Bylaw Notice Enforcement Bylaw.
- b. Each day that a violation is permitted to exist constitutes a separate offence.

**39. SEVERBILITY**

If any portion of this Bylaw is held invalid by a Court of competent jurisdiction then the invalid portion must be severed and then remainder of the Bylaw must be deemed to have been adopted without the severed portion.

**40. REPEAL**

"The Village of Harrison Hot Springs Bylaw No. 378 and all amendments thereto are hereby repealed in their entirety.

**READINGS AND ADOPTION**

READ A FIRST TIME THIS 9<sup>th</sup> DAY OF MAY, 2011

READ A SECOND TIME THIS 9<sup>th</sup> DAY OF MAY, 2011

READ A THIRD TIME THIS 9<sup>th</sup> DAY OF MAY, 2011

RESCINDED THIRD READING THIS 26<sup>th</sup> DAY OF MAY, 2011

AMENDED A READ A THIRD TIME THIS 26<sup>th</sup> DAY OF MAY, 2011

ADOPTED THIS 20<sup>th</sup> DAY OF JUNE, 2011

AMENDMENT BYLAW 1086 ADOPTED ON THE 6<sup>th</sup> DAY OF JUNE, 2016

AMENDMENT BYLAW 1136 ADOPTED ON THE 19<sup>th</sup> DAY OF FEBRUARY, 2019

AMENDMENT BYLAW 1165 ADOPTED ON THE 21<sup>st</sup> DAY OF JUNE, 2021

AMENDMENT BYLAW 1181 ADOPTED ON THE 19<sup>TH</sup> DAY OF APRIL, 2022

"Ken Becotte"  
Mayor

"Debra Key"  
Corporate Officer

**Highway and Traffic Amendment Bylaw No. 974**  
**Schedule "A"**  
**(AB#1181)**

**Zone 1: Max. 4 Hour Parking**  
**(excluding stalls with EV charging)**

**Parking Rates:**

Hour 1 – \$2.00  
Hour 2 – \$3.00  
Hour 3 – \$4.00  
Hour 4 – \$5.00

(Total \$14.00 for 4 hours)

**Locations:**

St. Alice Street  
Hot Springs Road  
Esplanade Avenue West of Hot Springs Road

**Zone 2: Hourly and Daily Parking**  
**(excluding stalls with EV charging)**

**Parking Rates:**

\$3.00 per hour or \$12.00 per day

**Locations:**

Esplanade Avenue

Streets between Esplanade Avenue and  
Lillooet Avenue including:

- Maple Street
- Chehalis Street
- Spruce Street

**Electric Vehicle Charging Stalls on Public Property: Max. 4 Hour Parking**

**Parking Rates:**

May 15 – September 15

\$7.00 per hour

September 16 – May 14

\$2.00 per hour