



THE CORPORATION OF THE CITY OF DAWSON CREEK

PARKING BYLAW NO. 3123, 1995

(CONSOLIDATED VERSION FOR CONVENIENCE ONLY)

Amendment Bylaw 3198, 1996 incorporated

Amendment Bylaw 3252, 1997 incorporated

Amendment Bylaw 3645, 2003 incorporated

Amendment Bylaw 3989, 2008 incorporated

THE CORPORATION OF THE CITY OF DAWSON CREEK
BYLAW 3123

A Bylaw for the Regulation, Control, or Prohibition of
the stopping, standing or parking of vehicles in the
Municipality of Dawson Creek.

WHEREAS, pursuant to Section 120 of the Motor Vehicle Act R.S.C.B. 1979 C.288 as amended and Sections 581 - 584 of the Municipal Act R.S.B.C. 1979 C.290, the Council is authorized to regulate the parking of vehicles within the Municipality.

NOW THEREFORE: the Municipal Council of the City, in open meeting assembled enacts as follows:

SECTION 1 - SHORT TITLE:

This Bylaw may be cited for all purposes as the "**CITY OF DAWSON CREEK PARKING BYLAW NO. 3123, 1995**".

SECTION 2 - DEFINITIONS:

In this Bylaw, unless the context requires otherwise, the following words and terms shall have the following meanings assigned to them.

"Boulevard" means that portion of a highway between curb lines or the lateral lines of a roadway and the adjoining property or roadway, and includes curbs, sidewalks and ditches.

"Clerk" means the Municipal Clerk of the City.

"Commercial Vehicle" means motor vehicles used or intended for use in the conduct of a business or enterprise.

"Council" means the Council of the City.

"Crosswalk" means (a) any portion of the roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface, or (b) the portion of a highway at an intersection that is included within the connection of the lateral lines of the sidewalks on the opposite sides

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

"Engineering Manager" means the person designated by Council as head of the Engineering Department, or his authorized representative.

"Highway" includes every highway within the meaning of the Highway Act or Motor Vehicle Act and every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles and every place or passage way owned or operated by the City for the purpose of providing off street parking or for the use of pedestrian or cycle traffic.

"Lane" means any highway not exceeding 8 m in width.

"Metered Space" means a section of highway at which a parking meter has been installed.

"Motor Vehicle" means a vehicle that is designed to be self propelled.

"Municipality" means the City of Dawson Creek.

"Park" means the standing of a vehicle, whether occupied or not.

"Peace Officer" means an RCM Police Officer, a City Parking Control Officer, a City Bylaw Enforcement Officer, the City Clerk or other person designated a Peace Officer by City Council or under the provisions of the Police Act.

"Person" shall include any corporation, partnership, firm or association and for the purpose of this Bylaw, shall include the registered owner of a motor vehicle.

"Residential Area" means any area zoned residential in the zoning bylaw of the City currently in force and shall include the highways abutting such zones and where the zone is different on the two sides of the highway, the dividing line shall be taken to be the centre line of the highway.

"Roadway" means the portion of the highway that is improved, designed or ordinarily used for vehicular traffic but does not include the shoulder and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not all of the roadways collectively.

"Sidewalk" means the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians or any other improved area set aside for pedestrian use only.

"Traffic" includes pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a highway for purposes of travel.

"Traffic Control Device" means a sign, signal, parking meter, marking, space, barrier or device placed or erected by authority of the Council or person duly authorized by the Council to exercise such authority.

SECTION 3 - ENFORCEMENT:

Part A - Offences

Except when necessary to comply with Provincial or Federal Enactments, or to the directions of a Peace Officer and except while operating a Municipal or Provincial utility vehicle or vehicles of a public utility corporation while engaged in their duties, no person shall stand or park a vehicle:

1. on a sidewalk or boulevard;
2. in front of a public or private driveway;
3. in any lane except an attended commercial vehicle actually loading or unloading and provided the vehicle is so placed to leave 3 m of clear roadway;
4. within 5 m of fire hydrant;
5. on a crosswalk or within 6 m of the approach side of the crosswalk;
6. within 6 m upon the approach to a stop sign or traffic control signal located at the side of a roadway;

7. upon a highway for the principal purpose of:
 - a) displaying a vehicle for sale;
 - b) wrecking, storing or repairing any vehicle;
 - c) displaying signs;
 - d) selling any commodity or article;
8. in such a way as to obstruct traffic;
9. on the roadway side of a vehicle stopped or parked at the edge of a curb or roadway (double parking);
10. upon a bridge;
11. in any place where a traffic control device gives notice that stopping, standing or parking is prohibited or restricted in such a place;
12. in such a manner as to obstruct the visibility of any standard traffic control device;
13. upon a two-way roadway other than the right side of the roadway and with the right hand wheels parallel to that side;
14. on a roadway more than 30 cm from the curb of such roadway if a curb has been constructed;
15. in an angle parking zone where the length of such vehicle and trailer attached thereto exceeds 7 m;
16. on any highway for a continuous period exceeding twenty-four (24) hours without first obtaining written permission from the Clerk;
17. within 3 m of the entrance or exits of a lane;
18. exceeding one (1) ton rate capacity in any residential area (except vehicles required for construction, repair or service of the premises);
19. more than one boat or vessel per property in a residential area;
20. more than one recreational vehicle per property in a residential area;
21. more than one commercial vehicle under one (1) ton rate capacity per property in a residential area;
22. upon any portion of the highway where traffic control devices consisting of lines are painted upon the surface of the highway to designate parking areas, except within such designated space or area;
23. at any metered space for a duration in excess of two (2) consecutive hours. Vehicles exceeding the two (2) hour limit may be towed away at the owner's expense;
24. at any metered space for a duration of one (1) consecutive hour or less, except where the required fee for that period of time has been deposited in the meter and the time expired flag is not showing on the meter;
25. on any public parking lot operated by the City where traffic control devices indicate the length of time allowed for parking in contravention of length of time indicated on the applicable traffic control device;
26. in a Loading Zone as designated by an applicable traffic control device unless actively engaged in the loading or unloading of a vehicle;
27. in a Handicapped Parking Only Zone as designated by an applicable traffic control device unless displaying a valid Handicapped Certificate issued by S.P.A.R.C or a valid Handicapped Permit issued pursuant to this bylaw;
28. any vehicle in a designated Taxi Only Zone except a taxi licenced under the City's Taxi Bylaw # 2631;
29. traffic control devices (parking meters) will be in effect Monday through Saturday on a regular daily basis excluding statutory holidays. (9 a.m. to 6 p.m. Monday through Saturday except Friday which will be (9 a.m. to 9 p.m.).
30. on a roadway where a traffic control device indicates that parking is restricted to residents only, unless the vehicle bears a resident parking permit issued by the

Engineering Manager, and the Engineering Manager may for that purpose issue a resident parking permit authorizing the parking of a vehicle with a specified license number adjacent to specified residential premises on a portion of a roadway where such a traffic control device has been installed, if the applicant provides satisfactory evidence that they reside at that location.

Part B - Zones

1. Parking Meters

- a) The Council may establish metered parking zones and place or install or cause to be placed or installed mechanical or electronic parking meters for the purpose of collecting a fee for the use or occupation of each metered parking space. Areas designated metered parking zones are outlined by resolution of Council.
- b) The Council may establish the amount of the fee for use or occupation of a metered parking space. These fees will be shown on Schedule "A" attached to this Bylaw.
- c) A designated metered parking space where no parking meter is in place will be available for parking up to one (1) consecutive hour (unless otherwise posted) at no fee.
- d) The Council may establish a "Parking Permit" which will be available on an annual basis to Utility Companies, Tradespeople and Delivery People whose work necessitates frequent or extended stops at metered spots. Parking Permits would provide for a maximum of two hour parking at metered spaces during the regular working day.

2. Restricted Zones

The Council or the Engineering Manager may establish Loading, Taxi, Handicapped Only, No Parking and Time Restricted parking zones. Zones of this type located adjacent to metered parking zones are outlined by resolution of Council.

Part C - Penalties

Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who is the registered owner of a motor vehicle parked in contravention of the Bylaw is liable on summary conviction to a fine not exceeding One Thousand Dollars (\$1,000.)

Any Peace Officer, City Parking Control Officer, City Bylaw Enforcement Officer, City Clerk or other person so designated by Council may enforce this Bylaw and may issue violation tickets where a vehicle is parked in contravention of this Bylaw. Fines will be assessed as shown in Schedule "B" of this Bylaw.

Part D - Compliance

- 1) Any peace officer, City Parking Control Officer, City Bylaw Enforcement Officer, City Clerk or other person so designated by Council may enter, at all reasonable times, upon any property subject to the regulations of this Bylaw in order to ascertain whether there is compliance with the provisions of this Bylaw.

- 2) No person, other than the owner or operator of a motor vehicle, shall remove any notice or ticket placed thereon or affixed thereto by an authorized person as provided for in this Bylaw.
- 3) No person shall remove, obliterate, or otherwise interfere with any markings in use by an authorized person as provided for in this Bylaw to determine the length of time a vehicle remains parked in the location (Chalk mark or other).
- 4) No person shall interfere with the functioning of a parking meter or attempt to receive time on a metered space without paying the fee required.

SECTION 4 - EXCEPTIONS:

a) Senior Citizen

The Council may authorize City staff to issue exemption stickers to persons 65 years of age or older. These stickers allow such persons to park at a metered space without paying the designated fee, provided that such parking does not exceed one (1) or two (2) consecutive hours as depicted by the metre concerning the relevant space. Senior Citizen exemption stickers expire on December 31st of each year, with a five dollar (\$5.00) yearly fee payable prior to the issuance or renewal of such sticker.

b) Handicapped

(i) Handicapped - Permanent

Individuals with permanent handicaps will be required to obtain a sticker from the Social Planning & Research Council of British Columbia (SPARC). Applications are available from City Hall. These stickers allow such persons to park at a metered parking space without paying the designated fee, provided that such parking does not exceed one (1) or (2) consecutive hours as depicted by the metre concerning the relevant space. Holders of valid handicapped stickers will also be entitled to park up to one (1) hour at any designated Handicapped Only zone and may use designated loading zones while actually loading or unloading a handicapped passenger.

Registered owners of vehicles used to transport physically disabled persons may obtain handicapped stickers so long as they display these stickers only when actually using the vehicle for that purpose.

(ii) Handicapped - Temporary

Temporary Handicapped stickers are available from the City of Dawson Creek for a fee of \$5.00. Temporary stickers are for use when the individual has difficulty walking for the short term. The stickers when issued will include an expiry date or will automatically expire on December 31st of the year, whichever is sooner. Temporary stickers entitle the holder to the same privileges as those with a permanent handicapped sticker as outlined above.

c) Display

Senior Citizen Exemption Stickers are to be affixed only to the window of the vehicle in respect

of which they have been issued and are to be placed on the inside of the front windshield, at the lowest possible point on the extreme driver's side of the vehicle.

Handicapped Exemption Stickers are to be displayed only in the vehicle in respect of which they have been issued and are to be placed face up on the dashboard on the driver's side of the vehicle.

No person shall display a Senior Citizen exemption sticker unless a person 65 years of age or older is operating or is a passenger in such vehicle.

No person shall display a Handicapped exemption sticker unless a person with a physical disability that renders walking difficult is operating or is a passenger in such vehicle. Fines applicable for displaying an exemption sticker contrary to the provisions of this Section will be assessed as shown in Schedule "B" of this Bylaw.

d) Permit

The City Director of Operations may issue a permit to a licensed commercial vehicle, the operator of which has complied with the provisions hereof but such exemptions shall only be in force so long as the permit for such remains valid.

SECTION 5 - REMOVAL OF VEHICLES/CHATELS:

- a) Where any vehicle is standing or parked in contravention of this bylaw, a Peace Officer, City Parking Control Officer, City Bylaw Enforcement Officer, City Clerk, Engineering Manager or other person so authorized by City Council may:
 - i) move the vehicle or require the driver or person in charge of the vehicle to move it to a position determined by the authorized person;
 - ii) move the vehicle or take the vehicle into his custody and cause it to be taken to and stored in a place determined by the authorized person.
- b) Any chattel or obstruction occupying any portion of a highway or public place may be removed, detained or impounded by any person authorized to do so by the Engineering Manager or a Peace Officer.
- c) If a motor vehicle has more than five (5) outstanding parking violations (tickets) the said vehicle may be removed and impounded if found parked on any highway or public place.
- d) Claiming Vehicle - Any vehicle, obstruction or chattel may be recovered by the owner by firstly paying all fines, violations or tickets issued by the City at the Treasury Department at City Hall, then by presenting proof of such payment along with proof of ownership to the City's removal contractor at the contractor's place of business. All fees for removal and storage must be paid directly to the contractor prior to release of said vehicle.
 - If a motor vehicle is removed, detained or impounded for a period of five (5) or more days, written notice shall be given to the registered owner at his address as

shown on the records of the Registrar of Motor Vehicles advising him of the seizure, the sum payable to release the vehicle and the date of advertising for sale by public auction if unclaimed.

- Any vehicle, chattel, or obstruction not claimed by its owner within thirty (30) days of its impounding or detention may be sold at public auction; which auction shall be advertised at least once in a newspaper circulating in the City.
- The proceeds of such Auction Sale shall be applied firstly to the cost of the sale, secondly to the fees, costs and expenses of the City or its contractors and thirdly the balance, if any, shall be held by the City for one (1) year from the date of the sale for the owner. If unclaimed at the end of the year, such sum shall be paid into the General Revenue of the City.
- Notwithstanding the preceding provisions, where any garbage, rubbish, abandoned or unlicensed motor vehicle with an apparent market value of less than five hundred dollars (\$500.00) is left on any highway or public place, such article may be removed and disposed of by the City at the expense of the owner.

SECTION 6 - SEVERABILITY:

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of Competent Jurisdiction, such decision shall not effect the validity of the remaining provisions of this Bylaw.

SECTION 7 - ADMINISTRATIVE:

- 1) Singular/Masculine/Feminine terms to apply:
Wherever the singular, masculine or feminine is used in this Bylaw, it shall be considered as the plural, feminine or masculine has been used, where the context so requires.
- 2) Repeal:
This Bylaw hereby repeals the City of Dawson Creek Traffic Bylaw # 2345, 1983 and amendments thereto in its entirety.
- 3) Effect:
This Bylaw shall take effect upon the adoption by the affirmative vote of a majority of Council present at the meeting at which the vote is taken.

READ a first time this 10 day of July, 1995.

READ a second time this 10 day of July, 1995.

READ a third time this 16 day of October, 1995.

ADOPTED this 23 day of October, 1995.

Certified a True and Correct Copy of the "CITY OF DAWSON CREEK PARKING BYLAW NO. 3123, 1995".

Jim Noble - CITY CLERK

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was hereto affixed in the presence of:

Bill Kusk - MAYOR

Jim Noble - CITY CLERK

SCHEDULE "A"

Parking Meters

Fees for occupying a metered space –

For each twelve (12) minutes	Five Cents (\$0.05)
For Annual Parking Permit	\$125.00 per year

SCHEDULE "B"

<u>VIOLATION</u>	<u>COLUMN 1</u> Penalty for Violation	<u>COLUMN 2 **</u> **Penalty reduced to (if paid within seven (7) days of issuance)
Section 3, Part A		
Subsection:		
1) on sidewalk or boulevard	\$25.00	\$10.00
2) in front of driveway	\$25.00	\$10.00
3) in a lane	\$25.00	\$10.00
4) within 5 m of a hydrant	\$25.00	\$10.00
5) within 6 m of a crosswalk	\$25.00	\$10.00
6) within 6 m of a stop sign	\$25.00	\$10.00
7) on a highway for advertising, repair or sales	\$25.00	\$10.00
8) obstructing traffic	\$25.00	\$10.00
9) double parked	\$25.00	\$10.00
10) on a bridge	\$25.00	\$10.00
11) contravening traffic control device	\$25.00	\$10.00
12) obstructing visibility	\$25.00	\$10.00
13) wrong way parking	\$25.00	\$10.00
14) more than 30 cm from curb	\$25.00	\$10.00
15) more than 7 m long in angled space	\$25.00	\$10.00
16) 24 hours on highway	\$25.00	\$10.00
17) 3 m from lane entry/exit	\$25.00	\$10.00
18) exceeding one ton rate in residential area		
1st offence	\$50.00	\$25.00
2nd offence	\$75.00	\$50.00
3rd offence	\$100.00	\$75.00
19) more than one boat	\$25.00	\$10.00
20) more than one R.V.	\$25.00	\$10.00
21) more than one commercial vehicle	\$25.00	\$10.00
22) outside marked space	\$25.00	\$10.00
23) more than 1 hour at a meter	\$25.00	\$5.00
24) meter violation	\$25.00	\$5.00
25) overtime in City lot	\$25.00	\$10.00
26) in a loading zone	\$25.00	\$10.00
27) in a handicapped zone	\$100.00	\$75.00
28) in a taxi zone	\$25.00	\$10.00
29) commercial permit	Meter Rate plus \$5.00 admin fee	
30) No permit in resident-only parking area	\$25.00	\$25.00
Section 3, Part D		
Subsection:		
2) removing ticket	\$75.00	\$75.00
3) obscuring chalk	\$75.00	\$75.00
4) obstructing meter	\$75.00	\$75.00
Section 4		
Subsection:		
c) display exemption sticker when not permitted	\$75.00	\$75.00