



The Corporation of the City of Dawson Creek

**Parking
Bylaw No. 4214, 2014**

CONSOLIDATED VERSION FOR CONVENIENCE ONLY

Amendment Bylaw 4295, 2016 incorporated

THE CORPORATION OF THE CITY OF DAWSON CREEK BYLAW 4214

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called "The City") 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 of the *Community Charter*, 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

1.1 This Bylaw may be cited for all purposes as the "**PARKING BYLAW NO. 4214, 2014**".

SECTION 2 - DEFINITIONS

2.1 In this Bylaw the following words and terms 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.

"Bylaw Enforcement Officer" means a person or persons appointed from time to time by resolution of City Council pursuant to Section 36 of the Police Act, the purpose of which is to enforce regulatory bylaws of the municipality.

"City" means the Corporation of the City of Dawson Creek.

"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.

"Director of Development Services" means a person appointed in accordance with the City of Dawson Creek Appointment of Officers Bylaw, as amended from time to time, and includes any other person authorized to act on behalf of the Director of Development Services.

"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.

“Signed Space” means a section of highway at which a parking sign has been installed that identifies the length of time permitted to park.

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

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

“Person” includes any corporation, partnership, firm or association and for the purpose of this Bylaw, includes the registered owner of a motor vehicle.

“Recreational Vehicle” means a motor vehicle or a trailer that is designed or used primarily for accommodation and includes, but not limited to, a travel trailer, tent trailer, camper, camper van and motor home as well as boats on trailers.

“Residential Area” means any area zoned residential in the zoning bylaw of the City currently in force and includes the highways abutting such zones and where the zone is different on the two sides of the highway, the dividing line will 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.

“Roadworthy” when referring to motor vehicles means capable of normal physical and legal operation on a highway.

“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, 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 - REGULATIONS

- 3.1 Except when necessary to comply with Provincial or Federal Enactments, or to the directions of a Bylaw Enforcement Officer, City Clerk or Director of Development Services or other person so authorized by Council, and except while operating a Municipal or Provincial utility vehicle or vehicles of a public utility corporation while engaged in their duties, a person must not stand or park a vehicle:
- a. on a sidewalk or boulevard;
 - b. in front, or within 1.5m of a public or private driveway;
 - c. 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;
 - d. within 5 m of fire hydrant;

- e. on a crosswalk or within 6 m of the approach side of the crosswalk;
- f. within 6 m upon the approach to a stop sign or traffic control signal located at the side of a roadway;
- g. upon a highway for the principal purpose of:
 - (i) displaying a vehicle for sale;
 - (ii) wrecking, storing or repairing any vehicle;
 - (iii) displaying signs;
 - (iv) selling any commodity or article;
- h. in such a way as to obstruct traffic;
- i. on the roadway side of a vehicle stopped or parked at the edge of a curb or roadway (double parking);
- j. upon a bridge;
- k. in any place where a traffic control device gives notice that stopping, standing or parking is prohibited or restricted in such a place;
- l. in such a manner as to obstruct the visibility of any standard traffic control device;
- m. upon a two-way roadway other than the right side of the roadway and with the right hand wheels parallel to that side;
- n. on a roadway more than 30 cm from the curb of such roadway if a curb has been constructed;
- o. in an angle parking zone where the length of such vehicle and trailer attached thereto exceeds 7 m;
- p. on any highway for a continuous period exceeding twenty-four (24) hours without first obtaining written permission from the City Clerk;
- q. within 3 m of the entrance or exits of a lane;
- r. exceeding one (1) ton rate capacity in any residential area (except vehicles required for construction, repair or service of the premises);
- s. 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;
- t. at any signed space for a duration in excess of two (2) consecutive hours, unless otherwise established by Council. Vehicles exceeding the time limit may be towed away at the owner's expense;
- u. without valid license plates;
- v. 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;
- w. in a Loading Zone as designated by an applicable traffic control device unless actively engaged in the loading or unloading of a vehicle;
- x. 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;
- y. any vehicle in a designated Taxi Only Zone except a taxi licensed under the City's Taxi Bylaw # 2631; or
- z. unless it is roadworthy.

3.2 Signed Parking Spaces

- a. The Council may establish signed parking spaces by resolution.
- b. Signed parking spaces 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.)

3.3 Restricted Zones

- a. The Council or the Director of Development Services may establish Loading, Taxi, Handicapped Only, No Parking and Time Restricted parking zones.

3.4 Compliance

- a. No person, other than the owner or operator of a motor vehicle, will remove any notice or ticket placed thereon or affixed thereto by an authorized person as provided for in this Bylaw.
- b. No person will 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

SECTION 4 - EXCEPTIONS

4.1 Senior Citizen

- a. 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 signed space, provided that such parking does not exceed the time permitted within the relevant signed parking 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. 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.
- c. No person will display a Senior Citizen exemption sticker unless a person 65 years of age or older is operating or is a passenger in such vehicle.

4.2 Handicapped

- a. Permanent
 - (i) 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 signed parking space, provided that such parking does not exceed the length of time permitted in the relevant space. Holders of valid handicapped stickers will also be entitled to use designated loading zones while actually loading or unloading a handicapped passenger.
 - (ii) 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.
- b. Temporary
 - (i) Temporary Handicapped stickers are available from the City 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. 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.

- d. No person will 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.

4.3 Permit

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

SECTION 5 - REMOVAL OF VEHICLES/CHATELS

5.1 Where any vehicle is standing or parked in contravention of this bylaw, a Bylaw Enforcement Officer, City Clerk, Director of Development Services or other person so authorized by City Council may impound the vehicle.

5.2 Any chattel or thing occupying any portion of a highway or public place may be seized by a Bylaw Enforcement officer or by any person authorized to do so by the Director of Development Services.

5.3 Claiming Vehicle

- a. Any vehicle, chattel or thing impounded or seized as per 5.1 and 5.2 of this Section may be recovered by the owner by paying the fees as set out in Schedule "A", attached to and forming part of this bylaw.
- b. Any vehicle, chattel, or thing not claimed by its owner within ninety (90) days of impoundment or seizure will be forfeited to the removal contractor.
- c. Notwithstanding paragraph 5.3.b of this Section, 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 immediately by the Bylaw Enforcement Officer or Director of Development Services at the expense of the owner.

SECTION 6 – ENFORCEMENT

6.1 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek's Bylaw Enforcement Notice Bylaw or Dawson Creek's Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw No. 4277, 2016 as amended from time to time, or by the Municipal Ticket Information System Bylaw No. 4278, 2016 as amended from time to time.

6.2 A person must not do any act or suffer or permit any act to be done in contravention of this bylaw.

6.3 A person must not obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per Section 16 of the *Community Charter*.

6.4 Each day that an offence against this bylaw continues will be deemed a separate and distinct offence.

6.5 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.

6.6 Any penalty imposed pursuant to this bylaw will be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

SECTION 7 - ADMINISTRATIVE

7.1 If any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision will not apply and the remainder of this bylaw will continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.

7.2 Schedule "A" is attached to this bylaw and forms a part of this bylaw.

7.3 Repeal:

This Bylaw hereby repeals the City of Dawson Creek Traffic Bylaw # 3123, 1995 and any amendments made thereto in its entirety.

READ a first time this _____ day of _____, 2014.

READ a second time this _____ day of _____, 2014.

READ a third time this _____ day of _____, 2014.

ADOPTED this _____ day of _____, 2014.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4214 cited as "PARKING BYLAW NO. 4214, 2014".

Brenda Ginter
Director of Corporate Administration

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

Dale Bumstead – Mayor

Brenda Ginter
Director of Corporate Administration

SCHEDULE "A"

Prior to recovering a vehicle that has been seized, the following fees must be paid to the removal contractor:

Fee Type	Amount
Tow	\$80.00
Storage	\$25.00 per day

The owner of a vehicle that does not claim their seized vehicle must reimburse the City for any charges that the removal contractor bills to the City in relation to their seized vehicle.