

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4289

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called "the City") to regulate traffic and the use of highways within the boundaries of the City of Dawson Creek.

WHEREAS, pursuant to the Motor Vehicle Act and the Community Charter, the Council of the City is authorized to regulate traffic and the use of highways within the Municipality.

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

SECTION 1 – TITLE

- 1.1 This Bylaw may be cited for all purposes as the **“City of Dawson Creek Traffic Bylaw No. 4289, 2016”**.

SECTION 2 - DEFINITIONS

- 2.1 In this Bylaw, the following words and terms have the following meanings assigned to them:

“Arterial Highway” means a provincial highway under the jurisdiction of the Ministry of Transportation and Highways.

“Axle” means a structure in the same or approximately the same, transverse plane supported by wheels and on or with which such wheels revolve. Any two axles of a vehicle, or combination of vehicles, the centre of which are less than 106 cm apart, shall be considered to be one axle for the purpose of this Bylaw.

“Boulevard” means that portion of a highway between the 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.

“Chief of Police” means the Chief of Police or his authorized representative of the Municipality for the time being or the senior resident member of the Royal Canadian Mounted Police responsible for the policing of the Municipality.

“Combination of Vehicles” means a combination of motor vehicles and trailer, or motor vehicle and trailers.

“Commercial Vehicle” means motor vehicles required by law to obtain a motor vehicle license plate.

“Council” means the Council of the City.

“Contractor” means any person, company or group which engages in any construction activity, on or below the ground surface, within a designated highway or other right-of-way or easement.

“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 of the highway, or within the extension of the lateral lines of the sidewalks on one side of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway.

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

“Director of Corporate Administration” means the Corporate Officer of the City.

“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.

“Drive Axle” means an axle that is or may be connected to the power source of a towing vehicle and transmits tractive power to the wheels.

“Farm Vehicle” means a commercial vehicle owned and operated by a farmer, rancher, or market gardener, the use of which is confined to purposes connected with his farm, ranch, or market garden, including use for pleasure and is not used in connection with any other business in which the owner may be engaged.

“Gross Vehicle Weight” means the combined weight of the vehicle and its load.

“Gross Weight, Group of Axles” means the sum of the gross axle weights of all the axles comprising the group of axles.

“Gross Weight, Single Axle” means the gross weight carried by a single axle and transmitted to the road by the wheels of that axle.

“Gross Weight, All Axles” means the sum of the individual axle weights of all the axles of a vehicle or combination of vehicles.

“Group of Axles” means any two or more successive axles on a vehicle or combination of vehicles.

“Highway” includes every highway within the meaning of the Highway 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.

“Horsepower” means the gross horsepower of the engine of the towing vehicle as customarily rated by the manufacturer.

“Lane” means any highway not exceeding 8m in width.

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

“Motor Vehicle” means a vehicle, not run upon rails, that is designed to be self-propelled.

“Municipality” means the City of Dawson Creek.

“Owner” in respect to any real property means the registered owner of an estate in fee simple, and in the event of there being registered a life estate, includes the tenant for life. In the event that there is registered an agreement for sale and purchase, "owner" means that registered holder of the last registered agreement for sale and purchase. In the case of real property held in the manner mentioned in Section 335 and 336 of the Municipal act, "owner" means the holder or occupier as therein set out; and for the purpose of this Bylaw shall include the registered owner of a motor vehicle.

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

“Peace Officer” means a constable or person having the powers of a constable under the provisions of the Police Act.

“Pedestrian” means a person afoot, or an invalid or child in a wheelchair or carriage.

“Permit” means a document in writing issued pursuant to this Bylaw.

“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.

“Semi Trailer” means a vehicle, other than a trailer, which is drawn by a motor vehicle and which is so constructed that some part of its weight and some part of the weight of its load rests upon, or is carried by the towing vehicle.

“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.

“Through Highway” means a highway or part of a highway at the entrances to which stop signs are erected under this Bylaw.

“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.

“Traffic Control Signal” means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop or to proceed.

“Traffic Patrol” means an adult school crossing guard or a school pupil acting as a member of a school patrol where such guards or pupils are provided under the Public School Act or authorized by the Chief of Police.

“Trailer” includes a vehicle without motive power designated to be drawn by or used in conjunction with a motor vehicle and constructed so that no appreciable part of its weight rests upon or is carried by the motor vehicle, but does not include a house trailer or a trailer having a gross vehicle weight of less than 700kg which is licensed pursuant to the Motor Vehicle Act.

“Traffic Ticket” means:

- a. a ticket prepared and presented by the City of Dawson Creek Traffic Control Officer or other City of Dawson Creek appointed officer for a violation of City of Dawson Creek Traffic Bylaw No. 4289 under the Bylaw Notice Enforcement Bylaw or the Municipal Ticket Information System Bylaw.
- b. a ticket prepared and presented by a member of the RCMP as authorized by Section 121 of the Motor Vehicle Act, Chapter 288, for a violation of the City of Dawson Creek Traffic Bylaw No. 4289.

“Truck Tractor” means a motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle so drawn and of the load of such other vehicle.

“Vehicle” means a device in, upon or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power or used exclusively upon stationary rails or tracks.

“Wheel Base” means the distance, measured to the nearest foot, between the centres of two (2) axles which are farthest apart.

“Width of Tire” means, with respect to pneumatic rubber tires, the width of tire as customarily measured and rated by manufacturers of motor vehicles and tires and, with respect to metal tires or solid rubber tires, the transverse width of the outer circumference of the metal tire or solid rubber tire.

“Winter Tire” means a tire that is advertised or represented by its manufacturer or a person in the business of selling tires to be a tire intended principally for winter use and that provides or is designed to provide adequate traction in snow or mud and is in such condition respecting tread, wear, and other particulars as the regulations under the Motor Vehicle Act may prescribe.

SECTION 3 - REGULATIONS

3.1 No person shall:

- a. Except where otherwise directed by a Peace Officer or a person authorized by a Peace Officer to direct traffic, walk or operate a vehicle or cycle contrary to the instructions of an applicable traffic control device erected pursuant to the provisions of this Bylaw.
- b. Unless otherwise permitted by an applicable traffic control device, drive a motor vehicle or ride or herd animals along any sidewalk, walkway or boulevard.
- c. Being a person who has removed a wrecked or damaged vehicle from the scene of an accident, leave any glass or other debris from the accident upon the highway.
- d. Leave any excavation or other obstruction upon a highway without sufficiently fencing, barricading and marking the same with warning lights.
- e. Drive or operate a vehicle between the persons or vehicles comprising a funeral procession or parade unless part of the funeral procession or parade.
- f. Stand or loiter in such a manner as to obstruct or impede or interfere with traffic on a roadway.
- g. Operate track vehicles on sidewalks, boulevards, roadways or lanes except for the purpose of snow removal, grading or construction.
- h. Unless otherwise posted, drive a vehicle upon a lane in excess of 25 km/h.
- i. Unless otherwise posted, drive a vehicle in excess of 25 km/h in a zone where signs are posted indicating that the road is being repaired, widened or marked.
- j. Place or permit to be placed any fuel, lumber, merchandise, chattel or ware of any nature on a highway.
- k. Drag or skid anything along or over a highway so that the same damages the surface of the highway.
- l. Being the owner or occupier of property abutting on a highway, allow or permit any earth, rocks, stones, logs, or stumps, or other things to cave, fall, crumble, slide, or accumulate from any such property onto a highway, or being there to remain thereon.
- m. Being the owner or occupier of property abutting on a highway at an intersection of another highway, construct a fence, grow a hedge or place any object that is more than 1m higher than the finished grade of the abutting highways for a distance of 8m back along both abutting and intersecting highways along the abutting property lines of the lot from the point of intersection of the highways.
- n. Remove any notice or ticket affixed or placed on a vehicle by a City employee unless he is the owner or operator of such vehicle.

- o. Drive a motor vehicle within the boundaries of any City Park except upon a roadway.
- p. Construct or maintain a ditch, the water from which causes damage to any highway.
- q. Distribute leaflets upon any highway by placing the same on the windshield of a motor vehicle parked upon the highway.
- r. Unless otherwise posted, with traffic control devices indicating a truck route, drive a truck with a gross vehicle weight in excess of 13,700 kg upon a highway, except municipal or utility vehicles while engaged in work upon such highways, trucks carrying produce from farm to market or trucks delivering goods and materials to properties on a street or streets directly serviced by such roadways.
- s. Operate a vehicle upon a roadway carrying any materials or goods unless such materials or goods are secured so that the same cannot fall from the vehicle while the vehicle is proceeding along the roadway or permit any material or goods falling from a vehicle to remain upon a highway.
- t. Where a traffic control device so indicates, being the driver of a motor vehicle, overtake and pass another vehicle in a designated school or park zone or at a crosswalk.
- u. Propel, coast, ride or in other way, use a skateboard on any portion of a Highway, sidewalk, or other public place within the area specified in Schedule "A".
- v. Except when necessary to avoid conflicts with traffic, or to comply with the law or the directions of a Peace Officer or traffic control device or traffic patrol and except while operating a Municipal or Provincial Utility vehicle or vehicles of a public utility corporation while engaged in their duties, or except a vehicle so mechanically disabled as to render it immobile, no person shall stand or park a vehicle upon a roadway in such a manner as to obstruct the free passage to traffic on the roadway.

SECTION 4 - EXTRAORDINARY TRAFFIC

- 4.1 This Section does not apply to arterial highways.
- 4.2 In this Section "Extraordinary Traffic" includes any carriage of goods or persons over a highway, at either one or more times, and whether in vehicles drawn by animal power or propelled by some other means, that taken in conjunction with the nature or existing condition of the highway is so extraordinary or improper in the quality or quantity of the goods or the number of persons carried, or in the mode or time of use of the highway, or in the speed at which the vehicles are driven or operated, as, in the opinion of the Director of Development Services, substantially to alter or increase the burden imposed on the highway through its proper use by ordinary traffic, and to cause damage and expense in respect of the highway beyond what is reasonable or ordinary.
- 4.3 Where in the opinion of the Director of Development Services, 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 thereby or the vehicles used therein.

- 4.4 Any person to whom this Section might otherwise apply may, with the approval of the Director of Development Services, enter into an agreement for the payment to the Municipality of compensation in respect of the damage or expense which may, in the opinion of the Director of Development Services, be caused by the extraordinary traffic and thereupon that person shall not in respect of that traffic be subject to any prohibition or penalty prescribed in this Bylaw.
- 4.5 The Director of Development Services may close to traffic or use any highway at such time and for such period of time and in respect of such classes of traffic or use as in his opinion may be necessary for the construction or protection of any highway or other public work or for the protection of any highway or other public work or for the protection of persons using the highway or to enable permitted traffic to be handled safely and expeditiously.

SECTION 5 - USES REQUIRING DIRECTOR OF DEVELOPMENT SERVICES PERMISSION

- 5.1 This Section does not apply to arterial highways.
- 5.2 Except as authorized by the Director of Development Services pursuant to Section 6 of this Bylaw, no person shall:
- a. Dig up, break up or remove any part of a highway, or cut down or remove trees or timber growing on a highway, or excavate in or under a highway.
 - b. Cause damage to, cut down or remove trees, grass, shrubs, plants, bushes and hedges, fences, signs or other things erected by the Municipality on a highway.
 - c. Change the level of a highway whatsoever or stop the flow of water through any drain, sewer or culvert on or through a highway.
 - d. Place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a highway.
 - e. Construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling nuisance or injury to any portion of a highway.
 - f. Mark or imprint or deface in any manner whatsoever a highway or structure thereon.
 - g. Erect or maintain any sign, advertisement or guidepost on or over any highway or alter, repaint, tear down or remove any sign, advertisement or guidepost erected or maintained on any highway.
 - h. Construct a boulevard crossing, including a curb, ditch or sidewalk crossing.

SECTION 6 - CONDITIONS OF DIRECTOR OF DEVELOPMENT SERVICES PERMISSION

- 6.1 The Director of Development Services, in accordance with Section 7 of this Bylaw may authorize the Contractor to do those things otherwise prohibited by Section 5 of this Bylaw subject to such conditions as contained in this section or in Section 7 as may be applicable.
- 6.2 As a prerequisite to the issuance of a permit under this Section, the applicant shall, if required by the Director of Development Services, deposit with the City a sum of money, or an irrevocable

Letter of Credit from a Chartered Bank of Canada if the amount is greater than Five Hundred (\$500.00) Dollars, sufficient to pay for the cost of repairing any damages likely to the highway and as sufficient security that the obligations imposed by the permit are fulfilled within the time specified by the permit and where applicable, one years' maintenance.

- 6.3 Failure by the Contractor to repair damage and/or fulfill such obligations as are set out by the Director of Development Services within the specified time, shall enable the City to carry out the repair or fulfill the obligations that have not been met under the terms and conditions of the permit and to deduct the cost thereof from the monies on deposit or to call on the Irrevocable Letter of Credit and to pay the costs therefrom and should there be an insufficiency of monies on deposit or through the Letter of Credit then the Permittee shall pay the balance forthwith upon invoice of the City or should there be a surplus of funds over and above that required by the City to carry out the works or fulfill the obligation, such balance shall be paid to the Permittee, less an administration charge of Twenty-five (\$25.00) Dollars.
- 6.4 The applicant shall provide, in triplicate, satisfactory plans and/or specifications of the work to be undertaken and when such are supplied and approved by the Director of Development Services and the necessary permit issued, the work shall conform in every way to the plans and specifications so provided.
- 6.5 Any person doing work on or in any highway shall provide and place appropriate barricades, lights and other safety devices as are required to protect the public.
- 6.6 The applicant shall provide evidence satisfactory to the Director of Development Services that he is insured against all claims for damages for personal injury and property damage which may arise out of the performance of the work covered by the permit in an amount not less than Five Million (\$5,000,000) Dollars and name the City as an additional insured.
- 6.7 The Applicant shall provide evidence satisfactory to the Director of Development Services that all materials, labour and equipment which are needed to complete the work, with reasonable dispatch, are available.
- 6.8 The applicant shall provide the Director of Development Services, following completion of the work, with a plan showing the works installed by the applicant, if works are installed by the applicant, and such plan shall be drawn to a scale satisfactory to the Director of Development Services showing the location, size and description of the works and the date of installation. The plan shall be supplied prior to the return or refund of any deposit or security posted as a condition of the permission.

SECTION 7 – EXCAVATION AND CONSTRUCTION WITHIN A RIGHT-OF-WAY OR EASEMENT

- 7.1 Standard conditions:
 - a. The construction and maintenance of the said works is to be carried out to the satisfaction of the Director of Development Services.
 - b. Before commencing with any work on City property or public easement, notice in writing of the intention to do so must be given to the Director of Development Services at least two (2) clear working days before the work is begun.

- c. Any person or persons appointed by the Director of Development Services for inspection purposes shall have free access to all parts of the work for the purpose of inspecting the same.
- d. The person or persons for whom these works are being constructed, or by whom these works are maintained, shall at all times accept full responsibility for any accident that may occur or damage that may be done to any person or property whatsoever caused directly or indirectly by these works, and shall save harmless and keep indemnified the City from all claims and demands whatsoever in respect of these works and such work. The amount of such indemnity will be determined on a per incident basis.
- e. Any permission herein granted is not to be construed as being granted for all time, and shall not be deemed to vest in the Contractor any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be classified as an arterial or primary highway, this permission shall become void.
- f. Any permission hereby granted to construct, use and maintain work is granted subject to and without prejudice to the provisions of the Highway Act, City Bylaws or other Acts governing City lands and public works or their use by the public.
- g. All works, surface or underground, carried out in, on or through any City lands except the works of any private or public utility company, shall, unless otherwise stipulated in writing, upon completion become the property of the City of Dawson Creek and shall not be further added to, modified, destroyed or removed without obtaining further permission from the City.

7.2 Regulations:

a. Accommodation of Traffic

Where reasonably possible, no excavation in any street shall extend beyond the centre line of the street before being backfilled and the surface of the street temporarily restored. The Contractor shall maintain safe crossings for pedestrians at intervals of not more than 90 metres (300 feet). If any excavation is made across any public street, alley or sidewalk, at least one safe crossing shall be maintained for vehicles and pedestrians. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, a passageway at least one-half of the sidewalk shall be maintained along the sidewalk line.

b. Length of Trench

No more than 80 metres (250 feet) measured longitudinally shall be opened in any street at any one time.

c. Protection of Utilities

All utility facilities shall be exposed sufficiently ahead of trench excavation work to avoid damage to those facilities and to permit their relocation, if necessary.

d. Relocation of Utilities

The Contractor shall not interfere with any existing utility without the written consent of the Director of Development Services and the Owner of the utility. If it becomes necessary to relocate an existing utility, this shall be done by its Owner. No utility owned by the City shall be moved to accommodate the Contractor unless the cost of such work is borne by

the Contractor. The cost of moving privately-owned utilities shall be similarly borne by the Contractor unless he makes other arrangements with the owner of the utility.

e. Protection of Utilities

The Contractor shall support and protect all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work and do everything necessary to support, sustain and protect them under, over and along or across such work.

f. Damage to Utilities

In case any of the said pipes, conduits, poles, wires or apparatus being damaged (and for this purpose pipe coating or other encasement or devices are to be considered part of the substructure) they shall be repaired by the agency or person owning same and the expense of such repairs shall be charged to the Contractor. The Contractor shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipes, sewer or gas pipe, electric conduit or other utility. The Contractor shall inform himself as to the existence and location of all underground utilities and protect the same against damage.

g. Preservation of Monuments

Monuments of concrete, iron or other lasting material set for the purpose of locating or preserving the lines of any street or property subdivision, or a precise survey reference point or a permanent survey bench mark within the City shall not be removed or disturbed or caused to be removed or disturbed unless permission to do so is first obtained in writing from the Director of Development Services. Permission shall be granted only upon the condition that the Contractor shall pay all expenses incidental to the proper replacement of the monument or survey bench mark.

h. Surface Drainage

When work performed by a Contractor interferes with the established drainage system of any street, provision shall be made by the Contractor to provide proper drainage. The Contractor shall maintain all gutters free and unobstructed for the full depth of the adjacent curb and for at least 300 millimetres (1 foot) in width from the face of such curb at the gutter line. Wherever a gutter crosses an intersecting street, an adequate waterway shall be provided and at all times maintained.

The Contractor shall make provisions to take care of all surplus water, muck, silt or any other run-off pumped from excavations or resulting from sluicing or other operations and shall be responsible for any damage resulting from his failure to so provide.

i. Clean-Up

As the excavation work progresses, all streets shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All clean-up operations at the location of such excavation shall be accomplished at the expense of the Contractor and shall be completed to the satisfaction of the Director of Development Services. From time to time, as may be ordered by the Director of Development Services and, in any event, immediately after completion of said work, the Contractor shall, at his own expense, clean up and remove all refuse and unused materials of any kind resulting from the said work and upon failure to do so within 24 hours after having been notified to do so in writing by the Director of Development Services, the said work may be done by the City and the cost thereof charged to the Contractor.

j. Access to Driveways

Access to private driveways, lanes and loading areas shall be provided at all times, except when actual construction operations prohibit provision of such access during normal working hours. Immediately prior to closure of any private driveway or loading area, the residents so affected by the closure shall be notified in order that vehicles may be removed if necessary.

k. Protection of Lawns & Boulevards

Whenever it may be necessary for the Contractor to trench through any lawn area, and where it is reasonable to do so, the sod shall be carefully cut, rolled and replaced after ditches have been backfilled as required by the bylaw; otherwise, topsoil and hydraulic mulch seeding will be required. All construction and maintenance work shall be done in a manner calculated to leave the lawn area clean of earth and debris and in a condition as nearly as possible to that which existed before such work began. The Contractor shall not remove, even temporarily, any trees or shrubs which exist in boulevard areas without first obtaining the consent of the Director of Development Services.

l. Care of Excavated Material

All material excavated from trenches or tunnels and piled adjacent to the excavation shall be piled and maintained in such manner as not to endanger pedestrians or users of the streets, and so that as little inconvenience as possible is caused to those using streets and adjoining property. In order to expedite the flow of traffic or to abate a dirt or dust nuisance, the Director of Development Services may require the Contractor to provide toe boards or bins; and if the excavated area is muddy and causes inconvenience to pedestrians, temporary wooden plank walks shall be installed. Where the confines of the area being excavated are too narrow to permit the piling of excavated materials beside the trench, such as might be the case in a narrow alley, the Director of Development Services shall have the authority to require that the Contractor haul the excavated material away to a storage or disposal site.

m. Routing of Traffic

The Contractor shall take appropriate measures to assure that, during the performance of the excavation work, traffic conditions as near to normal as practicable shall be maintained at all times so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public. The Director of Development Services may permit the closing of streets and alleys to all traffic temporarily for a period of time prescribed by him if, in his opinion, it is necessary.

Written permission from the Director of Development Services will be required for all street and lane closures and the Contractor may be required to give notification to various public agencies and to the general public.

n. Signs, Flares, Barricades, Flagmen, Etc.

Warning signs shall be placed far enough away from the construction operation to alert traffic within a public street and cones, signs, lights or other approved devices shall be placed to channel traffic. All channelization, detours, closures, etc. shall be as approved by the Director of Development Services.

Barricades or barriers shall meet the requirements of the Director of Development Services.

Warning lights shall be electrical markers or flashers used to indicate a hazard to traffic from sunset of each day to sunrise of the next day. Electrical markers or flashers shall emit light of sufficient intensity and frequency as to be visible at a clear distance of 180 metres (600 feet). Reflectors or reflecting material may be used to supplement, but not replace, light sources.

Where, in the opinion of the Director of Development Services, traffic or other conditions warrant, flagmen will be required to assist traffic through the construction area.

o. Breaking Through Pavement

- (i) An approved method of cutting of bituminous pavement surfaces ahead of excavations may be required in order to confine pavement damage to the limits of the trench.
- (ii) Any excavations proceeding through concrete areas shall have saw cut trench cuts unless saw cutting is not practicable.
- (iii) Sections of sidewalks shall be removed to the nearest score line or saw cut edge.
- (iv) Unstable pavement shall be removed over cave-ins and over-breaks and the subgrade shall be treated as the main trench.
- (v) Pavement edges shall be trimmed to a vertical face and neatly aligned with the centre line of the trench.
- (vi) Cutouts outside of the trench lines must be normal or parallel to the trench line.
- (vii) Boring or other methods to prevent cutting of new pavement may be required by the Director of Development Services.
- (viii) The Contractor shall not be required to repair damage existing prior to excavation unless his cut results in floating sections that may be unstable, in which case the Contractor shall remove and pave the area.

p. Trench Safety

All trench and tunnel excavations and construction shall conform with the safety requirements for shoring, bracing, cribbing, ladders, etc. in excavations, in accordance with the Accident Prevention Regulations of the Workers' Compensation Board of British Columbia.

q. Hours of Work

Authorized work shall be performed between the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday, unless written consent is obtained from the Director of Development Services to do the work at any hour. Such permission shall be granted only in cases of emergency.

If in his judgement traffic conditions, the safety or convenience of the travelling public or the public interest require that the excavation work be performed as emergency work, the Director of Development Services shall have full power to order that a crew of workers and adequate facilities be employed by the Contractor 24 hours per day so that such excavation work may be completed as soon as possible. Work in or around excavations on major thoroughfares may be prohibited during certain hours of the day and temporary means of conducting traffic by or over work areas may be required during peak traffic periods.

r. Other Conditions

The Director of Development Services may attach any other conditions as may be reasonably necessary to prevent damage to public or private property or to prevent the operation from being conducted in a manner hazardous to life or property or in a manner

likely to create a nuisance. Such conditions may include, but shall not be limited to:

- (i) Limitations of the period of the year in which the work may be performed.
- (ii) Restrictions as to the size and type of equipment.
- (iii) Designation of routes upon which materials may be transported.
- (iv) The place and manner of disposal of excavated materials.
- (v) Requirements as to the laying of dust, the cleaning of streets, the prevention of noise and other operations offensive or injurious to the neighbourhood or the general public.
- (vi) Regulations as to the use of streets in the course of the work.

s. Backfill

Trenches and excavations made within existing roadways and under existing sidewalks and curb and gutter must be backfilled to top of existing asphalt with a non-shrink fill, such as fillcrete. The excavation is to be capped shortly thereafter with an asphalt patch of thickness conforming to Table E8 of the current Subdivision and Development Servicing Bylaw and the cap is to be made a smooth transition to the existing road surface with no reduction in the quality of the ride of the road. The non-shrink fill must have a compressive strength between 0.5MPa and 2MPa and must be allowed to cure for 24 hours prior to allowing traffic loading. The excavation may be backfilled to top of existing asphalt less the thickness of the asphalt patch if the excavation is to be capped with asphalt within 36 hours of the non-shrink fill being installed or if approved by the Director of Development Services. In areas not under existing roadways, sidewalks or curb and gutter, fine material, free from lumps, stones and frozen material, selected from the soil, shall be thoroughly compacted around and under the substructure. Above this level, backfill material shall be placed to the subgrade of the pavement in lifts consistent with the type of soil involved and the method of consolidation being used. Broken pavement, large stones, roots and other debris shall not be used in the backfill. Each lift shall be flooded, jetted, rolled or tamped, or a combination of these methods shall be used, depending upon the type of soil involved, to compact the backfill materials. Such backfill shall be done in a manner that will permit the restoration of the surface to a condition equivalent to that in which it was prior to excavation. The Director of Development Services may require soil tests to be furnished by a recognized soil testing laboratory or registered professional engineer specializing in soil mechanics, when in his opinion backfill for the excavation is not being adequately compacted. All expense of such tests shall be borne by the Contractor.

t. Restoration of Surface

Permanent resurfacing of excavating may be made where the type of consolidation used in replacing the backfill is adequate, in the opinion of the Director of Development Services, to prevent settling, temporary resurfacing shall be provided. If temporary resurfacing is provided, the top surface of the backfill shall be covered with approximately 2.54 centimetres (1 inch) of bituminous material. All temporary paving material shall conform closely enough to the level of the adjoining paving material and shall be compacted so that it is smooth enough to be safe for pedestrian travel and for vehicles to pass safely over it at a legal rate of speed. The Contractor shall maintain temporary paving in a safe condition for pedestrian and vehicular traffic until the excavation has been resurfaced with permanent paving. If this condition is not practicable, then the Contractor shall maintain barricades and lights where required.

u. Street Paving

If the Director of Development Services finds that paving surfaces adjacent to the street opening may be damaged where trenches are made parallel to the street, or where a number of cross trenches are laid in close proximity to one another, or where the equipment used may cause such damage, he may require a negotiated contribution from the Contractor for the resurfacing in place of patching of such street if the total area of the proposed patch or probable damaged area exceeds fifteen percent (15%) of the total pavement surfacing between curbs in any block.

v. Inspection

The Director of Development Services shall make such inspections as are reasonably necessary in the enforcement of this bylaw and is empowered to provide a full-time Inspector if the work to be performed is of a nature that a full-time Inspector is necessary. All inspection costs shall be borne by the Contractor.

w. Surface Restoration Specifications

All surface restoration shall be in accordance with "City of Dawson Creek Construction Specifications - Roads" which are available in the Engineering Department.

x. Completion

The Director of Development Services shall be notified upon completion of any works so that final approval of the works may be given.

y. Warranty

Acceptance or approval of any excavation work by the Director of Development Services shall not prevent the City from asserting a claim against the Contractor and his surety under the surety bond required herein for incomplete or defective work if discovered within 12 months from the completion of the restoration work. The presence of an inspector during the performance of any excavation work shall not relieve the Contractor of his responsibilities herein. In the event that the Director of Development Services elects to do such resurfacing with the City forces, the cost of such resurfacing shall be borne by the Contractor. If any settlement in a restored area occurs within a period of 12 months from the date of completion of the permanent restoration, any expense incurred by the City in correcting such settlement shall be paid by the Contractor unless the Contractor submits proof satisfactory to the Director of Development Services that the settlement was not due to defective backfill.

SECTION 8 - TRAFFIC CONTROL DEVICES

8.1 The provisions of this Section do not apply to arterial highways.

8.2 The Director of Development Services is hereby authorized to order the placing or erection of applicable traffic control devices at such places as he shall designate in such order to give effect to the provisions of this Bylaw and the Motor Vehicle Act. Such traffic control devices shall include all signs contained in B.C. Reg 343/77 as amended from time to time and without limiting the generality of the foregoing shall also include:

- a. Signs to regulate, control or prohibit pedestrian traffic, ridden or herded animals, vehicular traffic, cycle traffic on sidewalks, bridges, walkways, boulevards or in lanes.
- b. Signs where construction, reconstruction, widening, repair, marking or other work is being

- carried out to regulate or prohibit traffic in the vicinity of such works.
- c. Signs where construction, reconstruction, widening, repair, marking or other work is being carried out indicating that men and equipment are working upon the highway.
 - d. Signs within and at the end of median strips and traffic islands.
 - e. Signs at locations where due to adjacent commercial facilities it is desirable to reserve space for loading and unloading vehicles.
 - f. Signs in locations where truck traffic is prohibited or restricted.
 - g. Signs at locations where, due to seasonal weakening of road surfaces, obsolescence of bridges or pavements, or roadway repairs, loads in excess of those prescribed on the signs constitute a hazard to traffic or excessive damage to the roads.
 - h. Signs at locations where, due to limitations of sight distances, road surfaces, traffic flows and frequency of intersections, speeds in excess of those prescribed on the signs constitute a hazard to traffic or excessive damage to the roads.
 - i. Signs at locations where a bus or other transit vehicle stops to pick up or drop off passengers and it is desirable to restrict stopping, standing and parking of such vehicles.
 - j. Signs at locations where free flow of traffic is required for the roadway.
 - k. Signs at locations where it is required to give advance information such as the presence of a school adjacent to a roadway, a school crosswalk, or a school maximum speed zone.
 - l. Signs at locations where it is required to give advance information of a playground adjacent to a roadway, or its maximum speed zone.
 - m. Signs or lines at locations where heavy pedestrian traffic crosses a roadway and at locations other than an intersection, such as at schools, playgrounds and public buildings where it is required to control pedestrian traffic.
 - n. Signs at locations approaching crosswalks, school and park zones indicating that passing is prohibited.
- 8.3 The Director of Development Services, in the exercise of his powers in subsection 8.2 above, shall issue a written order directing that such thing be done. Such order shall be dated, be signed by the Director of Development Services and the Director of Corporate Administration shall affix the corporate seal to such order and certify the same to be a true copy. A single order may contain any number of orders related to the matter set out in subsection 8.2.
- 8.4 The Director of Development Services may rescind, revoke, amend or vary any order made by him, provided such order does not require the doing of any act contrary to or inconsistent with this Bylaw or the Motor Vehicle Act.
- 8.5 The Director of Development Services may order the alteration, repainting, tearing down or removal of any sign, advertisement or guide-post erected or maintained on or over any highway

and in the exercise of this authority no compensation shall be paid to any person for loss or damage resulting from the alteration, repainting, tearing down or removal of any sign, advertisement or guide-post placed upon or over any highway.

- 8.6 The Director of Development Services, the Fire Chief, the Chief of Police or any Peace Officer may place or cause to be placed temporary "No Parking" signs or other applicable traffic control devices on a highway:
- a. Along the route of any parade.
 - b. In the vicinity of a large gathering or during special circumstances.
 - c. To facilitate the fighting of fires.
 - d. To facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a highway being carried out by the City or any other Utility.
 - e. In the interest of public safety.
- 8.7 Where traffic control devices have been authorized and placed under the provisions of the Motor Vehicle Act by the Ministry of Highways and Public Works of the Province of British Columbia, the same shall be deemed to have been properly placed or erected pursuant to the provisions of this Section.
- 8.8 Traffic control devices erected pursuant to this Section shall, where applicable, comply with the sign regulations as set out in the Regulations to the Motor Vehicle Act.

SECTION 9 - VEHICLE REGULATIONS

- 9.1 This Section does not apply to arterial highways.
- 9.2 Except as authorized by a permit issued by the Director of Development Services pursuant to Section 6 of this Bylaw, no person shall drive or operate on a highway:
- a. A passenger vehicle so loaded that any part of the load extends beyond the sides of the vehicle or more than 185cm beyond the back of the vehicle.
 - b. A vehicle, other than a horse-drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order.
 - c. A vehicle equipped with solid tires, the thickness of which, between the rim of the wheel and the surface of the highway, is less than 32mm.
 - d. A vehicle having wheels 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, tread or track but excluding tire chains of reasonable proportions when required for safety and winter studded tires between October 1st and April 30th.
 - e. A solid rubber tired vehicle at a greater rate of speed than 20 km/h.

- f. An unloaded vehicle and pole-trailer at a greater rate of speed than 40 km/h, unless the pole-trailer is carried on the towing vehicle.
- g. A vehicle unless it is so constructed and loaded as to prevent any of its load:
 - (i) from shifting or swaying in such a manner as to affect the operation of the vehicle; or
 - (ii) from dropping, shifting, leaking or otherwise escaping therefrom.
- h. A vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached or in any manner hazardous to other users of the highway.

9.3 Application of size and weight restrictions

- a. Subsections 9.4 to 9.11 inclusive below, shall apply in respect of highways in the City except arterial highways.
- b. Subsections 9.4 to 9.11 inclusive below, shall not apply to a commercial vehicle engaged in construction of and operating within the limits of a highway construction project as established or as posted by the Ministry of Transportation & Highways and Public Works or the City.
- c. Subsection 9.4 shall not apply to:
 - (i) an implement of husbandry temporarily operated upon a highway during the hours of daylight;
 - (ii) a vehicle operated by the Ministry of Transportation & Highways and Public Works or the City engaged in road maintenance or snow removal.
- d. The weight limitation imposed by this Section shall not apply to vehicles operated by the Ministry of Transportation & Highways and Public Works or the City while engaged in dropping or distributing material on the highways for the purpose of improving traction.

9.4 Size and load regulations

- a. Notwithstanding any other provisions of these regulations, no person shall, without a permit issued pursuant to this Bylaw, drive or operate:
 - (i) a vehicle having a total outside width, with or without load, in excess of 2.6m, except that with loads of loose hay, loose straw, or loose fodder, the load may project over the side of the vehicle such distance as results in a total outside width not in excess of 3.1m;
 - (ii) a vehicle having a height, with or without load, in excess of 4.2m;
 - (iii) a single vehicle having an overall length, with or without load, in excess of 11m, except:

1. a trailer, the overall length of which exceeds 12.5 m except that in the case of a "reefer-van the overall length may be extended to include the refrigeration and/or heating unit only;
 2. a semi-trailer, the overall length of which exceeds 14 m, except that in the case of a "reefer-van the overall length may be extended to include the refrigeration and/or heating unit only; or
 3. a bus, the overall length of the structure of which exceeds 12.5m;
- (iv) a combination of vehicles having an overall length with or without load, in excess of 20m, except:
1. a combination of three vehicles consisting of a 3-axle tandem drive truck-tractor, semi-trailer and trailer, or a 3-axle tandem drive truck-tractor and two semi-trailers, having an overall length with or without load, in excess of 22m, provided that the distance from the kingpin of the first semi-trailer to the extreme rear of the second trailer or semi-trailer and/or its load does not exceed 16.75m;
 2. a combination of vehicles carrying a load of non-reducible logs, poles or piling in excess of 21.5m.
- b. Notwithstanding any of the provisions of these regulations or permit issued pursuant to these regulations, the maximum height, length and width of a vehicle or load allowable on a highway or portion of a highway that is expressly limited as to the maximum height, length or width of a vehicle or load by a sign erected by the Director of Development Services shall be that set out on the sign.
- c. Notwithstanding any other provisions of these regulations, no person shall, without a permit issued pursuant to this Bylaw, drive or operate:
- (i) on any highway a combination of vehicles consisting of more than two (2) vehicles; but if the gross vehicle weight of a combination of vehicles exceeds 11,000 kg, the combination of vehicles may consist of not more than three (3) vehicles;
 - (ii) on any highway a vehicle or combination of vehicles any part of which or the load of which extends more than 1m beyond the front wheels thereof, or if equipped with a front bumper, more than 1m beyond such bumper;
 - (iii) on any highway a vehicle or combination of vehicles any part of which, or the load upon which, extends more than 5m behind the centre of the last axle of the vehicle or combination of vehicles, except that in the case of a logging truck-tractor and pole trailer carrying logs or poles in their natural state; such vehicles may be allowed a rear projection not to exceed 8.25m from the centre of the last axle of the combination of vehicles;
 - (iv) on any highway a semi-trailer having any portion of its body or load forward of the turning axis (kingpin) projecting to a greater distance than a radius of 2.25m

from the centre of the turning axis;

- (v) on any highway a truck, truck-tractor, trailer, or semi-trailer having attached thereto a group of three (3) consecutive axles, unless one of the axles is a steering axle and prevents any lateral movement between the road surface and the tires on the wheels attached to that axle when the vehicle is turning, except in the case of trailers or semi-trailers:
 - 1. having a group of three (3) or more axles the centres of which are less than 106 cm apart; provided
 - 2. the distance from the first axle of the group to the last axle of the group does not exceed 185 cm.
 - 3. notwithstanding the provisions of subsection 9.5, the maximum gross weight that may be carried on such a group of axles referred to in Clause 1 and 2 shall not exceed 13,700 kg;
- (vi) on any highway a truck, truck-tractor, trailer, or semi-trailer having attached thereto any group of two (2) axles the centres of which are more than 185 cm apart, measured longitudinally, unless one of the axles is a steering axle or an axle that is articulated in the manner of a steering axle and prevents any lateral movement between the road surface and the tires on the wheels attached to that axle when the vehicle is turning.

d. When a commercial vehicle, trailer or semi-trailer is equipped with:

- (i) one or more rear-view mirrors required by the regulations made pursuant to the Motor Vehicle Act and extend in whole or in part beyond the side of the vehicle,
- (ii) one or more lamps required by the regulations made pursuant to the Motor Vehicle Act and extend in whole or in part beyond the side of the vehicle, or
- (iii) rubber fender skirts, safety chains or wrappers which extend not more than 5cm in whole or in part beyond the side of the vehicle,

the amount of such extension shall not be included in determining the maximum width of the vehicle for the purpose of these regulations.

9.5 Weight regulations

- a. No person shall, without a permit issued pursuant to this Bylaw and regulations, drive or operate upon a highway:
 - (i) a vehicle any axle of which is carrying a gross weight in excess of 9,100 kg;
 - (ii) a vehicle loaded in such a manner that the gross weight on any wheel thereof is in excess of 110 kg per 1 cm of width of tire in the case of pneumatic tires or 55 kg per 1 cm width of tire in the case of metal or solid rubber tires;

- (iii) a vehicle or combination of vehicles having a gross weight on any group of two or more consecutive axles exceeding the gross weight indicated in Schedule "B" opposite to the appropriate distance between the centres of the first and last axle of the group of axles of that vehicle or combination of vehicles measured longitudinally to the nearest distance as set out in the Schedule.
 - (iv) a vehicle or combination of vehicles carrying a gross weight on the drive axle or axles that is less than twenty percent (20%) of the gross vehicle weight of the vehicle or combination of vehicles.
- b. In these regulations, in measuring the distance between the centres of any group of axles where the distance is found to be equal to a number in Schedule "B" plus exactly 15 cm, the next higher number shall be used.
- c. Where a vehicle, or combination of vehicles, has a gross weight or a gross axle weight in excess of those gross weights fixed by the Director of Development Services, may permit the driver to proceed if the amount of excess gross weight does not exceed the following:
- | | |
|-------------------------|----------|
| Single Axle | 500 kg |
| Combination of Vehicles | 1,500 kg |
- d. Where the load of a vehicle or combination of vehicles does not exceed the excess gross weight set out in section 9.5 and the load may be redistributed upon the same vehicle and, forthwith after the weight of the vehicle under the authority of this Bylaw and regulations, the load on the vehicle is redistributed so that the limits imposed by these regulations are complied with, the requirements of this section shall be deemed to have been complied with.
- e. Notwithstanding any of the provisions of these regulations no person shall, without a permit issued pursuant to this Bylaw and regulations, drive or operate over a bridge a vehicle or combination of vehicles having a gross weight in excess of any load limit imposed by the Director of Development Services on that bridge.

9.6 Weighing and inspection of vehicles

- a. The driver of a vehicle on a highway, when so required by a Peace Officer or by any person authorized by the Director of Development Services shall:
- (i) stop the vehicle at the time and place specified by such Peace Officer or authorized person for the purpose of weighing the whole or part thereof by means of stationary or portable scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any other purpose under this bylaw;
 - (ii) drive the vehicle onto the nearest public or Provincial Government stationary or portable scales for the purpose of weighing the vehicle and load;
 - (iii) rearrange the load upon the vehicle or remove the whole or part of the load from the vehicle in order to comply with the provisions of this bylaw, regulations, or permit before continuing to drive or operate the vehicle.

- b. The driver of a vehicle on a highway, when directed by a traffic sign on the highway to drive over scales, shall drive the vehicle onto the scales for the purpose of weighing the whole or part thereof by means of stationary or portable scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any purpose of this bylaw.
- c. Subsection 9.6.b does not apply to the driver of a commercial vehicle of a licensed gross vehicle weight not exceeding 5,500 kg.

9.7 Combination of Vehicles

- a. Notwithstanding the provisions of these regulations, no person shall drive or operate on a highway a combination of vehicles licensed for a gross weight in excess of 35,400 kg unless:
 - (i) the towing vehicle has at least two (2) drive axles; and
 - (ii) the gross weight to gross horsepower ratio of the towing vehicle bears a relationship of not more than 136 kg to 1 horsepower; but, if the gross horsepower of the towing vehicle exceeds 249 horsepower a ratio that is within 25 horsepower of the ratio required under this section shall be deemed to be in compliance with this section.
- b. Clause (ii) of subsection 9.7.a shall not apply to a towing vehicle:
 - (i) driven or operated under the authority of an overload permit;
 - (ii) equipped with a gasoline powered engine, provided the towing vehicle is not licensed in excess of 37,200 kg and the engine has a net horsepower rating of at least 225 horsepower as determined by S.A.E. standard J245.

9.8 Clearance Lights

- a. Every public service and commercial vehicle having a width in excess of 2.5 metres (8 feet) or a length in excess of 18 metres (59 feet), including the load thereon, shall be equipped with clearance lights in accordance with the following provisions:
 - (i) On the front of the vehicle, two (2) amber lights, one at each extreme width of the vehicle and/or load and as near the top as practicable.
 - (ii) On the rear of the vehicle, two (2) red lights, one at each extreme width of the vehicle and/or load, and as near the top as practicable. Providing however in the case of a vehicle where it is impracticable to have clearance lights mounted at either the front or the rear of the body of the vehicle, then the said required clearance lights may be carried at the ends of a bar of pipe securely attached to the top or the rear of the cab of the vehicle in such a manner that the extreme width of the truck and/or load may be plainly indicated from the front and the rear of the vehicle.
 - (iii) All public service and commercial vehicles, including pole trailers, shall when

carrying loads of lumber, poles, well casings or other materials which extend beyond the rear of the vehicle, be provided with flexible extension cords for the purpose of displaying red clearance lights at the extreme rear and extreme width of such loads.

- (iv) In the case of semi-trailers or any combination of vehicles which exceed 10.5 metres (35 feet) in length, then in addition to the above requirements a red lateral light shall be located as near the centre as possible on the left side of the vehicle and in such a position as to make it clearly visible from any vehicle approaching from the left.
- (v) All clearance lights shall be controlled from a circuit that is separate from the head and tail light circuit of the vehicle.
- (vi) All clearance lights shall be such and so placed that they shall be visible from a distance of at least 150 metres (493 feet) under normal atmospheric conditions.
- (vii) During the period between sunset and sunrise, or at any time when the atmospheric conditions are such that objects on the public highways are not plainly visible at a distance of 100 metres (328 feet), the said clearance lights shall be alight.
- (viii) Before commencing to move the object or load, the operator shall ascertain whether the dimensions of the object or load are such as would collide with any guidepost or railing along the highway or with any portion of bridge through which he might have to pass. Under no circumstances shall such posts or railings be removed without permission from the Director of Development Services.
- (ix) The operator shall also ascertain if there are any telephone, telegraph or power wires under which the object or load has to be moved and if the height of the object or load is such as is likely to collide with such wires in any degree, then under no circumstances shall the object or load be moved until the consent of the agency owning the said telephone, telegraph or power wires has been secured.

9.9 Pilot Cars and Oversized Vehicles

- a. Where conditions of an oversize or overload permit prescribes that pilot cars, signs, flags, or lights be provided by the Permittee the standards for equipment as set forth in this bylaw shall be complied with, unless otherwise prescribed by the conditions of the permit.
- b. Pilot cars shall be private passenger motor vehicles or commercial vehicles of a licensed gross weight not exceeding 5,500 kg.
- c. Every pilot car shall be equipped with at least one roof-mounted flashing amber lamp having a light source that will emit a beam of light clearly visible from a distance of 200 m in normal daylight, which shall be operated when the pilot car is escorting an oversize vehicle or load; except every pilot car escorting a load in excess of 3.5 m in width shall be equipped with a roof-mounted "Wide Load" sign of the following design:
 - (i) Box shall be 180 cm by 35 cm by 10 cm mild steel. Outside surface shall be

- baked enamel (yellow). Inside surface shall be baked enamel (white) to give good reflection quality. Eight lamps shall be mounted in the box, spaced to give even lighting of the sign background. This box shall shelter all wire connectors, switches, flashers, etc.
- (ii) Sign shall be double faced of 3 mm yellow plexiglass background with 28 cm black letters.
 - (iii) Lamps shall have a rating of 12.5 volts, five candle power, design amps 3.
 - (iv) Mounted on top of this sign box shall be two amber lamps (one at each end) of the two-way like design of at least 17.75 cm in diameter which meets the C.S.A. standard B-106.1, 1972, flashing at 60-90 flashes per minute. This unit shall be designed to mount on car top carriers or equal mountings. It shall have two positions, upright when in use and folded horizontally when not in use.
- d. No person shall drive or operate on a highway a motor vehicle or a commercial vehicle displaying a sign indicating the presence of an oversize vehicle or load when, in fact, an oversize vehicle or load is not being transported or escorted.
- e. A pilot car when escorting an oversize vehicle or load on a two lane or three lane highway shall precede the oversize vehicle or load at a distance of not less than 100 m nor more than 500 m. When escorting an oversize vehicle or load on a four lane or divided highway, the pilot car shall follow the oversize vehicle or load at a distance of not less than 100 m nor more than 500 m.
- f. Signs required by a permit to be displayed on an oversized vehicle or load shall be as follows:
- (i) Sign panel size, 150 cm by 30 cm.
 - (ii) Black lettering on yellow background.
 - (iii) Letters shall be 20 cm in height of 3 cm stroke.
 - (iv) Shall contain only the words, "Wide Load" or in the case of loads only over length, the words, "Long Load".
 - (v) Mobile homes and modular buildings exceeding 3.5 m in width shall additionally display on the rear thereof a sign as follows:
 - 1. yellow background with lettering of red reflective materials;
 - 2. letters shall be a minimum of 15 cm in height of a 3 cm stroke; and
 - 3. shall contain the words, "Caution-May Slow or Stop Unexpectedly".
- g. Flags on an oversize vehicle or load shall be red in colour, of a minimum size of 30 cm mounted on all four corners (or) projections of the vehicle or load.

- h. If night travel of oversize vehicles or loads is authorized by permit the extremities of the oversize vehicle or load shall be lighted in a manner not inconsistent with the provisions of Division 4 of regulations made pursuant to the Motor Vehicle Act.
- i. Non-residents shall be deemed to have complied with these regulations provided they are conforming to similar regulations that are in effect in the jurisdiction in which the vehicle is duly licensed and registered.

9.10 Permit

- a. The Director of Development Services, by the issuance of a written permit may authorize the driving or operation on a highway of a commercial vehicle that:
 - (i) does not conform to subsection 9.4 and the fee for the permit shall be in accordance with Schedule "C" of this bylaw.
 - (ii) does not conform to subsection 9.5 and the fee for the permit shall be in accordance with Schedule "C" of this bylaw.
- b. The Director of Development Services may, by the issuance of a written permit, authorize the crossing of a highway by a commercial vehicle that is overload or oversize or both and the fee for such a permit shall be in accordance with Schedule "C" of this bylaw. Highway crossing permits so issued shall be for the current license year. Proof of Public Liability and Property Damage Insurance must be produced before a permit will be issued.
- c. The Director of Development Services has the power to issue permits pursuant to this bylaw including the power to amend, vary, or rescind such permits with or without further notice if, in his opinion, the vehicle is causing injury or damage to the highway, the operation is not in the interests of the public, or the operation is contrary to the issued permit.
- d. As a prerequisite to the issuance of a permit under these regulations, the Director of Development Services may require an applicant therefore to deposit with the City a sum of money in an amount sufficient, in the opinion of the City Engineer, to pay the cost of repairing any damage that may be done to the highway, public structure or bridge, by reason of the driving or operation of the vehicle thereon.
- e. The Permittee shall be responsible for all damage or injury to any person or persons using the highway or otherwise and for any and all loss or damage of privately-owned or City property which may result from the operation of the vehicle under the authority of the Permit; and the Permittee shall protect and save harmless the City from all loss, damage or injury resulting, directly or indirectly, from the operation of the vehicle.
- f. The gross vehicle weight of the vehicle or combination of vehicles named herein shall not exceed the safe practical carrying capacity of the vehicle or combination of vehicles or any of the component parts thereof. The Permittee shall be responsible for the checking of the vehicle for which this Permit is issued to ensure that it is mechanically sound. Proof of public liability and property damage insurance in an amount of Five Million Dollars (\$5,000,000.) shall be obtained and a certificate thereof filed with the Director of Development Services at the time of application for the permit.

- g. Permits will be valid only for the single movement and specific loads indicated on the application; thus, the Permit system will not form the basis of scheduled or repetitive trucking operations.
- h. The object or load shall be moved only by means of an equipment of a type approved by the Director of Development Services and in all respects according to the arrangements stated on the approved Permit.
- i. The fee to be charged for an overload permit under the Schedule shall be based on the total number of kilometres of operation of the overloaded vehicle during the term of the permit.
- j. An applicant for an oversize or overload permit may deposit with the Director of Development Services a sum of money considered sufficient to secure the payment of the fees for such permits as may be required by the applicant; and thereafter the applicant shall pay the permit fee forthwith on receipt of a bill from the City.
- k. Where an applicant fails to pay the fees charged under subsection (b) the Director of Development Services may refuse any further application for permits and may cancel any existing permits until such delinquent fees are paid.
- l. No person may use a permit, other than a highway crossing permit, for the driving or operation of a vehicle, other than the vehicle for which such permit was issued.
- m. Where the term of an overload permit extends beyond a single journey, the permit holder shall, at the end of each calendar month submit an accurate summary on forms provided by the City of the number of trips and the kilometres of operation of the overloaded vehicle and failure to do so shall be an offence.
- n. A permit issued under this bylaw and regulations must be carried in the vehicle at all times when operating upon a highway.
- o. Where the axle loads of any proposed loading arrangement cannot be easily calculated or are in doubt, it will be the Applicant's responsibility to establish adequate proof of the accurate axle loadings. Any expenses so incurred will be borne by the Applicant.
- p. Where a crossover permit is issued to an unlicensed vehicle, proof of public liability and property damage insurance in an amount of at least Five Million Dollars (\$5,000,000) for each occurrence shall be obtained and a certificate thereof filed with the Director of Development Services at the time of application for the permit.
- q. No permit other than a highway crossing permit is transferable from one vehicle to another, but where a vehicle has been sold, destroyed, or exported from the Province, a substitute permit containing the same conditions as the original permit may be issued without fee and validated for the term of the original permit.
- r. Limitations and Conditions of Permit:
 - (i) Subject to posted bridge and highway restrictions.

- (ii) Subject to seasonal restrictions imposed pursuant to the City of Dawson Creek Traffic Bylaw.
 - (iii) Subject to speed limits, stopping, gear changing, etc. on bridges;
 - (iv) Not valid unless carried on vehicle.
 - (v) Vehicle subject to mechanical check by Motor Vehicle Inspectors or Peace Officers.
- s. No person shall change or alter this Permit in any manner, unless he is authorized to do so by the Director of Development Services.
- t. The permit shall be produced for inspection upon demand of any peace officer or any person authorized by the Director of Development Services.

9.11 Restricted Route Permits

- a. The Director of Development Services or a person authorized by him, may, by the issuance of a restricted route permit, authorize the driving or operation of a vehicle or combination of vehicles carrying logs, or poles with or without bark, or saw timber cants, or hog fuel, or sawdust, or pulpwood chips, subject to bridge load limits and to the limitations or conditions contained in the permit and provided that the applicant for the permit pays a fee as prescribed by Schedule "C" for the additional weight allowed under the terms of the permit, which shall be the difference between the licensed gross vehicle weight and the maximum gross weight for which the permit has been issued, and further provided that the vehicle or combination of vehicles does not:
- (i) have, while carrying hog fuel or sawdust or pulpwood chips in a six axle combination of vehicles consisting of a truck or truck-tractor and a trailer or semi-trailer, any group of two axles the centre of which, measured longitudinally, are not less than 106 cm and not more than 165 cm with a gross weight in excess of 15,500 kg or a single axle with a gross weight in excess of 8,625 kg or a gross vehicle weight in excess of 45,000 kg;
 - (ii) have, while carrying logs or poles on a vehicle or combination of vehicles with 5 axles or less, any group of two axles the centres of which, measured longitudinally are not less than 106 cm and not more than 185 cm, with a gross weight in excess of 17,500 kg;
 - (iii) have, while carrying logs or poles on a vehicle or combination of vehicles consisting of 6 or more axles;
 - 1. any single axle with a gross weight in excess of 9,100 kg;
 - 2. any group of two axles the centres of which measured longitudinally are not less than 106 cm and not more than 185 cm, with a gross weight in excess of 17,500 kg;

3. any group of 3 or more axles with a gross weight that exceeds Schedule 2 of this Section by more than 1,170 kg.
- b. Notwithstanding 9.5.c a vehicle or combination of vehicles transporting logs or poles may be permitted to proceed if the amount of excess gross weight does not exceed the following:
- (i) during that period between March 2 and November 30 of any one year:
 1. Single axle 500 kg
 2. Tandem axles 1,100 kg
 3. Combination of vehicles 1,500 kg
 - (ii) during that period between December 1 of any year to March 1 of the next year:
 1. Single axle 500 kg
 2. Tandem axles 1,500 kg
 3. Combination of vehicles 2,500 kg
 - (iii) clause 9.7.b(i) shall not apply to a vehicle or combination of vehicles operating under a Restricted Route Permit.

SECTION 10 - ENFORCEMENT

- 10.1 Any skateboard unlawfully occupying any portion of a Highway, sidewalk, or public place may be removed, detained, or impounded by any Peace Officer. After the removal, detention, and impoundment, the person entitled to the possession of the skateboard may obtain its release upon signing an undertaking that the person will not again place it on, above, or in any street, sidewalk, or other public place in contravention of the Bylaw and upon payment to the City a fine of \$25.00. Any skateboard not claimed by its owner within 30 days of its impounding or detention may be sold at public auction
- 10.2 Wherein this Bylaw any matter or thing is required to be done by any person in default of it being done by such person, such matter or thing shall be done at the expense of the person in default and the expense thereof may be recovered, with interest at the rate of six percent (6%) per annum, with costs in like manner as municipal taxes.
- 10.3 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.
- 10.4 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.
- 10.5 No person shall 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*.
- 10.6 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.

- 10.7 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.
- 10.8 Any penalty imposed pursuant to this bylaw shall 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 11 - ADMINISTRATIVE

- 11.1 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 shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.
- 11.2 Schedules “B”, “C”, and “D” are attached to this bylaw and forms a part of this bylaw.
- 11.3 That “City of Dawson Creek Traffic Bylaw No. 2345, 1983” , “City of Dawson Creek Traffic Bylaw No. 3146, 1996”, “Traffic Regulation Bylaw No. 203, 1956”, “Traffic Control Bylaw No. 432, 1960” and “Traffic Regulation Bylaw No. 333, 1958” and all amendments made to them be repealed.

READ a first time this _____ day of _____, 2016.

READ a second time this _____ day of _____, 2016.

READ a third time this _____ day of _____, 2016.

ADOPTED this _____ **day of** _____, **2016.**

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4289 cited as "City of Dawson Creek Traffic Bylaw No. 4289, 2016".

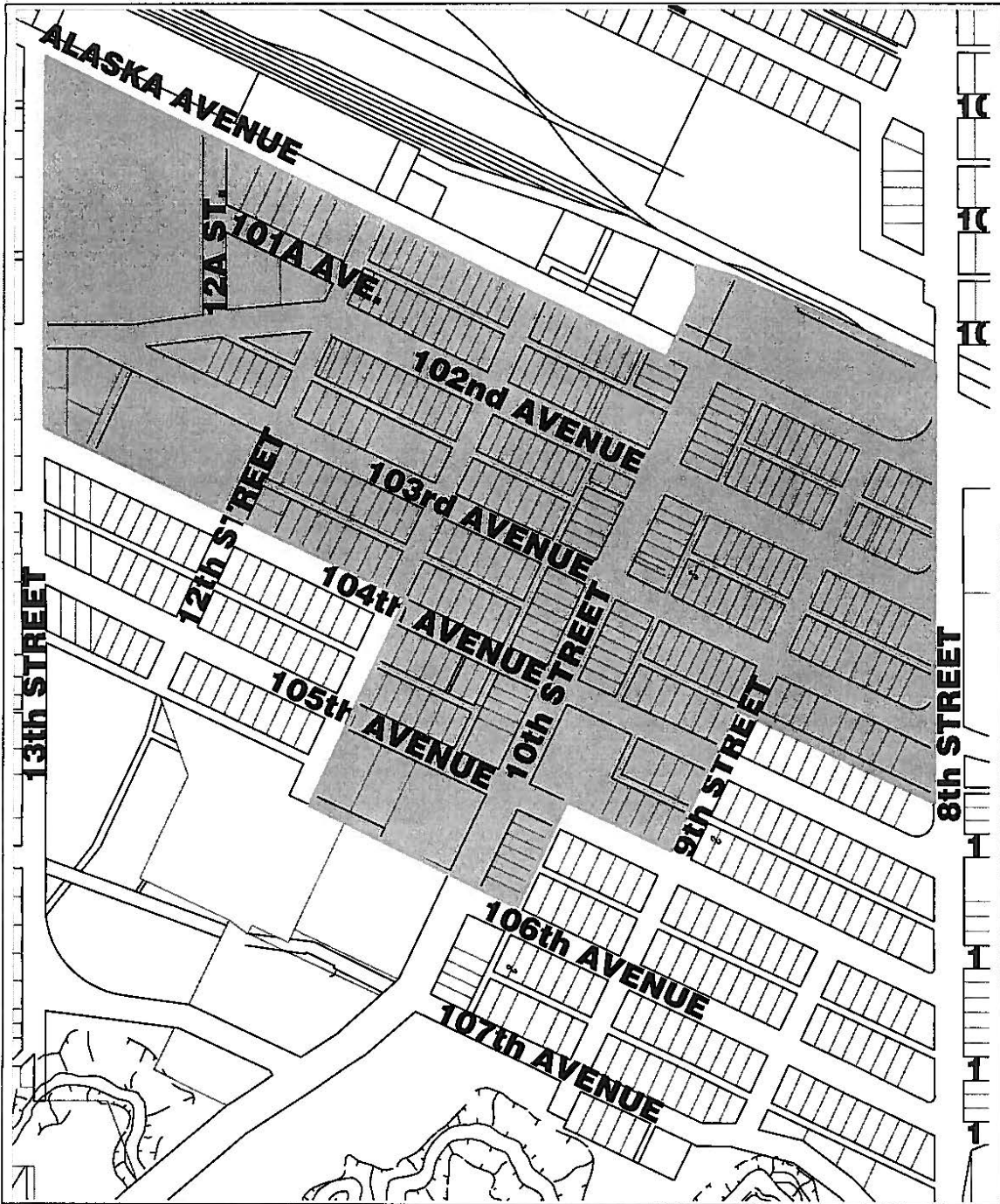
Brenda Ginter
Director of Corporate Administration

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

Dale Bumstead - Mayor

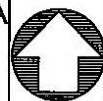
Brenda Ginter
Director of Corporate Administration

SCHEDULE "B" – SKATEBOARD PROHIBITED AREA



SCHEDULE "C" - SKATE BOARD RESTRICTED AREA

APPLICANT:
CITY OF DAWSON CREEK



FILE No.
MAY 22, 2002

SCHEDULE "C" – MAXIMUM ALLOWABLE GROSS WEIGHT

Distance between the Centres of the First Axle and Last Axle of Any Group of Axles of a Vehicle or Combination of Vehicles

Maximum Allowable Gross Weight on that Group of Axles

<u>cm</u>	<u>kg</u>
120	16,000
150	16,500
180	17,000
210	17,500
240	18,000
270	18,500
300	19,000
330	19,500
360	20,000
390	20,500
420	21,000
450	21,500
480	22,000
510	22,500
540	23,000
570	23,500
600	24,000
630	24,500
660	25,000
690	25,500
720	26,000
750	26,500
780	27,000
810	27,500
840	28,000
855	28,500

- (1) For the purpose of determining the maximum allowable gross weight of a vehicle or combination of vehicles only those axles that are within the maximum overall length authorized under this section shall be included.
- (2) Notwithstanding subsection (1), where a vehicle or combination of vehicles is extended beyond the maximum overall length authorized under this section for the sole purpose of accommodating an oversize or overweight load without any increase in the number of axles, the displaced axles shall be deemed to be within the maximum overall length authorized under this section.

SCHEDULE "D" - PERMIT FEES

PURSUANT TO SECTION 9

Reference	Fees
9.11.a(i) and 9.11.a(ii)	\$10.00 or 2 cents per km of vehicle travel for which the permit is issued, whichever is greater.
9.11.b	\$25.00 per annum.
9.9.a	\$25.00