



The Corporation of the District of North Cowichan

Traffic Bylaw

Bylaw 2276

[Consolidated and printed by authority of the Corporate Officer under s. 139 of the *Community Charter*. Last amended June 19, 2019. Amendments: 2715, 2781, 2819, 3043, 3149, 3158, 3218, 3243, 3350, 3470, 3548, 3567, 3679, 3700, 3753.]

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Whereas the Council is authorized, pursuant to sections 120 and 151 of the *Motor Vehicle Act* R.S.B.C. 1979, C.288, to regulate traffic within the Municipality;

Now therefore, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

Part 1 - Interpretation

Title

1 Repealed [BL3700].

Interpretation

2 (1) Metric units are used for all measurements in this Bylaw. The approximate equivalents of these units in Imperial measure shown in brackets following each metric measurement are included for convenience only and do not form part of this Bylaw.

- (2) Words or phrases defined in the *Motor Vehicle Act* and Regulations pursuant to the *Motor Vehicle Act* shall have the same meaning in this Bylaw, unless otherwise defined in this Bylaw. [BL3567]

Definitions

3 In this Bylaw:

"angle parking" means parking a vehicle other than parallel to a curb or lateral boundary of a roadway;

"boulevard" means the area between the curb lines or the lateral boundary of a roadway and the adjacent property boundary;

"boulevard crossing" means any curbing, paving, bridge, pipe, or other structure or improvement which is installed on a boulevard to provide or facilitate access to and from the roadway for adjacent property;

"commercial vehicle" means a commercial vehicle as defined in the *Motor Vehicle Act* but excludes an emergency vehicle, a municipal vehicle, and a public passenger vehicle;

"Council" means the Council of the Municipality;

"Director of Engineering and Operations" means the person so appointed by the Chief Administrative Officer;

"Fire Chief" means the Fire Chiefs as appointed by Council in the Municipality;

"fire lane" means an area where fire exit signs are displayed on any driveways and other traffic circulation areas of a public building;

"fire zone" means that portion of a highway contained within the projected extension of the lateral boundaries of every parcel of land upon which a fire hall or fire station is constructed;

"gross vehicle weight" means the gross weight of the vehicle and its load;

"heavy truck" means a commercial vehicle having a gross vehicle weight in excess of 40 000 kg.

"lane" means a public thoroughfare separating the rear property lines of parcels of land fronting on highways or streets more or less parallel to and on each side of such public thoroughfare;

"Manager of Operations" means the person so appointed by the Chief Administrative Officer;

"Municipality" means the area within the boundaries of The Corporation of the District of North Cowichan, or The Corporation of the District of North Cowichan, as the context may require;

"Municipal vehicle" means any vehicle owned or leased by the Municipality and includes vehicles operated for or on behalf of the Municipality;

"no heavy trucks route" means a portion of a highway, a highway, or a series of connected highways, designated under this Bylaw on which heavy trucks are prohibited and on which no person shall drive or operate a heavy truck at any time;

"over size or over load" means a vehicle or combination of vehicles exceeding the limits of dimensions, weight and loads, drive axles, horsepower, or other limits prescribed in the *Commercial Transport Act* of the Province of British Columbia and the Regulations thereto, both as amended from time to time;

"parade" means any procession of more than thirty pedestrians or more than ten vehicles upon any highway;

"private road" means every way or place in private ownership and used for vehicular travel by the owner and those having permission from the owner;

"shoulder" means that portion of a highway which lies between the lateral boundary of the roadway and the closest parallel ditch or sidewalk, or if there is no ditch or sidewalk, the area within 2 m of the roadway;

"skateboard" means a board mounted on wheels;

"street line" means the boundary line between any private property or any property not a highway and the adjoining highway;

"truck tractor" means a motor vehicle designed primarily to draw other vehicles and not constructed to carry a load other than part of the weight of the vehicle drawn and of the load of the other vehicle;

"traffic control officer" means any official or employee of the Municipality of North Cowichan whose designated duties include the regulation or control of traffic or parking within the Municipality, and Peace Officers employed by any agency;

"walkway" means a path less than 4 m wide, designed for the use of pedestrians and constructed on its own right-of-way separate from a highway right-of-way. [BL3458; BL3567]

Part 2 - Traffic Regulations

Director's powers

- 4** (1) The Director of Engineering and Operations is authorized to order the placing or erection of traffic control devices at such locations in the Municipality as he deems appropriate for regulation of the following traffic matters, and by those orders to exercise the powers of the Municipality under this Bylaw:
- (a) regulation, control, or prohibition of pedestrian traffic, animal traffic, vehicular traffic, and cycle traffic on sidewalks, walkways, boulevards, lanes, and at intersections of lanes or walkways;
 - (b) regulation, control, or prohibition of the stopping, standing, or parking of vehicles;
 - (c) setting apart and allotting portions of highways adjacent to Federal, Provincial or Municipal public buildings for the exclusive use of officials and officers engaged therein for the parking of vehicles, and regulation of such parking;
 - (d) providing for the establishment and use of loading, commercial, and passenger zones, and for designation of such zones;
 - (e) regulation of the width, length, and height of vehicles and the width, length, height, fastening, and distribution of loads on vehicles that are operated on a highway;
 - (f) on a highway where construction, reconstruction, widening, repair, marking, or other work is being carried out, providing an indication that men or equipment are working, subject to section 4 (3) of this Bylaw;

- (g) regulating or prohibiting pedestrian traffic on highways other than at crosswalks;
 - (h) establishing school crossings in the Municipality and regulating and controlling pedestrian and vehicular traffic with respect to such crossings;
 - (i) regulating traffic passing by or in the vicinity of schools through traffic patrols, and vesting in school children or other persons employed in traffic patrols power to require vehicles to stop at school crossings or other designated places on a highway;
 - (j) regulating and controlling processions on highways in the Municipality;
 - (k) regulating, controlling, or prohibiting persons using roller skates, sleighs, skates, skateboards, skis, or other similar means of conveyance on a highway; and
 - (l) providing for the establishment and use of taxi stands in the Municipality and their designation. [BL3548]
- (2) Traffic control devices installed pursuant to this Bylaw shall conform to and have the same meaning as the corresponding device in the regulations made under the *Motor Vehicle Act* and where a device is not included in the *Motor Vehicle Act* regulations, it shall have the meaning ascribed to it in the "Manual of Uniform Traffic Control Devices for Canada", as amended from time to time.
- (3) Traffic control devices may, from time to time, as required on a highway where construction, reconstruction, widening, repair, marking, or other work is being carried out, be placed by a traffic control officer or by the Director of Engineering and Operations, to regulate or prohibit traffic in the vicinity of the work, but no traffic control devices shall be placed under this subsection or section 4 (1) (f) for a period exceeding 28 consecutive days without authority of a resolution of Council. [BL3548]
- (4) The Director of Engineering and Operations may rescind, revoke, amend, or vary an order made by him under this section. [BL3548]
- (5) The Director of Engineering and Operations may place or erect traffic control devices to give effect to any provision of this Bylaw or any resolution of Council. [BL3548]
- (6) Notwithstanding the foregoing, the placement or erection of all new traffic control signs, other than those warning of temporary dangers, work, or conditions, and the removal of any traffic control sign, other than one warning of temporary dangers, work, or conditions, must be approved by Council prior to such placement, erection, or removal. [BL2781]

Obedience to traffic controls

- 5** Where traffic control devices authorized by section 4 of this Bylaw are erected or placed on any highway, no person shall act contrary to the manner indicated by the traffic control device, except where directed to do so by a traffic control officer.

Speed limit in lanes

- 6** No person shall drive or operate a vehicle upon any lane within the Municipality at a greater rate of speed than 20 km per hour and no person shall drive or operate a vehicle on a highway in the Municipality at a rate of speed greater than that which is shown outlined on the Schedule attached to and forming part of this Bylaw. [BL2715; BL3700]

Parking restrictions for trucks

- 7** (1) No person shall stop, stand, or park any vehicle, or combination of vehicles, having a total length exceeding 6 m
- (a) in any lane, except while engaged in delivering or picking up goods, or
 - (b) in any designated angle parking zone.
- (2) No person shall park any vehicle having a gross vehicle weight exceeding 5,500 kg on any highway for more than 2 hours. [BL2819]
- (3) No person may park a trailer on any highway for more than 2 hours. [BL3158]

General Parking Restrictions

- 8** No person shall park a vehicle on a highway
- (a) within 6 m of any intersecting highway other than a lane, unless otherwise permitted by a traffic control device,
 - (b) within 2 m of any intersecting lane,
 - (c) in such a manner as to leave unobstructed less than 3 m of the width of the roadway, or opposite to or in such close proximity to another vehicle already stopped or parked in that highway as to obstruct the movement of vehicular traffic on the roadway,
 - (d) at an angle to the street line except where authorized by an "angle parking" sign,
 - (e) for a consecutive period longer than 24 hours, or
 - (f) in such a manner as to block the exit of a vehicle already parked.
- 9** No person shall stop, stand, or park a vehicle
- (a) on any boulevard or boulevard crossing,
 - (b) in front of, or within 2 m of either side of a private road, driveway, or sidewalk crossing,
 - (c) on the roadway next to a curb painted yellow, a curb painted red, a sign designating a bus stop zone, a line painted on the side of the road where no curb is present, or a white line representing a walking lane,
 - (d) in a fire zone, or
 - (e) in a restricted zone longer than designated. [BL2781]
- 10** The provisions of this Bylaw prohibiting stopping or parking shall not apply to
- (a) municipal, provincial, or public utility service vehicles, or emergency vehicles, or

- (b) tow trucks while such vehicles are engaged in work requiring them to be stopped or parked in a manner contrary to this Bylaw, provided that this exemption shall not relieve the operators of such vehicles from taking due precautions to indicate the presence of such vehicle on the street while so parked or stopped.

Pedestrian Traffic

11 Pedestrians shall conform to the following regulations:

- (a) where a traffic control device such as a crosswalk or signal is provided to facilitate crossing a highway, no pedestrian shall cross the highway at any place other than at that traffic control device, within a distance of 200 m from that device;
- (b) upon an emergency vehicle displaying flashing lights or sounding a siren approaching a pedestrian on a highway, the pedestrian shall immediately leave and keep off the highway until such vehicle has passed him or stopped.

12 When water, mud, snow, or slush is lying on any highway, the driver of a vehicle shall reduce the speed of the vehicle as necessary to avoid splashing any pedestrian.

Bicycles

- 13** (1) No person shall leave a bicycle in a reclining position on a highway, sidewalk, or any walkway.
- (2) Where stands are provided for use by bicycles, no person shall leave a bicycle on any highway or public place except in an upright position in the bicycle stand.

Interference with traffic and signs

- 14** (1) No person shall establish, place or maintain, or display in, upon or in view of a highway, any traffic sign or traffic control signal or other device which purports to be, or is in imitation of, or in any way resembles any traffic sign or traffic control device, or any device which attempts to divert the movement of traffic or the parking of vehicles within the Municipality, save and except as provided by this Bylaw.
- (2) No person shall wholly or partly obliterate, deface, damage, injure, move, obstruct or otherwise interfere with any traffic control device erected, placed or maintained within the Municipality pursuant to this Bylaw.

Part 3 - Traffic Restrictions on Designated Highways

Restrictions by Council resolution

15 Council may, by resolution, restrict certain types of vehicles or combination of vehicles from using certain designated highways within the Municipality.

Bylaw contraventions

16 Any person who contravenes any provisions of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$2 000, to imprisonment.

Designation of wrecking firms to remove vehicles

17 Council may, by resolution, designate certain wrecking firms to be used for the removal of vehicles contravening this Bylaw.

Vehicle Removal

- 18** (1) Any vehicle unlawfully occupying a portion of a highway or public place may be removed, detained, or impounded by order of the Director of Engineering and Operations, Manager of Operations, or the traffic control officer.
- (2) Removal and impoundment fees, as prescribed in the Fees Bylaw, for each day or part of a day which a vehicle is impounded, shall be paid by the owner before release of the vehicle, and may be recovered by sale of the vehicle at public auction not less than 30 days after the date of impoundment, or by action in a court of competent jurisdiction.
[BL3470; BL3548; BL3567]

Sign Removal

- 19** Any sign, advertisement or guide post placed or maintained in contravention of this Bylaw may be altered, repainted, torn down, or removed by the Director of Engineering and Operations or a traffic control officer, without compensation to any person. [BL3548]

Read a first time on August 17, 1988.
Read a second and third time on October 5, 1988.
Adopted October 19, 1988.

**Schedule
North Cowichan Speed Zones**

	Column 1 Name	Column 2 km/hr	Column 3 From:	Column 4 To:
1	Arthur Street	30	Chaplin Street	Emily Street
2	Auchinachie Road	30	North Road	3541 Auchinachie Road
3	Banks Road	30	Start	Finish
4	Bare Point Road	30	Chemainus Road	Halhed Road
5	Bell McKinnon Road	30	6508 Bell McKinnon Road	Trans-Canada Highway
6	Beverly Street	30	Clair Street	2544 Beverly Street
7	Chemainus Road	60	9075 Chemainus Road	8567 Chemainus Road
8	Chemainus Road	40	Between Askew Creek and 9827 Chemainus Road	Henry Road
9	Chemainus Road	30	North of 9933 Chemainus Rd	North of 10055 Chemainus Road
10	Chesterfield Ave	30	5782 Chesterfield Avenue	Alexander Street
11	Chesterfield Ave	30	Dingwall Street	Beverly Street
12	Chisholm Trail	30	Redcap Street	Genoa Bay Road
13	Clements Street	30	Start	Finish
14	Crescent Road	30	Start	Finish
15	Daniel Street	30	Elliot Street	9877 Daniel Street
16	Deuchars Drive	30	Start	Finish
17	Donnay Drive	30	1456 Donnay Drive	Kingsview Road
18	Edmund Street	30	Chaplin Street	Robert Street
19	Elliot Street	30	Daniel Street	Beach Street
20	Elm Street	30	Start	Finish
21	Garner Street	30	Start	Finish
22	Genoa Bay Road	40	6318 Genoa Bay Road	Lot 5, Plan 11421
23	George Street	30	Lot 3, Plan 19170	2999 George Street
24	Gibbins Road	30	3085 Gibbins Road	3011 Gibbins Road
25	Hall Road	30	6935 Hall Road	Sprott Road
26	Hawthorne Street	30	Start	Finish
27	Henry Road	60	Chemainus Road	Trans-Canada Highway
28	Henry Road	50	East of 2871 Henry Road	Chemainus Road
29	Herd Road	30	997 Herd Road	Manley Street
30	Herd Road	60	Trans-Canada Highway	1067 Herd Road
31	Howard Avenue	30	5818 Howard Avenue	Beverly Street
32	Indian Road	30	Start	Finish
33	James Street	30	Garden Street	Trans-Canada Highway

34	Lakes Road	60	Herd Road	Wicks Road
35	Lane Road	30	Golab Place	Moorfield Road
36	Maple Bay Road	30	Crescent Road	2121 Jaynes Road
37	Maple Bay Road	60	Genoa Bay Road	1941 Maple Bay Road
38	Moorfield Road	30	Somenos Road	Lane Road
39	Moose Road	30	Lakes Road	Davis Crescent East
40	Musgrave Street	30	Chaplin Street	Robert Street
41	North Road	30	6230 North Road	Auchinachie Road
42	Osborne Bay Road	60	Tatlo Road West	Herd Road
43	Pine Street	30	West of 3040 Chemainus Rd	Cedar Street
44	Queen Street	30	Charlotte Street	Brook Street
45	Richards Trail	40	Westholme Road	7136 Richards Trail
46	Robert Street	30	Elizabeth Street	York Street
47	Roome Road	30	2435 Roome Road	Tulare Drive
48	Somenos Road	30	Glacier Street	6122 Somenos Road
49	Sprott Road	30	Hall Road	2975 Sprott Road
50	Westholme Road	30	Mount Sicker Road	7026 Westholme Road
51	River Road	40	Chemainus Road	Askew Creek Drive

[BL3350; BL3567; BL3679; BL3753]