

CITY OF MERRITT

BYLAW NO. 1930

A BYLAW TO REGULATE TRAFFIC, PARKING AND THE USE OF STREETS, WITHIN THE CITY OF MERRITT

**** (CONSOLIDATED FOR CONVENIENCE ONLY, INCLUDING BASE BYLAW
NO. 1930, 2006 AND AMENDMENT BYLAW NO. 1954 (2006), 1991 (2007) and
2048 (2008)) ****

The Council of the City of Merritt in open meeting assembled enacts as follows:

1. This By-Law may be cited as the "City of Merritt Traffic By-Law No. 1930, 2006".
2. The City of Merritt Traffic By-Law No. 1264 1989 and all amendments thereto are hereby repealed.
3. The contents of this By-Law include:
 - PART I - Definitions
 - PART II - Authorities
 - PART III - General Traffic Regulations
 - PART IV - Pedestrian Regulations
 - PART V - Parking Regulations
 - PART VI - Use of Highways Regulations
 - PART VII - Penalties
 - SCHEDULE A - Truck Routes
 - SCHEDULE B - Traffic Bylaw Offence Notice
 - SCHEDULE C - Physically Disabled Parking Sign
 - SCHEDULE D - Downtown Area Where Roller Skates, Inline Skates, Skateboard, Foot-Propelled Scooter or Small Apparatus Are Not Allowed

PART I – DEFINITIONS

In this by-law, unless the context otherwise requires, the expressions and definitions contained within the “Motor Vehicle Act”, the “Motor Carrier Act”, the “Highway Act”, the “*Local Government Act*”, the “Community Charter”, the “Interpretation Act”, and the “Commercial Transport Act” and regulations thereto, shall be applicable and these additional interpretations shall prevail throughout:

“ACCESS”

means a driveway intended for ingress and/or egress to abutting property from a highway.

“ACCESS PERMIT”

means a permit which authorizes provision of access to an abutting property from an adjacent highway.

“ANGLE PARKING”

means the parking of a vehicle other than parallel to a curb.

“BIKEWAY”

means the portion of the highway intended either exclusively or partially for use by cyclists.

“BY-LAW ENFORCEMENT OFFICER”

means the person appointed by the City and any person delegated to assist him in enforcing Municipal laws and regulations as set out in this by-law.

“CITY”

means the City of Merritt.

“COUNCIL”

means the Council of the City.

“CURB”

means the raised structural element which may be installed at the outside edge of a highway or median parking area, primarily for a gutter.

“DOUBLE PARKING”

means the standing of a vehicle in the travelled portion of the highway, adjacent to a parked vehicle, or parking space.

“FIRE CHIEF”

means the person appointed as such by the City and any person delegated to assist him in carrying out his duties under this by-law.

“FIRE ZONE”

means that portion of a highway which is contained within the projected extension of the lateral boundaries of every parcel of land upon which a Fire Hall is constructed and in which any equipment for use in fighting fire and/or other emergency uses is held, stored or maintained by the City.

“HIGHWAY”

includes all public streets, roads, ways, trails, lanes, bridges, trestles and any other public way or right-of-way designed or intended for or used by the general public for the passage of vehicles.

“HOLIDAYS”

means Sunday and any officially proclaimed statutory holiday as well as any other day proclaimed or declared by the Federal, Provincial or Municipal governments as a holiday.

“LAND”

means land owned by the City.

“LANED HIGHWAY”

means a highway or the part of a highway that is divided into two or more marked lanes for the movement of vehicular traffic in the same direction.

“LANEWAY”

means a service road along the back of residential or commercial property not exceeding 8 m in width.

“LIMITED PARKING”

means regulated or restricted parking.

“LOADING ZONE”

means that portion of a highway designated by a traffic control device for the exclusive use of vehicles loading or unloading passengers or property.

“METERED SPACE”

means a section of highway or designated parking area/space at which a parking meter has been installed.

“ONE WAY STREET”

means a highway designated as one way, by traffic control devices upon which vehicles shall move only in the direction indicated.

“OPERATOR”

means any person who drives, operates, propels or is in physical control of a vehicle, and shall be deemed to include the person in whose name the vehicle is registered.

“OVERPARKED”

means the standing of a vehicle, whether occupied or not, contrary to a traffic control device.

“OWNER”

means as applied to a vehicle:

- (1) the person who holds the legal title to the vehicle; or
- (2) the person who is entitled to be and is in possession of the vehicle;
or
- (3) the person in whose name the vehicle is registered.

“PARADE”

means the procession or group of pedestrians numbering more than twenty, standing, marching or walking on any street or sidewalk, or any group of vehicles numbering ten or more standing or moving on any street; funeral procession excepted.

“PARK”

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

“PARKING METER”

means an automatic or other mechanical traffic control device used for the purpose of allotting, measuring and recording the duration of parking.

“PARKING STALL”

means a portion of a highway or City parking lot indicated by a traffic control device as a parking place for one vehicle.

“PARKING COUPON DISPENSER”

means a device for the purpose of allotting and controlling parking, upon deposit of a coin, coupon or other form of payment

“PEACE OFFICER”

means a police officer, a police constable, bailiff or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process.

“PERMIT”

means a document in writing issued pursuant to this by-law.

“PERSONS”

means human beings, male or female, and includes a company or body corporate.

“PHYSICALLY DISABLED PLACARD”

means:

- (1) a valid numbered physically disabled placard issued by an agency appointed by the Province of British Columbia to a physically disabled person;
- (2) a permit or identification marker issued to a physically disabled person by another jurisdiction provided that the permit or identification marker displays the international wheelchair symbol, a serial number, the name or unique identification number of the person to whom the permit was issued, the issuing jurisdiction's name, and an authorizing signature, original or mechanically reproduced, or name of an official representing the issuing jurisdiction; or,

“PHYSICALLY DISABLED PERSON”

means a person who suffers from a permanent or temporary disability rendering it difficult or burdensome to walk.

“PUBLIC PARKING AREA”

means an open area, structure, private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.

PUBLIC WORKS MANAGER

means the person appointed as such by the City, and any person delegated to assist him in carrying out his duties under this by-law.

“RECREATION VEHICLE”

means a chassis-mounted camper, motor home, holiday trailer, or boat and trailer intended exclusively for recreational use.

“RESERVED PARKING”

means a parking stall reserved for a special use as indicated by a traffic control device.

“RESIDENTIAL AREA”

means any area zoned for residential land use in the Zoning By-Law of the City.

“RESIDENTIAL PARKING PERMIT”

means a permit which authorizes the parking of a vehicle on a highway contrary to a traffic control device issued pursuant to this by-law.

“ROAD CLOSURE PERMIT”

means a permit which authorizes the closure of a highway or portion of a highway.

“SHOULDER”

means the portion of the highway between the travelled portion of an uncurbed highway and the ditch; or if there is no ditch, the area between the travelled portion of the highway and the boulevard.

“SIDEWALK”

means the portion of a highway intended exclusively for use by pedestrians.

“SIDEWALK CROSSING”

means the alteration portion of a sidewalk or curb for the passage of vehicular traffic.

“TIME”

means either Pacific Standard Time, or Pacific Daylight Saving Time, whichever is proclaimed to be in effect by the Province of British Columbia.

“TRAFFIC NOTICE”

means a Notice of Traffic Violation.

“TRAFFIC CONTROL DEVICE”

means a sign, traffic control signal, line, parking meter, marking, space, barricade, or other device, placed or erected under this by-law.

“TRAILER”

means a vehicle, excluding a recreation vehicle, that is at any time drawn upon a highway by a motor vehicle.

“TRUCK ROUTE”

means a highway or portion of a highway or a series of connected highways, designated as a “Truck Route” on which heavy vehicles may travel at any time.

“WALKWAY”

means a public way designed and intended exclusively for use by pedestrians.

PART II – AUTHORITIES

201 PUBLIC WORKS MANAGER

The Public Works Manager by himself or anyone under his direction is hereby authorized and empowered to order to place, replace or alter traffic control devices at any location he may determine to give effect to the provisions of the Motor Vehicle Act and this by-law.

202 PEACE OFFICERS:

Peace Officers, or any person duly authorized, may:

- (1) issue traffic notices for violations of this by-law;
- (2) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device;
- (3) impound any vehicle, trailer or cycle that is in violation of this by-law;
- (4) require the driver of any vehicle to weigh same at any weigh scale forthwith.

203 FIRE CHIEF:

The Fire Chief, or any person duly authorized, may:

- (1) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device;
- (2) impound any vehicle, trailer , cycle, roller skates, in-line skates, foot propelled scooter or small apparatus in violation of this by-law.
- (3) designate in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass.

204 BY-LAW ENFORCEMENT OFFICER:

The By-Law Enforcement Officer or any person duly authorized may:

- (1) issue traffic notices for violations of this by-law;
- (2) place temporary "No Parking" signs and barricades or other applicable traffic control devices;
- (3) issue parking permits for residential parking, special vehicle use, or other purposes which may be approved, from time to time;
- (4) impound any vehicle, trailer , cycle, roller skates, in-line skates, foot propelled scooter or small apparatus in violation of this by-law.

PART III – GENERAL TRAFFIC REGULATIONS

301 TRAFFIC CONTROL DEVICES:

Notwithstanding any other provisions of this by-law, all traffic control devices installed in the City shall be deemed to be duly authorized traffic control devices under this by-law.

302 CONFORMANCE:

No person shall park, drive or operate a vehicle or cycle, in contravention of a traffic control device.

303 DAMAGE TO DEVICES:

No person shall drive or walk on or over a newly painted line or marking, nor remove or alter any traffic control device.

304 OBEY COMMANDS:

Every Person shall at all times comply with any lawful order, direction, signal or command made or given by a police officer, by-law enforcement officer, fireman, flagman, ambulance attendant, or school patrol.

305 SPEED LIMITS – HIGHWAY:

No person shall operate a vehicle on a highway at a greater rate of speed than fifty (50 km/h) kilometers per hour unless otherwise posted.

306 SPEED LIMITS – LANEWAY:

No person shall operate a vehicle on a laneway at a greater rate of speed than twenty (20 km/h) kilometers per hour.

307 SPEED LIMITS – CONSTRUCTION:

No person shall operate a vehicle within a construction zone at a speed greater than thirty (30 km/h) kilometers per hour unless otherwise posted.

308 DAMAGE TO SIDEWALKS:

- (1) No person operating a vehicle shall park, drive in, over or upon any walkway, sidewalk, curb or boulevard so as to encumber, obstruct, or damage the same.
- (2) When a sidewalk crossing is not available, crossing by a vehicle will be permitted upon adequate provision being made to protect the sidewalk or boulevard from damage by the use of suitable planking or other material, having due consideration for the size and weight of the vehicle and load.

309 BLOCKING INTERSECTIONS:

No person operating a vehicle shall block an intersection or a marked crosswalk, notwithstanding any traffic control signal.

310 VEHICLE WHEELS:

- (1) No person shall, without a permit, operate on a highway a vehicle having wheels, tires, 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.
- (2) Nothing in this section is intended to prohibit the use of snow chains or studded tires during the period from October 1st in any calendar year to April 30th of the following year.

311 TRUCK ROUTES:

- (1) The highways outlined in red on Schedule "A" attached to and forming part of this by-law are hereby designated as truck routes.

- (2) No person shall drive or cause to be driven a truck exceeding a gross vehicle weight of sixteen thousand (16,000) kg upon a highway not classified as a truck route, except:
- (a) trucks destined for premises not abutting a truck route provided the truck operator travels by the closest and most direct route to the destination of the trip upon entering or leaving the truck route; drivers must be able to present bill of lading or delivery slip indicating address
Contractors with deliveries of over seventy-five (75) cubic meters of goods destined for multiple deliveries to a single address off the truck route shall apply to the Bylaw Enforcement Officer for an appropriate route
 - (b) the performance of public services carried out by employees or contractors of the City, the Ministry of Transportation and Highways or any public or private utility company;
 - (c) trucks exceeding a gross vehicle weight of sixteen thousand (16,000) kg may be driven on Voght Street between Nicola Avenue and River Ranch Road provided the truck or truck-trailer combination consists of three (3) or less axles; or,
 - (d) non-commercial trucks pulling recreational trailers.
 - (e) trucks being operated by a registered truck driving school subject to any further weight restrictions deemed necessary by Council.
 - (f) single unit 4/5 axle trucks configured with tandem steering axles, tandem drive axles and a tag-axle which is lowered when the truck is loaded. Amending Bylaw No. 1954, 2006
- (3) No person shall drive or cause to be driven a vehicle exceeding a gross vehicle weight of sixteen thousand (16,000) kg., upon a highway in a residential zone of the City, except where permitted by section 311(2)(a). Recreational vehicles are exempted from this provision. Amending Bylaw No. 1954, 2006

312 LOAD LIMITS:

No person shall, without a permit issued under authority of this by-law and subject to the provisions of this by-law, operate on a highway a vehicle or combination of vehicles and trailers having a weight not conforming to the requirements of the Commercial Transport Act and Regulations thereto.

313 VEHICLE SIZE:

No person shall, without a permit, and subject to the provisions of this by-law, operate on a highway a vehicle or combination of vehicles and trailers having a size not conforming to the requirements of the Motor Vehicle Act and Commercial Transport Act and Regulations thereto.

314 TRAFFIC AND LOAD RESTRICTIONS:

Where in the opinion of the Public Works Manager 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 therein or the vehicles used therein.

315 OVERLOAD OVERSIZE PERMIT:

- (1) Overload and/or Oversize Permits may be issued to persons transporting extraordinary commodities.
- (2) Applications are processed through the Public Works Department
- (3) Permit Cost – No charge, except for any direct costs incurred due to utility relocation.

316 CYCLES:

- (1) No person shall ride a bicycle on a sidewalk or walkway.
- (2) No person shall leave a cycle on a highway or public place in a position which obstructs the free movement of pedestrian or vehicle traffic, and where a cycle is found as stated herein, the said cycle may be impounded forthwith.

317 DRIVING ON BIKEWAY:

- (1) No person shall ride, drive or lead an animal, or move, drive, run, propel, or park any vehicles along, over or across any bikeway except at bikeway crossings specifically constructed for vehicular traffic.
 - (a) Light carriages or chairs designed for the conveyance of children or invalids may be operated on a bikeway.
- (2) All cyclists must yield right-of-way to any pedestrian, light carriages or chairs designed for the conveyance of children or invalids stationed or standing upon crossings or proceeding along any bikeway.

318 PROOF OF PAYMENT:

Proof of Payment for any parking or traffic notice shall be an official receipt obtainable at City Hall.

319 OFFICIAL PARKING PERMIT:

- (1) Official Parking Permits may be issued annually to persons engaged in duties directly related to the administration of the City in an official or service capacity.
- (2) Applications are processed through the By-Law Enforcement office and permit holders must supply the appropriate vehicle licence plate and registration numbers.

320 RESIDENTIAL PARKING PERMIT:

- (1) Residential Parking Permits may be issued annually on request to homeowners in areas of the City where limited parking restrictions are in force.
- (2) One permit may be issued for every eight (8) m of highway frontage available to each residence or lot.
- (3) Permit Cost – No Charge.

321 COURTESY PARKING PERMIT:

- (1) Courtesy Parking Permits may be issued to persons from out of town attending conventions, seminars or other activities where large numbers of people are staying temporarily in the City.
- (2) Applications will be in writing and must be received at least one month before the event is to take place.
- (3) Permit Cost – No Charge.

322 EXEMPTIONS:

The operator of any of the following vehicles shall be exempt from the provisions of Section 507 of this by-law:

- (1) Vehicles identified by sign or insignia as belonging to the City;
- (2) Vehicles having attached to the windshield a permit issued under Section 319 and 321.

323 REMOVAL OF TRAFFIC NOTICES:

No person, other than the owner or operator of a vehicle, shall remove from a vehicle any traffic notice issued under the authority of this by-law.

324 IMPOUNDMENT OF VEHICLES:

- (1) A Peace Officer or Bylaw Enforcement Officer, finding a vehicle unlawfully occupying any portion of a highway or public place, may detain, remove or impound such vehicle, and thereupon shall cause it to be taken to a place of storage.
- (2) All costs and charges for the removal, care, or storage of a motor vehicle removed under this by-law shall be paid by the owner of the motor vehicle, and shall be a lien thereon in favour of the keeper of any repair shop, garage or storage place in which that motor vehicle is stored, and the same may be enforced by him in the manner provided by the "Repairers Lien Act" or the "Warehouse Lien Act."

325 REGULATED PARKING ZONES:

All highways and City parking lots, where parking is permitted or restricted are hereby designated as regular parking zones and traffic control devices may be placed from time to time to indicate such regulations or restrictions.

326 SKATING ON DOWNTOWN SIDEWALKS:

No person shall use any roller skates, inline skates, skateboard, foot-propelled scooter, or small apparatus on any sidewalk located in the area shown on Schedule "B".

327 REMOVAL, DETENTION AND IMPOUNDMENT:

- (1) Where any person uses roller skates, inline skates, skateboard, foot-propelled scooter, or small apparatus in contravention of subsection 326, the roller skates, inline skates, skateboard, foot-propelled scooter, or small apparatus may be seized by a Bylaw Services Officer or Police Officer.
- (2) The Bylaw Services Officer or Police Officer may remove, detain and impound, or cause the removal, detention or impoundment of the roller skates, inline skates, skateboard, foot-propelled scooter, or small apparatus occupying a street in contravention of subsection 326.
- (3) After removal, detention or impoundment, the person entitled to the possession of the roller skates, inline skates, skateboard, foot-propelled scooter, or small apparatus may obtain its release upon signing an undertaking that the person will not again place it on, above or in any street in contravention of subsection 326 and upon payment to the City of the following fees, costs and expenses:

Removal fee:	\$25.00
Impoundment fee:	\$2.00 per day, including the first day

- (4) If the person entitled to the possession of any detained object does not, within fourteen (14) days of its detention, including the date of detention, sign the undertaking and pay the fees, costs and expenses as specified, and it appears to the Bylaw Services Officer that the object detained has a market value, the City may immediately thereafter cause it to be sold by public auction to the highest bidder, but may otherwise cause it to be disposed of as garbage.
- (5) No action taken pursuant to any of the preceding subsections shall prevent the prosecution of any person who contravenes subsection 326.

PART IV – PEDESTRIAN REGULATIONS

401 **CROSSING HIGHWAYS:**

No pedestrian shall stand on the travelled portion of a highway while waiting to cross a highway.

402 **ENTERING ROADWAY:**

No pedestrian shall leave the curb, or other place of safety and walk or run into the path of a vehicle that is so close that it is impractical for the driver to stop.

403 **WALKING ON ROADWAY:**

No pedestrian shall walk on the travelled portion of a highway if a sidewalk or shoulder or other space is available as a walking area.

404 **CROSSWALKS:**

No pedestrian, crossing a highway where marked crosswalks exist, shall cross outside the limits of the markings.

405 **TRAFFIC CONTROL SIGNAL:**

No pedestrian shall cross a highway in a crosswalk in contravention of a traffic control signal.

406 HITCH HIKING:

No pedestrian shall stand upon or walk along a travelled portion of the highway for the purpose of soliciting a ride.

407 WALKING ON HIGHWAYS:

Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall give the right of way to all vehicles on the highway.

PART V – PARKING REGULATIONS

501 UNLAWFUL PARKING:

- (1) No person shall park a vehicle in any public place unless such person shall comply with all conditions of this by-law and other regulations posted by traffic control devices.
- (2)
 - (a) Where a motor vehicle or trailer is left, without the consent of the occupier of private property on such private property in the City, the owner of a motor vehicle or trailer shall be deemed to have authorized and empowered the occupier to be his agent for the purpose of towing the motor vehicle or trailer to a place of storage and of storing it;
 - (b) The agent has a lien against the motor vehicle or trailer for all reasonable advances made or charges incurred in connection with the towing and storing of the motor vehicle or trailer in the course of the agency;
 - (c) The procedure respecting enforcement of the lien shall be governed by the “Warehouse Lien Act”.

502 TIME LIMITS:

Notwithstanding any other provisions of this part, no person shall park a vehicle on any highway for more than forty-eight (48) hours continuously.

503 CONTROLLED PARKING–PARKING METERS:

- (1) No vehicle shall be stopped, standing or parked on a highway or designated parking area/space in such a manner as to occupy more than a single metered space, except that a vehicle of greater length than a single metered space may, when stopped, standing or parked, occupy not more than two adjacent metered spaces.
- (2) Except on holidays as defined in the *Interpretation Act* and except as provided in section 512, no person shall cause a vehicle to remain in a metered space for a period of time which exceeds the maximum posted time (between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday), on the parking meter installed at that metered space, whether or not the signal in the window of the parking meter shows the word “expired” or “violation”, or there is no time remaining.
- (3) Subsections (1) and (2) shall not apply to emergency vehicles or vehicles identified by sign or insignia as belonging to the City, or having written authorization from the City.
- (4) No person shall:
 - (a) tamper with, or in any way interfere with, the working of any parking meter;
 - (b) deposit or cause to be deposited in any parking meter, any article or thing other than the coins prescribed for that purpose;
 - (c) in any way damage a parking meter, or fitting, or mounting standard.

504 PARKING GAP:

No person, where vehicles are parked parallel to the edge of the roadway, shall park a vehicle closer than one (1) m from any other parked vehicle.

505 LANE PARKING:

- (1) Whenever access can be had to any laneway, all deliveries or collections of goods to or from any commercial building shall be made therefrom.

- (2) No person shall park a vehicle in a laneway unless he is actively engaged in the loading or unloading of goods from a vehicle in which case parking will be permitted for a period of up to fifteen (15) minutes.
- (3) No person shall park a vehicle in a laneway for the purpose of loading and unloading where a loading zone is provided on site.

506 PROHIBITED PARKING:

- (1) Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a peace officer or traffic control device, no person shall stop, stand or park a vehicle:
 - (a) on a sidewalk or boulevard except where parking on a boulevard has been approved by permit issued under section 519; Amending Bylaw No. 1991, 2007
 - (b)
 - (i) in front of a public or private driveway in a residential district;
 - (ii) in front of nor within two (2) m of a public or private driveway in a commercial or industrial zone.
 - (c) within an intersection;
 - (d) within five (5) m of a fire hydrant measured from a point in the curb or edge of the highway which is closest to the fire hydrant;
 - (e) on a crosswalk;
 - (f) within six (6) m of the approach side of a crosswalk;
 - (g) within sic (6) m upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a highway;
 - (h) within six (6) m of an intersection;
 - (i) within fifteen (15) m of the nearest rail of a railway crossing;

- (j) upon any highway for the purpose of:
 - (i) displaying a vehicle for sale;
 - (ii) advertising, greasing, painting, wrecking, storing, or repairing any vehicle, except where repairs are necessitated by an emergency;
 - (iii) displaying signs;
 - (iv) selling any product.
 - (k) alongside or opposite a highway excavation or obstruction when stopping, standing or parking obstructs traffic;
 - (l) upon a bridge or other elevated structure on a highway, or within a highway tunnel, except as permitted by a traffic control device;
 - (m)
 - (i) on a highway in such a manner as to obstruct or impede the normal flow of traffic;
 - (ii) or on a marked lane of a laned highway.
 - (n) in a place in contravention of a traffic control device that gives notice that stopping, standing, or parking there is prohibited or restricted;
 - (o) in such a manner as to obstruct the visibility of any standard traffic sign.
- (2) No person shall move a vehicle that is not lawfully under his control into any of the places mentioned in subsection (1).

507 LIMITED PARKING AREAS:

No person shall stop, stand, park or overpark a vehicle on a highway, for any length of time, in excess of the maximum period of time posted.

508 PARKING DISTANCE FROM CURB:

- (1) No person shall park a vehicle on a highway except on the right-hand side thereof, and the right-hand wheels shall be not further than thirty (30) cm from the face of the curb.
- (2) On any one-way highway, a person may park on the left-hand side of the highway, in the same direction as the normal flow of traffic, however the left wheels shall be not be further than thirty (30) cm from the face of the curb.

509 DOUBLE PARKING:

No person shall double park a vehicle on a highway.

510 TRAILER PARKING:

No person shall park any trailer or unattached recreational trailer vehicle upon any highway unless in emergency situations or the trailer is attached to a vehicle by which it may be propelled or drawn.

511 SCHOOL AND PLAYGROUND ZONES:

No person shall park a vehicle on a highway on the side adjacent to a school or playground where such school or playground is unfenced, or within eight (8) m from an opening in a fenced school or playground, between 08:00 hours and 17:00 hours in a school zone on days when school is normally in session, and between dawn and dusk in a playground zone on any day.

512 LOADING ZONES:

No person shall park a vehicle in a loading zone unless he is actively engaged in the loading and unloading of goods or passengers from a vehicle, and then the maximum duration of parking shall be ten (10) minutes.

513 BUS STOP ZONE:

No person shall stop or park a vehicle in a bus stop zone.

514 PHYSICALLY DISABLED PARKING SPACES:

No person shall park a vehicle in a parking space designated for use by the physically disabled unless such vehicle displays a Physically Disabled Placard when used by the physically disabled person to which it was issued.

515 RESIDENTIAL PARKING PERMIT:

No person shall park a vehicle on a highway in a residential area contrary to a traffic control device unless such person has acquired an authorized Residential Parking Permit, and such permit is displayed on the vehicle, and the vehicle is parked in accordance with the conditions of the permit.

516 WEIGHT RESTRICTIONS:

Notwithstanding any other provisions of the by-law and section 516 no person shall park any vehicle, exceeding a gross vehicle weight exceeding sixteen thousand (16,000) kg in any residential or public use zone as set out in the City's Zoning Bylaw. Recreational vehicles are exempted from this provision, but may only be parked on a City street for a consecutive period no longer than two (2) hours. Amending Bylaw No. 1954, 2006

(a) Owners of vehicles in excess of sixteen thousand (16,000) kg GVW may apply to the City for a permit to park in a residential area subject to the following conditions: Amending Bylaw No. 1954, 2006

- (i) Applications to the Bylaw Enforcement Officer in the form of Schedule E attached to and forming part of this bylaw for a truck parking permit must be received by the City no later than April 30, 2007. Applications received after April 30, 2007 will additionally require signed consent from the applicant's neighbours, specifically the neighbours directly abutting the property of the requested parking spot and the three (3) neighbours directly facing the requested spot.
- (ii) Received applications will be reviewed by the Bylaw Enforcement Officer to ensure that parking in the requested area is safe and will not pose hazards. Designation of a permitted parking area and issuance of a permit is at the sole discretion of the City.

- (iii) Parking permits issued under this provision are subject to revocation by Council where three or more complaints from the public have been received and upon recommendation of the arbitration committee.
- (iv) Only one (1) permit per residence will be issued.
- (v) No combination units are permitted parking in residential areas with or without permit.
- (vi) No prolonged idling (in excess of three (3) minutes) is permitted and a licensed driver must be in the vehicle during idling.
- (vii) Application must be made by the permit holder to the City annually to renew a valid truck parking permit. Lapsed permits will require reapplication with consent of the neighbours as identified in section 516(a) (i).
- (viii) Truck parking permits are not transferable.
- (ix) Where the City has refused to issue a truck parking permit the applicant may appeal the decision to the Truck Parking Committee duly appointed by Council. A further refusal by the Truck Parking Committee shall be binding. Amending Bylaw No. 1954, 2006

517 UNAUTHORIZED VEHICLES:

No vehicle shall enter, park or otherwise pass through any City property which is posted to prohibit vehicle access, with the exception of vehicles identified by sign or insignia as belonging to the City, or having written authorization from the City.

518 OFF-STREET PARKING FOR THE PHYSICALLY DISABLED:

- (1) Every owner of a public parking area shall provide reserved parking spaces for the exclusive use of physically disabled persons, or persons conveying physically disabled persons, to park their motor vehicles, as required by the City.

- (2) These parking spaces are to be identified by authorized signs which shall:
 - (a) be at least thirty (30 cm) centimetres in width and sixty (60 cm) centimetres in height; and,
 - (b) display the symbols and colours as shown in Schedule "D" to this bylaw, but one (1) or both of the arrows may be deleted.
- (3) The Public parking area owner is responsible for:
 - (a) the procurement, installation and maintenance of the authorized signs, and,
 - (b) for ensuring that the shape, symbols and colour of the authorized signs conform to the provisions of subsection (2).
- (4) No person shall park or leave a motor vehicle in a public parking area in a parking space reserved for physically disabled persons and identified by authorized signs, unless a valid physically disabled placard is displayed upon the rear view mirror or the dashboard of the motor vehicle.
- (5) The provisions respecting the placement of a valid physically disabled permit shall be deemed to be satisfied if a valid physically disabled permit is placed on the dashboard of the motor vehicle at the request of a Police Officer, Bylaw Enforcement Officer, or a public parking area owner or operator.
- (6) Public parking area owners shall not authorize any person, other than a physically disabled person or a person conveying a physically disabled person, to park a motor vehicle in any space reserved for physically disabled persons and identified by authorized signs.
- (7) A Bylaw Enforcement Officer or Police Officer does not require the written complaint of the public parking area owner or operator to enforce the provisions of subsection (4) hereof.
- (8) Public parking area owners and operator shall maintain unobstructed access to each parking space and each space shall be kept free of snow or otherwise maintained to the same standard as all other parking spaces in the same parking area.

519 PERMITS

Residents may apply for a permit to park a recreational vehicle on the boulevard area attached to their residence. Permits will be issued subject to the following:

- (1) Application must be made annually on the form attached to and forming part of this bylaw as Schedule "F". Applications require signed consent from the applicant's neighbours, specifically the neighbours directly abutting the property of the requested parking spot and the neighbour directly facing the requested spot.
- (2) Received applications will be reviewed by the Bylaw Enforcement Officer to ensure that the parking in the requested area is safe and will not post hazards. Designation of the permitted parking area and issuance of a permit is at the sole discretion of the City.
- (3) Parking permits issued under this provision are subject to revocation by Council where three (3) or more complaints from the public have been received.
- (4) Only one (1) permit per residence will be approved.
- (5) Where the City has refused to issue a RV Parking Permit, the applicant may appeal the decision to the Truck Parking Committee appointed by Council. A further refusal by the Truck Parking Committee shall be binding.
- (6) Issued permits must be prominently displayed in the parked Recreational Vehicle at all times. Vehicles without a valid permit shall be determined to be illegally parked and will be fined. Amending Bylaw No. 1991, 2007

PART VI – USE OF HIGHWAYS REGULATIONS

601 DRAINAGE:

No person shall alter or stop the flow of water through any drain, sewer, ditch or culvert on any highway.

602 LITTERING:

- (1) No person shall operate on a highway, a vehicle or combination of vehicle and trailer unless it is so constructed, loaded, or covered as to prevent any of its load from dropping, shifting, leaking, or otherwise escaping therefrom.
- (2) Should any material, due to any cause whatsoever, fall from the vehicle, the operator shall forthwith take all reasonable precautions to safeguard traffic from the consequences thereof and shall remove such material from the spillage area.
- (3) No person shall place, throw, deposit or discard on any highway any rubbish, letter or waste material of any description.
- (4) No person shall expectorate on any highway.

603 CONSTRUCTION:

- (1) No person shall excavate or construct any works or occupy the highway for purposes of construction adjacent to the highway unless otherwise authorized by permit issued by the Public Works Manager.
- (2) Where authorized works are carried out on, over, or under any highway, appropriate signs, flashers, barricades or other warning devices shall be provided around the construction zone to the satisfaction of the Public Works Manager.

604 IMPEDING TRAFFIC DAMAGE TO HIGHWAYS:

No person shall cut, saw, break, split, place, or pile firewood, lumber, blocks, stone, debris, or other material or mix mortar or do any act upon any highway which impedes traffic or causes damage to same.

605 NOISE AND ADVERTISING:

No person shall operate upon a vehicle any calliope, loudspeaker or other noise-making device upon the streets of the City for advertising or other purposes unless a permit has been applied for and granted by the Public Works Manager.

606 TREES OVER HIGHWAY:

Every person being the owner or occupier of real property shall cause all trees, shrubs or other vegetation to be properly trimmed and cut back, so as to prevent physical obstruction and visibility impairment to pedestrian and vehicle traffic on the sidewalk or highway.

607 STRUCTURES OVER HIGHWAYS:

- (1) No person shall, except as provided herein or by any other by-law, or unless otherwise authorized by the Public Works Manager, erect or maintain any structure which encroaches on or over any highway or public land.
- (2) Approved structures overhanging the highway shall have a minimum clearance of two and a half (2.5) m above any sidewalk or walkway and five (5) m above any roadway.
- (3) No person shall place, erect, remove or alter any sign, structure or other device on or over a street or land without the express consent of the Public Works Manager.
- (4) No person shall construct, use or maintain works within a roadway or lane without a permit from the City. Any person wishing to construct, use or maintain works within a roadway or lane shall first make application to the Public Works Manager in the for prescribed in Schedule "G" attached to and forming part of this bylaw. Amending Bylaw No. 2048, 2008

608 PARADES:

- (1) Any person desiring to hold a parade shall prior to the event make application in writing to the Public Works Manager, and in such application, furnish the following information:
 - (a) the name and address of the applicant;
 - (b) the nature and object of such parade;
 - (c) the month, day and hours during which the parade will be held;

- (d) a description of the intended route of the parade and assembly area or the intended area in which the parade will be limited to, as the case may be; and
 - (e) a description of the composition of the parade.
- (2) The Public Works Manager may approve or disapprove of the aforesaid application and, if the approval is given, may issue an order permitting the parade on such terms and conditions as he deems appropriate.
 - (3) The Public Works Manager is authorized to regulate and to control pedestrian and vehicular traffic over the route or area in which the parade will occur.
 - (4) If the Public Works Manager does not approve the application for the parade then the applicant may present its application to Council.

609 FUNERAL PROCESSION:

- (1) The operator of a vehicle in the lead of a funeral procession approaching an intersection where a traffic control device exists, shall comply with the instruction of such device, and shall not enter the intersection until it is safe to do so.
- (2) Every person operating a vehicle in a funeral procession shall have the headlamps of such vehicle on for the duration of the procession.

610 PROPERTY ACCESS:

No person shall alter an existing access to a property or construct a new access to a property without obtaining an access permit from the Public Works Manager.

PART VII – PENALTIES

701 GENERAL PENALTY:

Every person who commits an offence under this by-law, for which a specific penalty has not otherwise been designated, is liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00).

702 TRUCK PARKING VIOLATIONS: Amending Bylaw No. 1954, 2006

- (1) (a) Any person guilty of an infraction of section 311 of this bylaw is liable to a fine of not less than One Hundred and Fifty Dollars (\$150.00)
- (b) Any person guilty of an infraction under section 516 is liable to a fine of not less than One Hundred and Fifty Dollars (\$150.00)

703 PARKING VIOLATION PAYMENTS:

- (1) Any person guilty of an infraction under Part V – Parking Regulations of this by-law shall be liable to a fine of not less than Twenty Five Dollars (\$25.00).
- (2) Notwithstanding anything hereinbefore contained, where any notice of a parking violation is issued pursuant to Part V – Parking Regulations of this by-law, any person may:
 - (a) within a day (24 hours) of issuance of a parking violation, pay to the City the sum of Ten Dollars Amending Bylaw No. 1954, 2006(\$10.00); and
 - (b) within 14 days of issuance of a parking violation, pay to the City the sum of Fifteen Dollars Amending Bylaw No. 1954, 2006 (\$15.00).
- (3) That Schedule “B”, attached to and forming part of this bylaw: be the Traffic Bylaw Offence Notice of the City of Merritt.,

704 DEFAULT:

In addition to any other penalty which may be incurred, anyone failing to comply with the provisions of Part VI of this by-law within the time limited therefore, or within a reasonable time upon notice to that effect by the City, shall be subject to the City carrying out any such work at the expense of the offender, and any charges or costs incurred by the City in this regard, shall be recoverable by it in any Court of competent jurisdiction.

705 RESPONSIBILITY OF OWNER:

- (1) The owner of a vehicle shall incur the penalties provided for any violation of this by-law with respect to any vehicle owned by him unless at the time of such violation the vehicle was in the possession of some person other than the owner without the owner's consent; but nothing in this section shall relieve the operator of a vehicle not being the owner, from incurring the penalties provided for such violation.

- (2) The onus of establishing that the vehicle was in the possession of some person other than the owner rests with the owner.

706 SEVERABILITY

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw remains in effect.

READ A FIRST TIME THIS 10TH DAY OF JANUARY, 2006

READ A SECOND TIME THIS 10TH DAY OF JANUARY, 2006

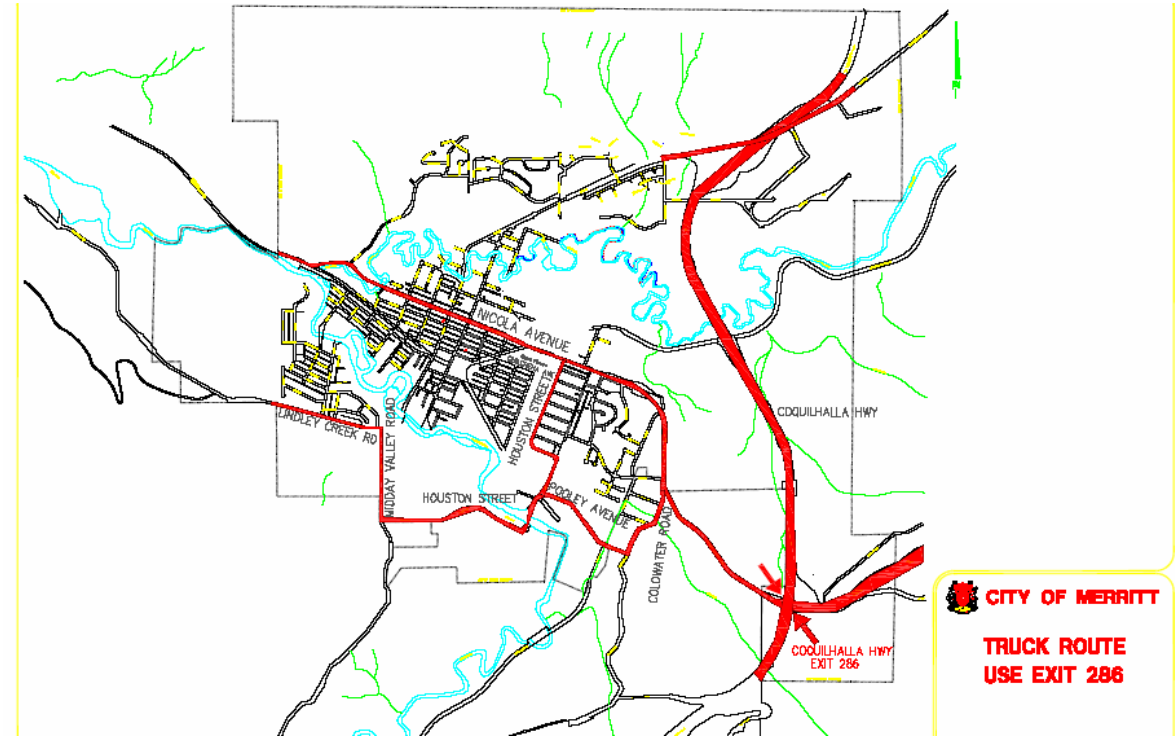
READ A THIRD TIME THIS 10TH DAY OF JANUARY, 2006

ADOPTED THIS 24TH DAY OF JANUARY 2006

**Original signed by
David Laird, Mayor**

**Original signed by
Ruth Tolerton, Corporate
Services Manager**

SCHEDULE "A" – TRUCK ROUTE



SCHEDULE "B" – TRAFFIC BYLAW OFFENCE NOTICE



CITY OF MERRITT
 P.O. Box 189
 2185 Voght Street
 Merritt, British Columbia V1K 1B8
 Tel: (604) 378-4224

A1 5051

BYLAW OFFENCE NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU ARE ALLEGED TO HAVE COMMITTED AN OFFENCE AGAINST STREET & TRAFFIC BYLAW NO. 1930, 2006 OR OTHER CITY OF MERRITT BYLAW AS INDICATED

ISSUED TO:

PROV/STATE	B.C.	LICENCE	COLOUR
MAKE	MODEL	IMPOUND	METER
AT OR NEAR			
ON THE DAY	AT THE TIME OF		
M	M	D	D
	20		M

NAME _____

ADDRESS _____

DATE OF BIRTH: YEAR MONTH DAY DRIVER'S LICENCE NO. _____

PARKING ON A HIGHWAY, PARKING LOT OR SPACE

- | | |
|---|---|
| <input type="checkbox"/> 01 WITHIN 5M OF A FIRE HYDRANT | <input type="checkbox"/> 09 IN A LOADING ZONE OR LANEWAY |
| <input type="checkbox"/> 02 IN A FIRE LANE | <input type="checkbox"/> 10 IN A DISABLED ZONE |
| <input type="checkbox"/> 03 IN A NO PARKING ZONE | <input type="checkbox"/> 11 TRAILER PARKED ON HIGHWAY |
| <input type="checkbox"/> 04 WITHIN 6M OF AN INTERSECTION | <input type="checkbox"/> 12 IMPEDE NORMAL FLOW OF TRAFFIC |
| <input type="checkbox"/> 05 ON A CROSSWALK | <input type="checkbox"/> 13 LONGER THAN 48 HOURS |
| <input type="checkbox"/> 06 ON A SIDEWALK, BLVD OR SHOULDER | <input type="checkbox"/> 14 DOUBLE PARKED ON HIGHWAY |
| <input type="checkbox"/> 07 OVERPARKED HR MIN LIMIT | <input type="checkbox"/> 15 WITHOUT RESIDENTIAL PERMIT |
| <input type="checkbox"/> 08 LONGER THAN 2 HOURS | <input type="checkbox"/> 16 IMPROPERLY PARKED |

QUICK PAY: IF PAID AT CITY HALL WITHIN 24 HOURS: \$10.00
 WITHIN 14 DAYS: \$15.00
 15-60 DAYS: \$25.00

OTHER VIOLATION \$ _____ *NOT ELIGIBLE FOR QUICK PAY

VEHICLES FOUND IN VIOLATION OF ANY OF THE PROVISIONS OF THE CITY OF MERRITT STREET & TRAFFIC BYLAW NO. 1930, 2006 AS AMENDED MAY BE REMOVED AND STORED AT THE OWNER'S EXPENSE.

PRINT NAME OR NUMBER OF ENFORCEMENT OFFICE	SIGNATURE OF ENFORCEMENT OFFICE
--	---------------------------------

PENALTY INFORMATION: THE PENALTY FOR OUT OF COURT SETTLEMENT IS SCALED FOR EARLY PAYMENT AS INDICATED ABOVE. Payments may be made in person at City Hall or after hours by placing into the CITY HALL DROP BOX or by mailing cheque or money order to the self-addressed envelope.
 Make cheque payable to THE CITY OF MERRITT

IF YOU WISH TO DISPUTE THIS NOTICE THEN PLEASE ATTEND CITY HALL. REPORT ANY ERRORS AT CITY HALL. FAILURE TO PAY FINE MAY RESULT IN ISSUANCE OF A SUMMONS.
 PLEASE ACCEPT YOUR CANCELLED CHEQUE AS YOUR RECEIPT.

A1 5051

SCHEDULE "C" – DISABLED PARKING SIGN

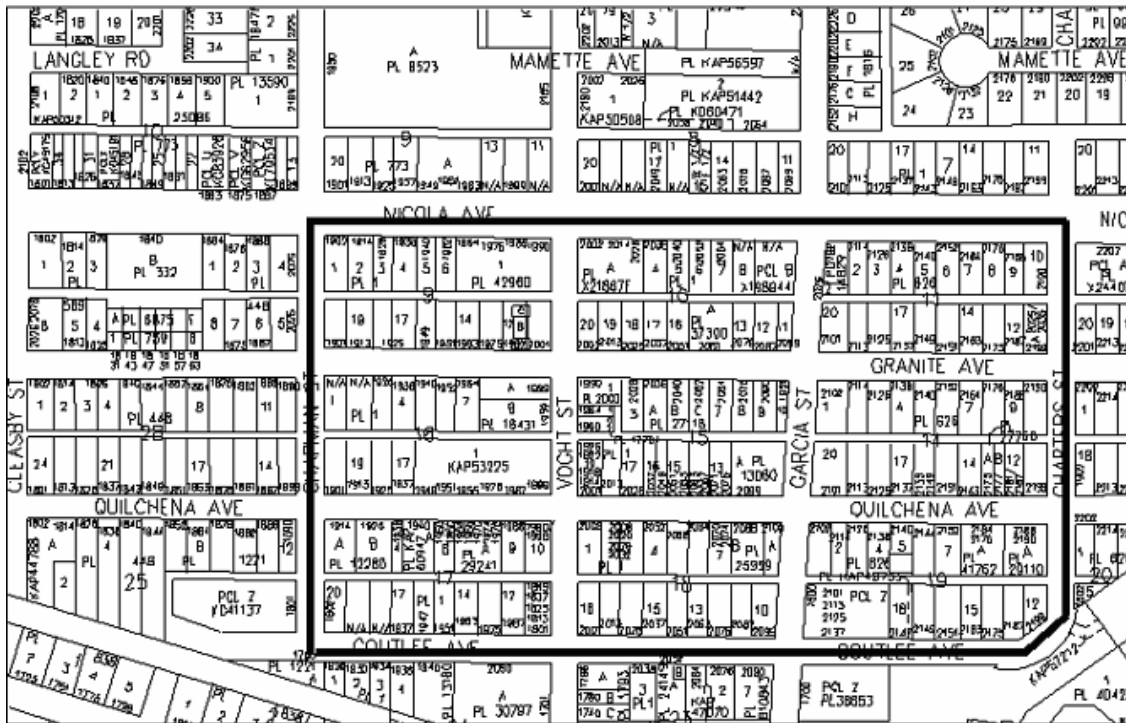


Specifications:

Size: 30 cm x 60 cm

Colour: White background throughout, Black lettering, international symbol for disabled in blue and white, or black and white

**SCHEDULE "D" – DOWNTOWN AREA WHERE ROLLER
SKATES, INLINE SKATES, SKATEBOARDS, FOOT-
PROPELLED SCOOTER AND SMALL APPARATUS ARE
NOT ALLOWED**



**SCHEDULE "E" - APPLICATION FORM FOR TRUCK PARKING
PERMIT**

Name: _____

Address: _____

Truck Model: _____ GVW: _____ Licence: _____

Telephone #: _____ Alternate Telephone # _____

Parking Location: In front of residence on private property at rear

Signature of Applicant: _____

Application Received: _____ Permit Approved: _____

Permit # Issued: _____ Signature: _____

Complaints Received:

1. Date: _____ From: _____

Comments: _____

2. Date: _____ From: _____

Comments: _____

3. Date: _____ From: _____

Comments: _____

Complaints Reviewed by Council (date): _____

Resolution: _____

**SCHEDULE "E" – CONSENT OF RESIDENTS TO ISSUANCE OF
TRUCK PARKING PERMIT**

I hereby attest through my signature below that I have no objections to a truck parking permit being issued

To: _____ for parking

At: _____

Resident 1 Name: _____

Address: _____

Signature: _____

Resident 2 Name: _____

Address: _____

Signature: _____

Resident 3 Name: _____

Address: _____

Signature: _____

Resident 4 Name: _____

Address: _____

Signature: _____

Resident 5 Name: _____

Address: _____

Signature: _____

SCHEDULE F City of Merritt Traffic Bylaw – Amending Bylaw No. 1991, 2007

**SCHEDULE “F” - APPLICATION FORM FOR RECREATIONAL
VEHICLE PARKING PERMIT**

Name: _____

Address: _____

RV Type _____ Licence: _____

Telephone #: _____ Alternate Telephone # _____

Boulevard at front: _____ Boulevard at rear _____

Signature of Applicant: _____

Application Received: _____ Permit Approved: _____

Permit # Issued: _____ Signature: _____

Complaints Received:

1. Date: _____ From: _____

Comments: _____

2. Date: _____ From: _____

Comments: _____

3. Date: _____ From: _____

Comments: _____

Complaints Reviewed by Council (date): _____

Resolution: _____

Personal information collected on this form is collected under the authority of Bylaw 1930.2006 and will be used only for the purposes of issuing and enforcing conditions set out by the City of Merritt bylaws.

**SCHEDULE "F" – CONSENT OF RESIDENTS TO ISSUANCE OF
RECREATIONAL VEHICLE PARKING PERMIT**

I hereby attest through my signature below that I have no objections to an RV parking permit being issued for parking on the boulevard

To: _____ for parking

At: _____

Resident 1 Name: _____

Address: _____

Signature: _____

Resident 2 Name: _____

Address: _____

Signature: _____

Resident 3 Name: _____

Address: _____

Signature: _____



SCHEDULE "G" Amending Bylaw No. 2048, 2008
CITY OF MERRITT TRAFFIC BYLAW

APPLICATION/PERMIT TO CONSTRUCT, USE, AND MAINTAIN WORKS WITHIN
A BOULEVARD, ROADWAY OR LANE

Company Name: _____

Address: _____

Attention: _____ Phone: _____

These proposed works are subject to the general conditions or noted special conditions as listed on this permit.

It is understood that the completion of this form constitutes an application only, and the works applied for will not commence until this permit has been approved.

Date of Application: _____ Signed: _____

The proposed works consists of and are described as follows:

Location of Works: _____ Drawing No. _____

The plans submitted shall consist of a key-map, general plan profiles, and where necessary, detail plans.

The drawings shall supply at least the following information:

- a. The legal boundaries of all road allowances or easements and adjacent legal lot descriptions.
- b. The proposed utility position (horizontal and vertical) related to legal boundaries and any existing utility or surface features within the public right-of-way.
- c. The details of all trench depths and backfill tanks, manholes, poles, boxes, bridges, culverts, walls, or other structures to be constructed, or standard drawing specifications where applicable.

Special Conditions
(To be completed by City):

Estimated Surface Repair Costs: (By City)

1. Asphalt Patching	_____
2. Concrete Repairs	_____
3. Other	_____
Estimated Total:	_____

Any of the above conditions apply to this permit approval and nothing in the above is meant to eliminate the general requirements that all work must be in accordance with the City of Merritt Subdivision & Development Bylaw and MMCD Construction standards, or in compliance with Provincial or Federal Regulations.

A cash deposit in the amount of \$_____ shall be deposited with the Engineering & Public Works Department to ensure construction is in accordance with approved plans and this permit.

City of Merritt Approval:
Public Works Department
2185 Voght Street
PO Box 189
Merritt, BC V1K 1B8
Phone: (250) 378-4224
Fax: (250) 378-2600

Approval: _____

Date: _____

Schedule G continued:
Permit General Conditions

A. Notification/Road Closures

1. No work shall commence until the drawing and this permit have been approved by the Engineering * Public Works Department and 3 prints of the approved drawings are received by the Engineering & Public Works Department.
2.
 - a) Prior to starting any work, a minimum of 48 hours notice in writing must be given to the Engineering & Public Works Department.
 - b) 24 Hours notice for the required City assistance in locating existing services shall be made to the City's Works Division.
3. Road Closures are not permitted without 24 hours notice given to the Public Works Department and Fire Department and approval of detour signing is received.
 - a) Scheduling may be restricted with respect to summer traffic, bus routes, or other project co-ordination.
4. Any existing utilities, electrical, water and sanitary services, hydrants, valves, etc., shall be located prior to construction and shall remain accessible and useable at all times.

B. Surface and Utility Repairs

1. Any damage to works or utilities including trees shall be reported immediately to the Public Works Dept. who may undertake repairs at the applicant's expense or direct that the applicant make the necessary repairs, with restoration equal to existing or to the satisfaction of the adjacent property owner.
2. No undermining under any existing concrete works is permitted . Replacement shall include cutting and complete removal of the total concrete section and any curb returns removed shall be replaced with standard wheel chair ramps.
3. All pavement patching shall be hot-mix asphalt. All cuts through pavement shall be a straight line, approved by the Public Works Department prior to patching and shall be completed within 48 hours of excavation.
4. No asphalt patching, or concrete repairs shall be done after October 30, without approval of the Public Works Department.

5. Written approval shall be received by the Parks Supervisor for any work within 2.0m of the branch spread of any tree within the public road allowance.
6. For any trench within the public road allowance, where the utility inverts are 1.0m or less, the backfill above the duct zone shall be 75m minus crushed gravel to finished subgrade.

C. Inspection and Acceptance

1. In the event that construction is contrary to the approval given by this permit, the applicant or utility owner shall correct the installation. Failure to comply with the requirements on this permit will give the City reason to order the applicant to stop work.
2. The applicant or owner of the utility shall place no liability on the City as a result of any damage arising out of this permit approval including a one year maintenance period.
3. Within 3 months of the "Notice of Substantial Completion", the applicant shall submit an as-built drawing to the Engineering & Public Works Department.
4. Clean up and dust control may require mechanical sweeping of all paved streets on a daily basis.
5. Upon notice in writing of the intention on the part of the City to construct, extend, alter, or improve any public works, the utility owner for which this permit is granted shall coordinate the City and within three (3) months from receipt of notice shall complete his relocation work as may be necessitated by the construction.