

DISTRICT OF SALMON ARM

BYLAW NO. 1971

A bylaw to regulate traffic, parking and the use of streets, within the District of Salmon Arm

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The *Council* of the *District* of Salmon Arm, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "*District* of Salmon Arm Traffic Bylaw No. 1971".

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PART I - DEFINITIONS

In this bylaw:

"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.

"BOULEVARD" means on a *street* with *curbs*, means that portion of the *street* lying between a *curb* and the adjoining property line, and on a *street* without *curbs*, means that portion of the *street* lying between the *shoulder* and the adjoining property line.

"BUS" means a vehicle for hire operated by British Columbia Transit, its designate or successor and used for the transportation of passengers and operated in conjunction with a *street* transportation system in the *District*, but does not include a custom transit vehicle.

"BUS STOP" means an area on a *street* marked for the stopping or parking of buses only, and:

- a) designated as such by *Council* or the *Director of Operations*; or
- b) delineated by a sign or extending 10 metres from and in the direction indicated on the sign;
- c) an area delineated by a red *curb* or line.

"BYLAW ENFORCEMENT OFFICER" means the person appointed by the *District* and any person delegated to assist him in enforcing municipal laws and regulations as set out in this bylaw.

"COUNCIL" means the *Council* of the *District* of Salmon Arm.

"COUPON DISPENSER" means an automatic meter, installed for the purpose of controlling and measuring the duration of parking, which dispenses a coupon upon full compliance with the provisions as specified on the dispensing machine."

"CROSSWALK" means

- a) a 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 *sidewalk* on one side of the *highway*, measured from the *curbs*, or in the absence of *curbs*, from the edges of the *roadway*;

"CURB" means the raised structural element which may be installed at the outside edge of a *highway* or median parking area;

"DISTRICT" means the *District* of Salmon Arm.

"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 *District* and any person delegated to assist him in carrying out his duties under this bylaw.

"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 any Fire Hall is constructed and in which any equipment for use in fighting fire and/or other emergency uses is held, stored or maintained and so marked by the *District*.

"HANDICAPPED ZONE" means that portion of a *highway* designated by a *traffic control device* for the exclusive use of vehicles displaying an authorized handicapped identification label.

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

"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, commercial, industrial or institutional property not exceeding 8 metres in width.

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

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

"DIRECTOR OF OPERATIONS" means the person appointed as such by the *District*, and any person delegated to assist him in carrying out his duties under this bylaw.

"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.

"OWNER" means as applied to a vehicle:

- a) the person who holds the legal title to the vehicle; or
- b) the person who is entitled to be and is in possession of the vehicle; or
- c) the person in whose name the vehicle is registered.

"PARADE" means the procession or group of pedestrians except members of the Armed Forces) numbering more than fifteen, standing, marching or walking on any *street* or *sidewalk*, or any combination of pedestrians, animals or vehicles numbering ten or more except funeral processions) standing or moving on any *street*.

"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 STALL" means a portion of a *highway*, *District* or Downtown Parking Commission parking lot indicated by a *traffic control device* as a parking place for one vehicle.

"PERMIT" means a document in writing issued pursuant to this bylaw.

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

"PEACE OFFICER" means any member of the Royal Canadian Mounted Police and any person delegated to assist him in carrying out his duties under this bylaw.

"PUBLIC PLACE" includes any place to which the public have access as of right or by invitation, express or implied;

"RESERVED PARKING" means a *parking stall* reserved for a special use as indicated by a *traffic control device*;

"ROAD CLOSURE PERMIT" means a *permit* which authorizes the closure of a *highway* or portion of a *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 to all of them collectively;

"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 altered portion of a *sidewalk* or *curb* so as to allow for the passage of vehicular traffic.

"STOP OR STAND" means,

- a) when required, a complete cessation from movement; and
- b) when prohibited, the complete cessation from movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a *peace officer* or *traffic control device*;

"STREET" includes public road, *highway*, bridge, viaduct, lane, *sidewalk* and parking lot, and any other way normally open to the public, but does not include a private right-of-way on private property;

"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 or Parking Violation.

"TRAFFIC CONTROL DEVICE" means a sign, traffic control signal, line, parking meter, marking, space, painted *curb*, barricade, or other device, placed or erected under this bylaw for the purpose of regulating vehicular and/or pedestrian traffic "and shall have the same meaning as the corresponding device in the "Motor Vehicle Act", and where such device is not included in the "Motor Vehicle Act" it shall have the same meaning as that described in the Manual of Uniform Traffic Control Devices of Canada as amended from time to time."

"TRAILER" means a vehicle, excluding a recreation vehicle that is at any *time* capable of being drawn upon a *highway* by a motor vehicle.

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

PART II - AUTHORITIES

OPERATIONS  
MANAGER

201. 1) The *Director of Operations* is hereby authorized to mark traffic lanes on *streets* and to designate *streets* or portions of *streets* on which a distinguishing single line, broken line or double line shall be marked, such lines need not be in the middle of the travelled portion of the *street*;
- 2) The *Director of Operations* is hereby authorized to designate *streets* or portions of *streets* upon which no vehicle shall be stopped or parked, or only such vehicle or classes thereof at such *times* and upon such conditions as may be prescribed;
- 3) The *Director of Operations* is hereby authorized to locate, establish and maintain on or over any *streets* such traffic signs, stop signs, traffic lights or reflectors, traffic discs, markers, blocks, standards, indicators, traffic control signals, or other devices or apparatus, whether automatic or manual, as may be deemed necessary for the regulation, direction and control of traffic or the promotion of special events;
- 4) Where owing to work of construction, repair, or maintenance, or owing to damage by accident or storm or other emergency, any *street* or any portion thereof is unsafe or unsuitable for traffic, or where a *parade* or other procession, a *street* festival, a race or other event which requires that traffic be restricted on or diverted from a *street*, the *Director of Operations*, *Council*, or any person duly authorized by either of them, may temporarily close such *street* or portion thereof to vehicular traffic, pedestrian traffic or both or otherwise restrict or divert the traffic thereon or therefrom, and for that purpose may place thereon lamps.



barriers, signs, notices, or other warnings.

PEACE OFFICERS          202.    1)    *Peace Officers*, or any person duly authorized, may  
in the

course of duty:

- a)    issue *traffic notices* for violations of this bylaw;
- b)    direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any *traffic control device*;
- c)    impound any vehicle, *trailer* or cycle that is in violation of this bylaw;
- d)    require the driver of any vehicle to weigh same at any weigh scale forthwith.

FIRE CHIEF                203.    1)    The *Fire Chief*, or any person duly authorized, may in the  
course

of duty:

- a)    direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any *traffic control device*;
- b)    impound, if necessary, for the purpose of carrying out required duties, any vehicle
- c)    c)    designate in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass.

BYLAW ENFORCEMENT OFFICER          204.    1)    The *Bylaw Enforcement Officer*, or any person duly authorized,

may:

- a)    issue *traffic notices* for violations of this bylaw;
- b)    place temporary "No Parking" signs and barricades or other applicable *traffic control devices*;
- c)    impound any vehicle, *trailer* or cycle in violation of this bylaw.

PART III - TRAFFIC REGULATIONS

TRAFFIC CONTROL DEVICE	301.	Notwithstanding any other provisions of this bylaw, all traffic control devices installed in the <i>District</i> shall be deemed to be duly authorized <i>traffic control devices</i> under this bylaw.
CONFORMANCE	302.	No person shall <i>park</i> , drive or operate a vehicle or cycle, in contravention of a <i>traffic control device</i> .
DAMAGE TO DEVICES	303.	No person shall drive or walk on or over a newly painted line or marking, nor remove or alter any <i>traffic control device</i> .
OBEY COMMANDS	304.	Every person shall at all <i>times</i> comply with any lawful order, direction, signal or command made or given by a police officer, <i>bylaw enforcement officer</i> , fireman, flagman, ambulance attendant, or school patrol.
SPEED LIMITS HIGHWAY	305.	<ol style="list-style-type: none"><li>1) No person shall drive or operate a motor vehicle upon a <i>highway</i> within the <i>District</i> at a greater rate of speed than 50 km/h unless otherwise posted.</li><li>2) When a speed limit sign has been erected on any <i>highway</i> within the <i>District</i> no person shall drive or operate a motor vehicle on that portion of <i>highway</i> at a greater rate of speed than that indicated on the sign.</li></ol>
SPEED LIMITS LANEWAY	306.	No person shall operate a vehicle on a <i>laneway</i> at a greater rate of speed than 20 km/h.
SPEED LIMITS - CONSTRUCTION	307.	No person shall operate a vehicle within a construction zone at a speed greater than 30 km/h unless otherwise posted.

DAMAGE TO SIDEWALKS AND BOULEVARDS	308.	1)	No person operating a vehicle shall <i>park</i> , drive in, or upon any <i>walkway</i> , <i>sidewalk</i> , <i>curb</i> or <i>boulevard</i> so as to encumber, bstruct, or damage same.
		2)	When a <i>sidewalk crossing</i> is not available, crossing by a vehicle will be permitted upon adequate provision being made to protect the <i>sidewalk</i> or <i>boulevard</i> from damage by the use of suitable planking or other material, having due consideration for the size and weight of the vehicle and load.
BLOCKING INTERSECTIONS	309.		No person operating a vehicle shall block an intersection or a marked <i>crosswalk</i> , notwithstanding any traffic control signal.
VEHICLE WHEELS	310.	1)	No person shall, without first obtaining written authority from the <i>Director of Operations</i> , operate on a <i>highway</i> a vehicle having wheels, tires, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, pads, flanges, lugs, or other attachments or projections which form all or a portion of 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 1 in any calendar year to April 30 of the following year.
LOAD LIMITS	311.		No person shall, without a <i>permit</i> issued under authority of this bylaw and subject to the provisions of this bylaw, operate on a <i>highway</i> a vehicle or combination of vehicles and <i>trailers</i> having a gross weight not conforming to the requirements of the Motor Vehicle Act and the Commercial Transport Act and Regulations thereto.
VEHICLE SIZE	312.		No person shall, without a <i>permit</i> issued under

authority of this bylaw and subject to the provisions of this bylaw, 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.

TRAFFIC AND  
LOAD  
RESTRICTIONS

AND 313.

- 1) Where, in the opinion of the Director of Operations, any *highway* is liable to damage because of the gross weight or size of the vehicle or load thereon, he may regulate, limit or prohibit the use of the *highway* by any person owning, operating or in charge of the vehicle used therein or the goods carried therein and he may post notices or signs to inform the general public of these regulations.
- 2) During any period of traffic and load restrictions as outlined in Subsection 1., any *peace officer* may intercept any vehicle or combination of vehicles and *trailers* which, together with its load, such *peace officer* believes to exceed the said load limit, as set forth in this Division, and require the driver of such vehicle or combination of vehicles and *trailers* to proceed to weighing scales to properly determine the weight of such vehicle or combination of vehicles and *trailers* together with its load.

OVERLOAD  
OVERSIZE PERMIT

314.

- 1) Overload and/or Oversize *Permits*, allowing the use of the *highway*, may be issued to *persons* transporting commodities where the gross weight and size are not in conformance with the Motor Vehicle Act and the Commercial Transport Act and regulations thereto.
- 2) Approval of such application *permit* lies with the *Director of Operations* or person designated by him/her.
- 3) Such *permit* shall be carried in the vehicle whenever it is being driven on *District streets* and

shall be produced to any Police Officer for inspection upon request.

- 4) *Permit Cost* -as set out in the Fee for Service Bylaw as amended together with any direct costs incurred due to utility relocation or damages caused as per item 5).
- 5) The *Director of Operations* may, at his discretion, require the applicant to deposit with the Municipal Clerk a bond of indemnity to secure payment to the Municipality of the cost of repairing or reconstructing any road or other property of the Municipality damaged by reason of the driving or operating of the vehicle for which the *permit* is granted. Such bond shall be in an amount prescribed by the *Director of Operations*.

CYCLES

- 315.
- 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.
  - 3) Cycles impounded will be sold at public auction after 90 days, unless claimed by the *owner*.

DRIVING ON  
BIKEWAY

- 316.
- 1) No person shall move, drive, run, propel, or *park* any vehicle along, over or across any *bikeway* except at *bikeway* crossings specifically constructed for vehicular traffic.
    - a) Light carriages or chairs designed for the convenience of children or physically disabled or mobility impaired 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 <i>bikeway</i> .
PROOF OF PAYMENT	317.		Proof of Payment for any parking or <i>traffic notice</i> shall be an official receipt obtainable at the <i>District</i> of Salmon Arm.
COURTESY PARKING PERMIT	318.	1)	Courtesy Parking <i>Permits</i> may be issued by <i>Council</i> to <i>persons</i> from out of town attending conventions, seminars or other activities where large numbers of people are staying temporarily in the <i>District</i> .
		2)	Applications will be in writing and must be received at least thirty (30) days before the event is to take place.
		3)	<i>Permit</i> Cost - as set out in the Fee for Service Bylaw as amended.
COMMERCIAL PARKING PERMITS	319.	1)	Commercial parking <i>permits</i> may be issued annually on request to the <i>owner</i> of a commercial vehicle upon payment of the required fee, unless the <i>Parking Permit</i> issued to such <i>owner</i> has been revoked within twelve (12) calendar months of the application for such <i>permit</i> .
		2)	<i>Permits</i> may be issued to the <i>owner</i> of a commercial vehicle which is used by a business and who complies with the following provisions:
		a)	Holds a valid Business Licence within the <i>District</i> .
		b)	The vehicle has the name and address of the vehicle <i>operator</i> or <i>owner</i> plainly painted, printed or displayed in a conspicuous place on both sides of the vehicle.
		c)	Performs a service that requires vehicles under <i>permit</i> to be at the work site.

- 3) The *permit* so issued shall be valid only for the year in which it is issued.
- 4) Such *permit* may be revoked at any *time*, and a proportionate amount of the fee paid covering the period to the end of the year for which the *permit* was originally issued shall, upon application therefore and upon surrender of such *permit*, be refunded to the person to whom the *permit* was issued.
- 5)
  - a) A Parking *Permit* may be transferred from one commercial vehicle to another providing all such vehicles are owned by the applicant for the *permit*. Such *permit* must be visible through the windshield when required for use.
  - b) A list of vehicle licence numbers which are covered by a *permit* must be submitted at *time* of application for a *permit*.
- 6) All commercial vehicles displaying a valid parking *permit* may be parked where limited parking is designated in the *District* while actively providing services authorized pursuant to the permit.
- 7) The charge for such Parking *Permit* shall be as set out in the Fee for Service Bylaw as amended.

UTILITY PARKING 320.  
*PERMITS*

- 1) Utility Parking *Permits* may be issued annually on request, to Federal and Provincial Government Departments or agencies, Crown corporations and utility service organizations
- 2) All utility vehicles displaying a valid parking *permit* may be parked where limited parking is designated in the *District* while actively providing services authorized pursuant to the permit
- 3) The charge for such Parking *Permit* shall be as set out in the Fee for Service Bylaw as amended.

OFFICIAL PARKING PERMIT	321.	1)	Official Parking <i>Permits</i> may be issued annually to <i>persons</i> engaged in duties directly related to the administration of the <i>District</i> in an official or service capacity, to permit extended parking in time restricted public parking spaces.
		2)	Applications are processed through the Bylaw Enforcement office and <i>permit</i> holders must supply the appropriate licence plate number.
EXEMPTIONS	322.	1)	<p>The <i>operator</i> of any of the following vehicles shall be exempt from the provisions of Sections 501 of this bylaw:</p> <ul style="list-style-type: none"> <li>a) Vehicles identified by sign or insignia as belonging to the <i>District</i>;</li> <li>b) Vehicles having attached to the windshield a <i>permit</i> issued under Section 318, 319, or 320;</li> <li>c) Wrecking vehicles; while such vehicles are actually engaged in works of necessity requiring them to be stopped or parked in contravention of any such provisions.</li> <li>d) Emergency vehicles; this exemption shall not relieve the drivers of such vehicles from taking due precaution to indicate the presence of such vehicle on the <i>street</i> while so parked or stopped.</li> </ul>
		2)	It shall be unlawful for any person to display on any vehicle any card, sticker or certificate purporting to provide for any exemption from the provisions of this bylaw unless such card, sticker or certificate has been duly authorized as set out in this part.
REMOVAL OF TRAFFIC NOTICES	323.		No person, other than the <i>owner</i> or <i>operator</i> of a vehicle, shall remove from a vehicle any <i>traffic notice</i> issued under the authority of this bylaw.
IMPOUNDMENT	324.	1)	A <i>Peace Officer</i> , <i>Bylaw Enforcement Officer</i> or person authorized by the <i>Director of Operations</i> , 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 bylaw 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.

PARKING ZONES            325.            All *highways* and *District* parking lots, where parking is permitted or restricted are hereby designated as parking zones and *traffic control devices* may be placed from *time to time* to indicate such regulations or restrictions.

QUIET ZONES            326.            Whenever traffic-control devices are erected indicating a zone of quiet, no person operating a vehicle within such zone shall sound the horn or other warning device of such vehicle except in an emergency, nor operate the motor of such vehicle so as to cause unnecessary noise.

ENGINE RETARDER    327.            No person shall use engine valve retarder brakes on any *highway* within the *District* of Salmon Arm.

NOISE                    ON    328.            No person shall make or cause any noise or sound on any *highway* or other *public place* which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of *persons* in the vicinity.

NOISE FROM            329.            No person shall start, drive, turn, or stop any VEHICLES            motor vehicle, or accelerate the vehicle engine while the vehicle is stationary, in a manner which causes any loud and unnecessary noise in or from the engine, exhaust system, or the braking system,

or from the contact of the tires with the *roadway*.

TRANSPORT ON EXTERIOR OF VEHICLE	330.	No driver of a vehicle shall transport any person on the running board, fender, hood, cargo compartment or other exterior portion of the vehicle unless a suitable guard-rail is provided and so attached to the vehicle to protect that person from falling or being thrown therefrom.
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PART IV - PEDESTRIAN REGULATIONS

CROSSING HIGHWAYS	401.	No pedestrian shall stand on the travelled portion of a <i>highway</i> while waiting to cross a <i>highway</i> .
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ENTERING ROADWAY	402.	No pedestrian shall leave the <i>curb</i> , 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.
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WALKING ROADWAY	ON 403.	No pedestrian shall walk on the travelled portion of a <i>highway</i> if a <i>sidewalk</i> or <i>shoulder</i> or other space is available as a walking area.
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TRAFFIC CONTROL SIGNAL	404.	No pedestrian shall cross a <i>highway</i> in a <i>crosswalk</i> in contravention of a traffic control signal.
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WALKING ON HIGHWAYS	405.	Every pedestrian crossing a <i>highway</i> at any point other than within a marked <i>crosswalk</i> or within an unmarked <i>crosswalk</i> at an intersection shall give the right-of-way to all vehicles on the <i>highway</i> .
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BUS STOP	406.	No pedestrian shall cross a <i>highway</i> in front of a <i>bus</i> which has stopped to load or unload passengers except at an intersection controlled by a traffic control signal.
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POSSESSION LIQUOR	OF 407.	No pedestrian shall be in possession of open liquor on any highway, including <i>sidewalks</i> or <i>boulevards</i> , except where said liquor is possessed pursuant to and in compliance with a licence
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issued under the Liquor Control and Licensing Act.

PART V - PARKING REGULATIONS

VIOLATIONS  
SIDEWALK -

501. Except when necessary to avoid conflicts with traffic, or to comply with the law, or the directions of a *Peace Officer* or *Bylaw Enforcement Officer*, or *traffic control device*, no person shall stop, stand or *park* a vehicle:

PUBLIC/PRIVATE  
ACCESS

- 1) On a *sidewalk* or *boulevard*.
- 2) In front of a public or private *access*.

LANE

- 3) upon or in any lane except while the vehicle is being expeditiously and steadily loaded or unloaded and then not in such a position or manner as to obstruct free movement of other vehicles.

INTERSECTION

- 4) Within an intersection except as permitted by a *traffic control device*.

HYDRANT

- 5) Within 5 metres of a fire hydrant measured from a point on the *curb* or edge of the *roadway* which is closest to the fire hydrant.

CROSSWALK

- 6) On a *crosswalk* or within 6 metres of the approach side of a *crosswalk*.

STOP SIGN

- 7) Within 6 metres upon the approach to a stop sign or traffic control signal located at the side of a *roadway*.

EXIT

- 8) Within 6 metres either side of the entrance to or exit from any hotel, theatre, public meeting place, fire hall or playground.

RAILWAY

- 9) Within 15 metres of the nearest rail of a railway

		crossing.
SALES	10)	Upon any <i>highway</i> for the principal purpose of: <ul style="list-style-type: none"> <li>a) displaying a vehicle for sale;</li> <li>b) advertising, greasing, painting, wrecking, washing, storing or repairing any vehicle, except where repairs are necessitated by an emergency;</li> <li>c) displaying signs;</li> <li>d) selling flowers, fruit, vegetables, seafood, or other commodities or articles.</li> </ul>
OBSTRUCTION	11)	<ul style="list-style-type: none"> <li>a) Alongside or opposite a <i>street</i> excavation or obstruction when stopping, standing, or parking obstructs traffic.</li> <li>b) In such a manner as to obstruct the visibility of any standard <i>traffic control device</i>.</li> <li>c) Upon a <i>roadway</i> in such a manner as to obstruct the free passage of traffic on the <i>roadway</i>.</li> </ul>
DOUBLE PARKING	12)	On the <i>roadway</i> side of a vehicle stopped or parked at the edge or <i>curb</i> of a <i>roadway</i> .
BRIDGE	13)	Upon a bridge except as permitted by any applicable <i>traffic control device</i> .
SIGN	14)	In any place in contravention of a <i>traffic control device</i> that gives notice that stopping, standing, or parking is prohibited or restricted in such place.
WRONG SIDE	15)	Upon a two-way <i>roadway</i> other than the right side of the <i>roadway</i> and with the right hand wheels parallel to that side.
DISTANCE FROM CURB	16)	On a <i>roadway</i> more than 30 centimetres from the <i>curb</i> of such <i>roadway</i> if a <i>curb</i> has been constructed.
ANGLE PARKING	17)	In a designated <i>angle parking</i> zone where the

		length of such vehicle and any <i>trailer</i> attached thereto exceeds <u>6 metres</u> .
RESERVE PARKING HOURS	18)	On any <i>highway</i> in a space adjacent to any Federal, Provincial or Municipal public building designed as being reserved for the use of officials unless the <i>operator</i> is such official.
	19)	On any <i>highway</i> for a continuous period exceeding <u>seventy-two 72) hours</u> without first obtaining the written permission of the <i>Director of Operations</i> .
TRUCKS	20)	Between the hours of 9:00 p.m. and 6:00 a.m. of the following day on any <i>highway</i> in a residential area, <i>park</i> a truck or commercial vehicle having a licensed gross vehicle weight in excess of 5,600 kg.
LANE EXIT	21)	Within 3 metres of the entrance or exit of a lane.
STALL	22)	Upon any portion of the <i>highway</i> where <i>traffic control devices</i> consisting of lines are painted upon the surface of the <i>highway</i> to designate parking areas, except within such designated space or area.
CYCLE	23)	Upon a portion of a <i>highway</i> that has been improved and designated by <i>traffic control devices</i> for the travel of cycles;
OVERTIME	24)	<p>a) On any <i>highway</i> where <i>traffic control devices</i> indicate the length of <i>time</i> allowed for parking, in contravention of the length of <i>time</i> indicated on the applicable <i>traffic control device</i>.</p> <p>b) Where a vehicle has been parked within a restricted <i>parking stall</i> for any period of <i>time</i>, no person shall move the vehicle to another restricted stall within the same block to avoid the <i>time</i> limit.</p> <p>c) In order to determine the <i>time</i> which a</p>

vehicle has been parked in a location where parking is restricted to a specific *time*, a *Peace Officer* or *Bylaw Enforcement Officer* or other person charged with the enforcement of parking prohibitions and restrictions may place an erasable chalk mark on the tread face of the tire of the parked or stopped vehicle without such *Peace Officer* or *Bylaw Enforcement Officer* or other person or the *District* incurring any liability for so doing.

PARKING LOTS

- 25) On any public parking lot operated by the Downtown Parking Commission or *District* where *traffic control devices* indicate the length of *time* allowed for parking, in contravention of the length of *time* indicated on the applicable *traffic control device*.
  - a) in a coupon dispenser controlled parking lot:
    - i) without first obtaining a coupon from the coupon dispenser and conspicuously displaying such coupon, imprinted side up, on the vehicle dash board; and
    - ii) once the posted maximum parking time, commencing from the time and date imprinted on the coupon obtained from the dispenser, has elapsed.
  - b) at any expired parking meter;
  - c) any parking lot operated under a public/private agreement pursuant to Section 176 of the Local Government Act, R.S.B.C. 1996.

LOADING ZONE

- 26) a) In a *loading zone* as designated by an applicable *traffic control device* unless a commercial vehicle actively engaged in

the loading or unloading of a vehicle.

- b) Notwithstanding anything contained in this section, a driver of a commercial vehicle which has the name and address of the vehicle *operator* or *owner* plainly painted or printed or displayed by means of a decalcomania in letters and figures not less than five centimetres high in a conspicuous place on both sides of the vehicle itself, or on a durable type of material permanently affixed to the body of the vehicle, or affixed to both sides of the body of the vehicle by means of a magnetic or other removable device, may stop in any commercial *loading zone* while actually engaged in loading or unloading materials for a period not exceeding thirty minutes.

SCHOOL GROUND

- 27) On a *highway* abutting a primary, elementary or junior secondary school ground or neighbourhood tot lot from dawn until dusk unless such school ground or tot lot is separated from the *highway* by a fence.

TRAILER

- 28) a) On any *street* a *trailer*, a semi-trailer, mobile equipment or any vehicle which has been detached from the vehicle which is used to draw it.
- b) Where any type of motor vehicle has removable camping accommodation installed on it the *operator* or *owner* of the vehicle or any person in charge of the vehicle either permanently or temporarily shall not leave the camping accommodation or other removable portion of the motor vehicle used for this purpose on any portion of a *street* after the same has been removed from the motor vehicle.

- 29) No person shall *park* a vehicle in a parking zone

HANDICAPPED  
ZONE

designated for use by handicapped *persons*, unless such vehicle displays a valid handicap numbered S.P.A.R.C. certificate hanging from the inside rear view mirror.

BUS STOP

30) No person shall stop or *park* a vehicle, except a *bus*, in a *bus* stop zone.

FIRE ZONE

31) Within any "*fire zone*", provided however, that this restriction shall not apply to prohibit the turning movement of traffic while legally entering or leaving the fire hall or station or any privately owned lands within such *fire zone*.

502.

Parking Violation Notice

- a) Whenever any vehicle is parked in contravention of any provision of this bylaw, a parking violation notice in the form set out in Schedule "B", attached hereto and forming part of this bylaw, may be issued, either by placing it on the vehicle or by delivering it to the registered owner of the vehicle;
- b) A parking violation notice shall specify the reason for which the vehicle is deemed to be in contravention of this bylaw.
- c) Prior to having the violation notice dealt with by a court, the matter may be settled by payment to the District of Salmon Arm of the appropriate minimum settlement as indicated on the parking violation notice as set out in Schedule "B" of this bylaw."

PART VI - USE OF HIGHWAYS REGULATIONS

DRAINAGE

601.

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



LITTERING

- 602.
- 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, litter, waste material of any description.
  - 4) No person shall place, throw, deposit or discard any snow on any *highway* which may obstruct or impede the normal flow of traffic.
  - 5) No owner or occupier of real property, or agent on their behalf, shall place, throw, deposit or discard any snow on any *highway*, without first having obtained permission from the *Director of Operations*.

CONSTRUCTION

- 603.
- 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 the *Director of Operations*.
  - 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 *Director of Operations*.

IMPEDING  
TRAFFIC DAMAGE

- 604.
- No person shall cut, saw, break, split, place, or pile firewood, lumber, blocks, stone, debris, or

TO HIGHWAYS	<p>other material or mix mortar or do any act upon any <i>highway</i> which impedes traffic or causes damage to same.</p>
NOISE AND ADVERTISING	<p>605. 1) No person shall operate upon a vehicle any calliope, loudspeaker or other noise-making device upon the <i>streets</i> of the <i>District</i> for advertising or other purposes unless authorized by the <i>Director of Operations</i> or <i>Council</i>.</p> <p>2) Applications will be in writing and must be received at least twenty-one (21) days prior to the event.</p> <p>3) Approval <i>permit</i> will be issued by the <i>Director of Operations</i> or person designated by him.</p> <p>4) Permit cost - as set out in the Fee for Service Bylaw as amended.</p>
TREES OVER HIGHWAYS	<p>606. Every person being the <i>owner</i> 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 or visibility impairment to pedestrian and vehicle traffic on the <i>sidewalk</i> or <i>highway</i>.</p>
STRUCTURES OVER HIGHWAYS	<p>607. 1) No person shall, except as provided herein or by any other by law; or unless otherwise authorized by the <i>Director of Operations</i>, erect or maintain any structure which encroaches on or over any <i>highway</i> or public land.</p> <p>2) Approved structures overhanging the <i>highway</i> shall have a minimum clearance of 2.5 metres above any <i>sidewalk</i> or <i>walkway</i> and 5 metres above any <i>roadway</i>.</p> <p>3) No person shall place, erect, remove or alter any sign, structure or other device on or over a <i>street</i> or public land without the express consent of the <i>Director of Operations</i>.</p>

DEFACING  
POLES

608. 1) No person shall paint, paste, stick or affix or put any sign, bill, notice, substance or thing on any *street* furniture, light standard, electric light, telephone or other pole located on any *street*, and no person shall deface or disfigure such *street* furniture, light standard, electric light, telephone or other pole located on any *street*, or *permit*, suffer or allow any person to commit the acts on his behalf.

This section shall not apply to:

- a) a person installing signs or banners authorized by the *Director of Operations* on or over *District streets* and intended to control traffic or parking, or to provide directions or street identification;
- b) a person putting up or installing street decorations authorized by *Council* or the *Director of Operations*;
- c) a person affixing or putting up any Public Notice or other temporary sign which is authorized by bylaw or by Provincial or Federal legislation;
- d) a person installing advertising devices which are integral with public conveniences as covered by special agreements with *District of Salmon Arm* such as bench signs or *bus-stop* kiosks);
- e) a person affixing a sign or notice to a kiosk provided or authorized by the *Director of Operations* specifically to be used by the general public for the posting of notices.

PARADES

609. 1) Any person desiring to hold a *parade* shall, prior to the event, make application in writing to the *Director of Operations* 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) *Director of Operations* or any person duly authorized by him 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 *Director of Operations* is authorized to regulate and to control pedestrian and vehicular traffic over the route or area in which the *parade* will occur.

FUNERAL  
PROCESSION

610. 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.

PROPERTY  
ACCESS

611. No person shall alter an existing *access* to a property or construct a new *access* to a property without obtaining authority from the *Director of Operations*.

PART VII - PENALTIES

GENERAL  
PENALTY

701. Every person who violates any of the provisions of this bylaw for which a specific penalty has not otherwise been designated, shall be deemed to have committed an offence against this bylaw and shall be liable to a fine of not less than

Twenty-five \$25.00) Dollars nor more than Two Thousand \$2,000.00) Dollars for each offence.

702. 1) Any person guilty of any infraction of Part V excluding Sections 501 24) and 501 25) of this bylaw shall be liable to a fine of not less than Twenty-Five Dollars \$25.00).

Notwithstanding anything hereinbefore contained, where any notice of a parking violation is issued pursuant to the provision of this bylaw, any person may, within forty-eight 48) hours of the issuance of the notice of parking violation, pay to the *District* the sum of Ten Dollars \$10.00) as full satisfaction for each violation.

DEFAULT

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

RESPONSIBILITY

704. 1) The *owner* of a vehicle shall incur the penalties provided for any violation of this bylaw 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*.

PART VIII - GENERAL

VALIDITY                      801.                      Should any section or provision of this bylaw be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the bylaw as a whole or any part thereof other than the part so declared to be invalid.

ARTERIAL                      802.                      None of the powers of this bylaw shall extend to  
HIGHWAY                      any *highway* classified as "arterial" under the  
*Highway Act*.

3.        The following bylaws are hereby repealed:

- The *District* of Salmon Arm Traffic Regulation Bylaw No. 1045, 1972.
- The *District* of Salmon Arm Traffic Regulation Bylaw No. 1045, 1972 Amendment Bylaw No. 1, 1982, No. 1418.
- *District* of Salmon Arm Traffic Regulation Amendment Bylaw, 1990, No.1946.
- *District* of Salmon Arm Traffic Regulation Amendment Bylaw, 1991, No.1961.

READ A FIRST TIME HIS                      9th        DAY OF                      May        1994.

READ A SECOND TIME THIS                      4th        DAY OF                      July        1994.

READ A THIRD TIME THIS                      4th        DAY OF                      July        1994.

RECONSIDERED, FINALLY PASSED AND ADOPTED BY THE *COUNCIL* ON  
THE 24th  
DAY OF                      OCTOBER                      1994.

WICKETT

Mayor

WARD

\_\_\_\_\_  
"I.D."

\_\_\_\_\_  
"C.R."

Clerk



# DISTRICT OF SALMON ARM

Bylaw No. 1971

Schedule "A"

Highway Use Permit

DATE: \_\_\_\_\_

-  
PERMIT NO: \_\_\_\_\_

FILE NO: \_\_\_\_\_

-  
NAME OF PERMITTEE: \_\_\_\_\_

-  
ADDRESS OF PERMITTEE: \_\_\_\_\_

Pursuant to the provisions of District of Salmon Arm Traffic Bylaw No. 1971, as amended, permission is hereby granted to the above named Permittee to:

\_\_\_\_\_  
-  
\_\_\_\_\_  
-

This permit shall be valid and subsisting from the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ and shall expire on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ and at all times shall be subject to cancellation if the holder neglects, fails or refuses to observe and to comply with all the requirements of the District of Salmon Arm Traffic Bylaw No. 1971, as amended, and is issued subject to the following conditions:

- 1) That all necessary plans and specifications of any works involved have been deposited with the Municipal Engineer and have been approved by him.

Highway Use Permit

Page 2

- 2) That the safety, economy, and convenience of the travelling public must at all times be recognized and all traffic control must be undertaken by the Permittee to the satisfaction of the Municipal Engineer.
- 3) That the Permittee 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 the said works and shall save harmless and keep indemnified the District from all claims and demands whatsoever in respect of the works. That, prior to proceeding with any excavation, the Permittee will be responsible for notifying any public or private utility company whose works may be close to or affected by the installation.
- 4) This permission shall not be deemed to vest in the Permittee any right, title, or interest whatsoever in or to the lands upon which the works are constructed.
- 5) That this permit will be valid only for these specific works or uses of the Municipal highway stated herein. A separate permit must be obtained to cover all other alternations and additions.
- 6) That the construction and maintenance of any works under this Permit will be carried out and completed to the satisfaction of the Municipal Engineer.
- 7) That any person appointed by the Municipal Engineer for that purpose will have free access at all times to all parts of any works constructed under this Permit for the purpose of inspecting the same.
- 8) That before opening up any highway or interfering with any public work under this Permit, notice in writing of intention to do so shall be given to the Municipal Engineer not less than one (1) week before the work is commenced.
- 9) That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
- 10) That while reasonable care will be taken by the District to do as little damage as possible to any private work in carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the District can accept no responsibility for any kind of such damage.
- 11) That the Permittee shall hold and save harmless the District of Salmon Arm from and against all claims, damages and lien claims of every kind, arising out of or in any way connected with any works or other things for which this permit is issued.
- 12) This permission is granted only to the person or corporation named above, and any change in



ownership to the property renders this permit void.

- 13) This permit may be cancelled in the absolute discretion of the Municipal Engineer without any notice or hearing.

Highway Use Permit

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- 14) That the Permittee shall obtain and maintain during the term of this Permit a comprehensive general liability insurance policy providing coverage of not less than \$2,000,000.00 naming the District of Salmon Arm as "an additional named insured" and providing that the said policy shall not be cancelled, lapsed or materially altered without 30 days notice in writing to the District of Salmon Arm. A copy of such policy shall be delivered to the District of Salmon Arm prior to the issue of this Permit.

- 15) Other Conditions:

-  
-  
-  
-

I, the applicant of this permit, agree to all terms and conditions expressed and acknowledge that I am bound by all provisions of the District of Salmon Arm Traffic Bylaw No. 1971, as amended and this permit. The required security being \_\_\_\_\_ Dollars (\$\_\_\_\_\_) in cash or by irrevocable letter of credit is to guarantee the fulfilment of the terms and conditions set out within the time specified in this permit.

\_\_\_\_\_  
Signature of Permittee

Permit No. \_\_\_\_\_ issued/rejected this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Signature of Municipal Engineer

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