



**BYLAW NO. 67  
TRAFFIC AND HIGHWAYS REGULATION  
BYLAW, 2002**

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**CONSOLIDATED FOR REFERENCE  
JANUARY 23, 2023**

BYLAW NO. 67, *TRAFFIC AND HIGHWAYS REGULATION BYLAW, 2002*  
BYLAW NO. 217, *TRAFFIC AND HIGHWAYS REGULATION AMENDMENT BYLAW (67-01)*  
BYLAW NO. 507, *TRAFFIC AND HIGHWAYS REGULATION AMENDMENT BYLAW (67-02)*  
*TRAFFIC AND HIGHWAYS REGULATION AMENDMENT BYLAW No. 769 (67-03), 2019*  
*TRAFFIC AND HIGHWAYS REGULATION AMENDMENT BYLAW No. 862 (67-04), 2022*  
*TRAFFIC AND HIGHWAYS REGULATION AMENDMENT BYLAW No. 872 (67-05), 2022*  
*TRAFFIC AND HIGHWAYS REGULATION AMENDMENT BYLAW No. 876 (67-06), 2023*

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# DISTRICT OF SOOKE

## BYLAW No. 67

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A bylaw to regulate traffic and the use of highways within the District of Sooke.

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Under the authority provided by the *Motor Vehicle Act* and the *Local Government Act*, the Council of the District of Sooke, in open meeting assembled, enacts as follows:

### PART 1 CITATION AND DEFINITIONS

#### 1. CITATION

This Bylaw is cited as the *Traffic and Highways Regulation Bylaw, 2002*.

#### 2. DEFINITIONS

In this Bylaw

"*Angle parking*" means the *parking* of a vehicle other than parallel to a curb or lateral lines of the roadway;

"*Axle*" means a structure that is wholly in the same or approximately the same, transverse plane, and supported by wheels and on or with which it revolves, and includes both of any 2 axles, the centres of which are less than 1.0 m apart;

"*Boulevard*" means that portion of a *highway* between the curb lines, the lateral lines or the shoulder of a roadway and the adjacent property line and includes curbs, *sidewalks* and ditches;

"*Combination of Vehicles*" means a combination of *motor vehicles* and trailer, or *motor vehicle* and trailers;

"*Crosswalk*" means:

- (a) any portion of the roadway at an intersection or elsewhere distinctly indicated for *pedestrian* crossing by signs or by lines or other markings on the surface; or
- (b) the portion of a *highway* at an intersection that is included within the connection of the lateral lines of the *sidewalks* on the opposite sides of the *highway*, or within the extension of the lateral lines of the *sidewalk* on one side of the *highway*, measured from the curbs, or in the absence of curbs, from the edges of the roadway;

"*Cycle*" means a device having any number of wheels that is propelled by human power and on which a person may ride, but does not include a skate board, push scooter, roller skates or in-line roller skates;

"*Highway*" includes

- (a) every highway within the meaning of the *Highway Act*,
- (b) every road, highway, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles,
- (c) and every place or passage way to which the public, for the purpose of the *parking* or servicing of vehicles, has access or is invited;

"*Highway Use Permit*" means permission or authorization to perform work regulated by this bylaw, issued in writing, in the form prescribed by the District of Sooke.

"*Motor Vehicle*" means a vehicle, not run on rails, that is designed to be self propelled or propelled by electric power obtained from overhead trolley wires;

"*Occupier*" means a person

- (a) who is qualified to maintain an action for trespass;
- (b) in possession of Crown Land or land owned by a municipality under a lease, license, agreement for sale, accepted application to purchase, easement, or other record from the crown or municipality, or who simply occupies the land;

"*Owner*" means with respect of any real property, as defined in the *Local Government Act* and with respect to a *motor vehicle*, as defined by the *Motor Vehicle Act*;

"*Parallel Parking*" means *parking* of a vehicle parallel to the curb or edge of *highway*;

"*Park*" means the standing or stopping of a vehicle, occupied or unoccupied;

"*Pedestrian*" means a person afoot, or a person with disabilities or child in a wheelchair or carriage;

"*Residential Area*" means all areas in which residential use is permitted principal use of land under the District of Sooke zoning bylaw, as amended from time to time, and any *highway* within or adjacent to such areas;

"*School Guard*" means an adult school crossing guard or a school pupil acting as a member of a school patrol where such guards or pupils are authorized by the Officer-in-Charge of the Sooke Detachment of the Royal Canadian Mounted Police;

"*Semi-Trailer*" means a vehicle without motive power designed to be drawn by a *motor vehicle* or *truck tractor* and which is so constructed that some part of its weight and some part of the weight of its load rests upon and is carried by the towing vehicle or *truck tractor*, and includes a pole trailer, but does not include a vehicle having a gross vehicle weight of less than 700 kg (1550 lbs.) which is licensed pursuant to the *Motor Vehicle Act*;

"*Sidewalk*" means the area between the curb-lines or lateral lines of a *highway* and the adjacent property lines improved for use of *pedestrians* or any other improved area set aside for *pedestrian* use only;

"*Slow Moving Vehicle*" means a vehicle, *combination of vehicles* or other machinery or equipment that is designed for use, and normally travels on a *highway*, at a speed of 40 km/h or less but does not include an antique *motor vehicle* or a collector *motor vehicle*;

"*Traffic*" includes *pedestrians*, ridden or herded animals, vehicles, *cycles* and other conveyances, either singly or together, while using a *highway* for purposes of travel;

"*Traffic Control Device*" means a sign, signal, line, parking meter, ticket dispensing machine, marking, yellow curb, space, barrier, or any other device, placed or erected by authority of the Council or person duly authorized by the Council to exercise such authority;

"*Truck Routes*" means Otter Point Road, Glinz Lake Road, and Gillespie Road;

"*Truck Tractor*" means a *motor vehicle* designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle so drawn and of the load of the other vehicle;

"*Utility Operator*" means a person who owns or operates in British Columbia, equipment or facilities for the conveyance of water, sewage, drainage, electricity, natural gas, or information intended to serve other persons.

"*Yellow Curb*" means a *traffic control device* that, in accordance with the regulations pursuant to the *Motor Vehicle Act* prohibits the stopping, *parking*, leaving or standing of any *motor vehicle*, either attended or unattended.

## PART 2 ENFORCEMENT

### DIVISION (1) OFFENCES OTHER THAN PARKING

#### 3. RESTRICTIONS

Except where otherwise directed by the Municipal Engineer, Bylaw Enforcement Officer, Peace Officer, or a person authorized by a Peace Officer to direct *traffic*, no person shall

- |  |     |   |
|--|-----|---|
| DRIVING ON<br>SIDEWALK OR<br>BOULEVARD | (1) | drive a <i>motor vehicle</i> along any <i>sidewalks</i> , walkways or <i>boulevards</i> , unless otherwise permitted to do so by an applicable <i>traffic control device</i> . This section does not apply to any person with a physical disability that requires a wheeled device for mobility purposes; |
| PLAYING ON<br>HIGHWAY                  | (2) | use roller skates, in-line-skates, skateboards, sleighs, skates, skis or other similar means of conveyance on any <i>highway</i> or <i>sidewalk</i> ;   |
| DEBRIS LEFT ON<br>HIGHWAY              | (3) | remove a wrecked or damaged vehicle from the scene of an accident and leave any glass or other debris from the accident upon a <i>highway</i> ;   |

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|---------------------------------|------|--|
| OPEN EXCAVATION                 | (4)  | leave any excavation or other obstruction upon a <i>highway</i> without sufficiently fencing, barricading and marking the same with warning lights, in accordance with the Uniform Traffic Control Device manual published by the Road and Transportation Association of Canada and the <i>Motor Vehicle Act</i> ;   |
| OBSTRUCT TRAFFIC                | (5)  | obstruct, impede or interfere with <i>traffic</i> on a <i>highway</i> or <i>pedestrians</i> on a <i>sidewalk</i> ;   |
| TRACKED VEHICLE ON HIGHWAY      | (6)  | operate tracked vehicles on <i>sidewalks</i> , <i>boulevards</i> , <i>highways</i> or lanes except for the purpose of snow removal or grading, and except where specifically authorized by the Municipal Engineer under Part 9;  |
| LANE/MAXIMUM SPEED              | (7)  | drive a vehicle upon a lane in excess of 20 km/h unless otherwise indicated by a <i>traffic control device</i> ;   |
| CONSTRUCTION ZONE/MAXIMUM SPEED | (8)  | drive a vehicle in excess of 25 km/h in a zone where signs are posted indicating that the road is being repaired, widened or marked unless otherwise indicated by a <i>traffic control device</i> ;  |
| MERCHANDISE LEFT ON HIGHWAY     | (9)  | place or permit to be placed any fuel, lumber, merchandise, chattel or ware of any nature on a <i>highway</i> ;  |
| DRAG OR SKID                    | (10) | drag or skid any object along or over a <i>highway</i> in such a manner that the object damages the surface of the <i>highway</i> ;  |
| EARTH, MUD, ROCKS               | (11) | place, deposit or dump or cause to be placed, deposited or dumped or to be tracked or carried by a vehicle or vehicles earth, rocks, stones, logs, stumps, branches, garden clippings or other things onto a <i>highway</i> ;  |
| CORNER LOTS                     | (12) | permit a fence, hedge or individual trees or any other things to remain so as to obstruct the line of vision between 1 meter and 3 meters measured from the average height of the crown of streets within an area bounded by the centre line of intersecting or intercepting streets or lanes, and a line joining each of the centre lines 25 meters from their intersections; |
| REMOVAL OF NOTICES              | (13) | remove any notice or ticket affixed or placed on a vehicle by a peace officer or District of Sooke employee unless that person is the <i>owner</i> or operator of such vehicle;  |
| DRIVE WITHIN PARKS              | (14) | drive a <i>motor vehicle</i> , other than a government or contractors vehicle within the boundaries of any District of Sooke park except upon a <i>highway</i> ;   |
| DITCHES-WATER FLOW              | (15) | construct or maintain a ditch, the water from which causes damage to any <i>highway</i> ;  |

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|---|------|-----|---|
| TRUCKS-MAXIMUM WEIGHT                       | (16) | (a) | drive a vehicle with a <u>licensed</u> gross vehicle weight in excess of 5500 kg upon a <i>highway</i> that is not a <i>truck route</i> , except<br>(i) municipal or utility vehicles while engaged in work upon <i>highways</i> ;<br>(ii) vehicles delivering goods and materials to or from properties on a street or streets directly serviced by the <i>highway</i> ; or<br>(iii) vehicles returning to the residences of the operators of the vehicles |
|   |      | (b) | following a pick-up or delivery referred to in Section 3(16)(a)(ii), fail to return on the most direct and safest route to Highway No. 14;  |
| JAY WALKING                                 | (17) |     | cross any <i>highway</i> at other than at a <i>pedestrian crosswalk</i> ;   |
| TREES OVER HIGHWAYS                         | (18) |     | cause or allow to remain trees, shrubs, or other vegetation that physically obstructs or visibly impairs <i>pedestrian</i> and vehicle <i>traffic</i> on a <i>sidewalk</i> , <i>boulevard</i> or <i>highway</i> ;   |
| WATER FLOW HIGHWAYS                         | (19) |     | allow any water or fluids to flow from any real property onto any portion of a <i>highway</i> , thereby causing a hazard to vehicle or <i>pedestrian traffic</i> ;  |
| LITTERING                                   | (20) |     | place, throw, deposit or discard on any <i>highway</i> any rubbish, litter or waste material of any kind;   |
| WORK WITHIN MUNICIPAL STREETS/RIGHT OF WAYS | (21) |     | undertake work within <i>highway</i> unless authorized to do so, by <i>Highway Use Permit</i> issued and authorized by the Municipal Engineer pursuant to Part 9 of this Bylaw;   |
| WORK WITHIN MUNICIPAL STREETS/RIGHT OF WAYS | (22) |     | undertake work to a <i>highway</i> contrary to the provisions of a <i>Highway Use Permit</i> authorized by the Municipal Engineer issued pursuant to Part 9 of this Bylaw;  |
| SPEED AGAINST MUNICIPAL SIGN                | (23) |     | drive or operate a <i>motor vehicle</i> on that portion of the <i>highway</i> at a greater rate of speed than that indicated on the sign;   |
| SPEEDING WITHIN MUNICIPALITY                | (24) |     | drive or operate a vehicle within the municipality, at a greater rate than 50 km/h unless otherwise posted;   |
| DISOBEY TRAFFIC CONTROL DEVICE              | (25) |     | not obey the instructions of an applicable <i>traffic control device</i> ;  |
| FAIL TO YIELD TO PEDESTRIAN                 | (26) |     | fail to yield the right of way to a <i>pedestrian</i> lawfully in the intersection or in an adjacent <i>crosswalk</i> at the time the green light is exhibited to the <i>pedestrian</i> ;   |
| DRIVE OVER NEWLY PAINTED LINES              | (27) |     | drive on or over a newly painted line or marking on a <i>highway</i> ;  |

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|--|------|--|
| SPEED IN SCHOOL ZONE                                     | (28) | between the hours of 8 a.m. and 5 p.m. on a day school is regularly held, drive a vehicle at a greater rate of speed on a <i>highway</i> where signs are displayed stating a speed limit of 30 km/h or on which the numerals "30" are prominently shown;   |
| SPEED IN PLAYGROUND ZONE                                 | (29) | drive a vehicle on a <i>highway</i> at a rate of speed exceeding 30 km/h when approaching or passing, between dawn and dusk, a public playground for children where signs are displayed stating a speed limit of 30 km/h, or on which the numerals "30" are prominently shown;   |
| DISOBEY SCHOOL GUARD                                     | (30) | drive, <i>cycle</i> or walk contrary to the instructions of an adult school crossing guard or of a school student acting as a member of a <i>traffic</i> patrol;   |
| DISOBEY STOP SIGN  | (31) | fail to stop where there is a stop sign at an intersection, except when a peace officer directs otherwise;<br><br>(a) at the marked stop line, if any;<br><br>(b) before entering the marked <i>crosswalk</i> on the near side of the intersection; or<br><br>(c) when there is neither a marked <i>crosswalk</i> nor a stop line, before entering the intersection, at the point nearest the intersecting <i>highway</i> from which the drive has a view of approaching <i>traffic</i> on the intersecting <i>highway</i> ; |
| DRIVE OVER FIRE HOSE                                     | (32) | drive a vehicle over an unprotected hose of a fire department when laid down on a <i>highway</i> or private driveway at a fire or an alarm of fire or training session, unless he has received consent of the fire department official in command or a peace officer;  |
| DRIVE WITH PERSON IN CARGO COMPARTMENT                   | (33) | drive or operate a <i>motor vehicle</i> with any person riding in the cargo compartment of the <i>motor vehicle</i> , except for a parade authorized by the Municipal Engineer;  |
| RIDE IN SECURELY INSTALLED SEAT IN PASSENGER COMPARTMENT | (34) | ride in a vehicle being driven or operated on or across a <i>highway</i> unless seated in a seat that has been securely installed in the passenger compartment of the vehicle, except for a parade authorized by the Municipal Engineer;   |
| STUNTING   | (35) | as a <i>pedestrian</i> , passenger or driver and whether or not with the use or aid of any animal, vehicle or other thing, perform or engage in any stunt or other activity on a <i>highway</i> or <i>boulevard</i> that is likely to distract, startle or interfere with other users of the <i>highway</i> ;  |

### 3.1 DIRECTION OF PEACE OFFICER

If a peace officer reasonably considers it necessary to

- a) ensure orderly movement of *traffic*,
- b) prevent injury or damage to persons or property, or
- c) permit proper action in an emergency,

the peace officer may direct *traffic* despite anything in this Bylaw, and everyone must obey his or her directions.

### 3.2 SLOW MOVING VEHICLE

No person shall drive or operate a *slow moving vehicle* on a *highway* unless the *slow moving vehicle* is equipped with a *slow moving vehicle* warning device.

3.2.1 A *slow moving vehicle* warning device as required by Section 3.2 shall conform to the standards set by the Canadian Standards Association, numbered C.S.A. Standard D 198-1967, entitled "**Slow Moving Vehicle Warning Device**". The device shall be mounted

- (a) on the rear or back of the vehicle, so long as it is part of the vehicle opposite the front or the direction of travel of the vehicle, and as near the centre of the rear or back of the vehicle, as practicable; and
- (b) so that one side is parallel to and at a height of not less than 90 cm or more than 150 cm from the ground.

3.2.2 No person shall display a *slow moving vehicle* warning device on

- (a) a stationary object, or
- (b) a vehicle traveling at a speed in excess of 40 km/h, or
- (c) any vehicle *parked* on a *highway*, other than a vehicle that is required to display such a device.

## DIVISION (2) PARKING

### 4. PARKING REGULATIONS

Except to comply with the directions of a Peace Officer or *traffic control device* or *traffic* patrol or an emergency vehicle which is in actual use for official duties, no person shall *park*

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| SIDEWALK | (1) | on a <i>sidewalk</i> or centre median;                     |
| DRIVEWAY | (2) | in front of or within 2 m of a public or private driveway; |
| LANE     | (3) | in any lane;   |

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| INTERSECTION                       | (4)  | within an intersection except as permitted by a <i>traffic control device</i> , or within 6m of the point where the curb or lateral lines of 2 or more <i>highways</i> intersect;  |
| HYDRANT OR STANDPIPE               | (5)  | within 5 m of a fire hydrant or within 5 m of a fire hydrant measured from a point on the curb or edge of the <i>highway</i> , which is closest to the fire hydrant;   |
| CROSSWALK                          | (6)  | on or within 6 m of a <i>crosswalk</i> ;   |
| STOP SIGN                          | (7)  | within 6 m upon the approach to a stop sign or <i>traffic control device</i> located at the side of a <i>highway</i> ;   |
| EXIT                               | (8)  | within 6 m of either side of the entrance to or exit from a hotel, theatre, public meeting place, fire hall or playground;   |
| SALES                              | (9)  | upon any <i>highway</i> for the principal purpose of<br>(a) displaying a vehicle for sale;<br>(b) advertising, greasing, painting, wrecking, storing or repairing any vehicle, except where repairs are necessitated by an emergency;<br>(c) displaying signs;<br>(d) selling flowers, fruit, vegetables, seafood, or other commodities or articles. |
| OBSTRUCTION                        | (10) | alongside or opposite a <i>highway/road</i> excavation or obstruction where stopping, standing, or <i>parking</i> obstructs <i>traffic</i> ;   |
| DOUBLE PARKING                     | (11) | on the <i>highway</i> side of a vehicle stopped or <i>parked</i> parallel to the edge or curb of a <i>highway</i> ;  |
| BRIDGE                             | (12) | upon a bridge except as permitted by an applicable <i>traffic control device</i> ;   |
| CONTRARY TO TRAFFIC CONTROL DEVICE | (13) | contrary to the directions given by a <i>traffic control device</i> ;  |
| OBSTRUCT VISIBILITY                | (14) | so as to obstruct the visibility of any <i>traffic control device</i> ;  |
| WRONG SIDE-FACING WRONG DIRECTION  | (15) | on other than the right side of a two-way <i>highway</i> with the right hand wheels of the vehicle parallel to that side; except where there is provision for <i>angle parking</i> , as signified by <i>traffic control devices</i> consisting of lines painted on the surface of the <i>highway</i> ;   |
| DISTANCE FROM CURB                 | (16) | more than 30 cm from the curb of a <i>highway</i> if a curb has been constructed;  |
| ANGLE PARKING                      | (17) | in a designated <i>angle parking</i> zone where the length of the vehicle and any trailer attached thereto exceeds 6 m;  |

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RESERVED PARKING	(18)	in a space on any <i>highway</i> adjacent to any government public building which is designated as being reserved for the use of officials engaged in the building unless the operator of the vehicle is such an official;
72 HOURS MAXIMUM	(19)	on any <i>highway</i> for a continuous period exceeding 72 hours;
TRUCKS	(20)	a commercial vehicle having a licensed gross vehicle weight in excess of 5500 kg on any <i>highway</i> in any <i>residential area</i> , except (i) government or utility vehicles engaged in work upon <i>highway</i> ; (ii) vehicles loading or unloading goods and materials; or (iii) contractor vehicles engaged in work in the area.
LANE	(21)	within 6 m of the entrance or exit of a lane;
OBSTRUCT	(22)	in a manner which obstructs the free passage of <i>traffic</i> or <i>pedestrians</i> on any <i>highway</i> ;
MOTORCYCLE PARKING	(23)	so as to obstruct access to or egress from a portion of a <i>highway</i> that has been designated for the purpose of motorcycle <i>parking</i> ;
CYCLES OR PEDESTRIANS	(24)	upon a portion of a <i>highway</i> that has been improved for the travel of <i>cycles</i> and or <i>pedestrians</i> , and which is designated as such by <i>traffic control devices</i> .
LOADING ZONE	(25)	(a) in a loading zone as designated by a <i>traffic control device</i> unless the vehicle is actually in the process of being loaded or unloaded; (b) in a commercial loading zone as designated by a traffic control device unless the vehicle is a commercial vehicle displaying a valid commercial licence plate, and is actually in the process of being loaded or unloaded;
BUS STOP	(26)	in a bus stop, as indicated by the appropriate <i>traffic control device</i> , any vehicle other than a vehicle operated by the British Columbia Transit Authority;
FIRE ZONE	(27)	in a fire zone, as indicated by a <i>traffic control device</i> or curb marking;
YELLOW CURB	(28)	at a <i>yellow curb</i> , or any portion thereof;
OVERNIGHT ABODE	(29)	upon any portion of a <i>highway</i> for the purpose of taking up overnight abode;
UNLICENCED VEHICLE	(30)	upon any portion of a <i>highway</i> without proper or valid number plates as required under the <i>Motor Vehicle Act</i> ;
TRAILERS	(31)	a trailer on any portion of a <i>highway</i> without the motive power unit attached, except contractor trailers parked for up to 72 hours near active construction sites; and

ANGLE PARKING (32) at any angle on any *highway* unless so designated by signs.  
ON HIGHWAY

**5. DISABLED PARKING**

Only those vehicles displaying an official "Disabled Persons Parking Placard", issued pursuant to the *Motor Vehicle Act* Regulations, shall *park* in those designated *parking* areas.

**6. TEMPORARY "NO PARKING"**

The Municipal Engineer, the Fire Chief, the Officer In Charge of the Sooke RCMP, any Peace Officer or Bylaw Enforcement Officer may place or cause to be placed temporary "No Parking" signs or other applicable *traffic control devices* on a *highway*

- (a) along the route of any parade;
- (b) to facilitate the fighting of fires or for training purposes;
- (c) to facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a *highway* being carried out by the District of Sooke or any other utility; and
- (d) in the interest of public safety.

**PART 3  
ENFORCEMENT AND PENALTIES**

**7. ENFORCEMENT**

Enforcement Officers and fines are as designated by the Municipal Ticketing Information Bylaw.

**8. FINES**

This bylaw may be enforced by means of a ticket in the form prescribed for the purpose of s. 264 of the *Community Charter*.

**9. OFFENCES**

Any person who contravenes this bylaw commits an offence and on summary conviction by a court of competent jurisdiction, is subject to a fine of not more than \$50,000.00, in addition to the costs of prosecution. Each day during which a violation, contravention, or breach of this bylaw continues is deemed to be a separate offence.

**10. DAMAGES**

Where any *highway* has been damaged by actions undertaken without a *Highway Use Permit* issued under Section 23(1), then the District of Sooke shall carry out such repairs and the costs to repair the damage plus an administration fee of FIFTEEN PERCENT (15%) shall be invoiced to and paid by the parties deemed responsible for the damage.

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**PART 4**  
**REMOVAL OF VEHICLES, CHATTELS, SNOW, SIGNS AND RUBBISH**

**11. REMOVAL OF VEHICLE**

- (1) Any vehicle unlawfully occupying a portion of a *highway* or public place may be removed by an employee, agent or contractor of the District of Sooke. The fees, costs and expenses for that purpose must be paid by the *owner* of the vehicle and constitute a lien on it in favour of the keeper of any place in which the vehicle is stored.
- (2) A lien under subsection 11(1) may be enforced by the *Repairers Lien Act* or the *Warehouse Lien Act*.

**12. REMOVAL OF CHATTEL, OBSTRUCTION, EARTH, MUD, ROCKS, STONES, LOGS, STUMPS, BRANCHES, GARDEN CLIPPINGS OR OTHER THINGS**

Any chattel, obstructions, earth, mud, rocks, stones, logs, stumps, branches, garden clippings, or other things unlawfully occupying any portion of a *highway* or public place may be removed, detained or impounded immediately if it constitutes a danger to persons using the *highway* or, when it does not constitute a danger, after 24 hours by any person authorized to do so by the Municipal Engineer or a Peace Officer and the full costs of removal and disposal shall be charged to the *owner*.

**13. REMOVED, DETAINED OR IMPOUNDED**

Any chattel, obstruction or vehicle removed, detained or impounded may be recovered by the *owner* upon presenting proof of ownership and upon payment in full of any fees, costs and expenses which may be levied pursuant to the provisions of this Bylaw to

- (a) the District of Sooke towing contractor or authorized agent in the case of a vehicle; and
- (b) the Municipal Hall during regular business hours in the case of any chattel or obstruction.

**14. PUBLIC AUCTION**

- (1) Any chattel or obstruction not claimed by its *owner* within 30 days of its impounding or detention may be sold at public auction, and such auction shall be advertised at least once in a newspaper circulating in the District of Sooke.
- (2) The proceeds of such auction sale shall be applied firstly to the cost of the sale, secondly to the fees, costs and expenses of the District of Sooke or its contractors or authorized agents as set out above, and thirdly the balance, if any, shall be held by the District of Sooke for one (1) year from the date of sale for the *owner*. If unclaimed at the end of the year, such sums shall be paid into the general revenue of the District of Sooke.
- (3) Should any chattel or obstruction not be purchased at public auction held pursuant to subsection 11(1), then the chattel or obstruction shall be disposed of in the District of Sooke waste disposal site, or a place approved by the Municipal Engineer, and the expenses incurred in the removal or disposal of the chattel or obstruction, less the

proceeds (if any) of disposal, are recoverable as a debt due the District of Sooke from the *owner*.

**15. MARKET VALUE LESS THAN \$100.00**

- (1) Notwithstanding the preceding provisions, where any abandoned unlicensed *motor vehicle*, garbage, rubbish, chattel, earth, mud, rocks, stones, logs, stumps, branches garden clippings or other things with an apparent market value of less than ONE HUNDRED DOLLARS (\$100.00) is left on any *highway*, such articles or things may be removed and disposed of by any person or persons authorized to do so by the Municipal Engineer or a Bylaw Enforcement Officer or a Peace Officer in the District of Sooke. The full costs of removal or disposal shall be charged to the *owner* of the garbage, rubbish, abandoned or unlicensed *motor vehicle* or the *owner* of the property or contractor or any other person responsible, for which the earth, mud, rocks, stones, logs, stumps, branches, garden clippings or other things originated from.
- (2) The Municipal Engineer shall determine apparent market value.

**16. REMOVAL OF SNOW, ICE OR RUBBISH**

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| SIDEWALKS<br>AND<br>FOOTPATHS | (1) <i>Owners</i> or <i>occupiers</i> of real property shall remove snow, ice or rubbish from the <i>sidewalk</i> and footpaths bordering the property owned or occupied by them within 24 hours of the accumulation of such snow, ice or rubbish on such <i>sidewalk</i> .  |
| HAZARDS                       | (2) <i>Owners</i> or <i>occupiers</i> of real property shall immediately remove any snow, ice or rubbish from the roof or other part of any structure situated adjacent to or abutting on any portion of any <i>highway</i> if it constitutes a danger to persons using the <i>highway</i> by imposing a threat of falling upon the <i>highway</i> . |

**17. POSTING OF POLITICAL SIGNS**

Political campaign signs

- (a) may be placed off the travelled portion of any *highway* provided that the signage is not erected on *highway* medians or affixed to *traffic control devices* or utility poles or trees or in any manner which obstructs the free passage or visibility of *pedestrians* or *traffic*; and
- (b) must be removed within three days following the election.

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**PART 5  
EXTRAORDINARY TRAFFIC**

**18. INTERPRETATION**

In this Part

"*Extraordinary Traffic*" includes the carriage of any goods or persons over a *highway*, at either one or more times, and whether in vehicles drawn by animal power or propelled by some other means, that when taken in conjunction with the nature or existing condition of the *highway* is so extraordinary or improper in the quality or quantity of the goods or the number of persons carried, or in the mode or time of use of the *highway*, or in the speed at which the vehicles are driven or operated, as, in the opinion of the Municipal Engineer, to substantially alter or increase the burden imposed on the *highway* over that imposed through its proper use by ordinary *traffic*, and to cause damage and expense in respect of the *highway* beyond what is reasonable or ordinary.

**19. DAMAGE**

Where any *highway* is liable to be damaged because of *extraordinary traffic* operating upon it, the Municipal Engineer may regulate, limit or prohibit the use of the *highway* by any person operating or in charge of the *extraordinary traffic*, or owning the goods carried thereby or the vehicles used therein.

**PART 6  
NOISE**

**20. NOISE THAT DISTURBS**

No person shall start, drive, turn or stop any *motor vehicle*, or accelerate the vehicle engine while the vehicle is stationary, in a manner which causes a noise that disturbs or tends to disturb the quiet, peace, rest, enjoyment or convenience of individuals or the public. This includes noise in or from the engine, a sound amplification system, the exhaust system or the braking system, or from contact of the tires with the roadway. This does not preclude the use of "jake" brakes by vehicle operators for safety reasons.

**PART 7  
SAFETY EQUIPMENT**

**21. SAFETY EQUIPMENT**

The Municipal Engineer may, by public notice or by the placing of signs, prohibit vehicles from being driven or operated on a *highway* if such vehicles are not equipped with chains, or winter tires, or sanding devices, or any combination of these which the Municipal Engineer may consider adequate and necessary in view of prevailing road conditions.

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**PART 8**  
**USES REQUIRING PERMISSION OF THE MUNICIPAL ENGINEER**

**22. RESTRICTIONS**

Except as authorized by a *Highway Use Permit* issued by the Municipal Engineer pursuant to Part 9 of this Bylaw, no person shall:

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| EXCAVATIONS<br>CUTTING TIMBER | (1)  | dig up, break up or remove any part of a <i>highway</i> , or cut down or remove trees or timber growing on a <i>highway</i> , or excavate in or under a <i>highway</i> ;   |
| DAMAGE TO<br>BOULEVARDS       | (2)  | cause damage to, cut down or remove, trees, grass, shrubs, plants bushes and hedges, fences, signs or other things erected, planted or maintained by the District of Sooke on a <i>highway</i> ;   |
| STOPPING WATER                | (3)  | change the level of a <i>highway</i> in any manner whatsoever, or stop the flow of water through any drain, sewer or culvert on, through or under a <i>highway</i> ;   |
| STRUCTURES                    | (4)  | place, construct or maintain a chattel, loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a <i>highway</i> or any portion of a <i>highway</i> ;  |
| EFFLUENT FROM<br>DRAIN        | (5)  | construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a <i>highway</i> ;   |
| DEFACING                      | (6)  | mark, imprint or deface in any manner whatsoever a <i>highway</i> or a structure situated upon a <i>highway</i> ;  |
| SIGNS                         | (7)  | erect or maintain any sign, advertisement or guidepost on or over any <i>highway</i> or alter, repaint, tear down or remove any sign, advertisement or guidepost erected or maintained on any <i>highway</i> ;   |
| TRACKED<br>VEHICLES           | (8)  | operate tracked vehicles, whether equipped with road plates or not, on <i>sidewalks</i> , <i>boulevards</i> , <i>highways</i> or lanes, other than for the purpose of snow removal or grading;   |
| VEHICLES AND<br>ANIMALS       | (9)  | ride, drive, lead, move or propel any vehicle or animal in excess of 270 kg (600 lbs) over or across any curb, <i>sidewalk</i> or ditch, unless such has been constructed or improved so as to form a suitable crossing, except when such vehicle or animal is being used to improve or maintain the <i>boulevard</i> or, in the case of any area of the District of Sooke designated as Agricultural Land Reserve or as a Rural Zone or Agricultural Zone under the District of Sooke zoning bylaw; and |
| CONSTRUCTION                  | (10) | construct a <i>boulevard</i> crossing, including a curb, ditch or <i>sidewalk</i> crossing.  |

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**PART 9**  
**CONDITIONS REQUIRING PERMISSION OF THE MUNICIPAL ENGINEER**

**23. HIGHWAY USE PERMIT**

- (1) The Municipal Engineer may issue a *Highway Use Permit* to do any of those things otherwise prohibited in Section 22 of this Bylaw.
- (2) Despite any other enactment, no person may excavate within a highway or public place for the purpose of installing or maintaining utility works intended to serve more than one parcel without a highway use permit. The Municipal Engineer may issue a highway use permit to permit a utility operator to excavate within a highway or public place for the purpose of installing or maintaining utility works if the Municipal Engineer is satisfied that the utility operator is capable of installing, operating and maintaining the proposed works for the life of the works.
- (3) A *Highway Use Permit* issued under (1) shall be in the form prescribed by the District of Sooke, as amended from time to time, issued subject to the payment of such fee prescribed by the District's Fees and Charges Bylaw and subject to such other conditions as may be contained in this part.

**24. PLANS**

The applicant shall provide four complete copies of satisfactory plans and/or specifications of the work to be undertaken and when such are supplied and approved by the Municipal Engineer and the necessary *Highway Use Permit* issued, the work shall conform in every way to the plans and specifications so approved.

**25. STANDARD CONDITIONS TO APPLY**

Any and all work which is carried out under a *Highway Use Permit* issued pursuant to the provisions of this Part shall conform in every way to the regulations set out in the District of Sooke *Subdivision and Development Bylaw, 2002* and amendments thereto.

**26. DEPOSIT**

- (1) Prior to the issuance of any *Highway Use Permit* under this Part, the applicant may be required to deposit with the Municipal Engineer a sum of money sufficient to pay for the cost of repairing any damage which may be done to the *highway*, and as sufficient security that the obligations imposed by the *Highway Use Permit* are fulfilled within the time specified by the *Highway Use Permit*.
- (2) When a deposit is required as per (1), it shall equal up to 110% of the total value of the work to be carried out and in all instances, shall not be less than \$100.00 and shall be in the form of cash or certified cheque.
- (3) Notwithstanding (2), if the sum of money required pursuant to (2) is greater than ONE HUNDRED DOLLARS (\$100.00), the applicant may deposit with the Director of Finance an Irrevocable Letter of Credit from a chartered bank of Canada.

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**27. AS BUILT PLANS**

Following completion of the work, the applicant shall provide satisfactory plans of the works installed by the applicant if works are installed by the applicant and such plans shall be drawn to a scale satisfactory to the Municipal Engineer and shall show the location, size and description of the works and the date of installation. The plan shall be supplied prior to the return or refund of any deposit or security posted as a condition of the permission.

**28. REFUND**

Where a deposit has been made in accordance with this Part and upon satisfactory completion of the work within the time specified, the deposit shall be refunded to the applicant.

**29. DEFAULT**

Failure by the *Highway Use Permit* holder to repair damage and/or fulfill such obligations as are set out in the *Highway Use Permit* within the specified time shall enable the District of Sooke to carry out such repairs or fulfill such obligations that have not been met under the terms and conditions of the *Highway Use Permit*, and to deduct the cost thereof from the costs there from, and should there be an insufficiency of monies on deposit or through the Letter of Credit, then the applicant shall pay the balance forthwith, upon invoice, that amount required by the District of Sooke to carry out the works or fulfill the obligation, and such balance shall be paid in addition to an administration charge of FIFTEEN PERCENT (15%).

**30. WARNINGS**

Any person doing work on, in, over or under any *highway* shall provide and place appropriate barricades, flag persons, lights and other safety devices as required to protect the public in accordance with the Uniform Traffic Control Device manual published by the Road and Transportation Association of Canada and the *Motor Vehicle Act*.

**31. INSURANCE**

The Municipal Engineer may require the applicant to provide evidence, satisfactory to the Municipal Engineer, that he is insured against and has provided insurance coverage for the municipality against all claims for damages for personal injury and property damage which may arise out of the performance of the work covered by the *Highway Use Permit* and such insurance, for both himself and the municipality, shall be in an amount of not less than TWO MILLION DOLLARS (\$2,000,000.00) for each occurrence, shall name the District of Sooke as an additional insured, and the applicant shall waive all rights of subrogation.

**32. MATERIALS**

The applicant shall provide evidence satisfactory to the Municipal Engineer that all materials, labour and equipment, which are needed to complete the work with reasonable dispatch, are available.

**33. UTILITY COMPANIES**

- (1) The Municipal Engineer may issue a *Highway Use Permit* to a public utility company permitting such company, over the calendar year for which the *Highway Use Permit* is applicable, to carry out such work as may be necessary in the case of an emergency to

repair any break or damage to the utilities under their control, and subject to the terms of any franchise or other agreement entered into between such utility and the District of Sooke.

- (2) There shall be no charge levied for an annual *Highway Use Permit* issued under (1).

## PART 10 TRAFFIC CONTROL DEVICES

### 34. LOCATION

The Municipal Engineer is authorized to make orders in respect of the matter comprised in this bylaw, including without limitation orders directing the placement and removal of *traffic control devices*, and by those orders to exercise the powers of the District of Sooke under this bylaw. The Municipal Engineer may rescind, revoke, amend or vary his or her orders.

Such *traffic control devices* shall include all signs contained in the Uniform Traffic Control Device Manual published by the Road and Transportation Association of Canada, and comply with the *Motor Vehicle Act* regulations and without limiting the generality of the foregoing shall also include:

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| SIDEWALKS BRIDGES<br>LANES   | (1) | <i>traffic control devices</i> to regulate, control or prohibit <i>pedestrian traffic</i> , ridden or herded animals, vehicular <i>traffic</i> and <i>cycle traffic</i> on <i>sidewalks</i> , bridges, walkways or <i>boulevards</i> , or in lanes; |
| STOP SIGNS                   | (2) | <i>traffic control devices</i> to regulate, control or prohibit the stopping of vehicles;   |
| PARKING                      | (3) | <i>traffic control devices</i> for the regulation, control or prohibition of standing or <i>parking</i> of vehicles;  |
| MEN WORKING                  | (4) | <i>traffic control devices</i> where construction, reconstruction, widening, repair, marking or other work is being carried out indicating that men or equipment are working upon the <i>highway</i> ;  |
| CONSTRUCTION<br>ZONE/DETOURS | (5) | <i>traffic control devices</i> where construction, reconstruction, widening, repair, painting or marking or other work is being carried out to regulate or prohibit <i>traffic</i> in the vicinity of such works;                                   |
| PEDESTRIANS                  | (6) | <i>traffic control devices</i> to regulate or prohibit <i>pedestrian traffic</i> on <i>highways</i> other than at <i>crosswalks</i> ;   |
| SKATES                       | (7) | <i>traffic control devices</i> to regulate, control or prohibit persons using roller skates, in-line-skates, skateboards, sleighs, skates, skis or other similar means of conveyance on a <i>highway</i> ;  |

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| TURN PROHIBITION | (8)  | <i>traffic control devices</i> at intersections and in advance of intersections where it is required to prohibit certain movements;   |
| DO NOT ENTER     | (9)  | <i>traffic control devices</i> at the end of one-way <i>highways</i> to prevent <i>traffic</i> entering the restricted area;  |
| ONE WAY          | (10) | <i>traffic control devices</i> on <i>highways</i> upon which the <i>traffic</i> is required to travel in one direction only;  |
| TWO WAY TRAFFIC  | (11) | <i>traffic control devices</i> at the transition from one way to two way <i>highways</i> to indicate that normal travel is restricted to the right hand side of the <i>highway</i> ;  |
| DO NOT PASS      | (12) | <i>traffic control devices</i> at the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous;   |
| KEEP RIGHT       | (13) | <i>traffic control devices</i> within and at the end of median strips and <i>traffic</i> islands;   |
| LOADING ZONES    | (14) | (a) <i>traffic control devices</i> at locations where due to adjacent commercial facilities it is desirable to reserve space for loading and unloading commercial vehicles;<br><br>(b) <i>traffic control devices</i> at locations where due to adjacent passenger facilities it is desirable to reserve space for loading and unloading passenger vehicles;<br><br>(c) <i>traffic control devices</i> in locations where truck <i>traffic</i> is prohibited or restricted; |
| MAXIMUM WEIGHT   | (15) | <i>traffic control devices</i> at locations where due to seasonal weakening of road surfaces, obsolescence of bridges or pavements, or <i>highway</i> repairs, loads in excess of those prescribed on the signs constitute a hazard to <i>traffic</i> or may cause excessive damage to the <i>highway</i> ;   |
| MAXIMUM SPEED    | (16) | <i>traffic control devices</i> at locations where due to limitations of sight distances, road surfaces, <i>traffic</i> flows and frequency of intersections, speeds in excess of those prescribed on the signs constitute a hazard to <i>traffic</i> or may cause excessive damage to the <i>highway</i> ;  |
| BUS STOPS        | (17) | <i>traffic control devices</i> at locations where a bus or other transit vehicle stops to pick up passengers, and it is desirable to restrict stopping, standing and <i>parking</i> on the road to only such vehicles. A sign erected pursuant to this subsection may contain the following information:<br><br>(a) that the bus stop is a "tow away zone";   |

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- (b) the telephone number of the District of Sooke towing contractor;
- NO STOPPING (18) signs at locations where free flow of *traffic* is required, and where it is desirable, therefore, to permit no stopping on the *highway*, except in the case of an emergency;
- SCHOOL (19) *traffic control devices* at locations where it is required to give advance information and warning, such as the presence of a school adjacent to a *highway*, a school *crosswalk*, or a school maximum speed zone;
- PLAYGROUND (20) *traffic control devices* at locations where it is required to give advance information and warning of a playground adjacent to a roadway, or its maximum speed zone;
- CROSSWALK (21) *traffic control devices* or lines at locations where heavy *pedestrian traffic* crosses a *highway* and at locations other than an intersection, such as at schools, playgrounds and public buildings where it is required to control *pedestrian traffic*;
- ANGLE PARKING (22) *traffic control devices* or lines in locations where it is permissible to angle *park*;
- WARNING (23) *traffic control devices* at locations where it is required to warn *traffic* of hazardous conditions, either on or adjacent to the *highway* or to prohibit *traffic* from using the *highway*;
- TRAFFIC SIGNALS (24) *traffic control devices*, whether manually, electrically or mechanically operated by which *traffic* is directed to stop and proceed, at intersections and other locations where the existing *traffic control devices* are not adequate to control the *traffic* efficiently;
- TRUCK ROUTES (25) *traffic control devices* on *highways* where the Municipal Engineer has designated truck routes for movement of truck *traffic* through the District of Sooke;
- PARKING (26) *traffic control devices* at the entrance to a *highway* or upon *highways* where provision is made for *parking* of *motor vehicles* under the conditions of "No parking unless valid and subsisting passes or tickets are displayed on the dashboard of the vehicle and which are in full view through the front windshield of the vehicle";
- NO PASSING (27) *traffic control devices* at locations approaching *crosswalks*, school and park zones indicating that passing is prohibited

- |                  |      |  |
|------------------|------|--|
| FIRE ZONE        | (28) | <i>traffic control devices</i> at locations where standing, stopping or <i>parking</i> of a vehicle would impede the passage or operation of firefighting equipment, indicating that the area is a "FIRE ZONE" and that standing, stopping or <i>parking</i> is prohibited in that area; |
| PARALLEL PARKING | (29) | <i>traffic control devices</i> or lines in locations where it is permissible to parallel <i>park</i> ; and   |
| R.C.M.P. ZONE    | (30) | <i>traffic control devices</i> at locations where it is desirable to restrict stopping, standing, or <i>parking</i> in zones reserved for R.C.M.P. use only.   |

### 35. CONTROL

- (1) The Municipal Engineer may order the alteration, repainting, tearing down or removal of any sign, advertisement or guide-post unlawfully erected or maintained on or over any *highway* and in the exercise of this authority no compensation shall be paid to any person for loss or damage resulting from the alteration, repainting, tearing down or removal of any sign, advertisement or guide-post placed upon or over any *highway*.
- (2) No person, other than a person authorized pursuant to this Bylaw or the *Motor Vehicle Act*, shall place or erect a sign on real property, which purports to regulate *traffic* on or the use of the adjacent *highway*.

### 36. TEMPORARILY CLOSING HIGHWAYS

The Municipal Engineer may temporarily close a *highway* or part of it to *traffic*, or control *traffic*, during the time work is in progress on or in connection with the *highway*. No person shall use a closed or controlled portion of *highway* contrary to a *traffic control device* placed under this section.

## PART 11 VEHICLE REGULATIONS

### DIVISION (1) - GENERAL REGULATIONS

### 37. PROHIBITIONS

37.1 Except as authorized by a *Highway Use Permit* issued by the Municipal Engineer pursuant to Section 41 of this Bylaw, no person shall drive or operate on a *highway*

- |                |     |  |
|----------------|-----|--|
| MAXIMUM LENGTH | (1) | a vehicle so loaded that any part of the load extends more than 185 cm beyond the back of the vehicle, except that a commercial vehicle with a licensed GVW greater than 5500 kg may have a load extend beyond the back <i>axle</i> a distance equal to 35 percent of the wheelbase of the vehicle or trailer on which the load is placed; |
|----------------|-----|--|

- |                                   |     |  |
|-----------------------------------|-----|--|
| PNEUMATIC TIRES                   | (2) | a vehicle, other than a horse-drawn vehicle, the wheels of which are not equipped with pneumatic tires in good order;  |
| SOLID TIRES                       | (3) | a vehicle equipped with solid rubber tires, the thickness of which between the rim of the wheel and the surface of the <i>highway</i> is less than 32 mm;  |
| SPEED - SOLID TIRES               | (4) | a solid rubber-tired vehicle at a speed greater than 20 km/h;  |
| SPIKES, CLEATS, OTHER ATTACHMENTS | (5) | a vehicle having wheels or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, studs, flanges, lugs, or other attachments or projections which extend beyond the tread or traction surface of the wheel, tread, or track, except that this prohibition does not apply to a vehicle equipped with tire chains when required for safety or winter studded tires when used between October 1st and April 30 <sup>th</sup> of each calendar year; and |
| LOAD DROPPING OR SWAYING          | (6) | a vehicle unless it is so constructed and loaded as to prevent any of its load, equipment or other article from shifting or swaying in such a manner as to affect the operation of the vehicle; or from dropping, sifting, leaking or otherwise escaping.  |

### 37.2 METHODS OF LOAD SECUREMENT

- (1) No person shall drive or operate a vehicle on a *highway* while the vehicle is carrying a load unless the load is secured with tie downs or by sides, sideboards or side stakes and a rear endgate, endboard or endstakes that
  - (a) are securely attached to the vehicle;
  - (b) are strong enough and high enough to fully contain the load and to ensure that the load will not shift upon or fall from the vehicle; and
  - (c) have no aperture large enough to permit any part of the load to pass through.
- (2) The “**tie downs**” required by this section must meet the standards required by the *Motor Vehicle Act Regulations*.

### 37.3 EXCEPTION FOR SIZE OR SHAPE

Notwithstanding section 37.2, where the methods described in that section

- (a) cannot be used to secure the load to a vehicle because of the load’s size, shape or both; or
- (b) if used to secure the load to a vehicle, are likely to cause damage to the load;

a person may drive or operate the *motor vehicle* on the *highway* while the vehicle is carrying that load if it is secured in a manner that ensures compliance with Section 38(2) and by means of securement devices that conform to Section 37.2(2).

#### **37.4 TIERED ARTICLES**

No person shall drive or operate a vehicle on a *highway* while the vehicle is carrying its load in more than one tier of separate components unless the load is secured in a safe and stable manner.

#### **37.5 DRUMS**

- (1) No person shall drive or operate a vehicle on a *highway* while the vehicle is carrying drums or barrels on end unless
  - (a) where metal drums or barrels are stacked on end on other metal drums or barrels, the stacks are separated by dunnage; and
  - (b) the vehicle has sides, sideboards or side stakes and the drums or barrels are blocked or tied down with hardware adequate to prevent the load from shifting off the vehicle.
- (2) Subsection (1) does not apply to a vehicle transporting empty metal drums if secured in the manner described in Section 37.2(1)(a).

#### **37.6 COVERING OF AGGREGATE LOADS**

- (1) No person shall drive or operate a vehicle on a *highway* while the vehicle is carrying a load of aggregate material, soil, sand, or earth if any of the load is likely, if not covered, to bounce, blow or drop from the vehicle in transit, unless the load is covered in a way that prevents any of it from blowing, bouncing, dropping or escaping from the vehicle.
- (2) No person shall drive or operate a vehicle on a *highway* while the vehicle is carrying a load of bark mulch, wood chips, hog fuel or sawdust unless the load is securely covered to prevent it from blowing, bouncing, dropping or escaping from the vehicle.
- (3) The cover required in subsections (1) and (2) must be secured and tightly fastened so that it is not and cannot become a hazard.
- (4) This section does not prohibit dropping sand from a vehicle to secure traction, or water or other substance to clean or maintain a *highway*.

#### **37.7 LOAD SUPPORTED ON ROLLERS**

No person shall drive or operate a vehicle on a *highway* when the load of the vehicle is supported on rollers unless at least one roller is equipped with locks that are fastened in a manner that prevents the load from shifting in transit.

### 37.8 REFUSE CONTAINERS

No person shall drive or operate on a *highway* a self-loading vehicle transporting a refuse container unless the refuse container is located and secured to the hoist frame at all four corners by a means which is of adequate strength to prevent movement between the container, the hoist frame and the truck frame. The winch or hoist is not considered part of the securement for the container.

### 37.9 DANGEROUS GOODS

No person shall transport dangerous goods on *highways* within the District of Sooke unless they are in full compliance with the *Transport of Dangerous Goods Act* and they proceed directly to or from a location within the District of Sooke to which they are delivering or have delivered dangerous goods.

## DIVISION (2) SIZE AND WEIGHT REGULATIONS

### 38. DIMENSIONS

Except as authorized by a *Highway Use Permit* issued by the Municipal Engineer pursuant to Section 41 of this Bylaw, no person shall drive or operate on any *highway*:

- |                |   |  |     |   |     |  |     |   |     |   |     |  |
|----------------|---|--|-----|---|-----|--|-----|---|-----|---|-----|--|
| MAXIMUM WIDTH  | (1)   | a vehicle having a total outside width, with or without load, in excess of 2.6 m, except that with loads of loose hay, loose straw or loose fodder, the load may project over the side of the vehicle such distance as results in a total outside width not in excess of 3.1m;   |     |   |     |  |     |   |     |   |     |  |
| MAXIMUM HEIGHT | (2)   | a vehicle having a height, with or without load, in excess of 4.15 m;  |     |   |     |  |     |   |     |   |     |  |
| MAXIMUM LENGTH | (3)   | <table border="0" style="width: 100%;"><tr><td style="vertical-align: top; padding-right: 10px;">(a)</td><td>a single vehicle having an overall length, with or without load, in excess of 12.5 m, except as provided in (b), (c) and (d);</td></tr><tr><td style="vertical-align: top; padding-right: 10px;">(b)</td><td>a trailer the overall length of which exceeds 12.5 m, except that in the case of a "reefer-van", the overall length may be extended to include the refrigeration and/or heating unit only;</td></tr><tr><td style="vertical-align: top; padding-right: 10px;">(c)</td><td>a <i>semi-trailer</i> the overall length of which exceeds 14.65m, except that in the case of a "reefer-van" the overall length may be extended to include the refrigeration and/or heating unit only;</td></tr><tr><td style="vertical-align: top; padding-right: 10px;">(d)</td><td>a bus the overall length of which exceeds 12.5 m;</td></tr><tr><td style="vertical-align: top; padding-right: 10px;">(e)</td><td>a <i>combination of vehicles</i> having an overall length, with or without load, in excess of 20 m, except as provided in (f) and (g);</td></tr></table> | (a) | a single vehicle having an overall length, with or without load, in excess of 12.5 m, except as provided in (b), (c) and (d); | (b) | a trailer the overall length of which exceeds 12.5 m, except that in the case of a "reefer-van", the overall length may be extended to include the refrigeration and/or heating unit only; | (c) | a <i>semi-trailer</i> the overall length of which exceeds 14.65m, except that in the case of a "reefer-van" the overall length may be extended to include the refrigeration and/or heating unit only; | (d) | a bus the overall length of which exceeds 12.5 m; | (e) | a <i>combination of vehicles</i> having an overall length, with or without load, in excess of 20 m, except as provided in (f) and (g); |
| (a)            | a single vehicle having an overall length, with or without load, in excess of 12.5 m, except as provided in (b), (c) and (d);   |  |     |   |     |  |     |   |     |   |     |  |
| (b)            | a trailer the overall length of which exceeds 12.5 m, except that in the case of a "reefer-van", the overall length may be extended to include the refrigeration and/or heating unit only;            |  |     |   |     |  |     |   |     |   |     |  |
| (c)            | a <i>semi-trailer</i> the overall length of which exceeds 14.65m, except that in the case of a "reefer-van" the overall length may be extended to include the refrigeration and/or heating unit only; |  |     |   |     |  |     |   |     |   |     |  |
| (d)            | a bus the overall length of which exceeds 12.5 m;   |  |     |   |     |  |     |   |     |   |     |  |
| (e)            | a <i>combination of vehicles</i> having an overall length, with or without load, in excess of 20 m, except as provided in (f) and (g);  |  |     |   |     |  |     |   |     |   |     |  |

- (f) a combination of three vehicles consisting of a 3-*axle* tandem drive truck-tractor, *semi-trailer* and trailer, or a 3-*axle* tandem drive truck-tractor and two *semi-trailers*, having an overall length, with or without load, in excess of 22 m, provided that the distance from the kingpin of the first *semi-trailer* and/or its load does not exceed 16.75 m;
  - (g) a *combination of vehicles* carrying a load of non-reducible logs, poles or piling in excess of 21.5 m; and
- (4) a vehicle loaded so that the load or any portion thereof obstructs the driver's reflected view of the *highway* directly to the rear of the vehicle, or the driver's view to the front or sides of the vehicle.

### 39. ALL SIGNS TO APPLY

Notwithstanding any of the provisions of the regulations under Section 38 or a *Highway Use Permit* issued pursuant to this Bylaw, the maximum height, length or width of a vehicle or load allowable on a *highway* or portion of a *highway* that is expressly limited as to maximum height, length or width of a vehicle or load by a *traffic control device* erected by or with the authority of the Municipal Engineer shall be that set out on the *traffic control device*.

### 40. WEIGHT RESTRICTIONS

Notwithstanding any of the other provisions of this Bylaw, no person shall, without a *Highway Use Permit* issued pursuant to this Bylaw, drive or operate on a *highway*, or a portion of a *highway*, including a bridge, a vehicle or *combination of vehicles* having a gross weight on any *axle* or group of *axles*, or a gross vehicle weight, in excess of any load limit as may be indicated by a *traffic control device*.

## DIVISION (3) - HIGHWAY USE PERMITS

### 41. AUTHORIZATION

- (1) The Municipal Engineer, by issuance of a *Highway Use Permit*, may authorize the driving or operation on a *highway* of a commercial vehicle that does not conform to Section 37, 38 or 40.
- (2) The Municipal Engineer may specify in the *Highway Use Permit*, the hours of the day, date and the route, which shall be followed.

**PART 12  
GENERAL**

**42. OBSTRUCT PEACE OFFICER**

No person shall obstruct a Peace Officer, the Municipal Engineer or a Bylaw Enforcement Officer who is acting pursuant to this Bylaw.

**43. REMAINDER OF BYLAW TO BE MAINTAINED INTACT**

In the event that a Court of competent jurisdiction declares any portion of this Bylaw ultra vires, then such portion shall be deemed to be severed from the Bylaw to the intent that the remainder of the Bylaw shall continue in full force and effect.

Introduced and read a first time the 11<sup>th</sup> day of February 2002.

Read a second time the 11<sup>th</sup> day of February 2002.

Read a third time the 11<sup>th</sup> day of February 2002.

Third reading rescinded the 22<sup>nd</sup> day of April 2002.

Read a third time as amended the 22<sup>nd</sup> day of April 2002.

Adopted on the 13<sup>th</sup> day of May 2002.

*“original signed by:”*

\_\_\_\_\_  
Jeff Stewart  
Acting Mayor

*“original signed by:”*

\_\_\_\_\_  
Tom Day  
Chief Administrative Officer