

THE CORPORATION OF THE VILLAGE OF SLOCAN BYLAW NO. 617

A bylaw of the Village of Slocan to regulate traffic and the use of highways, boulevards and sidewalks within the boundaries of the Village of Slocan

Pursuant to the *Motor Vehicle Act* and the *Local Government Act*, the Municipal Council of the Village of Slocan, in open meeting assembled, enacts as follows:

PART 1 - INTRODUCTION

- 1.1** Words in this Bylaw have the same meaning as words defined in the *Motor Vehicle Act*, R.S.B.C., 1996, or regulations under that *Act*, unless otherwise defined in this Bylaw.
- 1.2** Metric units are used for all measurements in this Bylaw.
- 1.3** Any Act referred to in this bylaw is a reference to an Act of the Province of British Columbia or Canada, as the case may be, and the applicable regulations, as amended, revised, consolidated or replaced from time to time.
- 1.4** This Bylaw applies to all lands within the area incorporated as the Village of Slocan.
- 1.5** Unless otherwise indicated, this Bylaw does not apply to arterial highways classified as such by order of the Lieutenant Governor in Council pursuant to the *Highway Act*.
- 1.6** Unless otherwise indicated, this Bylaw shall not apply in respect of the driving or operation by an invalid of a mechanically propelled invalid's chair, the use of which is confined to the purposes for which it was designed.

PART 2 - INTERPRETATION

In this bylaw, unless the context otherwise requires, the expressions and definitions contained within the *Motor Vehicle Act*, the *Passenger Transportation Act* and the *Commercial Transportation Act*, shall be applicable and these additional interpretations shall prevail throughout:

"ACCESS" means a driveway intended for ingress or egress to abutting property from a highway.

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

"BYLAW ENFORCEMENT OFFICER" means the person appointed as such by Council and any person appointed or designated to assist him or her in enforcing municipal laws and regulations as set out in this bylaw.

"BOULEVARD" means the area other than a sidewalk between the curb lines of a highway or the lateral lines of a highway or the shoulder thereof and the adjacent property line.

"BUS" means a motor vehicle which is designed, constructed and used for the transportation of more than nine passengers.

"BUS STOP ZONE" means the curb lane extending 20 meters on the approach side of a bus stop sign or any length of curb area delineated by a white curb.

"CHATTELS" means a moveable item of personal property.

"CHIEF ADMINISTRATIVE OFFICER" means the person appointed by Council to the position of Chief Administrative Officer and includes any person appointed or designated by the Chief Administrative Officer to act on his or her behalf.

"COUNCIL" means the Council of the Village of Slocan.

"CYCLE" means a device having any number of wheels that is primarily propelled by human power, may be electrically power assisted, does not contain an internal combustion engine and on which a person may ride.

"PUBLIC WORKS SUPERVISOR" means the person appointed as such by Council, and any person appointed or designated by the Public Works Supervisor to act on his or her behalf.

"DISABLED PERSON" means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk.

"DOUBLE PARKING" means the standing of a vehicle in the traveled portion of the highway, adjacent to a parked vehicle or a parking space.

"ENGINE VALVE RETARDANT BRAKES" means a braking system installed on truck tractors in addition to the standard braking systems required under the *Motor Vehicle Act* ("Jacob engine brakes").

"FIRE CHIEF" means the person appointed as such by the Regional District of Central Kootenay and any person appointed or designated by the Fire Chief to act on his or her behalf.

"HAZARDOUS MATERIALS" means any explosive, flammable, toxic, noxious or other harmful or hazardous materials, including dynamite, concentrated chemicals in either solid, liquid or gaseous form, pressurized gases, gasoline and diesel fuel.

"HIGHWAY" includes every highway within the meaning of the *Transportation Act* excluding highways classified as arterials pursuant to the *Transportation Act* designed or intended for or used by the general public for the passage of persons and vehicles,.

"LANEWAY" means a service road located at the rear of residential or commercial property.

"LIMITED PARKING" means regulated or restricted parking.

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

"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

- 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.

"PARK" means the stopping or standing of a vehicle, whether occupied or not.

"PARKING SPACE" means a space of a section of a highway marked by painted lines or other device or sign that is intended for the parking of a vehicle.

"PEACE OFFICER" means any member of the RCMP and any person delegated to assist him or her in carrying out his or her duties under this bylaw.

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

"PERSONS" means

- 1) human beings, male or female OR
- 2) a company or corporation.

"PUBLIC TRANSIT BUS" means any vehicle operated under the auspices of B.C. Transit for use by the general public.

"PUBLIC WORKS SUPERVISOR" means the Supervisor of the Village of Slocan and includes any person appointed or designated by Supervisor to act on his behalf.

"RECREATION VEHICLE" means a chassis mounted camper, motor home, holiday trailer or boat trailer intended exclusively for recreational use.

"RESIDENTIAL AREA" means any area zoned for residential land use in the Zoning Bylaw.

"RESIDENTIAL DWELLING UNIT" means one or more habitable rooms constituting a self contained unit with separate entrances and used or intended to be used for living and sleeping purposes for not more than one family, which dwelling unit contains not more than one set of cooking facilities.

"ROAD CLOSURE PERMIT" means a permit which authorizes the closure of a highway or portion of a highway.

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

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

"TRAFFIC CONTROL DEVICE" means a sign, signal, line, meter, marking, space, or device, not inconsistent with this bylaw, placed or erected by authority of the Minister of Highways or of the Council or person duly authorized by the Minister of Highways or the Council to exercise such authority.

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

"VEHICLE" includes any means of conveyance in, upon, or by which any person or property is or may be transported or drawn upon a highway irrespective of the motive of power.

"VILLAGE" means the Corporation of the Village of Slocan.

PART 3 – AUTHORITIES

3.1 PUBLIC WORKS SUPERVISOR

The Public Works Supervisor may:

- (a) on any highway place or erect or cause to be placed or erected traffic control devices to regulate or prohibit traffic where deemed necessary to ensure the orderly movement of traffic, or to prevent injury or damage to persons or property or to prevent injury or damage to the highway and where such traffic control devices are so placed or erected they shall have the same force and effect as if placed or erected by resolution of Council;
- (b) prohibit the use of vehicles not equipped with chains, snow tires, or sanding devices;
- (c) authorize and empower by order to place, replace or alter traffic control devices at any location he or she may determine to give effect to the provisions of the *Motor Vehicle Act* and this bylaw;
- (d) impound or detain if necessary for the purpose of carrying out required duties, any vehicle or trailer;
- (e) issue, or cause to be issued, orders to revoke, rescind, amend or vary any permit, notice, traffic notice, order or directive issued pursuant to the provisions of this Bylaw.

3.2 PEACE OFFICER

The Peace Officer may:

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

3.3 FIRE CHIEF

The Fire Chief may:

- (a) direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device;
- (b) impound or detain if necessary for the purpose of carrying out required duties, any vehicle or trailer;
- (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;

3.4 BYLAW ENFORCEMENT OFFICER

The Bylaw Enforcement Officer may:

- (a) place temporary "No Parking" signs and barricades or other applicable traffic control devices;
- (b) impound or detain any vehicle, trailer or cycle in violation of this bylaw;

- (c) issue, or cause to be issued, orders to revoke, rescind, amend or vary any permit, notice, traffic notice, order or directive issued pursuant to the provisions of this Bylaw;

PART 4 - GENERAL TRAFFIC REGULATIONS

4.1 APPLICATION

Unless the context otherwise requires:

- (a) The provisions of this bylaw do not apply to persons, vehicles and to other equipment while actually engaged in highway construction or maintenance work upon, under or over the surface of a highway while at this site of the work, but do apply to them when travelling to or from the site of the work;
- (b) A person riding an animal or driving an animal drawn vehicle upon a highway has all the rights and is subject to all the provisions of this bylaw.

4.2 CONFORMANCE

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

4.3 DAMAGE TO DEVICES

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

4.4 OBEY COMMANDS

Every person shall at all times comply with any lawful order, direction, signal or command made or given by a peace officer, bylaw officer, fireman, ambulance attendant, flag person or school patrol.

4.5 SPEED LIMITS HIGHWAY

The maximum speed on any highway in the Village of Slocan shall be forty (40) kilometers per hour unless otherwise posted with the following exceptions

- (a) School Zones which will be 30 kilometers per hour from 8 a.m. to 5 p.m. on a regular school day;
- (b) Playground Zones which will be thirty (30) kilometers per hour from sunrise to sunset daily;

4.6 SPEED LIMITS - CONSTRUCTION

No person shall operate a vehicle within a construction zone at a speed greater than twenty (20) kilometers per hour unless otherwise posted.

4.7 DAMAGE TO SIDEWALKS

No person operating a vehicle shall park, drive on, over or upon any sidewalk, walkway or curb so as to encumber, obstruct, or damage same.

4.8 BLOCKING INTERSECTIONS

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

4.9 VEHICLE WHEELS

- (a) No person shall drive any vehicle of any kind having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections or steel tracks unless equipped with street plates engaging the highway along, on or across any bridge or hard surface highway within the Village, without first obtaining the written permission of the Public Works Supervisor who shall determine which bridges or highways may be used and the conditions of such use. Nothing herein contained shall be construed as prohibiting the use of tire chains or studded winter tires.
- (b) Applications must be submitted in writing to the Village Office and will be processed by the Public Works Supervisor.
- (c) The Public Works Supervisor may, by public notice or by the placing of signs on highways, prohibit the operation of vehicles which are not equipped with chains or winter tires or sanding devices or any combination of these which he or she may consider adequate and necessary in view of the prevailing highway conditions and no person shall drive any vehicle in contravention of such notice or signs.

4.10 TRUCK ROUTES

Every person operating a truck exceeding the GVW of 10,900 kilograms upon a highway shall travel by the closest and most direct route to the destination of the trip upon entering or leaving the Village.

4.11 LOAD LIMITS

No person shall operate on a highway a vehicle or combination of vehicles and trailers having a weight not conforming to the requirements of the *Commercial Transport Act*.

4.12 VEHICLE SIZE

No person shall 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 the *Transportation Act*.

4.13 TRAFFIC AND LOAD RESTRICTIONS

Where in the opinion of the Public Works Supervisor any highway is liable to damage through extraordinary traffic, he or she may

- (a) regulate,
- (b) limit or
- (c) prohibit the use of the highway to any person
 - (i) operating or in charge of the extraordinary traffic
 - (ii) owning the goods carried therein or
 - (iii) owning the vehicles used therein.

4.14 HIGHWAY CLOSURE PERMIT

- (a) Temporary Highway Closure Permits may be issued to persons requiring partial or complete closure of a highway for the purpose of construction on or adjacent to a highway.
- (b) Applications for a permit must be submitted in writing to the Village Office and will be processed by the Public Works Supervisor.
- (c) Permit Cost - No charge, except for any direct costs incurred due to traffic control, parking meter hooding or the like.

4.15 IMPOUNDMENT OR DETAINMENT OF VEHICLES

- (a) Where a vehicle is standing or parked
 - i) in violation of any of the provisions of this bylaw;
 - ii) in a position that causes it to interfere with removal of snow, ice or sand from a highway, boulevard or sidewalk;
 - iii) in a position that causes it to interfere with fire fighting;
 - iv) in a position that causes it to interfere with the normal flow of traffic on a highway;
 - v) in a position that causes it to interfere with the construction, improvement, alteration, extension, widening, marking repair or maintenance of a highway;
 - vi) apparently abandoned on a highway; or
 - vii) without proper or valid license plates displayed as required by the *Motor Vehicle Act*,

the Public Works Supervisor, the Fire Chief, a Peace Officer or a Bylaw Officer may:

- i) remove or impound such vehicle and thereupon shall cause it to be taken to a place of storage; or
 - ii) take the vehicle into his custody and cause it to be detained.
- (b)
 - i) All costs and charges for the removal, detention, care and storage of a vehicle removed under this Section shall be paid by the owner of the vehicle and shall be a lien thereon in favour of the keeper of any repair shop, garage or storage place in which such vehicle is stored and the same may be enforced upon him or her in the manner provided by the *Warehouses Lien Act*.
 - ii) Notwithstanding the costs outlined in section b (i) of this section, the owner of the vehicle shall pay an additional administration fee of 5%.

4.16 SALE

- (a) Subject to the *Community Charter*, if a chattel, obstruction or vehicle is removed, detained or impounded, and not claimed by its owner within one month from date

of seizure, the chattel, obstruction or vehicle may be sold at public auction at the direction of the Chief Administrative Officer.

- (b) Despite any other provision of this Bylaw, if in the opinion of the Chief Administrative Officer a chattel, obstruction or vehicle removed, detained, or impounded is a perishable article, has an apparent market value of less than \$2,000.00 or if its custody involves unreasonable expense or inconvenience, the Chief Administrative Officer may decide not to proceed to public auction, and may dispose of the chattel, obstruction or vehicle in any manner in which he or she or she deems expedient.

4.17 REGULATED PARKING ZONES

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

4.18 STUNTING

A person, whether as a pedestrian, passenger, or driver, and whether or not with the use or aid of any animal, vehicle, or other thing, must not perform or engage in any stunt or other activity on a highway that is likely to distract, startle, or interfere with other users of the highway.

PART 5 - PARKING REGULATIONS

5.1 UNLAWFUL PARKING

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

5.2 TIME LIMITS

Notwithstanding any other provisions of this part, no person shall park a vehicle or recreational vehicle on any highway or boulevard for more than seventy-two (72) hours continuously.

5.3 LANE PARKING

- (a) No person shall park a vehicle in a laneway unless he or she is actively engaged in the loading or unloading of goods from a vehicle in which case parking will be permitted for a period of up to fifteen (15) minutes.

5.4 PROHIBITED PARKING

- (a) Except when necessary to avoid conflict with traffic or to comply with the directions of a Peace Officer or Bylaw Officer or traffic control device, no person shall stop, stand, or park a vehicle:
 - i) on a sidewalk;
 - ii) in front of nor within one (1) meter of a public or private driveway in a residential district;
 - iii) within an intersection;
 - iv) within five (5) meters of a fire hydrant measured from a point in the curb or edge of the highway which is closest to the fire hydrant;
 - v) on a crosswalk;
 - vi) within six (6) meters of a crosswalk or an intersection or any flashing beacon, stop sign, or traffic control signal located at the side of a highway;
 - vii) Except with the prior written approval of Council, upon any highway for the purpose of:
 - 1) displaying a vehicle for sale;
 - 2) advertising, greasing, painting, wrecking, storing, or repairing any vehicle, except where repairs are necessitated by an emergency;
 - 3) displaying signs;
 - 4) selling any product.
 - viii) alongside or opposite a highway excavation or obstruction when stopping, standing, or parking obstructs the traffic;
 - ix) on a highway in such a manner as to obstruct or impede the normal flow of traffic; or
 - x) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking is thereby prohibited or restricted;
 - xi) in such manner as to obstruct the visibility of any standard traffic sign;
 - xii) on any portion of a highway where lines, markings or other signs are placed indicating the manner in which vehicles shall be parked, except in accordance with such lines, markings or other signs;
 - xiii) or not withstanding any provisions of this section alongside a curb painted white or yellow which shall designate restricted parking.
 - xiv) in front of nor within one (1) meters either side of public or private stairs that provide access to the sidewalk or residence.

- (b) No person shall move a vehicle that is not lawfully under his control into any of the places mentioned in subsection (a) of this section.

5.5 PARKING DISTANCE FROM CURB

No person shall park a vehicle on a highway except on the right-hand side thereof, and the right-hand wheels shall be no further than thirty (30) centimeters from the face of the curb or shoulder.

5.6 DOUBLE PARKING

No person shall double park a vehicle on a highway.

5.7 TRAILER PARKING

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

5.8 BUS STOP ZONE

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

5.9 HANDICAPPED

No person shall park a vehicle in a parking space designated for use by handicapped person, unless such vehicle displays a valid handicap parking permit pursuant to the *Motor Vehicle Act*.

5.10 LENGTH AND WEIGHT RESTRICTIONS

Notwithstanding any other provisions of this bylaw,

- (a) no person shall park any vehicle having a length in excess of 6 (six) meters in any diagonal parking space;
- (b) no person shall park any vehicle having a gross vehicle weight exceeding 5,500 kilograms, or a length in excess of seven and one-half (7.5) meters on a local highway within a residential area for a consecutive period longer than four (4) hours.

5.11 HAZARDOUS MATERIALS

- (a) No person shall park or leave unattended, a vehicle or trailer loaded or unloaded and used for the conveyance of hazardous materials, except;
 - (i) at repair garages - for service only;
 - (ii) at other approved secured areas.

PART 6 – MISCELLANEOUS REGULATIONS

6.1 SNOW REMOVAL

No owner or occupier of real property shall place snow or ice from their property or a sidewalk or walkway on any travelled portion of any highway or sidewalk.

6.2 DRAINAGE

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

6.3 LITTERING

- (a) 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 there from.
- (b) Should any material, due to any cause whatsoever, fall from the vehicle, the operator shall take all reasonable precautions to safeguard traffic from the consequences thereof and shall remove such material from the spillage area.
- (c) No person shall place, throw, deposit or discard on any highway any rubbish, litter or waste material of any description.

6.4 CONSTRUCTION

- (a) No person shall excavate or construct any works or occupy the highway for the purposes of construction adjacent to the highway unless otherwise authorized by permit.
- (b) 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 Village.

6.5 IMPEDING TRAFFIC, DAMAGE TO HIGHWAYS

- (a) No person shall cut, saw, break, split, place, or pile firewood, lumber, blocks, stone, debris or other material or mix mortar upon any highway.
- (b) No person shall use any highway for any purpose other than that of lawful traffic, except with the permission of the Public Works Supervisor.

6.6 NOISE

- (a) With the exception of fire trucks, no person shall use engine valve retardant brakes on any highway within the Village.
- (a) The following noises or sounds from a vehicle are, in the opinion of Council, believed to be objectionable and liable to disturb the quiet, peace, rest, enjoyment or comfort of individuals or the public and are hereby prohibited on any highway within the Village:
 - (i) the squeal of a tire on a highway surface made by a vehicle in accelerating or changing direction;
 - (ii) a loud, roaring or explosive sound made by a motor vehicle's engine or exhaust system;
 - (iii) the amplified sound of a radio, television, tape recorder or other sound playback device or amplification equipment, or the sound of a musical instrument that emanates from a vehicle which can be heard by someone outside the vehicle.

6.7 TREES OVER HIGHWAYS

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

6.8 STRUCTURES OVER HIGHWAYS

- (a) No person shall, except as provided herein or by any other bylaw, or unless otherwise authorized by Council, erect or maintain any structure which encroaches on or over any highway or public land.
- (b) No person shall place, erect, remove or alter any sign, structure or other device on or over a highway or land without the express consent of Council.
- (c) Every owner or occupier of real property, or their agents or any other person who shall in any way require to drive, pull or propel any vehicle, equipment or trailer across any pavement, sidewalk, boulevard or curbing and gutter for the purpose of entering his property or when leaving the travelled portion of the highway, or for any other reason, shall first construct across the pavement, sidewalk, boulevard, curbing and gutter, a protection sufficient to prevent the same from being damaged and shall not obstruct the drainage of surface water on or in any ditch or highway or storm drain within the Village .
- (d) Every person who in any way damages any pavement, paved or unpaved sidewalk or curbing or gutter while leaving the travelled portion of the highway, shall be liable to the Village and shall pay for the cost of repairing such damage to the satisfaction of the Village.

6.9 PROPERTY ACCESS

- (a) No person shall alter an existing access to a property or construct a new access to a property without obtaining an access permit from the Public Works Supervisor.
- (b) Applications for an access permit must be submitted in writing to the Village Office and will be processed by the Public Works Supervisor, and should include a detailed scale diagram of the proposed works.
- (c) Every means of access to and from a highway for any parcel of land or real property abutting thereon shall require the approval of the Village. The location and extent of such access shall be within the discretion of the Village. The cost of constructing any such approved access shall be borne by the owner of the property abutting on the highway from where the access is taken.
- (d) Where the approval of any access under this section involves the construction of any public property, the owner of the property requiring the access shall be responsible for the construction and on-going maintenance and repair of such access, and shall indemnify and save harmless the Village against all liability, suits, actions, claims, accidents, injuries or damages which may occur to persons or property as a result of the access being constructed and maintained on public property and the Village may require that such approval of access over public property be in the form of an easement or right-of-way agreement between the Village and the abutting owner.

6.10 HIGHWAY

No person shall water, oil or otherwise treat any highway or portion thereof without the express permission of the Public Works Supervisor.

6.11 PUBLIC UTILITIES

- (a) No person or gas, telephone, pipeline company, radio or televisions broadcasting company or closed circuit television company shall use the highways in the Village of Slocan for the construction and installation of the aforementioned utilities until they have first supplied the Village with complete plans and specifications of the proposed work to be constructed or installed and have in turn received written permission from the Village.
- (b) All construction undertaken by any utility company under the provisions of this section shall be in accordance with applicable Village of Slocan Bylaws and all applicable Provincial and Federal Statutes.
- (c) Where a utility is granted a permit under this section, the utility shall erect and maintain a good and sufficient fence, railing or barricade around every excavation, construction or installation in such a manner as to prevent accidents, and shall place and keep upon such fence, railing or barricade, suitable and sufficient lights during the night and shall take such further care and precaution as the Village may deem necessary for the safety of the public.

6.12 BOULEVARDS

Every owner or occupier of residential premises shall be responsible for the general maintenance, including grass cutting and removal of accumulation of leaves, on the boulevards abutting the business or residential lands or premises.

PART 7 – OFFENCES, PENALTIES AND ENFORCEMENT

- 7.1** In addition to any other penalty which may be incurred, anyone failing to comply with the provisions of this Part within the time specified or within a reasonable time upon notice to that effect by the Village, shall be subject to:
 - (a) to the Village carrying out any such work at the expense of the offender; and
 - (b) any charges or costs incurred by the Village in this regard.
- 7.2** Every person who violates a provision of this Bylaw, or consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw or any other applicable Bylaw of the Village. Any fees, penalties or expenses not recovered from the offender shall be recoverable through a Court action, adjudication or collection process.
- 7.3** Any person who contravenes any of the provisions of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine of not less than \$25.00 and not more than \$10,000.00.

- 7.4 Where in this Bylaw any matter or thing is required to be done by any person, and that matter or thing is not done, such matter or thing shall be done at the expense of the person in default and the expense thereof may be recovered, insofar as section 376 of the *Local Government Act* applies to the situation, with interest at the rate of ten percent (10%) per annum, with costs in like manner as municipal taxes.
- 7.5 Neither a failure to enforce this Bylaw, nor any error, omission or other neglect in relation to a permit issued pursuant to this Bylaw shall be interpreted as giving rise to a cause of action in favour of any person.
- 7.6 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

PART 8 - REPEAL

- 8.1 Village of Slocan Traffic and Highways Regulation Bylaw No. 452, 1994" and all amendments thereto are hereby repealed in its entirety.

PART 9 – TITLE

- 9.1 This Bylaw may be cited as "Village of Slocan Traffic Bylaw No. 617, 2011".

READ A FIRST TIME the 14th day of November, 2011

READ A SECOND TIME the 14th day of November, 2011.

RESCIND Second Reading the 13th day of February, 2012.

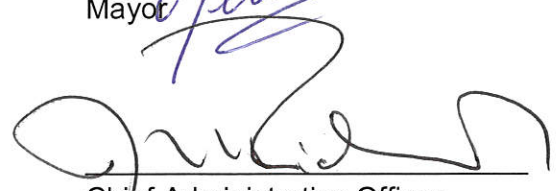
RE-READ A SECOND TIME the 13th day of February, 2012.

READ A THIRD TIME the 13th day of February, 2012.

FINALLY PASSED AND ADOPTED the 12th day of March, 2012.



Mayor



Chief Administrative Officer