

**CITY OF LANGFORD**

**BYLAW NO. 1106**

**A BYLAW TO AMEND "TRAFFIC BYLAW NO. 33, 1995."**

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WHEREAS Council has adopted "Traffic Bylaw No. 33, 1995".

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

Bylaw No. 33, being "Traffic Bylaw No. 33, 1995" is amended as follows:

1. under Part 2, "Definitions" by deleting the definition of Peace Officer and replacing that with the following definition: "means a constable or person having a constable's powers and includes a Municipal Bylaw Enforcement Officer" and by adding the following definitions with alphabetical placement:

**"Bus"** means a motor vehicle designed to carry more than 12 persons;

**"Idle"** - The operation of the engine of a vehicle while the vehicle is not in motion and not being used to operate auxiliary equipment that is essential to the basic function of the vehicle, and idling has a corresponding meaning.

**"Layover"** - A stopping point along a transit route for a maximum of fifteen (15) Minutes used by transit vehicles to allow transit vehicles to adjust to service schedules.

**"Limited Time Parking"** means a parking zone established by the City of Langford which limits the maximum time that a vehicle can be parked within that zone. Limited Time Parking signage as posted defines the zone and establishes the time limits.

**"Mobile Workshop:"**

(a) A vehicle containing equipment that must be operated inside or in association with the vehicle; or

(b) A vehicle serving as a facility for taking measurements or making observations operated by or on behalf of a municipality, public utility or police, fire or ambulance service.

**"Stopover"** - A scheduled delay of a maximum of fifteen (15) minutes at a transit vehicle terminal or Bus Stop to allow transit vehicles to adjust to service schedules.

**"Transit Vehicle"** - Public transit vehicles, tour buses, trolleys and motor coaches.

2. under Part 3 "Authorities" by adding the following:

3.5.4 direct and regulate traffic in any manner deemed necessary and in doing so, may disregard any traffic control device.

3. under Part 4 "OFFENSES OTHER THAN PARKING" by renumbering section 4.2.17 to 4.2.19 and by adding the following sections:

4.2.17 create a nuisance or disturbance upon any portion of a highway or other public place, including any place to which the public reasonably has access, by

participating in a fight or other similar physical confrontation between consenting or non-consenting persons.

- 4.2.18 upon any portion of a highway or other public place, including any place to which the public reasonably has access, possess or consume liquor as defined in the Liquor Control and Licensing Act, except as is authorized under a Special Occasion Licence.
- 4.2.20.1 ride a cycle on a sidewalk unless otherwise directed by a traffic control device, unless that person is under the age of 12 years and is operating a non-chain driven 3 or 4 wheeled cycle which is designed for recreational use
- 4.2.20.2 ride on a crosswalk unless otherwise directed by a traffic control device or for the purpose of crossing a highway
- 4.2.20.3 ride abreast of another person operating a cycle on the highway,
- 4.2.20.4 ride a cycle without at least one hand on the handlebars,
- 4.2.20.5 ride, other than on or astride a regular seat of the cycle, and
- 4.2.20.6 use the cycle to carry more persons at one time than the number for which it is designed and equipped.
- 4.2.20.7 operate a cycle on a highway between ½ hour after sunset and ½ hour before sunrise unless it has the following equipment:
- (a) a lighted lamp mounted on the front and under normal atmospheric conditions capable of displaying a white light visible at least 150 metres in the direction the cycle is pointed;
  - (b) a red reflector of a make or design approved by the Superintendent of Motor Vehicles under the *Motor Vehicle Act*; and
  - (c) a lighted lamp, mounted and visible to the rear, displaying a red light.
- 4.2.20.8 except as otherwise authorized by this Bylaw, operate a cycle or ride as a passenger on a cycle on a highway unless that person is properly wearing a bicycle safety helmet that is designated as an approved bicycle safety helmet or meets the standards and specifications of an approved bicycle safety helmet pursuant to the *Motor Vehicle Act*.
- 4.3 No parent or guardian of a person under the age of 16 years shall authorize or knowingly permit the person to operate a cycle, or ride as a passenger on a cycle on a highway if that person is not properly wearing a bicycle safety helmet that is designated as an approved bicycle safety helmet or meets the standards and specifications of an approved bicycle safety helmet pursuant to the *Motor Vehicle Act*.
- 4.4 The following persons are exempt from the requirement under, Subsection 4.2.20 of this Bylaw to wear a bicycle safety helmet:

- (a) a person for whom the wearing of a helmet would interfere with an essential religious practice,
- (b) the operator of, and each passenger carried by a pedicab,
- (c) a person who has a head measurement that exceeds 64 centimeters in circumference;
- (d) a person who is in possession of, and produces on request to a Peace Officer, a valid and subsisting certificate issued by the Superintendent of Motor Vehicles certifying that the person is, for the period stated in the certificate, unable for medical reasons to wear a bicycle safety helmet,
- (e) a person under the age of 12 years who operates a non-chain driven 3 or 4 wheeled cycle which is designed for recreational use by children.

4.5 A person using in-line skates or roller skates on a highway:

- (a) shall have the same rights and duties as the operator of a cycle;
- (b) shall be on a bicycle lane, if there is a bicycle lane adjacent to the roadway;
- (c) shall, subject to paragraph (b), be as near as practicable to the right side of the highway;
- (d) shall not be on a sidewalk unless directed by a traffic control device ;
- (e) shall not be abreast of another person or cycle on a highway;
- (f) shall only cross a highway at an intersection using the pedestrian crosswalk and obeying pedestrian crossing signals where applicable;
- (g) shall not be attached by the arm and hand of the operator or otherwise to a vehicle on a highway; and
- (h) shall not be on a highway between ½ hour after sunset and ½ hour before sunrise unless equipped with lights and/or reflective clothing visible from the front and rear.

4.6 Nothing in this section requires a person to ride a cycle on any part of a highway that is not paved.

4.7 No person shall use any vehicle, trailer or camper parked on a road right of way for the purpose of lodging, sleeping accommodation or a residence

4. Under Part 5 “PARKING REGULATIONS” by deleting section 5.2.1 in its entirety and replacing it with a new section 5.2.1 which reads:

“5.2.1 on a sidewalk, walkway, bike lane, or improved boulevard, or on any portion of a road allowance that causes it to interfere with the normal flow of traffic on the road.”

and by deleting section 5.2.5. in its entirety and adding the following:

5.2.5 where that vehicle is a trailer, to be detached from a towing unit motor vehicle.

5.2.6 which is not licensed for the current year, on any street, boulevard or City of Langford Right of Way.

5.2.7. within 1.5 metres of either side of an access to a public or private driveway, or garage or within 1.5 metres of the projection of an access to a public or private driveway or garage opposite where the roadway is less than 7.0 metres wide.

5.2.8. continuously on any street for a period in excess of 72 hours. For the purposes of this section, a vehicle shall be deemed continuously parked for as long as it remains within the block in which it was originally parked.

5.2.9. on a highway for the principal purpose of:

5.2.9.1 displaying a vehicle for sale;

5.2.9.2 advertising, greasing, painting, wrecking, storing or repairing a vehicle, except where repairs are necessitated by an emergency.

5.2.9.3 displaying signs; and

5.2.9.4 selling flowers, fruits, vegetables, sea food or other commodities or articles.

5.2.10 within 5 metres of a Hydrant, or within 5 metres of the point on the edge of the street nearest the Hydrant.

5.3 No person shall park or permit to remain parked on that portion of a street adjacent to any land designated for residential use pursuant to the Zoning Bylaw;

(1) a commercial vehicle, at any time unless and except for as long as it is required to be parked for the purpose of enabling its driver or user to perform a commercial service on such land; and

(2) a bus which is not used as a public utility for the carriage of passengers.

5.3.1 For the purposes of Section 5.3(1), where the commercial vehicle is commonly referred to by the manufacturer as a "one ton" unit or smaller, it shall be exempt.

5.4.1 No person being in charge, control or possession of a vehicle shall park such vehicle or permit same to remain parked in any "Limited Time Parking" zone for a period in excess of the time during which vehicles may be continuously parked within such zone as indicated by signs placed in or near such zone pursuant to this Bylaw.

5.4.2 Where a vehicle has been parked in a "Limited Time Parking" zone in violation of the provisions of this Section, a separate offence shall be deemed to be committed at the expiry of each further period of time during which the vehicle would be lawfully parked as indicated by signs placed in or near the zone.

5.4.3 For the purposes of section 5.4, a vehicle shall be deemed continuously parked;

(a) for as long as it remains within the block in which it was originally parked; or

(b) if moved out of the block in which it was originally parked and returned within a period shorter than the time limit established for the "Limited Time Parking" zone.

And by adding the following Section 5.5

5.5 Any vehicle parked in contravention of the conditions of section. 5.2. or 5.3 of this bylaw may be fined and/or towed under the authority of the Police, City Engineer, Bylaw Enforcement Officer, or the Fire Chief as directed by Council, to a secure compound within the West Shore. The vehicle may only be released from the compound on payment of the full costs to towing and storage.

5. Traffic Bylaw No. 33, 1995 is further amended by renumbering all of the existing Part 14 as Part 15 and renumbering all of existing Part 15 as Part 16 and by inserting the following as Part 14 IDLING CONTROL:

14.1 No person shall cause or permit a vehicle to idle for more than three (3) minutes in a sixty-minute period.

14.2 Subsection 14.1 does not apply to:

14.2.1 Police, fire or ambulance vehicles engaged in operational activities, including training activities, except where idling is substantially for the convenience of the operator of the vehicle.

14.2.2 Vehicles assisting in an emergency activity.

14.2.3 Mobile workshops while they are in the course of being used for their basic function.

14.2.4 Vehicles where idling is required to repair the vehicle or to prepare a vehicle for service.

14.2.5 Armoured vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded.

14.2.6 Vehicles required to remain motionless because of an emergency, traffic, weather conditions or mechanical difficulties over which the driver has no control.

14.2.7 Vehicles engaged in a parade or race or any other event authorized by Council.

14.2.8 Transit vehicles while passengers are embarking or disembarking en route or in terminals.

14.2.9 Transit vehicles while at a layover or stopover location except where idling is substantially for the convenience of the operator of the vehicle.

14.2.10 Vehicles transporting a person where a medical doctor certifies in writing that for medical reasons a person in a vehicle requires that temperature or humidity be maintained within a certain range.

14.2.11 Vehicles when the ambient temperature inside a vehicle is:

14.2.11.1 more than twenty-seven degrees Celsius (27°C.); or

14.2.11.2 less than five degrees Celsius (5°C.).

14.2.12 Vehicles where ventilation system function is required to clear interior window surfaces of accumulated condensation to ensure safe driving operation.

6. This Bylaw may be cited for all purposes as "Traffic Bylaw No. 33, 1995; Amendment No. 15, 2007".

READ A FIRST TIME this 16<sup>th</sup> day of July, 2007.

READ A SECOND TIME this 20<sup>th</sup> day of August, 2007.

READ A THIRD TIME this 20<sup>th</sup> day of August, 2007

ADOPTED this 4<sup>TH</sup> day of September, 2007.

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MAYOR

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CLERK-ADMINISTRATOR