

NO: R045

COUNCIL DATE: April 17, 2023

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **April 13, 2023**

FROM: **General Manager, Corporate Services**

FILE: **3900-01**

SUBJECT: **Penalty Provision Amendments to City of Surrey Bylaws**

RECOMMENDATION

The Corporate Services Department recommends that Council:

1. Receive this report for information;
2. Approve the proposed amendments to the *Surrey Zoning By-law, 1993, No. 12000* (the “Zoning By-law”), as summarized and reflected in Appendix “I” of this report;
3. Approve the proposed amendments to the *Surrey Business License By-law, 1999, No. 13680* (the “Business License By-law”), as summarized and reflected in Appendix “II” of this report;
4. Approve the proposed amendments to the *Surrey Highway and Traffic By-law, 1997, No. 13007* (the “Highway By-law”), as summarized and reflected in Appendix “III” of this report;
5. Approve the proposed amendments to the *Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480* (the “Parks By-law”), as summarized and reflected in Appendix “IV” of this report;
6. Direct the City Clerk to give public notice in accordance with Section 94 of the *Community Charter* of the proposed amendments to the Business License By-law, as documented in Appendix “II” and to provide an opportunity to persons who consider they are affected by the Business License By-law amendments to make written representations to Council;
7. Direct staff to report back to Council on any written representations received prior to Council considering the final adoption of the Business License By-law amendments; and
8. Authorize the City Clerk to bring forward the proposed amendments to the Zoning By-law, Business License By-law, Highway By-law and Parks By-law for the required readings.

INTENT

The purpose of this report is to obtain Council's approval to adopt the proposed amendments (the "Amendments") to the Zoning By-law, Business License By-law, Highway By-law and Parks By-law (collectively the "Subject Bylaws").

BACKGROUND

The Subject Bylaws were originally passed in the 1990's. Except for the Zoning By-law, the maximum fine amount of the Subject Bylaws has not been amended, remaining at \$2,000, despite the maximum fine amount permitted under the *Community Charter* increasing to \$50,000 in 2020. The minimum fine amount in the Subject Bylaws has also not been amended, remaining at either \$50 or \$100.

DISCUSSION

Accordingly, the proposed Amendments seek to:

- Increase the maximum fine amount of the Subject Bylaws from the current amount of \$2,000 to the maximum amount of \$50,000 as permitted under the *Community Charter* and bringing them in line with the maximum fine amount of the Zoning By-law;
- Increase the minimum fine of the Subject Bylaws from the current amounts of \$50 or \$100 to the new minimum fine amount of \$200; and
- Remove the term of imprisonment that is referenced in the Zoning By-law and Parks By-law, to provide administrative flexibility and efficiency in the Court system and consistency between the Subject Bylaws, which is further described in Appendix "V" to this report.

Further information regarding the purpose and benefits of the Amendments are referenced in Appendix "V" to this report.

Legal Services Review

This report has been reviewed by Legal Services.

CONCLUSION

Based on the above information, it is recommended that Council approve the Amendments to the Subject Bylaws.

Rob Costanzo
General Manager, Corporate Services

Appendix "I": Summary and Proposed Amendments to the Surrey Zoning By-law
Appendix "II": Summary and Proposed Amendments to the Business License By-law
Appendix "III": Summary and Proposed Amendments to the Highway By-law
Appendix "IV": Summary and Proposed Amendments to the Parks By-law
Appendix "V": Further Discussion on Proposed Amendments to the Subject Bylaws

**Proposed Amendments to
Surrey Zoning By-law, 1993, No. 12000**

The following amendments are proposed to the Surrey Zoning By-law, 1993, No. 12000, as amended:

1. In Part 9, Section 2, delete "\$50" and replace it with "\$200".
2. In Part 9, Section 2, delete the following in its entirety ", or to a term of imprisonment not exceeding 6 months, or both".

(BL 20681)

1. Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention of this By-law or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this By-law shall be liable to the penalties hereby imposed and each day that such violation is permitted to exist shall constitute a separate offence.
2. Any person who violates any of the provisions of this By-law shall upon summary conviction thereof, be liable to a penalty of not less than ~~\$50~~**\$200** and not more than \$50,000 plus the cost of the prosecution, ~~or to a term of imprisonment not exceeding 6 months, or both.~~

**Proposed Amendments to
Business License By-law, 1999, No. 13680**

The following amendments are proposed to the Business License By-law, 1999, No. 13680, as amended:

1. In Section 66 delete "\$50.00" and replace it with "\$200.00".
2. In Section 66 delete "\$2,000.00" and replace it with "\$50,000.00".

CITY OF SURREY

BY-LAW NO. 13680

Business License By-law, 1999, No. 13680

A By-law respecting the granting of licenses and the regulation of businesses.

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As amended by By-law Nos. 13719, 05/10/99; 13720, 05/17/99; 13771, 07/05/99; 13795, 07/19/99; 13866, 10/25/99; 13874, 11/01/99; 13966, 03/13/00; 14011, 05/01/00; 14073, 07/17/00; 14354, 04/09/01; 14391, 05/07/11; 14594, 12/10/01; 14639, 02/25/02; 14766, 07/22/02; 14822, 11/18/02; 14832, 03/10/03; 15343, 04/19/04; 15724, 05/02/05; 15736, 05/30/05; 15756, 06/13/05; 16386, 05/28/07; 16450, 09/17/07; 16521, 01/14/08; 16742, 09/08/08; 16848, 01/19/09; 15822, 05/04/09; 16911, 05/25/09; 17069, 12/14/09; 16668, 05/03/10; 17310, 01/10/2011; 17556, 02/06/12; 17831, 12/17/12; 17774, 04/22/13; 18124, 01/13/14; 18321, 11/03/14; 18348, 01/12/15; 18580, 12/14/15; 18972, 12/19/16; 19418, 12/18/17; 19520, 04/09/18; 19709, 12/19/2018; 19903, 10/07/19; 19975, 12/16/19; 20028, 03/09/20; 20124, 07/27/20; 20214, 12/21/20; 20293, 04/12/2021; 20500, 12/24/21

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

The Council of the City of Surrey, in open meeting assembled, ENACTS AS FOLLOWS:

Short Title

1. This By-law may be cited for all purposes as "Business License By-law, 1999, No. 13680."

Interpretation

2. In the construction and interpretation of this By-law, words and terms will have the meanings assigned to them:

"Acupuncturist" means a person who pierces any part of a client's body with needles as a means of treating disease or pain.

"Adult Entertainment Store" means a premise where objects other than contraceptive devices, designed or intended to be used in a sexual act as defined by Section 1 of the Motion Picture Act Regulations, B.C. Reg. 260/86 made under the Motion Picture Act, R.S.B.C. 1996, c. 314 are sold or offered for sale.

"Adult Publication" means a book, pamphlet, magazine or printed matter however produced which contains a visual image or representation of a person or portion of the human body depicting nudity, sexual conduct or sadomasochistic behavior.

"Alcohol and Drug Recovery House" means a building which contains sleeping units for persons receiving care and support for recovery from alcohol and drug dependency.

"Apartment Building" means a premise, not being a hotel or rooming house, which is divided into not less than three dwelling units, occupied or equipped to be occupied as rental accommodation.

"Applicant" means a person or corporation who makes application for a license under the provisions of this By-law.

"Arcade" means a premise where 6 or more devices or machines, mechanically, electronically, or otherwise operated and which is used or intended to be used for the amusement and enjoyment of the public, but does not include a carnival ride or a premise licensed under the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267, where minors are not permitted.

"Auction" means offering or putting up for sale real or personal property where the public is invited to make competitive bids for the property offered for sale, but does not include a crown officer selling crown property by auction or a sheriff's officer or bailiff selling property under a judgment or in satisfaction of rent or taxes.

"Authorized Identification" means any one or more of the following:

- (a) valid provincial or state driver's license integrated with a photograph of the bearer;
- (b) British Columbia identification card issued to the bearer within five (5) years of the date it is produced by the bearer as evidence of;
- (c) valid passport; and
- (d) any other form of provincial or federal identification integrated with a photograph of the bearer.

"Automated Teller Machine" means an automated teller machine not located in a bank or on the same premises as a bank.

"Automobile Rebuilder" means a person who rebuilds vehicles from parts obtained from wrecking on site one or more other vehicles.

"Automobile Wrecker" means a person who removes used parts from vehicles for resale and disposes of the remainder as junk, salvage or scrap.

"Automobile Immobilizing Device" includes a wheel lock device, a Denver Boot, or other device designed to be affixed to the wheels or axle of a motor vehicle to prevent the movement of the vehicle.

"Bank" includes a bank, credit union and trust company and every branch of these institutions.

"Beauty and Wellness Centre" means a premise used to improve beauty and wellness through styling, cutting, or chemical treatment of hair and through skin and body treatments, including pedicures, manicures, facials, microdermabrasion, waxing, laser, hydrotherapy, anti-aging, skin rejuvenation therapy, aromatherapy, stone therapy massage, and relaxation massage but excludes fitness centres, personal training centres, and health enhancement centres.

"Bed and Breakfast" means a business operation carried on by the members of a family as a home occupation to provide temporary sleeping accommodations, with or without meals being provided, all provided for a prescribed charge on a daily basis, where the maximum length of occupancy by a patron is not more than 30 days in a 12-month period.

"Bingo Hall" means a recreational facility used or intended to be used for the purpose of playing bingo, where a license has been issued by the British Columbia Gaming Commission to charitable or religious organizations as a licensee, but does not include casinos and casino halls.

"Body Rub" includes the manipulating, touching or stimulating by any means, of a person's body or part of the body, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing these activities.

"Body Rub Parlour" means a premise where a body rub is performed, offered or solicited.

"Body Painting Studio" means a premise where, directly or indirectly, a fee is paid for any activity involving the application of paint, powder, or similar materials to the body of another person.

"Business" means carrying on a commercial or industrial undertaking of any kind or nature, or providing professional, personal or other services for the purpose of gain or profit.

"Business License Inspector" means the Manager - Administration & By-law and any Senior By-law Enforcement Officer who are the designated municipal officers for the purposes of granting, refusing, suspending or cancelling licenses for businesses including, without limitation, exercising the powers of Council under Section 660 of the Municipal Act, R.S.B.C. 1996, c. 323.

"Business School" means a premise used for the business of giving instruction in the learning of a business, trade or occupation.

"Business Services Office" means a business which offers services to a person or another business, including but not limited to typing, answering service and faxing.

"Carnival" includes a carnival or show having a ferris wheel or other mechanical riding device, or game of skill or chance.

"Casino" means premises for which a Host Financial Assistance Agreement between Her Majesty the Queen in Right of the Province of British Columbia and the City has been authorized by resolution of Council and duly executed by the City and the Province which Agreement allows the conduct, management and operation by the British Columbia Lottery Corporation of games of chance or mixed chance and skill including slot machine gaming machines and video lottery gaming machines on which money may be wagered or spent in cash or any other valuable consideration, but does not include bingo halls or casino halls.

"Casino Hall" means a premise used or intended to be used for the purpose of playing or operating games of chance or mixed chance and skill on which money may be wagered, where a license has been issued by the British Columbia Gaming Commission to charitable or religious organizations as a licensee, but does not include bingo halls or casinos.

"Cheque Cashing Centre" means a premise where the business of cashing cheques or negotiable instruments for a fee charged or chargeable to the payee of the cheque or the payee's agent is carried on, but does not include a bank.

"Chief Constable" means the Chief of Police of the City for the time being or the senior resident member of the Royal Canadian Mounted Police force responsible for the policing of the City.

"City" means the City of Surrey.

"Collection Agent" means a person carrying on the business of collecting debts for others, or a person who offers or undertakes to collect debts for others, or who solicits accounts for collection, or who carries on the business of doing this work either in whole or in part as is ordinarily done by bailiffs.

"Commercial Kennel" means a kennel specifically set up for the boarding, training and keeping of dogs not owned by the kennel operator or the lot owner.

"Community Service" means a use by a non-profit society:

- (a) providing information, referral, counselling, advocacy or physical or mental health services on an out-patient basis;
- (b) dispensing aid in the nature of food or clothing; or
- (c) providing drop-in or activity space;

but does not include churches, residential uses and independent group homes.

"Contractor" includes a person who undertakes to perform construction, building, carpentry, plastering, lathing, shingling or concrete work, or any other work or service at a certain price or rate or for a fixed sum, except where a license fee for the other work or service is specifically imposed elsewhere in this By-law.

"Council" means the City Council of the City of Surrey.

"Drug Paraphernalia" means any product, equipment, thing or material of any kind primarily used to produce, process, package, store, inject, ingest, inhale or otherwise introduce into the human body a controlled substance as defined in the *Controlled Drugs and Substances Act*.

"E-Cigarette" means the following:

- (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air;
- (b) any product or device prescribed as an e-cigarette by regulation under the Tobacco and Vapour Products Control Act, R.S.B.C. c. 451.

"E-Substance" means a solid, liquid or gas:

- (a) that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine; and
- (b) that is not a controlled substance within the meaning of the Controlled Drugs and Substances Act.

"Exotic Performer" means a person who is in a state of nudity or who removes a majority or all of that person's clothing.

"Farm Produce Sales" means a premise used for the retail sale of agricultural and horticultural products which are grown on the same lot as the premises or in the Province of British Columbia.

"Financial Agent" means a person who carries on the business of lending money, or financing for other persons the sale or purchase of goods or services.

"Firearms Certification" means a business which provides government certified firearms training, using fully deactivated and unfireable firearms, under full supervision of a federally certified instructor.

"Fireworks Vendor" means a person who engages in the business or display, distribution or sale of fireworks to the general public.

"Fitness Centre" means a premise used for the development of physical fitness including health centres, gymnasia, racket and ball courts, and reducing salons if the training or instruction is primarily in group sessions or classes but excludes personal training centres.

"Gaming Facility" means a premise used for any gaming purpose and includes arcades, casino halls, video lottery gaming and slot machine gaming, but does not include bingo halls or casinos and facilities regulated by the British Columbia Racing Commission.

"Hairdressing Salon" means a premise where the primary use is the styling, cutting or chemical treatment of hair.

"Hair Stylist" means a person who styles, cuts or treats hair at the residence of a client or at a place of business or premises other than a hairdressing salon.

"Health Enhancement Centre" means a premise used to enhance health through therapeutic touch techniques including shiatsu, accupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager but excludes body rub parlours, fitness centres, beauty and wellness centres, and personal training centres.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public but does not include a private right-of-way on private property.

"Hobby Kennel" means a kennel where no more than 6 dogs over the age of 6 months are kept on the premises for breeding or showing purposes.

"Hotel" means a premise providing temporary accommodation by way of furnished sleeping, housekeeping or dwelling units and includes a motel.

"Housing Agreement" means an agreement between the City of Surrey and the operator of an alcohol and drug recovery house, as authorized by separate bylaw.

"Ice Cream Vendor" means a person who sells or offers to sell ice cream and related food items from a vehicle to the general public for immediate consumption. For the purposes of this definition, vehicle includes, without limitation, carts, wagons, trailers, trucks and bicycles, regardless of the type of motive power employed to move the vehicle from one point to another.

"Inspector" means a person from time to time appointed as License Inspector of the City and includes any By-law Enforcement Officer, Peace Officer and the Business License Inspectors.

"Junk" means a used or old article or thing.

"Junk Yard" means a yard in which junk is stored.

"Laundry" means a premise used for the business of washing clothes or other fabrics or for the business of supplying linen to others.

"Licensed Establishment" means an establishment licensed under the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267.

"Licensed Premise (Food Primary)" means a licensed establishment holding a food primary license.

"Licensed Premise (Food Primary with Lounge Endorsement)" means a licensed establishment holding a food primary license with a lounge endorsement.

"Licensed Premise (Liquor Primary)" means a licensed establishment holding a liquor primary license.

"Licensed Premise (Liquor Primary Club)" means a licensed establishment holding a liquor primary club license.

"Licensed Premise (Liquor Primary – Cabaret)" means a licensed establishment holding a liquor primary license primarily engaged in providing cabaret entertainment to its patrons.

"Licensed Premise (Liquor Primary – Stadium)" means a licensed establishment holding a liquor primary license operating as a convention centre, sports stadium or concert hall.

"Licensee Retail Store" means a licensed establishment holding a licensee retail store license.

"Mail Drop Service" means a business that collects mail at a premise owned, occupied or used by it on behalf of a person or persons who are not normally occupants of the premises.

"Miscellaneous" means any business for which a license is required under this By-law and for which a license fee is not specifically imposed elsewhere in Schedule "A".

"Model Studio" means a premise where, directly or indirectly, a fee is paid for the furnishing of persons as models who pose in the nude on the premise for the purpose of being sketched, painted, drawn, sculptured, photographed, or otherwise depicted, but does not include a studio which functions as an educational institution authorized under legislation of the Province of British Columbia governing educational institutions, nor to a studio which functions to provide models who are sketched, painted, drawn, sculptured, photographed, or otherwise depicted and the depiction is produced for commercial purposes, or to a studio which is being operated for purely artistic purposes.

"Motion Picture Film" means photographic film, pre-recorded videotapes, pre-recorded video disks and includes any other object or device on which or in which there is recorded, by photographic, electronic or other means, the contents of a motion picture, and from which, by the use of a projector, machine or other appropriate technology, the motion picture may be viewed, exhibited or projected.

"Nudity" means the showing of the post pubertal human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of a post pubertal female breast with less than a fully opaque covering of any portion of the breast below the top of the nipple or the depiction of covered male genitals in a discernibly turgid state.

"Parking Facility" means a building, structure, or land designed or intended for short-term parking of motor vehicles with a licensed gross vehicle weight of 5,000 kilograms (11,023 lbs.) or less.

"Part Time Medical Practitioner" means a chiropractor, dentist, doctor, optometrist, psychiatrist, psychologist or veterinarian who practices at a clinic in the City less than 60 days in any calendar year and who holds a valid and subsisting business license to practice in another municipality.

"Pawnbroker" means a pawnbroker as defined in Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183.

"Peace Officer" means any member of the Royal Canadian Mounted Police responsible for the policing of the City.

"Peddle" means peddle, sell, or offer for sale merchandise to be immediately delivered to the customer.

"Pedlar" means a person who peddles by going from door to door, or by appointment and demonstration.

"Pepper Spray" means an article or substance containing oleoresin capsicum spray, also known as pepper spray and o.c. spray.

"Pepper Spray Vendor" means a place of business where pepper spray is retailed to the general public.

"Personal Training Centre" means a premise used for the provision of physical fitness or personal training including yoga, pilates, and weight loss if the exercise or instruction is primarily on a one-to-one basis, and the premises do not exceed 200 m² gross floor area.

Pet Store means a retail store where animals are offered for sale or are sold to the public, but does not include:

- (a) the Surrey Animal Resource Centre located at 17944 Colebrook Road or any other animal shelter owned or controlled by the City of Surrey;
- (b) animal shelters or rescues that are registered charities with the Canada Revenue Agency; or
- (c) animal shelters or rescues that are not-for-profit organizations under the Societies Act [SBC 2015] c. 2015, as amended, with the exception of member funded societies.

"Pharmacy" means a premise licensed as a pharmacy under the Pharmacists, Pharmacy Operations and Drug Scheduling Act, R.S.B.C. 1996, c.363.

"Picture Identification" means one or more of the following provided it is integrated with a photograph of the bearer:

- (a) valid driver's license issued by a Canadian province or territory;
- (b) identity card issued by a Canadian province or territory;
- (c) passport issued by the government of origin;
- (d) Certificate of Indian Status issued by the Government of Canada;
- (e) Certificate of Canadian citizenship issued by the Government of Canada; or
- (f) Conditional Release Card issued by Correctional Services Canada.

"Pinball Machine" means a machine that is mechanically, manually, electronically, or otherwise operated for entertainment or amusement and for which a coin or token must be inserted or a fee charged for the use of the machine.

"Point of Sale System" means a digital, electric, manual or mechanical system for calculating and recording sales transactions.

"Portable Food Vendor" means a person who sells or offers to sell food items to the general public for immediate consumption from a premise located in either a commercial or industrial zone.

"Post Box" means a box or other receptacle used or intended to be used for the collection or storage of mail.

"Post Box Rental Agency" means a business that makes available for rent, lease, purchase, possession or use one or more post boxes to persons who are not normally occupants of the premises where the post box or post boxes are located, but does not include Canada Post.

"Proprietor" means the person who ultimately controls, governs or directs the activities carried on in premises referred to in this By-law and includes the person actually in charge of the premises.

"Real Estate Agent" means a person licensed or required to be licensed as real estate agent under the Real Estate Act, R.S.B.C. 1996. c. 397.

"Recreational Facility" means a premise which provides patrons the opportunity to perform physical activity and includes a billiard parlour, bowling alley, skating rink, curling rink, recreation club, health club and batting cage.

"Recycling Depot" means a building which is used or intended to be used for collecting, sorting, refunding and redistributing recyclable materials and specifically excludes the processing of recyclable material, other than the breaking of glass bottles.

"Recycling Plant" means a premise in which recoverable resources, including newspapers, magazines and other paper products, glass and metal cans, are recycled, reprocessed and treated to return the products to a condition in which they may again be used for production.

"Rooming House" means a building not being a hotel containing rooms used exclusively as sleeping units where lodging for three or more persons is provided.

"Sadomasochistic Behavior" means scenes involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving flagellation, torture, fettering, binding, or other physical restraint of any of the persons.

"Salvage Yard" means a premise primarily used for storing, wrecking, crushing, piling and similar handling of vehicles, machinery and other equipment which is otherwise considered unusable and includes a junk yard but does not include a recycling plant or recycling depot.

"Scrap Dealer" means a person whose primary business is the collection and delivery of scrap to a licensed salvage yard, recycling plant or recycling depot.

"Scrap Metal Dealer" means a scrap metal dealer as defined in Scrap Metal Dealer Regulation By-law, 2008, No. 16655.

"Secondhand Dealer" means a secondhand dealer as defined in Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183.

"Sexual Conduct" means acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's unclothed genitals, pubic area, buttocks or if the person is a female, her breast.

"Slot Machine Gaming" means a premise containing devices, mechanically, electronically or otherwise operated or intended to be operated for gaming purposes by means of insertion of money or cards or coins equivalent to money, but such devices shall not include an electronic machine programmed to allow personal play whereby a person is able to play bingo against a computer or to play e-tabs or e-scratches generated by a computer.

"Social Escort Service" means the business of providing male or female escorts for social occasions.

"Student Venture Program" means the business of participating in a Student Venture Program, being an employment assistance program sponsored by the Province of British Columbia and administered by the Surrey Chamber of Commerce, commencing May 1st and terminating prior to October 15th in any year.

"Tax Buyer" means a person carrying on the business of purchasing or otherwise acquiring by way of assignment or other method, another person's right to claim and receive a refund of tax paid under the Income Tax Act of Canada which is due to the other person, but does not include a person licensed under any statute to perform that or a similar function.

"Temporary Homeless Shelter" means a building used to provide temporary sleeping accommodation at no cost for persons in need during the period between November 1 and March 31.

"Theatre" means a building used or intended to be used for live theatre or for the projection of motion picture films classified as general, mature, 14 years, or restricted under the Motion Picture Act Regulations, B.C. Reg. 260/86 made under the Motion Picture Act, R.S.B.C. 1996, c. 314.

"Theatre 2" means a building used or intended to be used for the projection of motion picture films classified as restricted under the Motion Picture Act Regulations, B.C. Reg. 260/86 made pursuant to the Motion Picture Act, R.S.B.C. 1996, c. 314 or where there is one or more film viewers made available for use by the public, or both.

"Therapeutic Touch Technique" includes but is not limited to shiatsu, accupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager approach.

"Tobacco" means tobacco leaves or products produced from tobacco in any form or for any use.

"Truck Parking Facility" means a building, structure, or land designed or intended for the parking or storage of vehicles exceeding 5,000 kilograms (11,023 lbs.) licensed gross vehicle weight, excluding wrecked vehicles as defined in the Surrey Zoning By-law, 1993, No. 12000.

"Vapour Product" means the following:

- (a) an e-cigarette;
- (b) an e-substance;
- (c) a cartridge for or a component of an e-cigarette.

"Vending Machine" means a machine or device operated by or requiring for its operation the insertion of a coin or slug and, without limitation, includes a machine or device operated mechanically or otherwise for the purpose of selling or disposing of merchandise or for the purpose of providing music, games, amusement or services of any kind, provided however, that a machine or device will be deemed not to be a vending machine when it is situated in a premise where the principal business carried on in that premise is the sale of merchandise or the dispensing of services through the operation of vending machines.

"Video Lottery Gaming" means an activity or game of chance for money or other valuable consideration carried out or played on or through a computer, electronic or other video device or machine, but excludes the following:

- (a) the purchase and sale of lottery tickets pursuant to a government approved lottery scheme administered by the Public Gaming Branch and the British Columbia Lottery Corporation;
- (b) pari-mutuel systems and machines that are duly licensed under regulations pursuant to Section 204 of the Criminal Code and under the Horse Racing Act, R.S.B.C. 1996, c. 198; and
- (c) "pull-tab" machines that are owned and administered by the British Columbia Lottery Corporation.

"Wholesale Dealer" means a person who carries on the business of dealing in a commodity by selling the commodity to retail dealers or to other wholesale dealers or to contractors or to manufacturers for use in their businesses, but does not include a warehouse operator, where the owner of the warehouse does not employ a representative other than the warehouse operator to solicit orders for, or to handle or distribute the commodities.

License Required

3. No person will carry on a business in the City without holding a valid and subsisting license for the business carried on except for those businesses specifically exempted in this By-law.
4. Where a business is carried on in or from more than one premise in the City, the business carried on in or from each premise is deemed to be a separate business.
5. Where a business is carried on as a partnership, it will be sufficient compliance with this By-law if one license is taken out in the name of the partnership or firm and the license fee is paid for the license.
6. No person will in the course of that person's business or otherwise operate or permit to be operated any gaming facility except as otherwise expressly permitted by this By-law or by any other by-law of the City as may be in existence at any time, or from time to time.
7. A business license is required for every business carried on in the City or with respect to which any work or service is performed in the City whether or not the business is carried on in or from premises in the City.

General Exemptions

8. The organizers of a performance, concert, exhibition or entertainment the entire proceeds of which, above actual expenses, are devoted to a charitable purpose may apply to Council for a refund of the business license fee paid in respect of the performance, concert, exhibition or entertainment, and Council may upon receipt of satisfactory evidence that the entire proceeds, above actual expenses were devoted to charitable purposes, grant a refund.
9. No license is required with respect to a performance, concert, exhibition, entertainment or concession that is held in a licensed theatre or other licensed premises.
10. No license is required for the business of letting or renting rooms if not more than 2 rooms are available for letting or renting.

Charitable Exemptions

11. No license or license fee is required by a Royal Canadian Legion Branch or Army Navy & Air Force Veterans in Canada Branch with respect to a license it may hold under the Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267 or an establishment it may operate with respect to the license, as Council considers the Royal Canadian Legions and Army Navy & Air Force Veterans in Canada to be non-profit, charitable institutions and organizations contributing to the general interest and advantage of the City.
12. Council considers registered, charitable societies or organizations to be contributing to the general interest and advantage of the City. Every registered, charitable society or organization is required to hold a valid and subsisting license under Section 3, but is only required to pay a nominal license fee of \$1.00 per year, notwithstanding Section 21 and Schedule "A".
13. For the purposes of Section 12:
 - (a) "registered society or organization" means a society incorporated and in good standing under the Society Act, R.S.B.C. 1996, c. 433;
 - (b) "charitable society or organization" means a society or organization which is registered as a charitable society or organization under the Income Tax Act of Canada and is qualified to issue tax receipts to its donors; and
 - (c) "registered, charitable society or organization" means one which is both a "registered society or organization" and a "charitable society or organization".

Application for License

14. All applications for licenses under this By-law must be made to the Inspector on the application form provided for that purpose.
 - 14.1 An application made online must be accompanied by payment of an application fee of \$50.00. If the business license is issued, the application fee will be applied to the first year's license fee imposed under Section 21 of this By-law. If the business license is refused because the use for which the license is sought is in violation of Surrey Zoning By-law, 1993, No. 12000, then the application fee will be refunded to the applicant. If the business license is refused for any other reason, the application fee is not refundable.

15. Every applicant must make a true and correct statement in writing on the application form disclosing the nature and character of the business to be carried on, the address of the business, and all other facts as are required by the application form.

Form of License

16. Every license issued under this By-law will state that the holder is licensed to carry on the business stipulated in the license in a lawful manner for the periods specified in the license at the premise specified in the license, subject to the terms and conditions specified on the license.
17. Every license issued under this By-law will be made out in duplicate and one copy will be delivered by the City to the person licensed.

Posting of License

18. The person licensed must post the license and keep the license posted in a conspicuous place on the premises or on the thing or article in respect of which the license issued.

Period of License

19. All licenses granted under this By-law will be issued annually to terminate one year from the date of issuance of the license.
20. Notwithstanding Section 19, the period of a license for:
 - (a) a theatre, drive-in theatre, amusement hall, concert hall, music hall, opera house, rink, amusement park or other place of amusement, entertainment, or exhibition may be twelve months, six months, three months, one month or one day;
 - (b) a circus, exhibition or other itinerant show or entertainment, when held elsewhere than in a licensed theatre, or other licensed place, will be for one day; and
 - (c) horse racing will be for one day.

License Fees

21.
 - (1) The license fees set out in Schedule "A" are hereby imposed and Schedule "A" is made part of this By-law. Every applicant for a license must pay to the City at the time of application, the proper license fees set out in Schedule "A" and no license will be issued until payment of the fee is made.
 - (2) A 5% penalty will be added to gross license fees remaining unpaid 30 days after the due date. An additional 5% penalty will be added to gross license fees remaining unpaid 90 days after the due date.

Refund of License Fees

22. If an applicant for a business license who has paid a license fee in accordance with Schedule "A" requests a refund of the fee before the business license has been issued, then the City will retain 50% of the fee so paid to a maximum of \$200 plus applicable taxes and the balance paid will be refunded to the applicant provided that the City has made no inspection with respect to the business license application. If the City has made an inspection with respect

to the business license application, then the City will retain 50% of the fee paid to a maximum of \$411.50 plus applicable taxes and the balance paid will be refunded to the applicant.

Variable License Fees

23. Where the license fee for a business is based on the floor area, ground area, number of people regularly employed, number of machines, appliances, rental units or other factors used in the carrying on of the business, an applicant who changes the factors upon which the license fee is based must immediately notify the Inspector in writing, and pay any additional license fee which may be payable under Schedule "A" as a result of the change.

Transfer of License

24. An applicant desiring to obtain a transfer of a license, or interest in a license, issued under this By-law and held by another applicant, must make an application the same as that required to obtain a license under this By-law, and the powers, conditions, requirements, and procedures relating to the granting and refusal of licenses and appeals will apply to the application.
25. An applicant who purchases the interest of, or part of the interest of, an applicant licensed under this By-law must not carry on or continue the business without first obtaining a transfer of license or a new license.
26. An applicant to whom a license has been issued under this By-law who changes the location of the premises in which the business is carried on must first apply to the Inspector to have the license altered, and the powers, conditions, requirements, and procedures relating to the granting or refusal of licenses and appeals will apply to the application.
27. The fee payable for the transfer of a license from one applicant to another under Section 24 or Section 25 is \$25.00 plus applicable taxes.

Inspection

28. Every Inspector and every Medical Health Officer is authorized to enter at all reasonable times, any house, place, premises, vehicle, or other place in respect of which a license has been applied for, granted or may be required under this By-law, to ascertain whether the regulations and provisions of this By-law are being obeyed. No person will prevent, obstruct or attempt to prevent or obstruct the entry of a person authorized entry under this Section.

Refusal of a License

29. (1) An application for a license may be refused by Council or the Business License Inspector in any specific case, provided that:
 - (a) the application must not be unreasonably refused; and
 - (b) Council or the Business License Inspector must give reasons for the refusal.
- (2) If the Business License Inspector has refused to grant a license, the applicant who is subject to the decision is entitled to have Council reconsider the matter.

Granting of a License

30. The Inspector may grant a license under this By-law where the Inspector is satisfied that the applicant has complied with the requirements of this By-law and the City's by-laws regulating building, zoning, health and sanitation.
31. If the application for a license is refused by the Business License Inspector, the Business License Inspector must notify the applicant of the right to a reconsideration by Council.

Terms and Conditions of a License

- 31.1 The Inspector or Council may impose terms and conditions on a license granted under this By-law in addition to the terms and conditions imposed by this By-law.
- 31.2 The terms and conditions imposed on a license may include any one or more of the following:
 - (a) a requirement that the holder comply with a particular provision of a City by-law or any other provincial or federal enactment within a specified period of time;
 - (b) a requirement that the holder provide to the Inspector within a specified period of time evidence satisfactory to the Inspector of compliance with a particular provision of a City by-law or any other provincial or federal enactment.

Compliance with Zoning

32. Before a license is granted under this By-law, the Inspector must be satisfied that the use for which the license is sought is not in violation of Surrey Zoning By-law, 1993, No. 12000 or of any by-law then in force in the City, and no license will be issued if the carrying on of the business in or from the premises applied for would be contrary to any City by-law.

Insurance

33. No license will be granted for the operation of a spectator or sports function, or any public entertainment, including, without limitation, any exhibition, zoo, circus, carnival, rodeo, demolition derbies, automobile or motorcycle races, car rallies, go-cart races, horse races, public animal rides, or other similar function, or the operation of a ferris wheel, merry-go-round or other similar device until the applicant has deposited proof in a form and amount satisfactory to the City that the applicant has comprehensive general liability insurance, which includes a cross-liability clause and specifies the City as an additional insured. The applicant must supply to the City a copy of the current certification from the Elevating Devices Branch showing all carnival rides have been inspected and are approved for use. The applicant must also comply with the provisions of The Control of Special Events By-law, 1975, No. 4682.

Suspension or Cancellation of a License

34. (1) A license may be suspended or cancelled by Council or the Business License Inspector for reasonable cause.
- (2) Without limiting Subsection (1), any one of the following circumstances may constitute reasonable cause:
- (a) the holder fails to comply with a term or condition of the license;
 - (b) the holder is convicted of an offence indictable in Canada;
 - (c) the holder is convicted of an offence under an Act or municipal by-law in respect of the business for which the holder is licensed or with respect to the premises named in the license;
 - (d) the holder is deemed, under this Act or the Offence Act, R.S.B.C. 1996, c. 338 to have pleaded guilty to an offence referred to in paragraph (c);
 - (e) the holder has ceased to comply with a by-law or has otherwise ceased to meet the lawful requirements to carry on the business for which the holder is licensed or with respect to the premises named in the license;
 - (f) in the opinion of the Council or the Business License Inspector, the holder has engaged in misconduct that warrants the suspension or cancellation of the license, if the misconduct is:
 - (i) in respect of the business,
 - (ii) in or with respect to the premises named in the license, or
 - (iii) in respect of that business or another business, or in or with respect to the premises of that business or other business, carried on by the holder inside or outside the municipality.
35. (1) Before suspending or cancelling a license, the Council must give the license holder notice of the proposed action and an opportunity to be heard.
- (2) A suspension under Section 34 is for the period determined by the Council or the Business License Inspector, and the Council or the Business License Inspector may impose additional conditions on the license that relate to the reasons for the suspension and apply after the period of suspension.
- (3) In the case of a suspension or cancellation of a license by the Business License Inspector, the Business License Inspector must notify the holder of the right to a reconsideration by Council.
- (4) The obligations under Subsections (1) and (3) are satisfied if a reasonable effort was made to mail or otherwise deliver the notices.
36. If the Business License Inspector has suspended or cancelled a license, the license holder who is subject to the decision is entitled to have Council reconsider the matter.

Adult Entertainment Publications

37. (1) Except where the business is an adult entertainment store licensed under this By-law, no person carrying on any business will display or permit to be displayed an adult publication except as follows:
- (a) all adult publications must be located on a shelf the bottom edge of which is at least 47 inches from the floor; and
 - (b) all adult publications must be placed behind a sheet of opaque plastic or other opaque substance which extends for the full length of the shelf on which the publications are placed and which extends vertically for at least 8 inches from the bottom of the shelf.

Adult Entertainment Stores

38. (1) No proprietor of an adult entertainment store will permit any person to be on the store premises at any time unless the person is 18 years of age or over.
- (2) No proprietor of an adult entertainment store will exhibit or permit to be exhibited in any window on or about the premises any graphic sexual material or sex paraphernalia.

Alcohol and Drug Recovery Houses

39. (1) Every applicant for an alcohol and drug recovery house license must submit to a criminal background check.
- (2) Every operator of an alcohol and drug recovery house must keep a register book of all persons provided accommodation, including dates of arrival and departure.
- (3) The operator of an alcohol and drug recovery house must require every person provided accommodation to sign the register.
- (4) The registration records to which this Section refers must be produced for inspection at the request of an Inspector or the Chief Constable.
- (5) Every operator of an alcohol and drug recovery house must complete a Housing Agreement with the City as a condition precedent to the renewal of an existing business license.
- (6) Every applicant for an alcohol and drug recovery house must complete a Housing Agreement with the City as a condition precedent to the issuance of a new business license.

Arcades

40. (1) Arcades must close at or before 11:30 p.m.
- (2) No person under the age of 16 years is permitted to enter an arcade, unless the person is accompanied by a parent or legal guardian.

- (3) Every proprietor of an arcade must post the regulations and hours of operation specified by this Section in a conspicuous place at the entrance to the premises and inside the premises within one metre of each machine.

Automobile Immobilizing

41. (1) Every proprietor of an automobile immobilizing business is subject to the regulations in this Section.
- (2) Every proprietor must display in a conspicuous place at all locations where vehicles are, or may be, immobilized, signs made of a reflective material, of a size not less than 35.5 centimetres (14 inches) by 50 centimetres (20 inches), with letters and numbers not less than 5 centimetres (2 inches) in height, containing the following information:
 - (a) the conditions under which the parking of a vehicle will be considered unauthorized; and
 - (b) the name and the telephone number of the firm responsible for immobilizing vehicles at that location.
- (3) Every proprietor must ensure that once a vehicle has been fitted with an automobile immobilizing device, that a person:
 - (a) having the means and authority to remove the automobile immobilizing device; and
 - (b) carrying proper identification and information showing the authority to immobilize vehicles on the property in question and who must produce that identification and authority on request,will be on the site at all times until the owner or operator of the vehicle has reclaimed the vehicle.
- (4) No proprietor will immobilize a vehicle by way of an automobile immobilizing device and have the vehicle towed from the premises for the same offence.
- (5) No proprietor will charge more than a total of \$30.00 plus applicable taxes for the combination of installation and removal of an automobile immobilizing device.
- (6) Every proprietor must, prior to immobilizing a vehicle, place a written notice on the windshield of the vehicle, setting out the reasons for, and the authority for, the immobilization.
- (7) Every proprietor must, for enforcement of time limited parking, wait 5 minutes for every 15 minutes of regulated time parking prior to immobilizing a vehicle.
- (8) Every proprietor must maintain, to the satisfaction of the Inspector, a written record of all vehicles which have been immobilized, identifying the vehicle and the times when the vehicle was immobilized and released from immobilization, and the record must be available for inspection during normal business hours.
- (9) Every proprietor must provide evidence, satisfactory to the City, that the person has comprehensive general liability insurance in the amount of \$2,000,000.00 which includes a cross-liability clause and specifies the City as an additional insured.

- (10) No proprietor will use automobile immobilizing devices in parking stalls designated as disabled parking, or in designated fire lanes.

Automobile Wrecking and Salvage

42. (1) Every proprietor of an automobile wrecker, salvage yard, automobile dealer/rebuilder, towing with storage business and towing without storage business is subject to the regulations in this Section.
- (2) Every proprietor must maintain on the premises a permanent building of at least 100 square metres and the building must contain an office together with washroom and cleanup facilities for employees.
- (3) Where open storage is permitted, the storage area must be completely screened to a height of at least 2.5 metres by buildings or a solid decorative type fence or substantial landscaping strips of not less than 1.5 metres in width. The display or storage of materials within 5 metres of the screen must not be piled up to a height of more than 2.5 metres and otherwise must not be piled up to a height of more than 3.5 metres except where specifically permitted in Surrey Zoning By-law, 1993, No. 12000.
- (4) The premises must be kept by the proprietor in a clean, orderly, uncluttered and unobstructed condition and any building or fence on the premises must be kept in good and sufficient repair and properly painted.
- (5) No by-products or materials of the business may be burned except in a furnace or incinerator designed to trap fly ash and to contain the whole of the fire.
- (6) Advertising or illustrating on fences by words, pictures, signs or other means is prohibited unless a sign permit has been obtained from the City.
- (7) No materials of the business may be kept, stored or piled outside a fence required under this Section or any provision of the Surrey Zoning By-law, 1993, No. 12000.
- (8) Off-street parking and off-street loading spaces must be provided in accordance with Surrey Zoning By-law, 1993, No. 12000.
- (9) Every proprietor must keep on the premises a record of the vehicle identification numbers (V.I.N.) and the serial numbers of all automobiles and equipment bearing these numbers, in accordance with the following:
 - (a) every record must be written in ink in a plain legible hand in the English language;
 - (b) every record must include the precise date and hour of receiving the automobile or equipment for salvage or destruction;

- (c) every record must include the name, residence, or street address, and description of the person from whom the automobile or equipment was received. The description of the person must include date of birth, height, weight, eye colour, race, gender and the type and number of authorized identification presented. This information must be compared to and recorded from the person's authorized identification by the proprietor;
- (d) every proprietor must, at all reasonable times during business hours, produce the proprietor's register for the inspection of the Chief Constable or an Inspector;
- (e) the proprietor's register may be removed at any time by the Chief Constable or an Inspector for inspection at the headquarters of the officer or for use as evidence in court;
- (f) immediately upon the return of a register to the proprietor, the proprietor must enter in proper sequence each and every transaction involving the receiving of automobiles or equipment made during the absence of the register;
- (g) the proprietor must not permit any entry in a register to be erased, obliterated, or defaced, or permit any page or other portion of the register to be cut out or removed; and
- (h) the proprietor must number each record in the register in sequence and number each page of the register in sequence.

Bed and Breakfast

- 43. (1) Every proprietor of a bed and breakfast must:
 - (a) supply the Inspector with the number of bedrooms intended for the operation, the daily rate of charge, and whether meals are to be provided;
 - (b) keep the records of all patrons, including dates of arrival and departure;
 - (c) post the daily rate of charge at an easily visible location in the premises; and
 - (d) request inspection of the premises at the time the business license application is made.
- (2) No proprietor of a bed and breakfast will accommodate more than six people at the premises.

Body Rub Parlours, Body Painting Studios and Model Studios

- 44. (1) Every proprietor of a body rub parlour, body painting studio or model studio must:
 - (a) provide the Chief Constable and Inspector with the name, age, address and description of every person proposed to be employed or engaged in the business together with any additional information as the Inspector may require;
 - (b) notify the Inspector within 24 hours of any change in the personnel employed or engaged in the business; and
 - (c) not employ or engage any person in the business without first receiving the approval of the Inspector.

- (2) No proprietor of a body rub parlour, a body painting studio or a model studio will:
 - (a) employ any person on the premises unless the person is 19 years of age or over; or
 - (b) permit any person to be on the premises at any time unless the person is 19 years of age or over.
- (3) Every application for a license for a body rub parlour, body painting studio or model studio must be accompanied by a floor plan of the entire premises in the scale and detail as may be prescribed by the Inspector, and when any alterations are made to the premises, revised plans must be immediately filed with the Inspector.
- (4) Every room used for body rub, body painting or nude photography:
 - (a) must not be less than 8 feet by 8 feet;
 - (b) must not be equipped with a locking device on any door to the room;
 - (c) other than a door providing entrance to the room, must not have any means by which a person may view the interior of the room; and
 - (d) must be equipped with lighting of at least 50 foot candle power at all points in the room which must remain "on" when the door is closed.
- (5) No proprietor of a body rub parlour, body painting studio or model studio will permit any person to enter or remain on the premises between the hours of 12:00 midnight and 8:00 a.m.
- (6) No proprietor of a body rub parlour will permit any person engaged in providing a body rub on the premises to perform a body rub unless the person is wearing clean, washable, non-transparent outer garments covering the body between the neck and the top of the knee, the sleeves of which do not reach below the elbows.
- (7) No proprietor of a body rub parlour will exhibit the proprietor's body, or permit other persons to exhibit their bodies, in any window on or about the premises, or exhibit or permit to be exhibited any sign outside of the premises showing any nude male or female body, or any part of a nude body, or any printed words that might indicate that the premises is a place that offers any form of sexual or nude entertainment.

Casino

45. (1) Every proprietor of a Casino must:
 - (a) provide the Chief Constable and Inspector with the name, age, address and description of every person proposed to be employed or engaged in the business together with any additional information as the Inspector may require;
 - (b) notify the Inspector within 24 hours of any change in the personnel employed or engaged in the business; and
 - (c) not employ or engage any person in the business without first receiving the approval of the Inspector.

- (2) No proprietor of a Casino will:
 - (a) employ any person on the premises unless the person is 19 years of age or over; or
 - (b) permit any person to be on the premises at any time unless the person is 19 years of age or over.

Christmas Tree Sales

- 46. (1) Christmas tree sales may be carried out on any property other than a required parking lot or occupied residential lot under the following conditions:
 - (a) the business must be located so that there is no visual obstruction to vehicular traffic or pedestrians and there is not a nuisance to the community;
 - (b) sales will be permitted from November 15 to December 31 of any given year;
 - (c) if the property being used is not owned by the applicant the applicant must provide to the Inspector written permission from the owner of the property to use the property for this purpose;
 - (d) if a temporary office is required, the applicant must obtain a temporary trailer office permit under Surrey Mobile Homes and Trailer Regulation and Control By-law, 1980, No. 6142; and
 - (e) once Christmas tree sales are completed, the site must be left by the proprietor in a clean and presentable condition.
- (2) A person who carries out Christmas tree sales and who is also licensed as a nursery for the same premises is not required to pay an additional license fee for Christmas tree sales.

Community Services

- 46.1 (1) Every applicant or operator of a Community Service within the boundaries of the area shown on Map D.1 Surrey City Centre of Schedule D to Surrey Zoning By-law, 1993, No. 12000, must enter into a good neighbour agreement with the City of Surrey as a condition precedent to the issuance of a new business license or the renewal, transfer or amendment of an existing business license.

Contractors

- 47. (1) Every person licensed as a contractor must, within two weeks of delivery of a written request by an Inspector, provide the Inspector with a list of all subtrades engaged on each specific job, on a form prescribed by the Inspector.

Discotheques and Dancehalls

- 48. (1) The operation of every discotheque and dancehall is subject to the regulations of this Section.
- (2) The permitted hours of operation of a discotheque or dancehall are:

- (a) School day matinees - 4:00 p.m. to 10:00 p.m.;
 - (b) Non-school day matinees - 1:00 p.m. to 10:00 p.m.; and
 - (c) Evenings - 6:00 p.m. to 11:00 p.m. In cases where the evening session precedes a non-school day the hours of operation for the evening session may be 6:00 p.m. to 12:00 p.m.
- (3) Dance sessions may be attended by the 13 to 18 year age group only.
 - (4) If a matinee and evening dance are to be held on the same day, they must be scheduled so as to provide one clear hour between the time the matinee dance session ends and the time the evening dance session begins.
 - (5) Except for management personnel, only those persons falling into the age group in Subsection (3) are permitted to enter the discotheque or dancehall.
 - (6) No person is permitted to re-enter the discotheque or dance hall during the same dance session.
 - (7) No alcoholic beverages are permitted to be consumed or kept on the premises.
 - (8) No person is permitted to possess alcoholic beverages on or about the premises.
 - (9) No drunkenness or disorderly conduct is permitted on the premises.
 - (10) One male and one female adult must be on the premises at all times for the purpose of providing supervision. For the purpose of this subsection an adult is a responsible individual over the age of 21 years.
 - (11) The interior and exterior of a discotheque or dancehall must be fully illuminated at all times during its operation.
 - (12) The license fee payable by the proprietor of a discotheque or dancehall is in addition to any license fee payable for a restaurant on the same premises.

Drug Paraphernalia

- 48A. (1) No person carrying on a business shall display or permit to be displayed on a street or in any window facing a street, or elsewhere where it can be seen by a person inside or outside the premises, or to the public at large, any drug paraphernalia.
- (2) No person carrying on a business shall sell drug paraphernalia to any person under the age of 19 years except where the premises are licensed as a pharmacy under the *Pharmacists Act*.

Employment Agencies, Talent Agencies and Recruiting Services

- 48.1 (1) Every applicant for a license to operate as an employment agency, talent agency or recruiting service must provide evidence satisfactory to the Inspector that the person has obtained a license as required under the Employment Standards Act, R.S.B.C. 1996, c. 113.
- (2) Every proprietor of an employment agency, talent agency or recruiting service must comply with the requirements of the Employment Standards Act, R.S.B.C. 1996, c. 113 and its regulations.

Firearms Certification

- 48.1A (1) The operator of every firearms certification business is subject to the regulations of this Section.
- (2) All firearms certification training instructors must be federally certified.
- (3) All firearms on the business premise must be fully deactivated and unfireable.
- (4) No ammunition is permitted on the business premise at any time.

Fireworks Vendor

- 48.2 (1) The operation of every fireworks vendor is subject to the regulations of this Section.
- (2) A fireworks vendor must conform to Surrey Fireworks Regulation By-law, 1974, No. 4200, as amended.
- (3) A fireworks vendor must not store or cause to be stored any fireworks adjacent to any heat, flame or other source of ignition.
- (4) A fireworks vendor must not store or cause to be stored any fireworks in a position or area that is readily accessible to customers or prospective customers.
- (5) All fireworks for sale or display must be contained in a glass, plexiglass or other suitable receptacle.
- (6) Two rated fire extinguishers: 2A10BC or 3A10BC are required at any premises from which a fireworks vendor operates.
- (7) A fireworks vendor must ensure that there is no smoking within the building where fireworks are present.
- (8) A fireworks vendor must conform to all other City by-laws and all provincial and federal legislation governing fireworks.
- (9) A fireworks vendor may only operate from lots zoned C-4, C-5, C-8, C-15, C-35 and CHI, all as defined in Surrey Zoning By-law, 1993, No. 12000, as amended.
- (10) A fireworks vendor must not sell, dispose of, give or otherwise distribute fireworks to any person other than a person who holds a valid fireworks supervisor certificate from Natural Resources Canada – Explosive Regulatory Division.
- (11) An Inspector will conduct an inspection of the premises of a fireworks vendor applicant to ensure compliance before a business license is issued.
- (12) A fireworks vendor must not operate until the business license application has been approved.

- (13) A fireworks vendor must not operate from:
 - (a) any vacant property or parking lot; or
 - (b) a trailer, vehicle or temporary structure on any property.

Health Enhancement Centre

- 48.3
- (1) The Inspector will not issue a license for a health enhancement centre unless satisfied that either the applicant for the license or an officer of an applicant demonstrates a knowledge and understanding of the art and practice of shiatsu, accupressure, reflexology, bio-kinesiology, hellework, polarity, reiki, rolfing, and trager approach, or any other therapeutic touch technique, and the Inspector may, in that regard, require the applicant or officer to take and pass an exam. The Inspector may require the applicant to provide proof of membership in a recognized association of practitioners or course documentation prior to approval of the license.
 - (2) Every person carrying on the business of a health enhancement centre shall ensure that all persons hired to administer a therapeutic touch technique are qualified in that respect and have not been convicted of an offence under sections 212 or 213 of the *Criminal Code*.
 - (3) No person carrying on the business of a health enhancement centre shall employ any person to administer a therapeutic touch technique unless that person is at least 19 years of age.
 - (4) No person carrying on the business of a health enhancement centre shall remain open for business or administer therapeutic touch technique between the hours of 12:00 midnight and 8:00 a.m.
 - (5) No person carrying on the business of a health enhancement centre shall allow any employee or other person on the premises to engage in or offer to engage in an act of prostitution.

Hotels and Rooming Houses

- 49.
- (1) Every proprietor of a hotel must provide and keep a guest register and every person provided accommodation must be registered.
 - (2) Every proprietor of a hotel must require every person provided accommodation to sign the register and there must be entered in the register the name and home address of the guest and of each person with the guest together with the date of arrival, and if the guest is travelling by motor vehicle, the trade name of the vehicle, the license number and the Province or State in which the license plate was issued.
 - (3) Upon departure of each guest the proprietor of the hotel must enter the date of departure in the register.
 - (4) Every person applying for accommodation must furnish to the proprietor of the hotel the information necessary to complete registration in accordance with this Section and no proprietor of a hotel will provide accommodation until the information has been provided. Picture Identification may be requested by the proprietor of any hotel.

- (5) The registration records provided for in this Section must be produced at all times for inspection at the request of an Inspector.
- (6) For the purposes of this Section, "hotel" includes a rooming house and a premise in which more than two rooms or suites are let or kept for rent.

Ice Cream Vendors

50. (1) No ice cream vendor will carry on business in a manner which is contrary to Highway and Traffic By-law, 1997, No. 13007, the Motor Vehicle Act, R.S.B.C. 1996, c. 318, the Highway Scenic Improvement Act, R.S.B.C. 1996, c. 190 or any other City by-law or Provincial statute or regulation enacted to regulate traffic and the use of highways in the City.
- (2) No ice cream vendor will post, erect, or display a sign along a highway or on property except in compliance with Surrey Zoning By-law, 1993, No. 12000 and the Highway and Traffic By-law, 1997, No. 13007.
- (3) Every ice cream vendor must comply with the Consumer Protection Act, R.S.B.C. 1996, c. 69.
- (4) Every ice cream vendor must obtain written approval from the provincial agency responsible for health and the safe handling of food products.
- (5) No ice cream vendor will stand or locate within 100 metres of any premises offering for sale the same or similar items as the ice cream vendor.
- (6) Every ice cream vendor must provide a garbage container and must pickup all garbage and debris located within 25 metres of the vehicle which results from the ice cream vendor's operation.
- (7) Every vehicle used by an ice cream vendor must be kept in good repair.
- (8) An ice cream vendor must not operate before 8:00 a.m. or after 9:00 p.m.
- (9) The amplified sound from an ice cream vendor's vehicle must not be played at a higher level than 60 dBA measured at 50 feet in front of the vehicle and the amplified sound system must be set within the unit so that it cannot be adjusted to a higher level than 60 dBA measured at 50 feet in front of the vehicle.
- (10) The amplified sound system in an ice cream vendor's vehicle must be shut off when the vehicle is stopped.
- (11) An ice cream vendor will carry on business in residential areas only and will not sell products in commercial areas, parks, beaches, school grounds or on any truck route. For the purposes of this Section, "truck route" means a highway, a portion of a highway, or a series of connected highways, designated as a truck route in Schedule "C" to Highway and Traffic By-law, 1997, No. 13007.
- (12) An ice cream vendor must only stop the ice cream vendor's vehicle in the course of business while actively engaged in making a sale and must move to another location after all customers have been served.
- (13) No member of the general public will be permitted inside an ice cream vendor's vehicle and all food must be served to customers while they stand at the exterior of the vehicle.
- (14) No ice cream vendor will permit or allow any person other than a driver licensed under the Motor Vehicle Act, R.S.B.C. 1996, c. 318 and employed by the ice cream vendor to operate the vehicle.

- (15) Every applicant for a license to operate an ice cream vendor business must:
 - (a) supply the Chief Constable with the name, age, address, birth date and sex of all persons employed in the business; and
 - (b) provide evidence satisfactory to the City that the applicant has comprehensive general liability insurance coverage in the amount of \$2,000,000.00.

Junk and Scrap

- 51. (1) Vehicles loaded with scrap or junk must not be parked overnight in a residential zone.
- (2) Every proprietor of a business which has scrap metal as a by-product and operates in other than an industrial zone (including, without limitation, automotive repair service, gas station, auto body/painting and automobile dealer/rebuilder) must contain its surplus scrap totally in a building or approved walled or fenced area with no surplus scrap being piled higher than the approved wall or fence.

Kennels

- 52. (1) The operator of a hobby kennel must reside on the lot on which the kennel is located.

Licensed Establishments

- 53. (1) The proprietor of every licensed establishment must ensure that signs warning of fetal alcohol syndrome are installed as prescribed in Subsection (2).
- (2) Signs warning of fetal alcohol syndrome must meet the following minimum requirements:
 - (a) for every licensed establishment which is permitted to sell alcoholic beverages for off-premises consumption there must be at least one sign located so it is clearly visible from all locations where the sale or dispensing of the alcohol beverages takes place; and
 - (b) for every licensed establishment which permits the consumption of alcoholic beverages on the premises there must be one sign conspicuously displayed at each entrance of the premises and in each public washroom located on the premises intended to be used by females.
- (3) All signs to be displayed must be those supplied by the City, a copy of which is attached to and forms part of this By-law as Schedule "B".
- (4) Where an outdoor patio of a licensed establishment is located within 100 metres of a residential area, the permitted hours of operation of the outdoor patio are between 11:00 a.m. to 10:00 p.m. every day of the week.

- (5) Every proprietor of a Licensed Premise (Liquor Primary) and of a Licensed Premise (Food Primary) that offers patron participation entertainment, or liquor service past midnight, or operates a separate lounge area where food service is optional, must enter into a good neighbour agreement with the City, the RCMP and Surrey Fire Services as a condition of receiving a new business license or amending an existing business license.

Mail Drop Services

54. (1) Every proprietor of a mail drop service must:
- (a) maintain a complete and accurate written record of the name and address of every customer on behalf of whom the proprietor collects mail;
 - (b) obtain from every customer a statement of whether or not the customer intends to use the mail drop service for business purposes and include that statement as part of the record;
 - (c) where the customer referred to is a corporation, firm, or business proprietorship, maintain, as part of the record and in addition to the information referred to in clause (i), an accurate written record of the name and address of at least one natural person authorized to represent the corporation, firm, or business proprietorship;
 - (d) obtain from every person referred to in clause (a) and clause (c) proof of identity by the production of picture identification by the person and include the details of each form of picture identification as part of the record;
 - (e) maintain the record on the premises where mail is collected for the customer; and
 - (f) make the record available for inspection immediately upon the request of an Inspector.
- (2) The address of every natural person whose name and address is required to be recorded under this Section must be that person's current residential address.

Pedlars

55. (1) No person will peddle:
- (a) on or from a highway;
 - (b) from a vehicle that is stopped or parked on a highway or on public or private property;
 - (c) on or from a sidewalk;
 - (d) on or from a parking lot;
 - (e) outside of a building; or
 - (f) on or from City property or a City right-of-way.

- (2) No pedlar will carry on business in a manner which is contrary to the Highway and Traffic By-law, 1997, No. 13007, the Motor Vehicle Act, R.S.B.C. 1996, c. 318, the Highway Scenic Improvement Act, R.S.B.C. 1996, c. 190 or any other City by-law or Provincial statute or regulation enacted to regulate traffic and the use of highways in the City.
- (3) No pedlar will post, erect, or display a sign along a highway or on property except in compliance with Surrey Zoning By-law, 1993, No. 12000 and the Highway and Traffic By-law, 1997, No. 13007.
- (4) Every pedlar, when selling or offering for sale to the public a commodity which is sold by weight or measure, must have a lawful scale or measure capable of weighing or measuring the commodity sold or offered for sale by the pedlar.
- (5) Every pedlar must comply with the Consumer Protection Act, R.S.B.C. 1996, c. 69.
- (6) Every pedlar who peddles food or food products must obtain written approval from the provincial agency responsible for health and the safe handling of food products.

Pet Stores

- 55.1 (1) an owner or operator of a pet store must not sell, offer for sale, or display to the public any animal that:
- (a) is not a domestic animal as defined by the Community Charter; or
 - (b) is a dog, cat, or lagomorpha, such as rabbits, hares, or pikas.

Pharmacies

- 55.2 (1) No pharmacy will offer a client a cash incentive or other inducement for dispensing methadone to the client.

Pinball Machines

56. (1) No person under the age of 16 years is permitted to operate a pinball machine after 10:00 p.m., except Fridays and Saturdays or the night prior to a statutory or school holiday, unless accompanied by a parent or legal guardian.
- (2) Every proprietor of a business operating pinball machines, including an arcade, must post the regulations and hours of operation specified by this Section in a conspicuous place at the entrance to the premises and inside the premises within one metre of each pinball machine.

Portable Food Vendors

57. (1) Every portable food vending cart must:
- (a) not exceed 4 square metres in area;
 - (b) be capable of being moved on its own wheels without alteration or preparation; and

- (c) be fully self-contained with no service connection, other than electrical service, provided the portable vending cart is located no more than 2 metres from the point of electrical connection.
- (2) A portable food vending cart may be towed by another vehicle.
- (3) Every portable food vending cart must be located on private property so as not to interfere with or block any exit or walkway.
- (4) Every portable food vending cart must be located in one parking space or on the corner of a landscaped area.
- (5) Every portable food vending cart must be kept in good repair.
- (6) Every portable food vending cart must meet Provincial health regulations.
- (7) No portable food vending cart will be located within 100 metres of any restaurant and any premise which sells alcoholic beverages.
- (8) Every portable food vendor must provide a garbage container and must pick up all garbage and debris within 100 metres of the portable food vending cart which results from the business operation.
- (9) Every portable food vendor must provide to the Inspector written permission from the owner of the property allowing the portable vending cart to be located on the property and allowing the portable food vendor to access the washroom facilities located on the property.
- (10) A portable food vendor must not be located on a vacant property.

Post Box Rentals

58. (1) Every proprietor of a post box rental agency must:
- (a) maintain a complete and accurate written record of the name and address of every proprietor who rents, leases, owns, has possession of, or has the use of a post box into which mail is deposited;
 - (b) obtain from every customer a statement of whether or not the customer intends to use the post box for business purposes, and include that statement as part of the record;
 - (c) where the customer is a corporation, firm, or business proprietorship, maintain, as part of the record and in addition to the information referred to in clause (a), an accurate written record of the name and address of at least one natural person authorized to represent the corporation, firm, or business proprietorship;
 - (d) obtain from every person referred to in clause (a) or (c) proof of identity by the production of picture identification by the person and include the details of each form of picture identification as part of the record;

- (e) maintain the record for each post box at the premises where the post box is located; and
 - (f) make the record available for inspection immediately upon the request of an Inspector.
- (2) The address of every natural person whose name and address is required to be recorded under this Section must be that person's current residential address.

Scrap Metal Dealers

- 58.1 (1) Every Scrap Metal Dealer must comply with the provisions of Scrap Metal Dealer Regulation By-law, 2008, No. 16655.

Secondary Suites and Rooming Houses

59. Deleted (BYL 17310, 01/10/11)

Secondhand Dealers and Pawnbrokers

60. (1) No secondhand dealer will carry on business or display or store merchandise except in an enclosed building.
- (2) No secondhand dealer will carry on business as a pawnbroker without first obtaining a license to operate as a pawnbroker and no pawnbroker will carry on a business as a secondhand dealer without first obtaining a license to operate as a secondhand dealer.
- (3) Every secondhand dealer and every pawnbroker must comply with the provisions of Surrey Secondhand Dealers and Pawnbrokers By-law, 1997, No. 13183.

Social Escort Services

61. (1) Every proprietor of a social escort service must:
- (a) provide the Chief Constable and Inspector with the name, age, address and description of every person proposed to be employed or engaged in the business together with any additional information as the Inspector may require;
 - (b) notify the Inspector within 24 hours of any change in the personnel employed or engaged in the business;
 - (c) maintain to the satisfaction of the Inspector a written record of every request to provide or furnish an escort or partner, giving the name and address of the person requesting the service together with the name of the escort or partner recommended and the function attended; and
 - (d) not employ or engage any person in the business without first receiving the approval of the Inspector.

Tax Buyers

62. (1) Where any person assigns the right to an income tax refund to a tax buyer, the amount that person is to receive from the tax buyer must be clearly indicated both as to the gross amount to be received as well as the percentage that the gross amount represents of the original amount of the tax refund.
- (2) When a tax buyer receives an income tax refund and the amount exceeds the amount assigned by the taxpayer by the sum of \$10.00 or more, the tax buyer must contact the taxpayer, advising of the refund so that the refund may be remitted to the taxpayer.
- (3) Every tax buyer must clearly state the following information on all forms used by the tax buyer and the information also forms part of the regulations governing the conduct of the tax buyer:
- (a) This is an outright purchase of the tax refund and is not a loan;
 - (b) There are no fees charged by the tax buyer other than those stated in Subsection (1) for this transaction; and
 - (c) The taxpayer may cancel this transaction within 48 business hours without charge or penalty upon return by the taxpayer of all monies received from the tax buyer.
- (4) The form used by a tax buyer must clearly state the address of the year-round office of the tax buyer and if no year-round office exists, where the tax buyer is a corporation incorporated under the laws of this Province of British Columbia, must state its registered address for service and where the tax buyer is an individual, must indicate the permanent place of residence of the tax buyer.
- (5) Every form used by a tax buyer must be dated and signed by both the taxpayer and the tax buyer and must clearly indicate that the taxpayer is over the age of 18 years. A copy of the form must be either handed to or delivered to the taxpayer prior to the time the taxpayer executed the assignment of the tax refund.
- (6) A copy of Subsection (3) must be posted conspicuously on the premises of the tax buyer together with the business license.

Taxi Businesses

63. (1) Every person applying for and receiving a license to carry on a taxi business must comply with all regulations of Vehicle for Hire By-law, 1999, No. 13610.

Temporary Homeless Shelter

- 63.1 (1) Temporary homeless shelters only be permitted to operate between November 1 and March 31 of any given winter season.

Tobacco and Vapour Product Sales

64. (1) No proprietor of a retail business which has for sale cigarettes and related tobacco products will permit a person to purchase cigarettes or related tobacco products unless the person presents picture identification showing that the person is 19 years of age or over.
- (2) The proprietor of every retail business which has for sale tobacco or vapour products must not display tobacco or vapour products, or advertise or promote the use of tobacco or vapour products, in any manner by which the tobacco or vapour products or the advertisement or promotion:
- (a) may reasonably be seen or accessed by a person inside the retail premises who is not 19 years of age or over; or
 - (b) are clearly visible to a person outside the retail establishment.
- (3) For the purposes of Subsection (2), "advertise or promote the use of tobacco or vapour products" means to advertise or promote the use of tobacco or vapour products by any means, including by:
- (a) displaying on a sign, video, clothing or other tangible object the name of a brand or manufacturer of tobacco or vapour products, an abbreviation or other thing that would reasonably identify the name of a brand or manufacturer of tobacco or vapour products, or a graphic, design or symbol that is commonly associated with the name of a brand or manufacturer of tobacco or vapour products; or
 - (b) making available any sign, video, clothing or other tangible object that displays any of the things set out in paragraph (a).
- (4) Despite Subsection (3), the proprietor of a retail business which has for sale tobacco or vapour products may advertise within the premises the types of tobacco and vapour products for retail by means of a sign that meets all of the following criteria:
- (a) the sign must not be larger than 968 cm²;
 - (b) the background of the sign must be white only;
 - (c) the text of the sign must be black only;
 - (d) the letters in the text of the sign must not be higher than 5 cm;
 - (e) except for the "\$" symbol in front of a price, the sign must not contain any graphic or design, or any symbol that is not an alpha-numeric character;
 - (f) the sign must not include the name of a brand or manufacturer of tobacco or vapour products;
 - (g) the sign must not include any abbreviation, or other thing that would reasonably identify the name of a brand or manufacturer of tobacco or vapour products; and

- (h) the sign may advertise only the types of tobacco and vapour products for sale and the prices of, or a price range for, those types of tobacco and vapour products,

and the proprietor must not have more than 3 signs on the premises, including not more than one sign at each point of sale system.

- (5) The proprietor of a retail business which has for sale tobacco or vapour products must ensure that warning signs as prescribed in Subsections (6), (7) or (8) are displayed in accordance with the following:
 - (a) the decals for purchasers must be displayed in plain view to purchasers at the point and time of sale;
 - (b) the decals for employees must be displayed in plain view to the employee operating the point of sale system on or near the point of sale system at the time of sale; and
 - (c) the decals must not be obscured by any sign, notice or any other thing that could make the decal less than fully visible.
- (6) The proprietor of a retail business which has for sale tobacco, but not vapour products, must do both of the following:
 - (a) display to purchasers the decal set out in Figure 1 of Schedule "C"; and
 - (b) display to employees the decal set out in Figure 2 of Schedule "C".
- (7) The proprietor of a retail business which has for sale vapour products, but not tobacco, must do both of the following:
 - (a) display to purchasers the decal set out in Figure 3 of Schedule "C"; and
 - (b) display to employees the decal set out in Figure 4 of Schedule "C".
- (8) The proprietor of a retail business which has for sale both tobacco and vapour products must do both of the following:
 - (a) display to purchasers the decal set out in Figure 5 of Schedule "C"; and
 - (b) display to employees the decal set out in Figure 6 of Schedule "C".
- (9) A proprietor who operates a vending machine that sells tobacco or vapour products must affix to the front of the vending machine the decal referred to in Figure 1, Figure 3 or Figure 5 of Schedule "C", as applicable.
- (10) The proprietor of a retail business which has for sale vapour products is exempt from the provisions of Subsections (1), (2) and (3) with respect to vapour products that are prescribed by regulation under the Tobacco and Vapour Products Control Act, R.S.B.C. c. 451 as products or devices intended to be used for medical purposes, including to reduce nicotine dependence.

Truck Parking Facility

- 64.1 (1) Every proprietor or property owner(s) of a truck parking facility must provide the City with an annual environmental assessment report, in accordance with the form and content requirements of Part 4 of the Riparian Areas Protection Regulation B.C. Reg. 178/2019, for the truck parking facility, and the assessment report must be dated no earlier than one year from the date of issuance of the annual business license.
- (2) Every proprietor or property owner(s) of a truck parking facility must comply with the provisions of Surrey Stormwater Drainage Regulation and Charges By-law, 2008, No. 16610.

Vending Machines

65. (1) No proprietor of a retail business which has for sale tobacco or vapour products will sell, offer for sale, provide or distribute tobacco or vapour products to a person unless the individual is 19 years of age or over and presents picture identification showing that the individual is 19 or over.
- (2) No person, other than the Inspector, will alter, remove, damage, deface or destroy a decal attached to a vending machine.
- (3) No proprietor of a premise will permit the number of vending machines owned or kept upon the premise to be increased without first notifying the Inspector in writing of the increase in number.
- (4) The provisions of this Section also apply to vending machines situated on any highway.

Offences and Penalties

66. Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention of this By-law or neglects to do or refrains from doing any act or thing required to be done by this By-law or fails to comply with a term or condition of a license granted under this By-law is guilty of an offence and will be liable upon summary conviction to a penalty of not less than ~~\$50.00~~**\$200.00** and not more than ~~\$2,000.00~~**\$50,000.00** plus the costs of the prosecution.
67. Each day that a violation is permitted to exist will constitute a separate offence under this By-law.

Commencement

68. This By-law will come into full force and effect on the first day of April, 1999.

Repeal

69. "Business License By-law, 1976, No. 4747", as amended, is hereby repealed.

PASSED THREE READINGS on the 22nd day of March, 1999.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 29th day of March, 1999.

"D.W. McCALLUM" MAYOR

"D.B. KENNY" CLERK

As Amended by By-laws 13795, 07/19/99; 13966, 03/13/00; 14011, 05/01/00; 14639, 02/25/02; 14832, 03/10/03; 15343, 04/19/04; 15736, 05/30/05; 16450, 09/17/07; 16521, 01/14/08; 16848, 01/19/09; 17069; 12/14/09; 16668, 05/03/10; 17556, 02/06/12; 17831, 12/17/2012; 18124, 01/13/14; 18348, 01/12/15; 18580, 12/14/15; 18972, 12/19/16; 19418, 12/18/17, 19709, 12/19/19; 19975, 12/16/19; 20028, 03/09/20; 20214, 12/21/20; 20500, 12/24/21

Schedule "A"

Category	Fee
Acupuncture	\$239.75 per year
Acupressure	\$239.75 per year
Administration Office	\$239.75 per year
Adult Entertainment Store	\$5,127.75 per year
Advertising	\$239.75 per year
Alcohol and Drug Recovery House	\$951.50 per year
Animal Sitting	\$239.75 per year
Apartment Building/Townhouse Rental	\$67.50 per year for each dwelling
Arcade	\$5,127.75 per year
Auction/Auctioneer	\$421.50 per year
Auto Body/Painting	\$388.50 per year
Automated Teller Machine	\$257.75 per year for each machine
Automobile Cleaning/Car Wash/Detailing	\$257.75 per year
Automobile Dealer/Rebuilder	\$601.25 per year
Automobile Wrecker	\$1,293.25 per year
Automobile/Truck Rental	\$428.75 per year
Automotive Repair Service	\$388.50 per year
Bakery	\$277.00 per year
Bankruptcy Trustee	\$335.50 per year
Bank	\$1,368.75 per year
Bed and Breakfast	\$128.75 per year
Boat Building/Sales/Service/Rental/Marina	\$308.00 per year
Body Rub Parlour/Body Painting Studio	\$5,127.75 per year
Bookkeeping	\$239.75 per year

Schedule "A"

Category	Fee
Bowling Alley	\$1,044.00 per year
Bus Service	\$335.50 per year
Business School	\$226.00 per year
Business Services Office	\$239.75 per year
Carnival	\$41.75 per day for each device or game
Casino	\$5,127.75 per year (plus \$59.75 per machine)
Cat Boarding	\$239.75 per year
Caterer	\$239.75 per year
Catering/Coffee Truck	\$239.75 per year
Cemetery	\$1,699.75 per year (plus \$15.75 per hectare)
Charitable Society/Organization	\$1.00 per year
Cheque Cashing Centre	\$335.75 per year
Christmas Tree Sales	\$110.00 per season
Circus	\$261.00 per day
Collection Agent	\$335.75 per year
Commercial Kennel	\$516.00 per year
Computer Consulting/Repair/Design	\$239.75 per year (plus \$33.00 per employee)
Concession Stand	\$318.50 per year for each stand
Construction Management	\$239.75 per year (plus \$33.00 per employee)
Consultant	\$239.75 per year (plus \$33.00 per employee)
Contractor - Alarm Installation	\$335.75 per year
Contractor - Demolition	\$335.75 per year
Contractor - Electrical	\$335.75 per year
Contractor - Fire Protection	\$335.75 per year
Contractor - General	\$335.75 per year
Contractor - Landscaping/Excavating	\$335.75 per year
Contractor - Masonry/Drywall	\$335.75 per year
Contractor - Miscellaneous	\$335.75 per year

Schedule "A"

Category	Fee
Contractor - Painting	\$335.75 per year
Contractor - Paving	\$335.75 per year
Contractor - Plumbing/Heating/Mechanical	\$335.75 per year
Contractor - Roofing/Insulation	\$335.75 per year
Contractor - Sewer/Septic	\$335.75 per year
Contractor - With Storage	\$335.75 per year (plus \$27.25 for each 100m ² over 2,000m ² not including customer parking areas)
Counselling Service	\$239.75 per year
Courier Service	\$171.25 per year
Currency Exchange	\$335.75 per year
Customs Broker	\$368.25 per year (plus \$33.00 per employee)
Dating Service	\$5,127.75 per year
Dental Lab	\$368.25 per year
Denture Clinic	\$368.25 per year
Desktop Publishing	\$239.75 per year (plus \$33.00 per employee)
Discotheque/Dancehall	\$5,127.75 per year
Dog Grooming	\$330.25 per year
Drafting/Design Service	\$239.75 per year (plus \$33.00 per employee)
Dressmaker	\$110.25 per year
Driving School	\$226.00 per year
Dry Cleaner/Laundry	\$171.50 per year
Education Service (assessment, etc.)	\$239.75 per year (plus \$33.00 per employee)
Employment Agency/Recruiting Service	\$239.75 per year (plus \$33.00 per employee)
Employment Consultant	\$239.75 per year (plus \$33.00 per employee)
Esthetician	\$135.00 per year
Farm Produce Sales	\$335.75 per year
Fashion Design	\$239.75 per year (plus \$33.00 per employee)
Financial Agent	\$773.50 per year
Financial Planning/Consultant	\$239.75 per year (plus \$33.00 per employee)

Schedule "A"

Category	Fee
Fireworks Vendor	\$444.50 per year
Fitness Personal Trainer	\$239.75 per year (plus \$33.00 per employee)
Flea Market	\$330.25 per year
Funeral Parlour	\$442.25 per year
Gas Station	\$694.00 per year
General Business Office	\$239.75 per year (plus \$33.00 per employee)
Glass Installation/Sales	\$335.75 per year
Golf Course, Driving Ranges, Par 3 Courses	\$318.50 per year
Hairdressing Salon/Hair Stylist	\$136.00 per year (plus \$68.75 for each chair over one)
Health Care Consultant	\$239.75 per year (plus \$33.00 per employee)
Hobby Kennel - 3 Dogs	\$131.00 per year
Hobby Kennel - 4 to 6 Dogs	\$257.75 per year
Holistic Health Care	\$368.25 per year
Home Crafts	\$110.00 per year
Horse Racing	\$380.25 per day
Hotel/Motel/Rooming House	\$19.50 per year for each room
Ice Cream Vendor	\$308.00 per year
Immigration Consultant	\$239.75 per year (plus \$33.00 per employee)
Import/Export	\$226.00 per year
Income Tax Service	\$239.75 per year
Insurance Adjuster	\$277.00 per year
Insurance Agent	\$239.75 per year (plus \$33.00 per employee)
Interior Decorating/Design	\$239.75 per year (plus \$33.00 per employee)
Internet Services	\$239.75 per year (plus \$33.00 per employee)
Investment Consultant	\$239.75 per year (plus \$33.00 per employee)
Janitorial Service	\$204.50 per year
Land Development	\$335.75 per year
Laundromat	\$516.00 per year

Schedule "A"

Category	Fee
Licensed Premises (Food Primary)	\$431.00 per year
Licensed Premises (Food Primary with	\$857.50 per year
Licensed Premises (Liquor Primary Club)	\$2,578.50 per year
Licensed Premises (Liquor Primary)	\$2,578.50 per year
Licensed Premises (Liquor Primary – Cabaret)	\$5,127.75 per year
Licensed Premises (Liquor Primary – Stadium)	\$5,127.75 per year
Licensee Retail Store	\$857.50 per year
Limousine Service	\$171.50 per year (plus \$89.25 per vehicle)
Locksmith	\$335.75 per year
Lumber Yard/Building Material Yard	\$444.50 per year (plus \$26.25 per 100m ² over 2000m ² not including customer parking areas)
Machinery/Heavy Equipment Dealer	\$444.50 per year
Mail Drop Service	\$239.75 per year
Mail Order	\$239.75 per year
Manufacturer's Agent	\$226.00 per year
Manufacturer/Machine Shop	\$326.25 per year (plus \$8.00 per employee)
Massage Therapist (RMT)	\$368.25 per year
Media/Public Relations	\$239.75 per year (plus \$33.00 per employee)
Mediation Services	\$239.75 per year (plus \$33.00 per employee)
Medical Laboratory	\$428.75 per year
Methadone Dispensary	\$5,127.75 per year
Miscellaneous	\$335.75 per year
Mobile Home Park	\$67.50 per year for each unit
Model Studio	\$3,311.25 per year
Nursery	\$335.75 per year
Parking Lot Enforcement (Automobile Immobilizing)	\$464.50 per year
Parking Lot	\$335.75 per year

Schedule "A"

Category	Fee
Party/Wedding Consultant	\$239.75 per year (plus \$33.00 per employee)
Pawnbroker	\$5,127.75 per year
Pedlar	\$308.00 per year
Pepper Spray Vendor	\$431.00 per year
Petroleum Product Distributor	\$550.50 per year
Photographer/Videographer	\$226.00 per year
Planning Consultant	\$239.75 per year (plus \$33.00 per employee)
Portable Food Vendor	\$128.75 per year
Post Box Rental Agency	\$226.00 per year
Printer/Publisher	\$226.00 per year
Private Investigators	\$335.75 per year
Professional Practitioner - Accountant	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Architect	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Chiropractor	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Dentist	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Engineer	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Land Surveyor	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Lawyer	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Doctor	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Notary	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Optometrist	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner – Part Time	\$171.25 per year
Professional Practitioner - Psychiatrist/Psychologist	\$513.25 per year (plus \$33.00 per employee)
Professional Practitioner - Veterinarian	\$513.25 per year (plus \$33.00 per employee)
Professional Sports	\$110.00 per year
Project Management	\$239.75 per year (plus \$33.00 per employee)
Property Management	\$239.75 per year (plus \$33.00 per employee)

Schedule "A"

Category	Fee
Public Utility Company	\$1,699.75 per year
Real Estate Agent - 0-5 Employees	\$171.25 per year
Real Estate Agent - 6-10 Employees	\$392.00 per year
Real Estate Agent - 11-15 Employees	\$661.25 per year
Real Estate Agent - 16-25 Employees	\$857.50 per year
Real Estate Agent - 26-50 Employees	\$1,185.75 per year
Real Estate Agent - 51-100 Employees	\$1,582.00 per year
Real Estate Agent - 100+ Employees	\$1,582.00 per year (plus \$323.25 for each 50 employees over 100 employees)
Real Estate Appraisal Service/Building Inspector	\$335.75 per year
Recreational Facility	\$318.50 per year
Recycling Depot	\$428.75 per year
Recycling Plant	\$857.50 per year
Reflexology	\$353.50 per year
Rental Service	\$226.00 per year
Repair Service	\$226.00 per year
Restaurant	\$128.75 per year (plus \$4.00 per seat)
Retail Merchant (0-2 Employees)	\$335.75 per year
Retail Merchant (3-5 Employees)	\$335.75 per year (plus \$33.00 per cash register)
Retail Merchant (6-9 Employees)	\$335.75 per year (plus \$80.25 per cash register)
Retail Merchant (10-19 Employees)	\$335.75 per year (plus \$108.00 per cash register)
Retail Merchant (20 or More Employees)	\$335.75 per year (plus \$136.00 per cash register)
Sales/Marketing Office	\$239.75 per year (plus \$33.00 per employee)
Salvage Yard	\$1,288.50 per year
Scrap Dealer	\$335.75 per year
Secondhand Dealer	\$5,127.75 per year
Security Consultant	\$239.75 per year (plus \$33.00 per employee)
Security Service	\$411.50 per year

Schedule "A"

Category	Fee
Seminar	\$85.75 per day
Sharpening Service	\$110.00 per year
Shiatsu Massage	\$368.25 per year
Ship Agency/Chandler	\$239.75 per year (plus \$33.00 per employee)
Sign Painter/Manufacturer/Installation	\$335.75 per year
Social Club	\$239.75 per year
Social Escort Service	\$5,127.75 per year
Software Design/Consultant	\$239.75 per year (plus \$33.00 per employee)
Student Venture Program	\$18.75 per year
Tailor	\$171.50 per year
Tanning Salon	\$409.75 per year
Tattoo Parlour	\$207.00 per year
Taxi Service	\$171.50 per year (plus \$0 per wheelchair accessible vehicle plus \$31.00 per zero emissions vehicle plus \$154.25 per any other vehicle)
Taxidermist	\$226.00 per year
Telemarketing Office	\$239.75 per year (plus \$33.00 per employee)
Theatre	\$226.00 per year (plus \$2.50 per seat)
Theatre 2	\$5,127.75 per year
Theatre - Drive-in	\$226.00 per year (plus \$5.75 per parking space)
Tour Consultant/Operator	\$239.75 per year (plus \$33.00 per employee)
Tourist Trailer Parks/Campsites	\$239.75 per year (plus \$33.00 per space)
Towing with No Storage	\$428.75 per year
Towing with Storage	\$857.50 per year
Trade School	\$226.00 per year
Traffic Control	\$257.75 per year
Travel Agency	\$239.75 per year (plus \$33.00 per employee)
Trucking & Cartage - one vehicle only	\$171.25 per year
Trucking & Cartage - multiple vehicles	\$335.75 per year

Schedule "A"

Category	Fee
Truck Parking	\$857.50 per year
Tutoring	\$128.75 per year
U-brew/U-vin Premises	\$330.25 per year
Upholstery	\$226.00 per year
Vending Machine/Pinball Machine	\$37.00 per year for each machine
Warehouse	\$318.50 per year
Welding	\$335.75 per year
Wholesale Dealer	\$318.50 per year (plus \$8.00 per employee)

All fees are subject to applicable taxes.

SCHEDULE "B"



CITY OF SURREY



• WARNING •

**Drinking Distilled
Spirits, Beer, Coolers,
Wine and Other
Alcoholic Beverages
During Pregnancy
Can Cause
Birth Defects.**

SCCHEDULE "C"

Figure 1

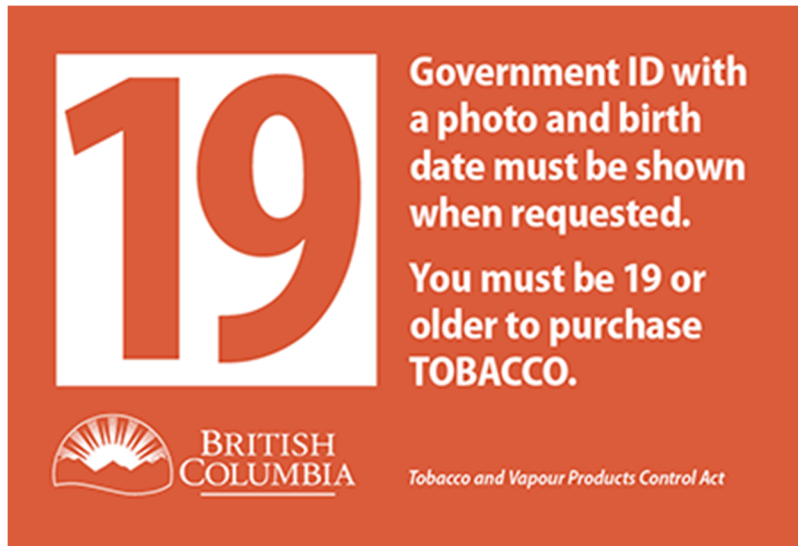


Figure 2



Figure 3

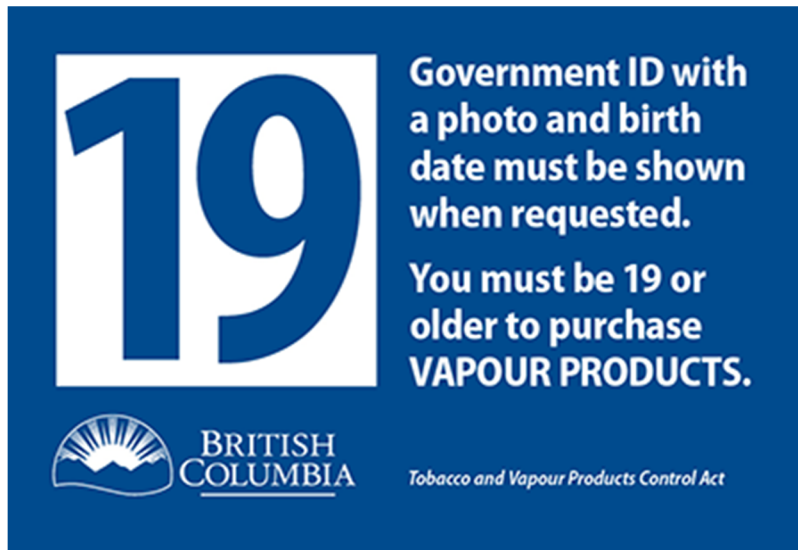


Figure 4



Figure 5

19

Government ID with a photo and birth date must be shown when requested.

You must be 19 or older to purchase TOBACCO or VAPOUR PRODUCTS.

 **BRITISH COLUMBIA**

Tobacco and Vapour Products Control Act

Figure 6

19

It is ILLEGAL to give or sell TOBACCO or VAPOUR PRODUCTS to anyone under 19 years of age.

Valid photo ID may be required.

 **BRITISH COLUMBIA**

Tobacco and Vapour Products Control Act

**Proposed Amendments to
Highway and Traffic By-law, 1997, No. 13007**

The following amendments are proposed to the Highway and Traffic By-law, 1997, No. 13007, as amended:

1. In Section 92(1) delete "\$100.00" and replace it with "\$200.00".
2. In Section 92(1) delete "\$2,000.00" and replace it with "\$50,000.00".

CITY OF SURREY

BY-LAW NO. 13007

A By-law to regulate traffic, parking and the use of highways, boulevards,
sidewalks and public land in the City of Surrey

.....

As amended by By-law Nos: 13042, 07/21/97; 13210, 09/08/97; 13361, 03/30/98; 13495, 07/28/98; 13562, 11/02/98; 13605, 12/14/98; 13832, 10/04/99; 13861, 10/25/99; 13938, 02/14/00; 14144, 11/06/00; 14619, 01/28/02; 14634, 02/18/02; 14656, 03/25/02; 14768, 07/22/02; 15024, 06/23/03; 15155, 11/03/03; 15288, 02/23/04; 15214, 06/07/04; 15473, 07/28/04; 15722, 05/02/05; 15767, 06/20/05; 15768, 06/20/05; 15976, 04/03/06; 16205, 01/15/07; 16478, 11/19/07; 16493, 12/03/07; 16525, 01/14/08; 16643, 05/12/08; 16853, 01/19/09; 16940, 05/25/09; 17075, 12/14/09; 17109, 01/25/10; 17317, 01/10/11; 17562, 02/06/12; 17837, 12/17/12; 18024, 07/29/13; 18130, 01/13/14; 18304, 10/20/14; 18354, 01/12/15; 18404, 02/23/15; 18461, 06/29/15; 18586, 12/14/15; 18978, 12/19/16; 19424, 12/18/17; 19714, 12/19/2018; 19876, 07/24/19; 19944, 11/18/19; 19980, 12/16/19; 20122, 07/27/20; 20219, 12/21/20; 20505, 12/24/21

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS the Council is authorized, pursuant to the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended, the *Transportation Act*, S.B.C. 2004, c. 44, as amended, the *Local Government Act*, R.S.B.C. 1996, c. 323, as amended and the *Community Charter*, S.B.C. 2003, c. 26, as amended, to regulate traffic and the use of highways within the City.

Therefore be it resolved that the Council of the City of Surrey, ENACTS AS FOLLOWS:

Part I

Interpretation

Definitions

1. For the purposes of this by-law, unless the context otherwise requires:

"ALL TERRAIN VEHICLE" means a self-propelled wheeled or tracked vehicle designed for:

- (a) personal transportation; or
- (b) the transportation of equipment or other goods which is capable of being operated on or off a highway and includes a trailer attached to the vehicle and a golf cart, but does not include an implement of husbandry.

"ANGLE PARKING" means the parking of a vehicle other than parallel to the lateral lines of a roadway.

"ARTERIAL ROAD" means a highway defined as an arterial road in the Surrey Subdivision and Development By-law, 1996, No. 8830, as amended.

"AS AMENDED" means as may be amended or replaced from time to time.

"AUTHORIZATION TO PROCEED" means the written notification provided by the Engineer to a permit holder prior to the permit holder commencing activities under an issued traffic obstruction permit as described in Section 86.1(8)(b)

"BICYCLE SAFETY HELMET" means any helmet that has, by regulation made by the Superintendent, been designated as an approved bicycle helmet.

"BOULEVARD" means all of those portions of a highway not occupied by roadway.

"BUS" means a motor vehicle designed to carry more than ten persons.

"BUS SHELTER" means a kiosk or enclosure which provides weather protection to transit patrons which may include as part of its structure one or more advertising signs.

"BUS STOP SIGN" means a sign designated and issued by the transit authority at which public transit buses may stop and allow the ingress and/or egress of passengers.

"BY-LAW ENFORCEMENT OFFICER" means a person appointed as such by the City to enforce City by-laws.

"CHIEF BY-LAW ENFORCEMENT OFFICER" means the Manager of the By-Law Enforcement and Licensing Section for the City, or designate.

"CHIEF OF POLICE" means the Officer-in-Charge, Surrey Detachment, Royal Canadian Mounted Police, and includes any member of the R.C.M.P. appointed or designated by the Chief of Police.

"CITY" means the City of Surrey.

"COMBINATION OF VEHICLES" means every combination of truck, truck tractor, semi-trailer and trailer.

"COMMERCIAL VEHICLE" includes:

- (a) a motor vehicle having permanently attached to it a truck or delivery body;
- (b) an ambulance, casket wagon, fire apparatus, hearse, motor bus, wrecker, tow vehicle, road building machine, taxi, tractor; and
- (c) a combination of vehicles.

"COUNCIL" means the Council of the City of Surrey.

"CROSSWALK" means:

- (a) A portion of roadway distinctly indicated for pedestrian crossing by signs and/or by markings; or
- (b) The portion of roadway at an intersection, or at a laneway entrance if the laneway has a sidewalk, generally parallel to the lateral extension of a boulevard to another boulevard as measured from the edge of the roadway:
 - (i) to the far edge of the nearest traffic control device that is a stop bar, stop sign, or sidewalk letdown;
 - (ii) or, where none exists, for the first five metres.

"CURB RETURN" means the curved portion of a curb and/or pavement edge at an intersection.

"CYCLE" means a device having any number of wheels that is propelled by human power and on which a person may ride and includes a motor-assisted cycle, but does not include a skate board, roller skates or in-line roller skates.

"**DESIGNATED USE LANE**" means a lane of a highway in respect of which a traffic control device indicates that the lane is reserved for the exclusive use of persons, organizations, vehicles or cycles as so designated by the Engineer under Section 5(5.1) of this By-law.

"**DISABLED ZONE**" means a parking zone identified by a disabled parking sign.

"**DRIVER**" means a person who drives or is in actual physical control of a vehicle.

"**DRIVEWAY**" means the portion of the boulevard and shoulders, where applicable, specifically designated and improved to provide vehicular access at a particular point to a parcel of land and, adjacent to a laneway, the portion of a parcel of land specifically designated and improved to provide vehicular access from the laneway.

"**DUMPSTER CONTAINER**" means a container used for, but not limited to, receiving garbage that is designed and intended to be lifted by forks or other device mounted on a vehicle and the contents emptied into that part of the vehicle designed to receive same.

"**ENGINEER**" means the General Manager of Engineering for the City, and includes any employee appointed or designated by the General Manager.

"**EXTRAORDINARY TRAFFIC**" includes any carriage of 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, which taken in conjunction with the nature or existing conditions 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 Engineer, substantially to alter or increase the burden imposed on the highway through its proper use by ordinary traffic, and to cause damage and expense and concern for safety in respect of the highway beyond what is reasonable or ordinary.

"**HEAVY COMMERCIAL VEHICLE**" means a truck with a licensed gross vehicle weight in excess of 5,000 kilograms.

"**HEAVY TRUCK**" means a motor vehicle which has a licensed gross vehicle weight in excess of 11,800 kilograms.

"**HIGHWAY**" includes:

- (a) every highway within the meaning of the *Transportation Act*, S.B.C. 2004, c. 44, as amended;
- (b) every road, street, roadway, boulevard, laneway, walkway, pathway, bridge, viaduct, road allowance, or any other way used by or intended for use by the public; and
- (c) disabled zones.

"**IDLE**" means the operation of the engine of a vehicle while the vehicle is not in motion and "idling" has a corresponding meaning.

"**INTERSECTION**" means the area at a junction of highways, not being laneways or walkways, enclosed within the legal boundary lines of those highways.

"**JAYWALK**" means to cross a roadway that is not a laneway:

- (a) at any place which is not within a crosswalk and which is less than 100 metres from an intersection or from a marked crosswalk; or
- (b) at any place where crossing is prohibited by signs, fences, or other traffic control devices.

"**LANEWAY**" means a highway not assigned a name or number which usually provides direct access to a parcel.

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

"MOBILE WORKSHOP" means:

- (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 or conducting maintenance or construction operated by or on behalf of a municipality, public utility or police, fire or emergency service.

"MOTOR-ASSISTED CYCLE" means a device:

- (a) to which pedals or hand cranks are attached that will allow for the cycle to be propelled by human power,
- (b) on which a person may ride,
- (c) to which is attached a motor of a prescribed type that has an output not exceeding the prescribed output, and
- (d) that meets the other criteria prescribed under Section 182.1(3) of the Motor Vehicle Act, R.S.B.C. 1996, c. 318, as amended.

"MOTORCYCLE" means a motor vehicle running on two or three wheels and having a saddle or seat for the driver to sit astride.

"MOTORCYCLE HELMET" means any helmet that has, by regulation made by the Superintendent, been designated as an approved motorcycle helmet, and it shall be deemed to be an approved motorcycle safety helmet.

"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 or on-board storage batteries, but does not include a motorized wheelchair or motor-assisted cycle.

"PARK" means the standing of a vehicle, whether occupied or not, and when prohibited, excludes standing for a period not exceeding five minutes and standing for the purpose of and while actively engaged in loading or unloading passengers or materials.

"PARKING PATROLLER" means the person appointed as such by the City to enforce this By-law.

"PARKING PAY STATION" means a device operated and maintained by or on behalf of the City for collecting parking fees for parking in, and controlling the use of, pay station areas.

"PAY STATION AREA" means a highway or a portion of a highway designated as such by the Engineer under this By-law where parking is permitted subject to payment of a fee at a parking pay station.

"PEACE OFFICER" means a constable or a person having a constable's powers.

"PEDESTRIAN" means a person afoot and includes an invalid or child in a wheelchair, carriage or motorized wheelchair, and a skater.

"RECOVERY VEHICLE" means a motor vehicle that is equipped with a winch and boom device or a wheel lift device or both, and that is designed for towing other motor vehicles by means of that device.

"REQUEST TO PROCEED" means the written notification provided to the Engineer by a permit holder prior to commencing activities under an issued traffic obstruction permit as described in Section 86.1(8)(b).

"RESIDENTIAL DISTRICT" means all those portions of the City which are zoned for residential use pursuant to Surrey Zoning By-law, 1993, No. 12000, as amended.

"ROADWAY" means the portion of a highway between the edges of the travelled surface, excluding sidewalks and walkways, including medians, curbs and shoulders, where applicable.

"ROLL OFF CONTAINER" means a container, used for but not limited to receiving demolition debris, that is designed and intended to be loaded and unloaded by means of a winch onto the rails of a truck designed for that purpose.

"SEMI-TRAILER" means a vehicle of the trailer-type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon or is carried by the motor vehicle.

"SIDEWALK" means an improved area in a boulevard for the use of pedestrian traffic.

"SKATER" means a person who is skateboarding, or roller-skating with any form of skate or similar means of conveyance, including in-line skating.

"STOP" or "STAND" means:

- (a) when required, a complete cessation from movement; and
- (b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a Peace Officer or traffic control device.

"SUPERINTENDENT" means the Superintendent of Motor Vehicles as defined in the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended.

"TAXI" means a motor vehicle designed to carry not more than 10 persons that, with its driver, is operated for hire.

"THROUGH HIGHWAY" means a highway or part of a highway at the entrances to which stop signs are erected.

"TILT AND SLIDE DECK TRUCK" means a motor vehicle that is equipped with:

- (a) a deck that tilts and slides;
- (b) a winch for self-loading not more than two vehicles onto the deck; and
- (c) either a lifting tow bar or a wheel lift device designed for towing other motor vehicles by means of that bar or device.

"TOW VEHICLE" means a tilt and slide deck truck or a recovery vehicle.

"TRAFFIC" includes pedestrians, ridden or herded animals, vehicles, cycles and other conveyances, either singly or together, while using a highway to travel.

"TRAFFIC CONTROL DEVICE" means a sign, signal, line, meter, parking pay station, marking, space, barrier, curb, curb letdown or device placed or erected by authority of the Engineer, to control traffic.

"TRAFFIC CONTROL MANUAL" means the *Traffic Control Manual for Work on Roadways* issued by the British Columbia Ministry of Transportation and Highways, as may be updated, amended or replaced from time to time.

"**TRAFFIC CONTROL SIGNAL**" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.

"**TRAFFIC MANAGEMENT PLAN**" means a combination of text, layouts, figures and drawings that define specifically what traffic control measures will be provided by the applicant for the project, how they will be implemented and on what schedule and such other information as may be required from time to time by the Engineer.

"**TRAILER**" means a vehicle that is at any time drawn on a highway by a motor vehicle, except:

- (a) an implement of husbandry;
- (b) a sidecar attached to a motor cycle; and
- (c) a disabled motor vehicle that is towed by a tow vehicle;

and includes a semi-trailer as defined in the *Commercial Transport Act*, R.S.B.C. 1996, c. 58, as amended.

"**TRUCK**" means a motor vehicle designed or used primarily for the transportation of property.

"**TRUCK ROUTE**" means a highway, a portion of a highway, or a series of connected highways, designated and described as such in Schedule C to this By-law on which heavy trucks may be present and travel during the times set out in this By-law or in Schedule C to this By-law.

"**TRUCK TRACTOR**" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle drawn and of the load of the other vehicle.

"**VEHICLE**" means a device in, on or by which a person or thing is or may be transported or drawn on a highway, except a device designed to be moved by human power, a device used exclusively on stationary tracks or rails, or a motor-assisted cycle.

"**WALKWAY**" means a highway or a portion of highway for the sole use of pedestrians and cyclists.

"**WORK ZONE**" means an area on or adjacent to a highway in which surveying, construction, maintenance, utility or other activities, including but not limited to filming and other special events or uses, take place to the extent that the passage of public traffic may be influenced. For the purposes of this By-law, work zone includes the elements of a work zone as described in either text, figures or both in the Traffic Control Manual.

2. (1) Words not specifically defined in this By-law shall have the same meaning as defined in the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended.
- (2) If a word is not defined, its ordinary meaning shall apply unless, in the context of the Part of this By-law in which the word is found, another Act for the Province of British Columbia is referred to; in such case the word will have the meaning, if any, as defined by the referred Act. For the purpose of this section, Act includes any regulation made under an Act.

Part II
Authorities

Application

3. (1) The provisions of this By-law apply to any person or company involved in any activity or subject matter covered by this By-law.
- (2) A person riding a cycle or an animal, or driving an animal-drawn vehicle upon a highway has all the rights and is subject to all the duties, limitations and responsibilities that apply to the driver of a vehicle under this By-law.

Exemptions

4. The provisions of this By-law do not apply to:
 - (1) persons employed by the City, vehicles or other equipment owned or operated by employees of the City while lawfully engaged in highway or public utility construction, maintenance or repair work on, over or under the surface of a highway;
 - (2) the driver of any emergency vehicle:
 - (a) while it is responding to an emergency call and sounding an audible signal, siren, or bell, and showing at least a flashing red light; or at the scene of an emergency and showing at least a flashing red light;
 - (b) who is a Peace Officer in immediate pursuit of an actual or suspected violator of the law; or
 - (c) who is a Peace Officer engaged in a police duty of a nature that the sounding of an audible signal or siren would unduly hamper the performance of that duty;
 - (3) the stopping, standing or parking of vehicles:
 - (a) being owned, leased or under contract with the Government of Canada, Province of British Columbia or the City;
 - (b) by a public utility corporation; or
 - (c) as a tow vehicle;
while such vehicles are in actual use for official purposes. Notwithstanding the foregoing, the stopping, standing or parking of such vehicles shall, wherever possible, obstruct traffic as little as possible; or
 - (4) a By-law Enforcement Officer or Parking Patroller engaged in the performance of his or her duties in enforcing the by-laws of the City.

Delegation of Powers

5. The Engineer is hereby authorized:
 - (1) to order the placing or erection of traffic control devices for the regulation, control or prohibition of traffic, for the purposes of giving effect to the provisions of the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended, and this By-law;
 - (2) to order the placing or erection of traffic control devices for the regulation, control or prohibition of the stopping, standing or parking of vehicles on a highway;

- (3) to order the placing or erection, for temporary periods not exceeding 30 days at any one time, of traffic control devices prohibiting parking:
 - (a) at the entrance to dance halls, funeral parlours, or other places of public assemblage during the periods of assemblage therein;
 - (b) upon either or both sides of the highway or portion thereof along the route of any parade or in the vicinity of large gatherings;
 - (c) at any location where, in special circumstances it is deemed necessary to facilitate or safeguard traffic; or
 - (d) in front of any buildings or structures under construction, alteration, repair or demolition;
- (4) to set apart and allot portions of highways adjacent to federal, provincial or municipal public buildings for the exclusive use of officials and officers engaged in them for the parking of vehicles, and the regulation of that parking;
- (5) to order the designation of portions of highways as:
 - (a) bus stops;
 - (b) bus shelters;
 - (c) loading zones; or
 - (d) taxi zones.
- (5.1) to allow, regulate, restrict or prohibit the use of designated use lanes generally or by persons, organizations, vehicles or cycles or classes or persons, organizations, vehicles or cycles;
- (6) to order or authorize the erection, maintenance and operation of automatic or other mechanical meters and parking pay stations for the purpose of allotting and controlling parking spaces for vehicles and charging for, measuring and recording the duration of parking;
- (7) to order or authorize the erection, maintenance, and operation of bus shelters that may be permitted on a highway;
- (8) when, in his opinion, any highway or any section thereof is unsafe or unsuitable for traffic, or it is advisable that traffic should be restricted or diverted therefrom, to order the closing of such highway or section thereof, or the restriction or diversion of traffic thereon;
- (9) to make orders regarding the size, location and type of signs other than traffic control devices that may be permitted on a highway; and
- (10) to order the alteration, repainting, tearing down or removal of any sign or other thing on a highway, whether erected or placed thereon with or without the Engineer's approval, without compensation to any person for loss or damage resulting from such alteration, repainting, tearing down or removal.

By-law Offence Notices

6. (1) The Chief By-law Enforcement Officer may arrange and administer a system to collect voluntary indicated and Court ordered penalties and fines respectively, including the ultimate taking of criminal proceedings, to provide notice to persons and companies who are alleged to have committed a breach of a provision of this By-law. The system may also include the collection of voluntary penalties for alleged violations at a rate for each penalty to be collected in accordance with Schedule A to this By-law.

- (2) The City may also take and direct civil proceedings against any person or company alleged to have breached the provisions of this By-law.
- (3) When the City enters into proceedings against a person charged with an offence under this By-law, the City may assess costs:
 - (a) where a summons is issued;
 - (b) where personal service of a summons is required; or
 - (c) where a warrant is obtained.

Part III

Vehicle and Other Regulations

Traffic Control Devices

7. (1) Division 23 of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58, as amended, is hereby adopted as regulations under this By-law and shall be applicable to all highways as defined herein.
- (2) Where a traffic control device as authorized by Section 5 of this By-law is erected or placed on any highway, no person shall park, drive or operate a vehicle or act in a manner contrary to that indicated by the traffic control device, except where directed to do so by a Peace Officer or By-law Enforcement Officer.
- (3) Except by order of the Engineer, no person shall tear down, remove, displace or in any manner whatsoever deface, damage or interfere with any traffic control device erected or placed pursuant to this By-law.
- (4) No person other than the owner or operator of a vehicle shall remove any notice thereon or affixed thereto by a Peace Officer, By-law Enforcement Officer or Parking Patroller pursuant to this By-law.

Stopping at Intersections

8. Except when a Peace Officer or By-law Enforcement Officer directs otherwise, where there is a stop sign at an intersection, a driver of a vehicle shall stop:
 - (1) at a marked stop line, if any;
 - (2) before entering a marked crosswalk on the near side of the intersection; or
 - (3) when there is neither a marked stop line nor a marked crosswalk, before entering the intersection, at a point nearest the intersecting highway from which the driver has a view of the approaching traffic on the intersecting highway.

Stunting

9. No person, whether as a pedestrian, passenger or driver and whether or not with the use or aid of any animal, vehicle or other thing, shall 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.

Unnecessary Noise

10. No person shall cause the emission of any loud and unnecessary noise from a motor vehicle:
 - (1) by using or by means of the horn, engine, exhaust system, braking system, engine retarder, acceleration system or tires in contact with the roadway;
 - (2) by the amplified sound of an alarm system, radio, television, player or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor vehicle and can easily be heard by someone outside the motor vehicle;
 - (3) or otherwise, from the motor vehicle, any part thereof, or any thing or substance that the motor vehicle or a part thereof comes into contact with.

Racing

11. No person shall, unless lawfully authorized by the Engineer, drive a vehicle on a highway in a race or on a bet or wager.

Careless Driving

12. A person shall not drive a motor vehicle on a highway:
 - (1) without due care and attention;
 - (2) without reasonable consideration for others using the highway; or
 - (3) at a speed that is excessive relative to the highway, traffic, visibility or weather conditions.

Green Light

13. When a green light alone is exhibited at an intersection by a traffic control signal the driver of a vehicle facing the green light:
 - (1) shall yield the right-of-way to pedestrians lawfully in the intersection or in an adjacent crosswalk at the time the green light is exhibited; and
 - (2) shall yield the right-of-way to vehicles lawfully in the intersection at the time the green light became exhibited.

Yellow Light

14.
 - (1) When a yellow light alone is exhibited at an intersection by a traffic control signal, following the exhibition of a green light the driver of a vehicle approaching the intersection and facing the yellow light shall cause it to stop at the marked stop line, or if there is no marked stop line then before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before the intersection, unless the stop cannot be made in safety.
 - (2) When a yellow light alone is exhibited at a place other than an intersection by a traffic control signal the driver of a vehicle approaching the signal shall cause it to stop at the marked stop line in the vicinity of the signal, or if there is no marked stop line then before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk then before reaching the signal, unless the stop cannot be made in safety.

Red Light

15. (1) When a red light alone is exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing the red light shall cause it to stop at the marked stop line, or if there is no marked stop line then before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, and subject to the provisions of subsection (2), shall not cause the vehicle to proceed until a traffic control signal instructs him that he is permitted to do so.
- (2) Notwithstanding subsection (1), and except when a right turn as in this subsection permitted is prohibited by a sign at an intersection, the driver of a vehicle facing the red light, and which in obedience to it is stopped as closely as practicable to the marked stop line, or if there is no marked stop line then as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then as closely as practicable to the intersection, may cause the vehicle to make a right turn; but the driver shall yield the right-of-way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection.
- (3) When a red light alone is exhibited at an intersection by a traffic control signal and except when a left turn as in this paragraph permitted is prohibited by a sign at the intersection, the driver of a vehicle facing the red light at the intersection of not more than two highways, and which in obedience to it is stopped as closely as practicable to the marked stop line, or if there is no marked stop line then as closely as practicable to a marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then as closely as practicable to the intersection, may cause the vehicle to make a left turn into a highway on which traffic is restricted to the direction in which he causes the vehicle to turn; but the driver shall yield the right-of-way to all pedestrians and vehicles lawfully proceeding as directed by the signal at the intersection.
- (4) When a red light is exhibited at a place other than an intersection by a traffic control signal:
 - (a) the driver of a vehicle approaching the signal shall cause it to stop before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk, then before reaching the signal; and
 - (b) a pedestrian may proceed across the roadway.

Green and Yellow Arrows

16. (1) When a green arrow is exhibited at an intersection by a traffic control signal, the driver of a vehicle facing the green arrow may cause it to enter the intersection and to make only the movement indicated by the green arrow, but shall yield the right-of-way to pedestrians lawfully in the intersection or in an adjacent crosswalk and to other vehicles lawfully in the intersection.
- (2) When a yellow arrow is exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing a yellow arrow shall cause the vehicle to stop:
 - (a) before entering the marked crosswalk on the near side of the intersection; or
 - (b) before entering the intersection, if there is no marked crosswalk unless the stop cannot be made in safety.

Flashing Lights

17. (1) When rapid intermittent flashes of a red light are exhibited at an intersection by a traffic control signal, the driver of a vehicle approaching the intersection and facing the flashes of red light shall cause the vehicle to stop at the marked stop line, or if there is no marked stop line then before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk then before entering the intersection, and shall not cause the vehicle to proceed until it is safe to do so.
- (2) When rapid intermittent flashes of a red light are exhibited at a place other than an intersection by a traffic control signal the driver of a vehicle approaching the signal:
 - (a) shall cause it to stop at the marked stop line, or if there is no marked stop line then before entering the nearest marked crosswalk in the vicinity of the signal, or if there is no marked crosswalk then before reaching the signal; and
 - (b) may, after having caused the vehicle to stop, cause it to pass the signal and any crosswalk only if conditions of pedestrian traffic in the roadway or any crosswalk in the vicinity of the signal permit it to do so with safety.
- (3) When rapid intermittent flashes of a yellow light are exhibited at an intersection by a traffic control signal, the driver of a vehicle facing the flashes of yellow light may cause it to enter the intersection and proceed only with caution, but shall yield the right-of-way to pedestrians lawfully in the intersection or an adjacent crosswalk.
- (4) When rapid intermittent flashes of a yellow light are exhibited at a place other than an intersection by a traffic control signal, the driver of a vehicle approaching the signal may cause the vehicle to pass the signal only with caution, and shall yield the right-of-way to pedestrians in the roadway or on any crosswalk in the vicinity of the signal.
- (5) When rapid intermittent flashes of a green light are exhibited at an intersection or at a place other than an intersection by a traffic control signal, the driver of a vehicle approaching the intersection or signal and facing the signal shall cause it to approach the intersection or signal in such a manner that the driver is able to cause the vehicle to stop before reaching any marked stop line in the vicinity of the signal or any crosswalk in the vicinity of the signal or the signal if a stop should become necessary, and shall yield the right-of-way to pedestrians lawfully in a crosswalk in the vicinity of the signal or in the intersection.

Newly Painted Lines

18. A person shall not drive on or over a newly painted line or marking on a highway when the line is indicated by a traffic control device.

Driving on Laned Roadway

19. A driver who is driving a vehicle on a laned roadway:
 - (1) shall not drive it from one lane to another when a broken line only exists between the lanes, unless the driver has ascertained that movement can be made with safety and will in no way affect the travel of another vehicle;
 - (2) shall not drive it from one lane to another where that action necessitates crossing a solid line;
 - (3) shall not drive it from one lane to another without first signalling an intention to do so by hand and arm or approved mechanical device or in the manner prescribed by Section 27(2);

- (4) when approaching an intersection intending to turn left shall drive the vehicle in the centre lane or in the lane nearest the centre of the roadway on the right hand half of the roadway;
- (5) when approaching an intersection intending to turn right shall drive the vehicle in the lane nearest to the right hand side of the roadway; and
- (6) shall not pass a vehicle on the left where that action necessitates driving on that part of the roadway designated for travel in the opposite direction.

Passing on Right

20. (1) The driver of a vehicle shall not cause or permit the vehicle to overtake and pass on the right of another vehicle, except:
 - (a) when the vehicle overtaken is making a left turn or its driver has signalled an intention to make a left turn;
 - (b) when on a laned roadway there is one, or more than one, unobstructed lane on the side of the roadway on which the driver is permitted to drive; or
 - (c) on a one-way street or a highway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and is of sufficient width for two or more lanes of moving vehicles.
- (2) Notwithstanding subsection (1), a driver of a vehicle shall not cause the vehicle to overtake and pass another vehicle on the right:
 - (a) when the movement cannot be made safely; or
 - (b) by driving the vehicle off the portion of the roadway intended for vehicular traffic.

Obedience to Traffic Signals

21. Notwithstanding anything contained in this By-law, if on or over a highway there is:
 - (1) one or more traffic control devices indicating the direction vehicles shall proceed, a person shall not drive a vehicle other than in the direction indicated; or
 - (2) a traffic control device indicating that a certain vehicle movement is prohibited, no person shall drive a vehicle in a movement prohibited by the traffic control device.

Turning Left other than at Intersection

22. A driver of a vehicle shall not turn the vehicle to the left from a highway at a place other than an intersection unless:
 - (1) he causes the vehicle to approach the place on the portion of the right hand side of the roadway that is nearest the marked centre line, or if there is no marked centre line, then as far as practicable in the portion of the right hand half of the roadway that is nearest the centre line;
 - (2) the vehicle is in the position on the highway required by paragraph (1); and
 - (3) he has ascertained that the movement can be made in safety, having regard to the nature, condition and use of the highway and the traffic which actually is at the time or might reasonably be expected to be on the highway.

Turning Right other than at Intersection

23. A driver of a vehicle shall not turn the vehicle to the right from a highway at a place other than an intersection unless:

- (1) he causes the vehicle to approach the place as closely as practicable to the right hand edge of the roadway; and
- (2) the vehicle is in the position on the highway required by paragraph (1).

Reverse Turn

24. A driver shall not turn a vehicle so as to proceed in the opposite direction:
- (1) unless he can do so without interfering with other traffic; or,
 - (2) when he is driving:
 - (a) on a curve;
 - (b) on an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 metres;
 - (c) at a place where a sign prohibits making a U-turn;
 - (d) at an intersection where a traffic control signal has been erected; except as specifically permitted by a traffic control device; or
 - (e) in a business district, except at an intersection where no traffic control signal has been erected.

Starting Vehicle

25. A person shall not move a vehicle that is stopped, standing or parked unless the movement can be made with reasonable safety and the driver first gives the appropriate signal under Section 27.

Signals on Turning

26. (1) Where traffic may be affected by turning a vehicle, a person shall not turn it without giving the appropriate signal under Section 27.
- (2) Where a signal of intention to turn right or left is required, a driver shall give it continuously for a sufficient distance before making the turn to warn traffic.

Means of Signalling

27. (1) Subject to subsection (2), where a signal is required, a driver shall give it by means of:
- (a) hand and arm; or
 - (b) a signal lamp of a type approved under the Motor Vehicle Act, R.S.B.C. 1996, c. 318, as amended.
- (2) When a motor vehicle is constructed or loaded in a manner that makes a signal by hand and arm not visible both to its front and rear, or a body or load extends more than 60 centimetres to the left of the centre of the steering wheel, a driver shall give signals as provided by paragraph (1)(b), and a person shall not drive the motor vehicle on a highway unless it is so equipped.

Yield Signs

28. Where two vehicles approach or enter an intersection from different highways at approximately the same time and there are no yield signs, the driver of a vehicle shall yield the right-of-way to the vehicle that is on the right of the vehicle which the driver is driving. Where there is a yield sign, the driver of a vehicle facing the sign shall yield the right-of-way to all other traffic.

Yielding Right-of-Way on Left Turn

29. When a vehicle is in an intersection and its driver intends to turn left, the driver shall yield the right-of-way to traffic approaching from the opposite direction that is in the intersection or so closely on it to constitute an immediate hazard, but having yielded and given a signal, the driver may turn the vehicle to the left, and traffic approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

Entering Through Highway

30. (1) Where a vehicle which is about to enter a through highway has stopped as required:
- (a) the driver of the vehicle shall yield the right-of-way to traffic that has entered the intersection on the through highway or is approaching so closely that it constitutes an immediate hazard; and
 - (b) having yielded, the driver may proceed with caution.
- (2) Where a vehicle is entering a through highway in compliance with subsection (1), traffic approaching the intersection on the highway shall yield the right-of-way to the entering vehicle while it is proceeding into or across the highway.

Emerging from Laneways and Driveways

31. (1) The driver of a vehicle emerging from a laneway, driveway or building shall stop the vehicle immediately before driving on to the sidewalk or the sidewalk area, or walkway or walkway area, and shall yield the right-of-way to a pedestrian on the sidewalk or sidewalk area, or walkway or walkway area.
- (2) The driver of a vehicle about to enter or cross a highway from a laneway, driveway or building shall yield the right-of-way to traffic approaching on the highway so closely that it constitutes an immediate hazard.

Railway Crossing

32. (1) When a driver is approaching a railway crossing at a time when:
- (a) a clearly visible electrical or mechanical signal gives warning of the approach of a railway train;
 - (b) a crossing gate is lowered or a flagperson is giving a signal of the approach or passage of a railway train; or
 - (c) a railway train is approaching and is within approximately 500 metres of a crossing or by reason of its speed or nearness to the crossing is an immediate hazard and emits an audible signal or is visible,
- the driver shall stop the vehicle within 15 metres but not less than five metres from the nearest rail of the railway, and shall not cause or permit the vehicle to proceed until the driver can do so safely.
- (2) A person shall not drive a vehicle through, around or under a crossing gate or barrier at a railway crossing while the gate or barrier is closed or is being opened or closed.
- (3) Except at a railway spur line or an industrial track in a business or residential district, a driver of:
- (a) a bus carrying passengers for compensation;
 - (b) a school bus carrying children;

- (c) a vehicle carrying explosive substances or any poisonous or flammable substance as cargo; or
 - (d) a vehicle used to carry flammable liquids or gas, whether or not it is then empty, approaching a railway crossing that is not protected by gates or railway crossing signal lights, unless otherwise directed by a flagperson, shall stop the vehicle:
 - (i) no closer than five metres; and
 - (ii) no farther than 15 metres from the nearest rail of the railway.
- (4) When a driver has stopped in accordance with this section, the driver shall:
- (a) cross the railway in a gear that will not need to be changed while crossing;
 - (b) not shift gears while so crossing; and
 - (c) not stop with a part of the vehicle on or over the railway.

Caution while Backing Vehicles

33. The driver of a vehicle shall not cause the vehicle to move backwards into an intersection or over a crosswalk, and shall not in any event or at any place cause a vehicle to move backwards unless the movement can be made in safety.

Motorcycles

34. (1) A person operating a motorcycle shall ride only astride the regular seat attached to it.
- (2) A person who is operating a motorcycle shall not permit another person to ride on it in violation of subsection (1).
- (3) Except when overtaking and passing other motorcycles, not more than two operators of motorcycles shall operate their motorcycles side by side in the same direction in the same traffic lane.

Following Fire Vehicle

35. A driver other than that of an emergency vehicle shall not follow fire apparatus closer than 150 metres or drive or park within 150 metres of the place on the same highway on which fire apparatus has stopped in apparent answer to a fire alarm.

Driving over Fire Hose

36. Unless the driver has received consent of the Surrey Fire Service official in command or a Peace Officer, the driver shall not drive a vehicle over an unprotected hose when laid down on a highway or driveway at the site of the emergency.

Driving on Sidewalk

37. A driver shall not drive on a sidewalk, walkway, boulevard or curb, except when entering or leaving a driveway or laneway.

When Opening Door Prohibited

38. A person shall not open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and a person shall not leave a door open on the side of a vehicle available to moving traffic for longer than is necessary to load or unload passengers.

Obeying Flagperson

39. Where a flagperson is controlling the movements of traffic around the section of highway being worked on, a person shall not drive or operate a vehicle other than as directed by the flagperson.

Slow Driving

40. A person shall not drive a motor vehicle at so slow a speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

Speed Limits

41. (1) Subject to this section, a person shall not drive or operate a motor vehicle on a highway in the City at a greater rate of speed than 50 kilometres per hour, unless posted otherwise.
- (2) Where the Engineer has caused a sign to be posted for a highway changing the rate of speed of motor vehicles or a category of motor vehicles driven or operated on that portion of the highway, a person shall not, when the sign is posted, drive or operate a vehicle on that portion of the highway at a greater rate of speed than that indicated on the sign for that category of motor vehicle.
- (3) A person shall not drive or operate a motor vehicle in a laneway at a greater rate of speed than 20 kilometres per hour.

Schools

42. Every person driving, between 0800 and 1700 hours on a day school is regularly held, a vehicle on a highway where signs are displayed stating a speed limit of 30 kilometres per hour or on which the numerals "30" are prominently shown shall drive at a rate of speed not exceeding 30 kilometres per hour while approaching, passing or in the vicinity (as indicated by the signs) of the school to which the signs relate.

Playgrounds

43. Every person driving a vehicle on a highway between dawn and dusk shall drive the vehicle at a rate of speed not exceeding 30 kilometres per hour when approaching or passing a public playground for children where signs are displayed stating a speed limit of 30 kilometres per hour, or on which the numerals "30" are prominently shown.

Meeting School Bus

44. The driver of a vehicle on a highway, on meeting a school bus
- (1) that is designated as a school bus;
 - (2) that is stopped on a highway; and
 - (3) on or near which a sign or signal is displayed indicating the school bus is receiving or discharging school children,

shall stop the vehicle before reaching the bus and not proceed until the bus resumes motion or the driver of the bus signals to the driver that it is safe to proceed.

Driving on Right

45. (1) The driver of a vehicle shall confine the course of the vehicle to the right hand half of the portion of the roadway intended for vehicular traffic if the roadway is of sufficient width and it is practicable to do so, except:
- (a) when overtaking and passing a vehicle proceeding in the same direction;
 - (b) when the right hand half of the roadway is closed to traffic while under construction or repair;
 - (c) on a highway designated and marked by signs for one-way traffic;
 - (d) where necessary when operating snow removing equipment;
 - (e) where the movement of a vehicle, or combination of vehicles, is permitted by and is done in conformity with the terms of an oversize permit issued under the Commercial Transport Act, R.S.B.C. 1996, c. 58, as amended, and a City Traffic Engineering Permit; and
 - (f) where the width of a vehicle, or combination of vehicles, or the width of a load on the vehicle makes the operation of the vehicle or combination of vehicles on the right hand half of the roadway unsafe.
- (2) The driver of a vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall drive the vehicle in the right hand lane then available for vehicular traffic, or as closely as practicable to the right hand edge of the portion of roadway intended for vehicular traffic, except when overtaking and passing a vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into a laneway or a driveway.

Passing when Meeting Vehicle

46. (1) The driver of a vehicle shall drive the vehicle on the right hand side of the portion of the roadway intended for vehicular traffic when meeting another vehicle that is moving.
- (2) The driver of a vehicle on a highway that has the width for only one lane of traffic in each direction shall, when meeting another vehicle that is moving, drive the vehicle so that the other vehicle shall be able to travel in at least one-half of the main travelled portion of the highway as nearly as possible.

Highway Lines

47. Notwithstanding anything in this Part, if a highway is marked with:
- (1) a solid double line, the driver of a vehicle shall drive it to the right of the line only;
 - (2) a double line consisting of a broken line and a solid line:
 - (a) the driver of a vehicle proceeding along the highway on the side of the broken line shall drive the vehicle to the right of the double line, except when passing a vehicle; and
 - (b) the driver of a vehicle proceeding along the highway on the side of the solid line shall drive the vehicle to the right of the double line.
 - (3) one single line, broken or solid, the driver of a vehicle shall drive the vehicle to the right of the line, except only when passing a vehicle.

Duty when Overtaking

48. (1) The driver of a vehicle overtaking another vehicle:
- (a) shall cause the vehicle to pass to the left of the other vehicle at a safe distance; and
 - (b) shall not cause or permit the vehicle to return to the right side of the highway until safely clear of the overtaken vehicle.
- (2) Except when overtaking and passing on the right is permitted, a driver of an overtaken vehicle:
- (a) on hearing an audible signal given by the driver of the overtaking vehicle, shall cause the vehicle to give way to the right in favour of the overtaking vehicle; and
 - (b) shall not increase the speed of the vehicle until completely passed by the overtaking vehicle.

Passing on Left

49. A driver of a vehicle shall not drive to the left side of the roadway in overtaking and passing another vehicle unless the driver can do so in safety.

Clear View on Passing

50. A driver of a vehicle shall not drive to or on the left side of the portion of the roadway intended for vehicular traffic, other than on a one-way highway, unless the driver has clear view of the roadway for a safe distance, having regard for all the circumstances.

Following too Closely

51. (1) A driver of a vehicle shall not cause or permit the vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the amount and nature of traffic on and the condition of the highway.
- (2) The driver of a commercial motor vehicle or a combination of vehicles, when driving on a highway outside a business or residential district, shall not follow within 60 metres of another commercial vehicle or a combination of vehicles, but this shall not be construed to prevent one commercial vehicle or combination of vehicles overtaking and passing another.

Divided Highways

52. Where a highway has been divided by a physical barrier, a driver shall not:
- (1) drive a vehicle on, over, across or within a barrier, except at a crossover or intersection; or
 - (2) drive a vehicle on any portion of the roadway to the left of the barrier unless directed or permitted to do so by a Peace Officer or a traffic control device.

Entering Controlled Access Highway

53. (1) Where on a controlled access highway there is a sign indicating a location at which vehicles are permitted to enter, a person shall not drive a vehicle on to the highway except at that location.
- (2) Where on a controlled access highway there is a sign indicating a location at which vehicles are permitted to leave, a person shall not drive a vehicle from the highway except at that location.

Turning at Intersections

54. (1) Where the driver of a vehicle intends to turn it to the right at an intersection, the driver shall cause it to approach the intersection and then make the turn as close as practicable to the right hand edge of the roadway.
- (2) When the driver of a vehicle intends to turn it to the left at an intersection where traffic is permitted to move in both directions on each highway entering the intersection, the driver shall:
- (a) cause the vehicle to approach the intersection in the portion of the right hand side of the roadway that is nearest the marked centre line, or if there is no marked centre line, then as far as practicable in the portion of the right hand half of the roadway that is nearest the centre line;
 - (b) keep the vehicle to the right of the marked centre line or centre line of the roadway, as the case may be, at the place the highway enters the intersection;
 - (c) after entering the intersection, turn the vehicle to the left so that it shall leave the intersection to the right of the marked centre line of the roadway being entered or if there is no marked centre line then to the right of the centre line of the roadway being entered; and
 - (d) when practicable, turn the vehicle in the portion of the intersection to the left of the centre of the intersection.
- (3) When the driver of a vehicle intends to turn the vehicle left at an intersection where traffic is restricted to one direction on one or more of the highways, the driver shall cause the vehicle to approach the intersection in the extreme left lane available to traffic moving in the direction of travel of the vehicle, and after entering the intersection turn the vehicle to the left so as to leave the intersection as nearly as practicable in the left lane available to traffic moving in the direction of the vehicle on the highway being entered.
- (4) Despite subsections (1), (2) or (3), when at an intersection where there is a traffic control device indicating the course to be travelled by the vehicles approaching the intersection, a driver shall turn a vehicle at the intersection in the manner directed by the traffic control device.
- (5) A person shall not turn a vehicle at an intersection unless it is in the position on the highway required by this section.
- (6) When a driver of a vehicle approaches a rotary traffic island, the driver shall drive the vehicle to the right of the island.
- (7) Despite subsection (6), a person may drive a vehicle over the middle or right hand portion of a rotary traffic island if that portion of the island is clearly intended to accommodate vehicular traffic.

Approach of Emergency Vehicle

55. On the immediate approach of an emergency vehicle giving an audible signal by a bell, siren or exhaust whistle, and showing at least a visible flashing red light, except when otherwise directed by a Peace Officer, a driver shall yield the right-of-way, and immediately drive to a position parallel to and as close as possible to the nearest edge of the roadway, clear of an intersection, and stop and remain in that position until the emergency vehicle has passed.

Rights-of-Way between Vehicle and Pedestrian

56. (1) The driver of a vehicle shall yield the right-of-way to a pedestrian where traffic control signals are not in place or not in operation when the pedestrian is crossing the highway in a crosswalk and the pedestrian is on the half of the highway on which the vehicle is travelling, or is approaching so closely from the other half of the highway that the pedestrian is in danger.
- (2) Where a vehicle is slowing down or stopped at a crosswalk or at an intersection to permit a pedestrian to cross the highway, the driver of a vehicle approaching from the rear shall not overtake and pass the vehicle which is slowing down or stopped.
- (3) A pedestrian, cyclist or the driver of a motor vehicle shall obey the instructions of an adult school crossing guard and of a school student acting as a member of a traffic patrol where the guards or students are:
- (a) provided under the School Act, R.S.B.C. 1996, c. 412, as amended; or
 - (b) authorized by the Chief of Police.

Engine Brakes

57. No person shall, except in the case of an emergency, use an engine brake of any kind (including a brake commonly known as a Jacob's Brake or Jake Brake) to slow or stop a vehicle.

Obscuring Number Plate

58. (1) No person shall obscure a vehicle number plate.
- (2) No person shall operate a vehicle with an obscured vehicle number plate.
- (3) No person shall operate a vehicle equipped with a device capable of temporarily or permanently obscuring a number plate.

Idling

- 58.1 (1) No person shall cause or permit a vehicle to idle:
- (a) for more than three minutes in a 60-minute period; or
 - (b) while unattended and unlocked.
- (2) Section 58.1(1) does not apply to:
- (a) police, fire, ambulance or other emergency vehicles in the course of the performance of police, fire, ambulance or other emergency duties including training activities;
 - (b) vehicles assisting in an emergency activity;
 - (c) vehicles for which idling is required as part of a repair or regular pre-check maintenance process;
 - (d) vehicles engaged in a parade or race or other event approved by Council;
 - (e) vehicles idling while passengers are in the course of embarking or disembarking;
 - (f) armoured vehicles used to transport money or valuables in which a person remains to guard the contents in the course of the loading or unloading of the money or valuables;
 - (g) vehicles required to use heating or refrigeration systems powered by the motor or engine for the preservation of perishable cargo; or
 - (h) a mobile workshop while the vehicle is being used as a mobile workshop.

Part IV
Pedestrian and Cycle Regulations

Green Light

59. (1) When a green light alone is displayed at an intersection by a traffic control signal a pedestrian facing the green light may proceed across the roadway in a marked or unmarked crosswalk, subject to special pedestrian traffic controls directing otherwise, and has the right-of-way for that purpose over all vehicles.
- (2) When a green light alone is displayed at a place other than an intersection by a traffic control signal:
- (a) a pedestrian still in the roadway or a crosswalk shall proceed as quickly as possible from the roadway;
- (b) a pedestrian shall not enter the roadway in the vicinity of the traffic control signal until either:
- (i) the traffic control signal facing the vehicular traffic exhibits a red light; or
- (ii) the traffic control signal instructs the pedestrian that the roadway may be crossed.

Yellow Light

60. When a yellow light alone is exhibited by a traffic control signal, following the exhibition of a green light:
- (1) a pedestrian facing a yellow light shall not enter the roadway;
- (2) a pedestrian, who while crossing the roadway faces a yellow light, shall proceed across the roadway as quickly as possible and for that purpose has the right-of-way over all vehicles.

Red Light

61. A pedestrian facing a red light alone by a traffic control signal shall not enter the roadway unless instructed by a pedestrian traffic control signal.

Pedestrian Controls

62. (1) When the word "walk" or a symbol of a walking person is exhibited by a pedestrian traffic control signal, a pedestrian may proceed across the roadway, or the portion thereof so directed by the traffic control signal, in the direction of the signal in a crosswalk and has the right-of-way over all vehicles.
- (2) When the word "wait" or the words "don't walk" or a symbol of a raised hand is exhibited by a pedestrian traffic control signal, a pedestrian shall not commence crossing the roadway.
- (3) A pedestrian who while crossing the roadway faces the word "wait" or words "don't walk" or a symbol of a raised hand exhibited by a pedestrian traffic control signal shall proceed across the roadway, or the portion thereof so directed by the traffic control signal, as quickly as possible and for that purpose has the right-of-way over all vehicles.

Pedestrian Controlled Signal

63. Where a pedestrian is instructed or permitted by a traffic control signal to enter or proceed across a roadway, the pedestrian shall do so:
- (1) at an intersection, only in a crosswalk; and
 - (2) at a place other than an intersection, in the vicinity of which there is a marked crosswalk, only in the crosswalk.

Persons Impeding Traffic

64. (1) No person shall engage in any sport, amusement, exercise or occupation on a highway or stand, walk, run or loiter in such a manner as to obstruct, impede or interfere with the free passage of vehicles on a highway.
- (2) No person shall engage in any sport, amusement, exercise or occupation on a sidewalk or walkway or stand, walk, run or loiter in such a manner as to obstruct, impede or interfere with the free passage of another person on a sidewalk or walkway.

Pedestrians

65. (1) When a pedestrian is crossing a highway at a location other than a crosswalk, the pedestrian shall yield the right-of-way to a vehicle.
- (2) Subject to subsection (1), the driver of a vehicle shall yield the right-of-way to a pedestrian where traffic control signals are not in place or not in operation when the pedestrian is crossing the highway in a crosswalk and the pedestrian is on the half of the highway on which the vehicle is travelling, or is approaching so closely from the other half of the highway that the pedestrian is in danger.
- (3) No pedestrian shall cross a roadway in contravention of a traffic control device.
- (4) A pedestrian:
- (a) shall not jaywalk;
 - (b) shall not walk on the roadway where there is a sidewalk or walkway that is reasonably passable and accessible on either or both sides of the highway;
 - (c) shall walk, if there is no sidewalk or walkway, only on the extreme left side of the roadway, facing traffic approaching from the opposite direction;
 - (d) shall not walk on a highway without due care and attention or without reasonable consideration for other persons using the highway; and
 - (e) shall not use a crosswalk without due care and attention or without reasonable consideration for other persons using the highway.
- (5) No pedestrian shall stand on or walk along a highway to solicit a ride, employment or business from an occupant of a vehicle.
- (6) No person shall slide, sleigh, ice skate, ski or use any other similar means of conveyance on a roadway.

Cycles

66. (1) In addition to the duties imposed by this section, a person operating a cycle on a roadway has the same rights and duties as a driver of a vehicle.
- (1.1) In addition to the duties imposed by this section, a person operating a cycle on a walkway has the same rights and duties as a pedestrian.

- (2) A person operating a cycle:
 - (a) shall not ride on a sidewalk unless authorized by this By-law or unless otherwise directed by a traffic control device;
 - (b) shall not, for the purpose of crossing a highway, ride on a crosswalk unless authorized to do so by this By-law or unless otherwise directed by a traffic control device;
 - (c) shall, subject to paragraph (a), ride as near as practicable to the right hand side of the roadway;
 - (d) shall not ride abreast of another person operating a cycle on the roadway;
 - (e) shall keep at least one hand on the handlebars;
 - (f) shall not ride other than on or astride a regular seat of the cycle;
 - (g) shall not use the cycle to carry more persons at one time than the number for which it is designed and equipped;
 - (h) shall not ride a cycle on a highway where signs prohibit their use;
 - (i) shall not ride a cycle on a highway without a bicycle safety helmet, unless exempted by regulation made by the Superintendent; and
 - (j) may, despite Section 15(1), proceed past the marked stop line into an area indicated by markings to be for cycles and shall not cause the cycle to proceed until a traffic control signal indicates that the person is permitted to do so or the person is able to do so under Section 15(2) or Section 15(3).
- (3) A parent or guardian of a person under the age of 16 shall not authorize or knowingly permit such persons to operate or ride as a passenger on a cycle on a highway if that person is not properly wearing a bicycle safety helmet.
- (4) Deleted
- (5) A person shall not ride a cycle, coaster, roller skates, in-line skates, skateboard, sled, play vehicle, or similar means of conveyance when it is attached by the arm and hand of the rider or otherwise to a vehicle on the highway.
- (6) A person shall not operate a cycle on a highway without due care and attention or without reasonable consideration for other persons using the highway.
- (6)(a) Deleted
- (6)(b) Deleted
- (7) A cycle operated on a highway between one-half hour after sunset and one-half hour before sunrise shall have a lighted lamp mounted on the front, capable of displaying a white light visible under normal atmospheric conditions at least 150 metres in the direction in which the cycle is pointed, and a red reflector of a make or design approved by the Superintendent, or a lighted lamp, mounted on the rear and capable of reflecting or displaying a red light toward the rear. In addition, every cycle operated on a highway shall have the most conspicuous portion of its rear mud guard, for a length of not less than 22.5 centimetres and the full width of the mud guard, painted white.
- (8) Deleted
- (9) Deleted

Part V
Parking Regulations

Parking Meters

67. (1) Automatic or other mechanical meters for the purpose of allotting and controlling parking spaces for vehicles and measuring and recording the duration of parking may be placed or erected on those highways and other public places specified by order of the Engineer. The driver or operator of every vehicle parked in each such parking space shall deposit in the appropriate meter that fee for parking in the manner and at the rate prescribed and as measured by the meter.
- (2) The fee which shall be deposited in each meter erected or placed pursuant hereto shall be set by *Surrey Fee-Setting By-law, 2001, No. 14577* and no vehicle shall be permitted to remain parked in any parking space regulated by any such meter for any period longer than that indicated on the said meter or longer than that period as measured by the meter for the amount of the fee deposited therein by the driver or operator of the vehicle parked therein.
- (3) Each parking meter shall be installed on the curb immediately adjacent to the parking space regulated thereby. The period of time, the days, and the fee payable for the right to occupy each parking space shall be clearly set out on each parking meter. Every parking meter which indicates that the period of parking for which the prescribed fee has been deposited therein has expired shall be taken as conclusive evidence that any vehicle found parked in the space regulated is illegally parked and in breach of the provisions of this By-law.

Parking Pay Stations

- 67.1 (1) Parking pay stations for the purpose of allotting and controlling vehicle parking in pay station areas and measuring and recording the purchase of time for parking may be placed or erected on those highways and other public places specified by order of the Engineer.
- (2) The fee which shall be paid in each parking pay station shall be set by *Surrey Fee-Setting By-law, 2001, No. 14577*.
- (3) Each parking pay station shall be installed in proximity to the pay station area regulated thereby. The period of time, the days, and the fee payable for the right to occupy the pay station area shall be clearly set out on each parking pay station.
- (4) A person who parks in a pay station area must immediately pay the parking fee for that pay station area and the desired time at the nearest parking pay station by any method indicated in the instructions on the parking pay station.
- (5) No person shall park a vehicle within a pay station area for any longer than the amount of time purchased for that vehicle.
- (6) Despite any amount paid, no person shall park a vehicle within a pay station area for any longer than the limited period of time for which parking is lawfully permitted as stated in the legend on the parking pay station.

- (7) Every parking pay station record which indicates that the period for which the prescribed fee has been paid for the parking of a vehicle in a pay station area has expired shall be taken as conclusive evidence that the vehicle found parked in the pay station area is illegally parked and in breach of the provisions of this By-law.

Manner of Parking

68. (1) Except when permitted or required by traffic control device, no person shall stop, stand or park a vehicle on a highway other than on the right hand side of the highway and with the right hand wheels parallel to that side, and where there is a curb, within 30 centimetres of the curb.
- (2) No person shall permit a motor vehicle to stand unattended or parked unless the person has:
 - (a) locked it and made it secure in a manner that prevents its unauthorized use; and
 - (b) if the motor vehicle is standing on a grade, turned the front wheels of the vehicle to the edge of the roadway.
- (3) No person shall park a vehicle so as to obstruct the free passage of traffic on the highway.
- (4) No person shall park a vehicle where a traffic control device indicates that angle parking is permitted other than at an angle indicated by parking lines marked on the highway and with the right front wheel not more than 30 centimetres from the curb. In the absence of parking lines, a person shall park at an angle of 60 degrees from the curb.
- (4.1) Where angle parking is permitted, no person shall reverse a vehicle into any parking space unless otherwise permitted or required by a traffic control device.
- (5) No person shall stop, stand or park a vehicle upon a highway without proper or valid number plates.
- (6) This Part does not apply when a vehicle is so disabled that it is not practicable to avoid stopping and temporarily leaving it on the highway.
- (7) No person, where vehicles are parked parallel to the edge of the roadway, shall park a vehicle closer than one metre from any other parked vehicle.
- (8) No person shall stop, stand or park a vehicle in such a manner or under such conditions as to leave available less than three metres of the travelled portion of a roadway or opposite to or in such close proximity to another vehicle already stopped on such roadway as to obstruct or unduly restrict the free movement of vehicular traffic on such roadway.

Where Parking Prohibited

69. Except when necessary to avoid conflict with traffic or to comply with the law or the directions of a Peace Officer, By-law Enforcement Officer or traffic control device, a person shall not stop, stand or park a vehicle:
 - (1) on a boulevard except:
 - (a) on a gravel boulevard;
 - (b) in a driveway to a lot zoned RA, RA-G, RH, RH-G, RF-O, RF, RF-SS, RF-G, RF-12, RF-12C, RF-SD or RM-D provided that the person is an owner or occupant of, or an invitee to, the lot and the vehicle is not on the portion of the driveway between the roadway and the sidewalk or walkway, if present;
 - (1.1) obstructing a sidewalk or walkway;

- (1.2) on a curb;
- (2) in front of, or within 1.5 metres on either side of, a driveway or laneway entrance;
- (2.1) in front of, or within three metres on either side of, a walkway entrance to a roadway;
- (3) in an intersection, except as permitted by traffic control device;
- (4) within five metres of a fire hydrant measured from a point on the edge of the roadway which is closest to the fire hydrant;
- (5) on a crosswalk;
- (6) within 15 metres of the approach of or six metres beyond a crosswalk that is not at an intersection, unless otherwise indicated by a traffic control device;
- (7) within six metres of the approach of a flashing beacon, stop sign or traffic control signal located at the side of a roadway;
- (8) within 15 metres of the nearest rail of a railway crossing;
- (9) on a highway:
 - (a) displaying the vehicle for sale;
 - (b) advertising, greasing, painting, wrecking, storing or repairing the vehicle, except where repairs are necessitated by an emergency;
 - (c) displaying signs; or
 - (d) selling flowers, fruit, vegetables, seafood or other commodities or articles.
- (10) alongside or opposite any street excavation or obstruction when stopping, standing or parking obstructs traffic;
- (11) on the roadway side of a vehicle stopped or parked at the edge of a roadway;
- (12) on a bridge or other elevated structure on a highway, or in a highway tunnel, except as permitted by a traffic control device;
- (13) in a place in contravention of a traffic control device that gives notice that stopping, standing or parking there is prohibited or restricted;
- (14) in a manner so as to obstruct the visibility of any traffic control device erected pursuant to this By-law;
- (15) in a designated angle parking zone where the length of the vehicle and/or trailer exceeds six metres;
- (16) within 20 metres of the approach of or ten metres beyond any bus stop sign;
- (17) within six metres of the end of curb return at an intersection;
- (17.1) on the side(s) of an intersection with two or three legs and where there are no curb returns, from the intersection until a point along the curb and/or pavement edge that is six metres beyond a line extending perpendicularly across the roadway from the nearest end of a curb return on the opposite side of the roadway; or
- (18) Deleted.
- (19) on the other side of a laneway opposite a driveway, in the area between the two points along the curb and/or pavement edge that are each 1.5 metres beyond a line extending perpendicularly across the laneway from either side of the driveway.

Parking Time Limits

70. Notwithstanding any other provision of this By-law, no person shall park a vehicle on any highway for more than 72 hours continuously.

Loading Zones

71. A person shall not cause a vehicle to stand in a designated loading zone except while actively engaged in loading or unloading passengers or materials, and except for licensed taxis, which shall be permitted to stop in loading zones provided:
- (1) there is no designated taxi-stand within the block where the loading zone is located;
 - (2) the taxi operator does not leave the vehicle unattended; and
 - (3) the taxi operator, if not in the process of loading or unloading passengers, will vacate the loading zone immediately when it is required for pickup or delivery services.

Disabled Parking

72. No person shall stop, stand or park a vehicle in a disabled zone on a highway without displaying on the vehicle:
- (1) a valid disabled person's parking permit issued pursuant to Division 38 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58, as amended; or
 - (2) a permit of similar nature issued by another jurisdiction.

Impoundment of Vehicles

73. (1) Any vehicle unlawfully occupying any portion of highway, City property or public place, may upon the order of the Chief of Police, Engineer, Fire Chief, Chief By-law Enforcement Officer, By-law Enforcement Officer, Parking Patroller or their designates, be removed to an impoundment in such a place as directed by the person issuing the order.
- (2) All costs and charges for the removal, care, or storage of a vehicle removed under this section shall be paid by the owner of the vehicle and shall be a lien on it in favor of the keeper of any repair shop, garage or storage place in which the vehicle is impounded. Such lien may be enforced in the manner provided by the Repairers Lien Act, R.S.B.C. 1996, c. 404, as amended or the Warehouse Lien Act, R.S.B.C. 1996, c. 480, as amended.

Part VI

General Regulations

Obedience to Peace Officers, Firefighters

74. (1) A Peace Officer or By-law Enforcement Officer, in order to expedite the movement of traffic or to safeguard pedestrians or property shall have full power to direct and regulate traffic and in doing so may disregard any traffic control device.
- (2) A Firefighter, in attendance at the scene of a fire or other emergency, in order to expedite the movement of traffic or to safeguard pedestrians or property shall have full power to direct and regulate traffic and in doing so may disregard any traffic control device.
- (3) Every person shall at all times comply with any lawful order, direction, signal or command made or given by a Peace Officer, By-law Enforcement Officer or Firefighter in the performance of his duty in directing or regulating traffic.

Littering

75. (1) No person shall throw or cause to be deposited or to flow on a highway any noxious, offensive or filthy water or other substance, including but not limited to automotive or equipment fluids, solvents, paint or stain, or any other article or thing, whether broken or intact.
- (2) For the purposes of Section 75(1), the following definitions shall apply:
- (a) "Automotive or Equipment fluids" means engine oil, gear oil, hydraulic oil, grease, windshield washer fluid, brake fluid, transmission fluid, cooling fluid, or petroleum or petroleum based products or any fluid or chemical used for repair, maintenance or cleaning.
 - (b) "Paint or Stain" means any liquid, liquefiable, or mastic composition that, after application converts to a solid film that is most commonly used to protect, color, or provide texture to objects.
 - (c) "Solvents" means acetone, alcohol, benzene (or benzol), carbon disulfide, carbon tetrachloride, chloroform, ether, ethyl acetate, furfural, gasoline, toluene, turpentine, and xylene or any other chemical solution that acts as a dissolving agent.

Abandoned Vehicles

76. (1) No person shall abandon a vehicle, or leave a roll-off container or dumpster container on a highway, public right-of-way or on City land, without lawful authority.
- (2) Where the Engineer, a By-law Enforcement Officer, a Parking Patroller or a Peace Officer is satisfied that a vehicle, roll-off container or dumpster container has been abandoned or left on a highway without lawful authority, he may have it towed and impounded pursuant to Section 73.
- (3) For the purposes of this By-law, the Engineer, a By-law Enforcement Officer, a Parking Patroller and a Peace Officer have the same authority to deal with an abandoned vehicle or other thing in the same manner as the minister has in respect of a vehicle or other thing that has been abandoned on a provincial public highway as provided by the Transportation Act, S.B.C. 2004, c. 44, as amended.

Fail to State Name

77. When requested by a By-law Enforcement Officer, Parking Patroller or a Peace Officer:
- (1) the driver or operator of a vehicle, or the person in charge of a vehicle on a highway, shall correctly state his or her name, address and driver's license number, and the name and address of the owner of the vehicle; and
 - (2) a pedestrian or the operator of a cycle, who has apparently committed an offence under this By-law, shall correctly state his or her name and address.

General Offences

78. No person:
- (1) shall leave any excavation materials, roll-off container or other obstruction on a highway without obtaining written permission from the Engineer, and if permission is granted shall place barricades and warning devices for the protection of the public;
 - (2) being the owner or occupier of any premises, shall cut, saw, break, split, place or pile firewood, lumber, blocks, rock, stone, debris or other material, or mix mortar, or do any

other act upon a highway which will obstruct or impede traffic thereon or deface or damage the highway;

- (3) being the owner or occupier of any premises or any other person purchasing or delivering firewood, lumber, blocks, rock, stone or other material shall permit such firewood, lumber, blocks, rock, stone or other material to remain on or to be placed on any highway in such a manner as to obstruct or impede traffic thereon;
 - (4) shall interfere with any traffic control device, including but not limited to any barricade, sign, warning lamp or other device which is lawfully occupying any highway at or near an excavation, obstruction or work being performed thereon; or
 - (5) shall drive or operate a vehicle on a highway between the persons or vehicles comprising a parade or funeral procession.
79. Every person who removes a wrecked or damaged vehicle from the scene of an accident on a highway shall remove all glass and other debris caused by the accident from the highway.
80. (1) Every owner or occupier of commercial, industrial or multi-family dwelling premises shall remove all snow and ice from any sidewalk or walkway bordering such premises not later than 1000 hours on the day following the snowfall, on every day except a holiday as defined in the *Interpretation Act*, R.S.B.C. 1996, c. 238 as amended.
- (2) Every owner or occupier of single family or duplex residential dwellings shall remove all snow and ice from any sidewalk or walkway bordering such premises not later than 1000 hours on the day following the snowfall, on every day except a holiday as defined in the *Interpretation Act*, R.S.B.C. 1996, c. 238, as amended.
 - (3) The owner or occupier of any parcel of real property shall maintain the boulevard for a distance that coincides with the property line of his real property and in particular shall:
 - (a) remove accumulations of filth, rubbish, discarded materials, hazardous objects, and materials on the boulevard area or which obstructs a drainage facility; and
 - (b) keep grassed areas trimmed and free of noxious weeds and brush.
 - (4) Where the owner or occupier of a parcel of real property is served with a notice to comply with Section 80(3)(a) or (b), remediation will be required within a 48-hour period of having been served notice. If the owner or occupier fails to comply with the notice within that time, the City may levy a fee equal to the actual cost of cleanup with a minimum of \$75.00 on the owner or occupier.

Driveways

81. (1) A driveway shall not be permitted on an arterial road to provide access to lots zoned RH, RH-G, RC, RF-O, RF, RF-SS, RF-G, RF-12, RF-12C, RF-10, RF-10S, RF-9, RF-9C, RF-9S, RF-SD, and RM-D under Surrey Zoning By-law, 1993, No. 12000, as amended.
- (2) Despite subsection (1), the Engineer may permit a driveway on an arterial road when one of the following conditions exists:
 - (a) the lands adjoining the lot are developed to their ultimate use, as identified in the Official Community Plan By-law, 1993, No. 12900, as amended, without provision for an alternate access to the lot; or
 - (b) a physical barrier such as a watercourse or ravine restricts the reasonable provision of alternate access to the lot.

- (3) Except for lots zoned as described in Section 81(1) or lots which contain a gas station, a driveway on an arterial road is not permitted unless the near edge of such driveway is at least 50 metres from the near edge of any adjacent driveway(s) and from the near ultimate lateral property line of any nearby highway allowance(s). For the purposes of this subsection, the near ultimate lateral property line shall be determined in accordance with the provisions of the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
- (4)
 - (a) No person shall construct a driveway unless authorized by a City Road Right-of-Way Use Permit (CRRP) issued pursuant to this By-law.
 - (b) All driveways shall be designed, located and constructed as set out in the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended.
 - (c) If a property owner fails to comply with this By-law, the City may modify, reconstruct, or remove the driveway or a portion thereof, to ensure that it conforms with the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended, and may recover the expense thereof, together with costs, from the property owner in the same manner as City property taxes.
 - (d) A driveway that is not serving any traffic as a result of the site layout on the property to which it provides access shall be removed and that portion of highway shall be reinstated at the owner's cost to a condition similar to that of the highway in the immediate vicinity.

Unauthorized Signs

82. (1) No person, other than the Engineer or a person or persons authorized by the Engineer, shall place or maintain signs of any nature, including a notice, handbill, poster or advertisement, in any manner upon a highway or upon erected highway signs or upon any pole or structure on a highway.
 - (1.1) Evidence that a sign was posted contrary to Section 82(1) may be treated as evidence that the sign was placed by the person who caused or authorized that posting. In the absence of evidence to the contrary, a person, business, or other establishment that is promoted by a sign will be presumed to have authorized and caused its posting.
 - (2) Any sign erected in contravention of Section 82(1) may be removed by the Engineer, Chief By-law Enforcement Officer or such other persons as may be duly authorized from time to time by the Engineer or Chief By-law Enforcement Officer.
 - (3) Any such sign so removed by the Engineer, Chief By-law Enforcement Officer or such other persons as may be duly authorized from time to time by the Engineer or Chief By-law Enforcement Officer may be claimed at the City Engineering Works Yard on payment of an impound fee based on the costs of storage and removal of the sign. The impound fee will be a minimum of \$100.00 and will not exceed \$500.00, plus applicable taxes. The City accepts no liability for any damage done to any such sign in any way. Signs not claimed within five clear working days will be destroyed in a manner prescribed by the Engineer.

Discarded Shopping Carts

- 82.1 (1) No person, other than the Engineer or a person or persons authorized by the Engineer, shall place shopping carts in any manner upon a highway or upon any structure on a highway.

- (2) Any such shopping cart placed in contravention of Section 82.1(1) may be removed by the Engineer, or such other persons that may be duly authorized from time to time by the Engineer.
- (3) Any such shopping cart so removed by the Engineer, or such other persons as may be duly authorized from time to time by the Engineer, may be claimed at the City Engineering Works Yard on payment of a fee of \$25.00 plus applicable taxes based on the costs of storage and removal of the shopping cart. The City accepts no liability for any damage done to any such shopping carts in any way. Shopping carts not claimed within 15 clear working days will be destroyed in a manner prescribed by the Engineer.

Part VII
Highway Use Regulations -
Heavy Trucks - Commercial Vehicles
Size, Weight & Loading Restrictions

- 83. (1) Hereby adopted as regulations pursuant to this By-law are:
 - (a) *Motor Vehicle Act Regulations*, B.C. Reg. 26/58
 - (i) Section 19.01;
 - (ii) Section 19.02;
 - (iii) Section 19.03;
 - (iv) Section 19.05; and
 - (v) Section 19.06,
 all as amended;
 - (b) *Motor Vehicle Act Regulations*, B.C. Reg. 26/58 Division 35 Cargo Securement, as amended; and
 - (c) *Commercial Transport Regulations*, B.C. Reg. 30/78
 - (i) Division 1 Interpretation;
 - (ii) Division 2 Application;
 - (iii) Division 7 Commencing at Section 7.05; Size and Weight;
 - (iv) Division 8 Pilot Cars and Signs; and
 - (v) Division 11 Penalties,
 all as amended.
- (2) For the purposes of this By-law, wherever in these regulations adopted by this By-law, the term "Minister" or "Minister of Transportation and Highways" appears, the term "Engineer" shall be substituted and where the term "Act" appears, the term "By-law" shall be substituted.
- (3) No person shall operate a vehicle on a highway in the City contrary to a regulation adopted by this section.

Highway Uses Prohibited

- 83.1 (1) No person shall place, construct or maintain a container for the storage, distribution or vending of printed materials on any highway.
- (2) No person shall place, construct or maintain a machine for the unattended vending of wares of any nature on any highway.

Highway Use Requiring Permit

84. (1) Except as authorized by a permit issued by the Engineer pursuant to this By-law, no person shall:
- (a) place any fuel, lumber, blocks, rock, stone, merchandise, chattel or wares of any nature on any highway;
 - (b) deposit, throw, or leave any earth, refuse, debris or other thing on a highway;
 - (c) being the owner or occupier of property abutting on a highway, cause or permit any earth, rocks, stones, logs or stumps or other things to cave, fall, crumble, slide or accumulate from any such property upon a highway or, being there, to remain thereon;
 - (d) drag or skid anything along or over a highway;
 - (e) dig up, break up or remove any part of a highway; cut down or remove trees or timber growing on a highway; or excavate in or under a highway;
 - (f) change the level of a highway whatsoever, or stop the flow of water through any drain, sewer or culvert on or through a highway;
 - (g) place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structures or things on a highway;
 - (h) construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a highway;
 - (i) mark, imprint or deface in any manner whatsoever a highway or structure thereon;
 - (j) ride, drive, lead, move or propel any animal or vehicle over or across a boulevard, including any curb, sidewalk, walkway or ditch therein except on a driveway;
 - (k) construct a driveway, including a curb, ditch or sidewalk or walkway crossing;
 - (l) cause damage to, cut down or remove trees, shrubs, plants, bushes and hedges, fences or other things erected or maintained on a boulevard;
 - (m) operate a vehicle while sounding a calliope, loudspeaker or other noise making device;
 - (n) march, drive or otherwise take part in a parade or procession except a funeral procession;
 - (o) conduct construction on a highway or traffic control relating to such construction;
 - (p) conduct construction on land adjacent to a highway where access from the highway to the land is required for that purpose;

- (q) obstruct or interfere with the free flow of traffic or attempt to control or detour traffic on any highway, whether by use of signs or flagpersons or by barricades or other physical obstruction on the highway, provided that this clause shall not apply to:
 - (i) a Peace Officer, By-law Enforcement Officer, Parking Patroller or Firefighter acting in the normal course of his or her duties;
 - (ii) a student or adult school patrol acting under the authority of the *School Act*, R.S.B.C. 1996, c. 412, as amended, or authorized by the Chief of Police;
 - (iii) emergency vehicles or public utility or City crews while making emergency repairs within a highway; or
 - (iv) vehicles while legally parked on a highway or while obeying the instructions of a traffic control device or Peace Officer.
- (2) For the purpose of this section construction means new construction, repair, replacement and maintenance of any matter or thing.

Highway Use Permits

- 85. (1) The Engineer may issue a permit to do those things otherwise prohibited by Section 84 subject to the payment of the appropriate fee and subject to such other conditions in this section and in Section 86 which may be applicable.
- (2) The Engineer is hereby authorized to charge fees in accordance with the City of Surrey Engineering Department, Uses Requiring Permits - Schedule of Fees, attached as Schedule B to this By-law for permits issued pursuant to this section.
 - (a) City Road and Right-of-Way Use Permit - for work in or on a highway or abnormal use of a highway;
 - (b) Deleted June 29, 2015
 - (c) Oversize Permit - for any oversize vehicles or loads;
 - (d) Overload Permit - for overweight vehicles or loads.
- (3) Permits issued pursuant to this section shall only apply to highways under the jurisdiction of the City.
- (4) In respect of oversize vehicles, an annual permit will not be issued, except in special cases at the discretion of the Engineer, for vehicles or combinations of vehicles or loads which exceed the Commercial Transport Act, R.S.B.C. 1996, c. 58, as amended, standards for width, height and length.
- (5) In respect of overweight vehicles, an annual permit will not be issued for loads which can be broken down in such a manner that they would not exceed the weight restrictions; and not in any case for loads exceeding ten percent overload except in special cases at the discretion of the Engineer where, by virtue of the number of trips, or the route, the overload is not expected to have a significant effect on the highway system.
- (6) Oversized and Overload permits shall be carried in the vehicle whenever it is being driven on a highway and shall be produced to any Peace Officer or By-law Enforcement Officer, for inspection upon request.

- (7) A permit issued pursuant to this section may, in addition to any other limitations:
 - (a) prohibit the driving or operating of any commercial vehicle on any highway during certain hours;
 - (b) specify the maximum rate of speed at which any commercial vehicle may travel;
 - (c) require that any commercial vehicle be preceded or followed, or both, by a pilot car in accordance with the regulations pursuant to the Commercial Transport Act, R.S.B.C. 1996, c. 58, as amended; and
 - (d) require that the commercial vehicle be driven or operated on certain specified highways.
 - (8) Resident-Parking-Only Permit
 - (a) No person shall park a vehicle in a block or area in the City which is posted with signs indicating that resident-parking-only is in effect, unless the vehicle displays a valid resident-parking-only permit authorizing parking in that block or area.
 - (b) Where a traffic control device prohibits parking, no person shall park a vehicle where prohibited regardless of whether a resident-parking-only permit has been issued under this By-law.
 - (c) In those blocks and areas of the City where signs are posted limiting the duration of parking, vehicles having displayed in the proper manner a valid resident-parking-only permit for that location may remain parked longer than the posted parking duration.
 - (d) The Engineer may determine the form of resident-parking-only permits, signs and decals and may make regulations as to the period for which the permits shall be valid and how they shall be displayed and distributed.
86. As a pre-requisite to the issuance of a permit under Section 85 and Section 86.1, the Engineer may require the applicant to:
- (1) Deposit with the City a sum of money:
 - (a) sufficient to pay for the cost of repairing any damage likely to be done to the highway and installation therein or thereon; and
 - (b) as sufficient security to ensure that obligations imposed by the permit shall be fulfilled and completed within the time specified in such permit.
 - (2) Provide satisfactory plans of work to be undertaken and when such plans are supplied and approved by the Engineer and the necessary permit issued, the said work shall conform in every respect to the approved plans, to the current City specifications as approved by the Engineer, and to the minimum general requirements of the Surrey Subdivision and Development By-law, 1986, No. 8830, as amended, for the zone in which such highway is situated.
 - (3) Where a deposit has been made in accordance with this section, and upon satisfactory compliance with the permit within the time specified, the deposit will be refunded to the applicant, less the actual cost of administration and inspection.
 - (4) Where completed work is to be taken over by the City the applicant shall maintain such work for a period of one year from the date of expiry of the permit. Sufficient security deposit shall be retained from the deposit provided in subsection (1) to cover any repair works which may be required over the maintenance period.
 - (5) Where adjustments to completed works are required due to reconstruction of a highway,

the person responsible for the initial construction as shown on the permit shall pay all the cost of such adjustments.

- (6) The applicant shall indemnify, protect and save harmless the City from and against all claims demands and lien claims of every kind arising out of or in any way connected with the work or other things for which a permit has been issued.
- (7) Failure by the permit holder to repair damage and/or fulfill such obligations as are set out in a permit within the specified time shall result in the forfeiture of the deposit to the City as liquidated damages.
- (8) At the discretion of the Engineer, the applicant or their contractor may be required to have in effect liability insurance in the amount specified by the Engineer naming the City as an additional insured.
- (9) Provide the City with sufficient funds, as determined by the Engineer according to Schedule B to this By-law to complete the works including final restoration.

Notwithstanding the foregoing, the City shall have the right to seek additional compensation from the applicant.

Traffic Obstruction Permits

- 86.1 (1) **Traffic Obstruction Permits.** The Engineer may issue a traffic obstruction permit to allow a person to obstruct or interfere with the free flow of traffic on any highway or lane subject to payment of the appropriate fee and subject to such other conditions in this Section 86.1 and in Section 86 that may be applicable.
- (2) **Authority of Engineer.** The authority of the Engineer under Section 86.1(1) includes the authority to:
- (a) establish forms for permit applications;
 - (b) establish timelines for permit applications;
 - (c) require such additional information as may be necessary or desirable to assess an application;
 - (d) establish forms for permits;
 - (e) specify hours of operation and dates of operation in a permit;
 - (f) establish requirements for traffic management plans and the information required to form part of a traffic management plan;
 - (g) require the submission of a traffic management plan as part of an application and require compliance with the approved traffic management plan as a condition of the permit;
 - (h) impose obligations and responsibilities in the permit on a person known as the traffic manager in relation to the approved traffic management plan;
 - (i) impose terms and conditions in a permit, including traffic control details, to address issues of public safety, worker safety and protection of City and private property;
 - (j) impose signage requirements in a permit;
 - (k) impose requirements in a permit to provide notice to specified persons in the manner specified in the permit;

- (l) impose requirements in a permit to coordinate traffic control and safety activities with adjacent work zones in the manner specified in the permit;
 - (m) require an applicant to pay the City for the use of a pay station area prior to issuance of a permit;
 - (n) specify within a permit persons responsible for compliance with the terms and conditions of the permit;
 - (o) establish a system of requiring notice for, and approval of, the date of commencement of activities under an issued permit;
 - (p) establish timelines for notice and approval requirements;
 - (q) require an applicant to enter into a highway license agreement to occupy a highway for purposes related to the permit, and require the applicant to pay a license fee for use of the highway; and
 - (r) impose terms and conditions in a permit allowing the applicant to occupy a highway for specified purposes and require the applicant to pay a fee for use of the highway.
- (3) **Offence for No Permit.** Any person who causes or permits traffic to be obstructed on a highway without having first received a traffic obstruction permit in accordance with this By-law is guilty of an offence.
- (4) **Activity Commenced Without Permit.** If a person causes or permits actions to be carried out that are ordinarily authorized by a traffic obstruction permit, without having first obtained a traffic obstruction permit, all such activity shall cease until a traffic obstruction permit is obtained and applicable permit fees shall be doubled.
- (5) **Arterial Highways.** Traffic obstruction permits issued pursuant to this section shall not apply to any provincial arterial highway.
- (6) **Additional Restrictions after Issuance.** Issuance of a traffic obstruction permit is subject to public safety, traffic queues and traffic movement being monitored by the Engineer while the approved traffic management plan is implemented. If the Engineer, in his sole discretion, deems that public safety has not been adequately addressed, that delays to the public are excessive or that there is a need to reconcile competing or conflicting traffic movements, the Engineer may adjust, modify or further restrict the hours of operation, dates and traffic control details associated with the traffic obstruction permit.
- (7) **Traffic Manager.** The holder of a traffic obstruction permit must designate an individual as the traffic manager who shall be responsible for complying with the obligations imposed by the permit on the traffic manager. The traffic manager must be present at the work zone which is the subject of the permit or available to meet immediately at the request of the Engineer. The permit holder must provide contact information for the traffic manager, or designated representative with equal knowledge and authority as the traffic manager, and the person must be available at any hour of the day or night.
- (8) **Obligations Created by the Permit.** In addition to any obligations imposed by an issued traffic obstruction permit, the following obligations also apply:
- (a) The permit holder shall comply with all terms, conditions, standards and requirements of this By-law and the traffic obstruction permit.
 - (b) When so stipulated by a traffic obstruction permit, the permit holder must provide

written notification to the Engineer in the form of a request to proceed and obtain the written authorization of the Engineer confirming the approved work dates prior to commencing activities under an issued permit.

- (c) A copy of the permit, including the approved traffic management plan, and a copy of the authorization to proceed, where applicable, must be present at the work zone and made available for inspection by the Engineer, a By-law Enforcement Officer or a Peace Officer at all times when activities are being carried out under the permit.
- (d) If the authorization to proceed has been obtained from the Engineer, but for any reason the activities do not proceed on the date specified in the approval, the permit holder must provide notice to the Engineer without delay, in the manner provided for in the permit
- (e) Signage placed pursuant to a permit must not obstruct sightlines or existing signage and traffic control devices, and must not impede vehicle, bicycle or pedestrian traffic.
- (f) Where a lane closure is approved by a permit, traffic stoppages may only occur in accordance with the conditions provided for in the permit.
- (g) In the event of unforeseen circumstances which cause the permit holder to be unable to comply with the traffic obstruction permit, including the traffic management plan, the permit holder must:
 - (i) provide notice to the Engineer without delay in the manner provided for in the permit; and
 - (ii) comply with any direction given by the Engineer, which may include a direction to cease all activities until authorized by the Engineer to proceed.
- (h) Once the traffic obstruction activities are completed, the permit holder must restore the work zone and surrounding areas to a state and condition acceptable to the Engineer.
- (i) The obligations imposed by the permit on the traffic manager are also imposed on the permit holder and the permit holder shall be responsible for ensuring those obligations are met by the traffic manager or the permit holder.
- (9) **Insurance.** At the discretion of the Engineer, the applicant or their contractor will be required to have in effect liability insurance in the amount specified by the Engineer naming the City as an additional insured.
- (10) **Revocation or Suspension of Permit.** The Engineer may revoke or suspend a traffic obstruction permit in any of the following circumstances:
 - (a) if any of the terms and conditions of the permit or of this By-law are breached; or
 - (b) if the information supplied by the applicant in support of the permit application is found by the Engineer to have been inaccurate, incomplete, or erroneous.
- (11) **Effect of Revocation or Suspension.** If a traffic obstruction permit is revoked or suspended under Section 86.1(10):
 - (a) all activities being carried out under the permit must cease, except for work which is necessary to remedy the non-compliance;
 - (b) the non-compliance must be resolved to the satisfaction of the Engineer within 24 hours;

- (c) despite clause (b), if the Engineer is of the opinion that special circumstances exist, the non-compliance must be remedied by a date the Engineer considers reasonable given the circumstances; and
- (d) no activity other than the work described in clause (a) shall resume until authorized in writing by the Engineer.

86.2 (1) As a pre-requisite to the issuance of a traffic obstruction permit under Section 86.1, the Engineer may require the applicant to deposit with the City a sum of money:

- (a) sufficient to pay for the cost of repairing any damage likely to be done to the highway; and
- (b) as sufficient security to ensure that obligations imposed by the traffic obstruction permit shall be fulfilled and completed within the time specified in the permit.

(2) The security in subsection (1) may be in the form of a certified cheque or letter of credit.

(3) The City may draw down on the security in subsection (1) if the City fulfills requirements imposed by the permit or this By-law should the permit holder fail to do so.

(4) If the amount of the security in subsection (1) is insufficient for the City to conduct all necessary inspections and fulfill any requirements that the permit holder has failed to fulfill, the permit holder shall pay any deficiencies to the City on demand. The City may withhold the issuance of any future permits to the permit holder until the full amount outstanding has been paid to the City.

(5) The security in subsection (1) may be returned to the permit holder after the permit expires in accordance with the terms of the permit.

(6) Failure by the permit holder to repair damage or fulfill such obligations as are set out in a permit within the specified time, shall result in the forfeiture of the deposit to the City as liquidated damages.

(7) The security in subsection (1) does not relieve the permit holder for damages or costs in excess of the amount of the security held.

Truck Routes

87. (1) No person shall drive, operate, or park a heavy truck on any highway in the City other than on a truck route on and during the times set out in this By-law or Schedule C to this By-law except:

- (a) any heavy truck operating for or on behalf of the City, while such vehicle is in actual use for City purposes;
- (b) as authorized by a permit issued by the Engineer;
- (c) as specified in Section 87.4; or
- (d) where heavy trucks on any highway or part of a highway have been properly authorized as a temporary detour truck route.

Identification of Truck Routes

- 87.1 (1) The Engineer may cause signs or other traffic control devices to be erected along a truck route to identify the beginning and end of a truck route.
- (2) The "Truck Route and Dangerous Goods Route" map prepared on behalf of the City is for convenience of reference only and the omission of a truck route from it or the indication of a truck route on it, shall not be deemed for the purposes of this By-law to contradict or override the designation of truck routes and dangerous goods routes as set out in Schedule C of this By-law.

Restrictions on Truck Routes

- 87.2 (1) The Engineer may restrict the use of a truck route:
- (a) as to size, weight, type, height or other specification of a heavy truck which may be driven on a truck route; and
- (b) as to the hours when a heavy truck may be driven on the truck route.
- (2) Where the Engineer places a restriction authorized by this section on a truck route the Engineer shall cause signs or other traffic control devices to be erected along the truck route to inform persons of the restriction placed on its use.
- (3) Notwithstanding any of the provisions of this By-law or of a permit issued by the Engineer, where a bridge, highway or portion of a highway is expressly limited as to maximum weight, height, length, or width by a traffic control device erected by the Engineer, no truck or load shall exceed the maximum limits allowed by the said traffic control device.
- (4) Where, in the opinion of the Engineer, any highway is liable to damage through extraordinary traffic thereon, the 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.

Permits

- 87.3 (1) The Engineer may, under circumstances which he considers warrants a permit, issue a permit authorizing the movement or parking of a heavy truck on certain highways other than truck routes.
- (2) A person driving a heavy truck on a route authorized by a permit under this section shall produce the same when required to do so by a Peace Officer or a By-law Enforcement Officer.

Departure from a Truck Route

87.4 Notwithstanding Section 87 above:

- (1) A person driving a heavy truck may drive on a highway other than a truck route:
- (a) to collect or deliver cargo; or
- (b) to supply a service;
- provided that the person takes the shortest direct accessible connection between the nearest truck route and the destination and returns to the truck route by the shortest direct accessible connection.
- (2) In the event that the person driving a heavy truck has a subsequent delivery to make or subsequent service to supply in the same area, the person may proceed to make the

subsequent delivery or service before proceeding by the shortest direct accessible connection to the nearest truck route.

- (3) A person driving a heavy truck shall enter the City only on a truck route unless another point of entry, not signed "No Heavy Trucks", forms the shortest direct accessible connection between the City boundary and the point of origin or collection for services, merchandise or material, and the person shall proceed from that point of entry by the shortest direct accessible connection to the nearest truck route.
- (4) A person driving a heavy truck shall exit the City only on a truck route except where another point of exit, not signed "No Heavy Trucks", forms the shortest direct accessible connection between the point of delivery for services, merchandise or material in the City and the point of origin or collection for those services, merchandise or material outside the City and the person shall proceed from the point of exit by the shortest direct accessible connection to the nearest truck route.
- (5) A person driving or operating a heavy truck from a business premises that is not on a truck route shall upon leaving the business premises proceed to the nearest truck route by the shortest direct accessible connection.
- (6) If any heavy truck is permitted to be stored or parked in accordance with Surrey Zoning By-law, 1993, No. 12000, as amended or any other applicable by-law, at a location off a truck route, and the truck conforms with all other highway use regulations, but is not engaged in the transport of materials or any other things to or from the premises, a person may drive the truck to and from the place where it is stored or parked, and so doing, shall use the shortest direct accessible connection to and from the nearest truck route.
- (7) Deleted by B/L 13832
- (8) Deleted by B/L 13832
- (9) The provisions of this section shall not relieve a person in charge or control of a heavy truck from compliance with other parking and traffic regulations.

Size and Weight Restrictions

87.5 Deleted by B/L 13832

Authority to Weigh Vehicles

- 87.6 (i) The driver of a vehicle on a highway, when so required by a Peace Officer or By-law Enforcement Officer, shall:
- (a) Stop the vehicle at the time and place specified by such Peace Officer or By-law Enforcement Officer for the purpose of weighing the whole or part thereof by means of stationary or portable scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any other purpose under this By-law;
 - (b) When requested by a Peace Officer or By-law Enforcement Officer produce for the officer's inspection the official registration certificate showing the maximum weight of the truck or truck-type vehicle. In any case where there is no official registration certificate for a truck or truck-type vehicle, a Peace Officer may order the driver or other person in charge or control of the vehicle suspected of being on a route other than a truck route in contravention of this By-law, to drive the vehicle onto the nearest public or Ministry of Transportation and Infrastructure stationary or portable scales for the purpose of weighing the vehicle and load; and
 - (c) Rearrange the load upon the vehicle or remove the whole or part of the load from the

vehicle in order to comply with the provisions of this Part before continuing to drive or operate the vehicle.

- (2) Any driver who fails to stop their vehicle when directed to do so by a Peace Officer is guilty of an offence under this By-law.

Operation of Vehicles

- 87.7 (1) No person shall drive or operate on a highway:
- (a) A vehicle or combination of vehicles carrying a load unless the load is secured and properly covered in a safe manner as required by Division 35 of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58, as amended;
 - (b) A vehicle with any load unless the load and any covering thereon is securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner hazardous to other users of the highway;
 - (c) A vehicle with any load unless it is so constructed and loaded as to prevent any of its load:
 - (i) from shifting or swaying in such a manner as to affect the operation of the vehicle; or
 - (ii) from dropping, sifting, leaking, or otherwise escaping therefrom, but sand may be dropped for the purpose of securing traction, and water or other substances may be sprinkled on a highway in cleaning or maintaining the highway;
 - (d) A vehicle or combination of vehicles carrying a load that projects more than 1.2 metres beyond the rear or 1.0 metre beyond the front of the vehicle unless the load is marked with a red flag or lights as required by Division 8 of the *Commercial Transport Regulations*, B.C. Reg. 30/78, as amended; and
 - (e) No person shall drive or operate on a highway a vehicle or trailer equipped with pneumatic tires that are not in good order or that have defects.

Heavy Commercial Vehicle Parking

88. (1) No person shall stop, stand or park any vehicle, commercial vehicle or combination of vehicles, having a total length exceeding 6 metres:
- (a) in any laneway; or
 - (b) in any designated angle parking zone.
- (2) No person shall park any heavy commercial vehicle on any highway within a residential district.
- (3) No person shall park any heavy commercial vehicle on any highway between 1900 hours and 0700 hours on the following day.
- (4) No person shall park a trailer, semi-trailer or commercial vehicle on any street without the motive power unit being attached.
- (5) No person shall park, store, or let stand any vehicle, motor vehicle, commercial transport vehicle, or trailer that is loaded with, or contains dangerous goods (as per the definition found in the *Transport of Dangerous Goods Act*, R.S.B.C. 1996, c. 458, as amended) on any highway, or in or on any residential zoned property at any time.
- (6) The restrictions of this section shall apply to every day of every year.

Large Vehicle Parking

- 88.1 (1) Except for a vehicle which is designed primarily for the conveyance of passengers and has a seating capacity not exceeding 9 people, an overall height not exceeding 2.2 m and an overall length not exceeding 6.4 m, an owner, registered owner, lessee or operator of a vehicle:
- (a) must not cause, allow or permit that vehicle to park on a highway for more than 24 hours continuously; and
 - (b) must not allow or permit that vehicle to be occupied as a dwelling or sleeping place while parked.
- (2) The restrictions of this section shall apply to every day of every year.

Heavy Commercial Vehicle Parking Permits

- 88.2 (1) The Engineer may issue an on-street parking permit for a heavy commercial vehicle that would otherwise be prohibited from being parked on a highway by Section 88 or Section 88.1, subject to payment of the appropriate fee and subject to such other conditions in this Section that may be applicable.
- (2) **Authority of Engineer.** The authority of the Engineer under Section 88.2(1) includes the authority to:
- (a) establish forms for permit applications;
 - (b) establish timelines for permit applications;
 - (c) require such additional information as may be necessary or desirable to assess an application;
 - (d) establish forms for permits or alternate methods to authorize the applicant to park on designated highways;
 - (e) specify hours of operation and dates of operation in a permit;
 - (f) designate portions of highways for parking of heavy commercial vehicles or for the parking of a specified heavy commercial vehicle;
 - (g) impose terms and conditions in a permit allowing the applicant to occupy designated heavy commercial vehicle parking highways or a designated portion of a designated vehicle parking highway, and to address issues of public safety and protection of City and private property;
 - (h) impose requirements in a permit to provide notice to specified persons in the manner specified in the permit;
 - (i) require an applicant to pay the City a fee for the use of the highway to park a vehicle in accordance with Schedule B of this Bylaw;
 - (j) specify within a permit the persons responsible for compliance with the terms and conditions of the permit;
 - (k) establish a system of requiring notice for, and approval of, the date of commencement of parking under an issued permit;
 - (l) establish timelines for notice and approval requirements; and
 - (m) delegate all or part of the Engineer's authority under this Section 88.2 to an agent or contractor.
- (3) **Offence for No Permit.** Any person who parks a heavy commercial vehicle on a highway

without having first obtained a heavy commercial vehicle parking permit in accordance with this Bylaw, and any owner, registered owner, lessee or operator of a heavy commercial vehicle so parked, is guilty of an offence unless the parking is otherwise permitted under this Bylaw.

- (4) **Offence for Non-Payment.** Any person who parks a heavy commercial vehicle on a highway without having paid the fees for a permit issued pursuant to this section as specified in the Schedule of Fees, attached to this Bylaw as Schedule B, and any owner, registered owner, lessee or operator of a heavy commercial vehicle so parked, is guilty of an offence.
 - (5) **Obligations Created by the Permit.** In addition to any obligations imposed by an issued heavy commercial vehicle parking permit, the following obligations also apply:
 - (a) The permit holder shall comply with all terms, conditions, standards and requirements of this Bylaw and the heavy commercial vehicle parking permit.
 - (b) A copy of the permit must be kept in the vehicle and made available for inspection by the Engineer, a Bylaw Enforcement Officer or a Peace Officer when requested.
 - (6) **Offence for Non-Compliance with Obligations of the Permit.** Any permit holder who fails to comply with any term, condition, standard or and requirement of this Bylaw or the heavy commercial vehicle parking permit, and any owner, registered owner, lessee or operator of a heavy commercial vehicle so parked, is guilty of an offence.
 - (7) **Insurance.** At the discretion of the Engineer, the applicant, or the owner, registered owner, lessee or operator of the heavy commercial vehicle, will be required to have in effect liability insurance in the amount specified by the Engineer naming the City as an additional insured.
 - (8) **Revocation or Suspension of Permit.** The Engineer may revoke or suspend a heavy commercial vehicle parking permit in any of the following circumstances:
 - (a) if any of the terms and conditions of the permit or of this By-law are breached; or
 - (b) if the information supplied by the applicant in support of the permit application is found by the Engineer to have been inaccurate, incomplete, or erroneous.
 - (9) **Effect of Revocation or Suspension.** If a heavy commercial vehicle parking permit is revoked or suspended under Section 88.2(8) the vehicle identified in the permit will no longer be permitted to park on designated Surrey highways until the end of the suspension period or, if revoked, until a new permit is obtained.
 - (10) **Offence for Revoked or Suspended Permit.** Any person who parks a heavy commercial vehicle on a highway whose heavy commercial vehicle parking permit has been revoked or suspended, and any owner, registered owner, lessee or operator of a heavy commercial vehicle so parked, is guilty of an offence.
- 88.3
- (1) As a pre-requisite to the issuance of a heavy commercial vehicle parking permit under Section 88.2, the Engineer may require the applicant to deposit with the City a sum of money sufficient to pay for the cost of repairing any damage likely to be done to the highway.
 - (2) The security in subsection (1) may be in the form of a certified cheque or letter of credit.
 - (3) The City may draw down on the security in subsection (1) if the City fulfills requirements imposed by the permit or this By-law should the permit holder fail to do so.
 - (4) If the amount of the security in subsection (1) is insufficient for the City to conduct all necessary inspections and fulfill any requirements that the permit holder has failed to

fulfill, the permit holder shall pay any deficiencies to the City on demand. The City may withhold the issuance of any future permits to the permit holder until the full amount outstanding has been paid to the City.

- (5) The security in subsection (1) may be returned to the permit holder after the permit expires in accordance with the terms of the permit.
- (6) Failure by the permit holder to repair damage or fulfill such obligations as are set out in a permit within the specified time, shall result in the forfeiture of the deposit to the City as liquidated damages.
- (7) The security in subsection (1) does not relieve the permit holder for damages or costs in excess of the amount of the security held.

Heavy Trucks at Night

89. (1) No person shall drive or operate a heavy truck on a highway other than a truck route in a residential district between 1900 hours and 0700 hours on the following day.
- (2) Subsection (1) shall not apply to:
 - (a) a heavy truck engaged in the construction, upkeep or maintenance of the highway or any utility installed thereon, or the provision of any essential service to a resident whose property fronts thereon; provided however that any heavy truck providing an essential service does so by following the most direct route which requires the least travel on any "No Heavy Trucks" route.
 - (b) a heavy truck owned or operated by a lawful non-conforming business, while the same is travelling to or from the site of such lawful non-conforming business but is not engaged in the transport of materials or any other things to or from the site.

Order of Engineer

90. Where the Engineer has ordered closure of, or restricted the load carried on a highway, portion of highway or series of connected highways and placed signs to that effect, no person shall drive or operate a vehicle contrary to that order or contrary to the signs.

Overweight Vehicles

91. (1) No person shall:
 - (a) Drive a vehicle on a highway;
 - (b) Suffer or allow or require another person to drive a vehicle on a highway;
 - (c) Load a vehicle to drive on a highway; or
 - (d) Suffer or allow or require another person to load a vehicle to drive on a highway, if:
 - (a)(i) the gross vehicle weight of the commercial vehicle exceeds its licensed gross vehicle weight;
 - (b)(i) the weight of an axle, group of axles or axle unit exceeds the weight permitted by the regulations;
 - (c)(i) the dimensions of the commercial vehicle do not conform to the regulations:
 - (i) with load included; and

- (ii) without load;
 - or
 - (d)(i) the distances between the axles, group of axles or axle units do not conform to the regulations.
- (2) A person who contravenes a provision of this section commits an offence, and is liable, on summary conviction:
- (a) for a contravention under subsection (1)(d)(c)(i) or (1)(d)(d)(i) (oversize vehicle or load) a fine of not less than \$200.00, and not more than \$500.00.
 - (b) for a contravention under subsection (1)(d)(a)(i) or (1)(d)(b)(i) (overweight vehicle or load) or for a contravention under subsection 83(3) for overweight on a towing dolly, a fine of \$200.00 plus:
 - (i) \$10.00 for each 100 kilograms or part thereof, up to 3,000 kilograms;
 - (ii) \$20.00 for each 100 kilograms or part thereof, from 3001 kilograms up to 5000 kilograms;
 - (iii) \$50.00 for each 100 kilograms or part thereof, greater than 5000 kilograms; of the gross weight in excess of that allowed by the regulations or permit.
 - (c) Every contravention of this section constitutes a separate and distinct offence.
- (3) For the purpose of this section, regulations means a regulation under the *Commercial Transport Act*, R.S.B.C. 1996, c. 58 as amended.

Part VIIA

Penalties

92. (1) Any person who contravenes, suffers or permits any act or thing to be done in contravention of, or neglects to do or refrains from doing anything required to be done pursuant to any provision of this By-law or any permit or order issued pursuant hereto, commits an offence punishable on summary conviction, and except where specifically provided in Schedule A to this By-law, shall be liable to a fine of not less than ~~\$100.00~~**\$200.00**, but not exceeding ~~\$2,000.00~~**\$50,000.00**.
- (2) Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.
 - (3) This section shall not apply to an offence under any section of this By-law where specific reference is made in that section to an offence and penalty.
 - (4) If the person on whom a violation ticket has been served does not dispute the allegation or the amount of the fine contained in the ticket or otherwise fails to respond to a ticket under the provisions of the *Offence Act*, R.S.B.C. 1996, c. 338, as amended, an administrative fee of \$35.00 plus applicable taxes shall be added to the amount of the fine contained in the ticket.
 - (5) Prosecution of a person for an offence under this By-law does not exempt any person from the application of, or obligation to comply with, other applicable provisions of this By-law, including the forfeiture of securities or revocation or suspension of a permit issued pursuant to this By-law or any other City by-law.

Part VIII
All Terrain Vehicle Regulations

Regulations

93. This section shall not apply to equipment or the operators of same being used by the Surrey Fire Service as part of any duties associated therewith.
94. No person shall operate an all terrain vehicle on a highway unless it is licensed, insured and equipped in all respects as a motor vehicle pursuant to the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended, and the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58, as amended.
95. No person shall drive or operate a snowmobile on a highway unless he is the holder of a permit, signed by the Engineer, authorizing the operation and subject to the limitation and conditions set out therein.
96. No person shall drive or operate an all terrain vehicle between one-half hour after sunset to one-half hour before sunrise unless the vehicle is equipped pursuant to Sections 4.02, 4.07 and 4.09 of the *Motor Vehicle Act Regulations*, B.C. Reg. 26/58, as amended.

Operation of All Terrain Vehicles

97. No person shall operate an all terrain vehicle:
 - (1) in a careless, reckless or negligent manner so as to endanger or cause injury or damage to a person or property of another;
 - (2) in a tree nursery or planting, in a manner that may damage or destroy growing stock;
 - (3) on the tracks or right-of-way of an operating railroad;
 - (4) on private property without the consent of the owner, lessee or occupant of it; or
 - (5) in such a manner as to drive, harass, chase, run over, injure or kill wildlife or a domestic animal.

Part VIIIA
Additional Regulations

Motorcycle Helmets

98. A person who operates or rides as a passenger on an all terrain vehicle without properly wearing a motorcycle helmet commits an offence.

Extraordinary Traffic

99.
 - (1) Where in the opinion of the Engineer, any highway is liable to damage or concern for safety through extraordinary traffic thereon, the 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.
 - (2) Every person driving on or using the highway in contravention of a regulation, limitation, or prohibition of the Engineer commits an offence and shall be liable, on summary conviction, to a fine of not less than \$100.00 and not more than \$2,000.00.
 - (3) Any person to whom this section might otherwise apply, may, with the approval of the Council, enter into an agreement for the payment to the City compensation in respect of any damage or expense which may, in the opinion of the Engineer, be caused by extraordinary traffic, and thereupon that person shall not in respect of that traffic be subject to any prohibition or penalty prescribed by this section.

- (4) The Engineer may close to traffic or use any highway at such time and for such period of time and in respect of such classes of traffic or use as in his opinion, may be necessary for the construction or protection of any highway or other public work, or for the protection of persons using the highway or to enable permitted traffic to be handled safely and expeditiously.

Part IX

Vehicle Equipment Regulations

100. A person shall not drive or operate a motor vehicle or trailer on a highway unless it is equipped in all respects in compliance with the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended, and the *Motor Vehicle Act Regulations*, Reg. 26/58, as amended.

Part X

Repeal

101. The following by-laws are hereby repealed:

Highway and Traffic By-law, 1976, No. 4860.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1978, No. 5633.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1979, No. 5889.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1982, No. 7088.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1982, No. 7256.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1982, No. 7276.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1985, No. 8158.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1985, No. 8285.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1990, No. 10402.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1992, No. 11445.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1993, No. 11851.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1993, No. 11901.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1993, No. 12108.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1994, No. 12295.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1994, No. 12506.

Highway and Traffic By-law, 1976, No. 4860, Amendment By-law, 1994, No. 12518.

Part XI

Short Title

102. This By-law may be cited for all purposes as the "Highway and Traffic By-law, 1997, No. 13007."

Part XII
Effective Date

103. This By-law shall take effect on the date of Final Adoption hereof.

PASSED THREE READINGS ON the 27th day of January, 1997.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 17th day of February, 1997.

"D.W. McCALLUM" MAYOR

"D.B. KENNY" CLERK

SCHEDULE A
FINE SCHEDULE

As amended by By-law Nos: 13042, 07/21/97; 13210, 09/08/97; 13562, 11/02/98; 13832, 10/04/99; 14619, 01/28/02; 15155, 11/03/03; 15767, 06/20/05; 15976, 04/03/06; 16478, 11/19/07; 16525, 01/14/08; 16853, 01/19/09; 17109, 01/25/10; 18304, 10/20/14; 18404, 02/23/15; 18978, 12/19/16; 19424, 12/18/17

The indicated penalties for alleged offences committed against this By-law are as follows:

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
7(2)	Disobey traffic control device		\$160.00
7(3)	Damage traffic control device		\$105.00
7(4)	Remove notice from vehicle	\$45.00	\$65.00
8(1)	Disobey stop sign - stop line		\$160.00
8(2)	Disobey stop sign - crosswalk		\$160.00
8(3)	Disobey stop sign - no stop line/crosswalk		\$160.00
9	Stunting		\$105.00
10(1)	Unnecessary noise from vehicle	\$105.00	\$160.00
10(2)	Loud car stereo	\$105.00	\$160.00
10(3)	Other unnecessary noise from vehicle	\$105.00	\$160.00
11	Racing		\$260.00
12(1)	Due care and attention	\$160.00	\$210.00
12(2)	Reasonable consideration for others	\$160.00	\$210.00
12(3)	Speed relative to conditions		\$160.00
13(1)	Fail to yield to pedestrian - green light		\$160.00
13(2)	Fail to yield to vehicle - green light		\$160.00
14(1)	Yellow light at intersection		\$160.00
14(2)	Yellow light - no intersection		\$160.00
15(1)	Red light at intersection		\$160.00
15(2)	Fail to yield - right turn - red light		\$160.00
15(3)	Fail to yield - left turn - red light		\$160.00
15(4)	Red light - no intersection		\$160.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
16(1)	Disobey green arrow		\$160.00
16(2)	Fail to stop - yellow arrow		\$160.00
17(1)	Red flashing light at intersection		\$160.00
17(2)	Red flashing light - no intersection		\$160.00
17(3)	Yellow flashing light at intersection		\$160.00
17(4)	Yellow flashing light - no intersection		\$160.00
17(5)	Fail to yield at green flashing light		\$160.00
18	Drive over newly painted lines		\$105.00
19(1)	Unsafe lane change		\$135.00
19(2)	Lane change solid line		\$105.00
19(3)	Change lanes without signal		\$105.00
19(4)	Left turn from wrong lane		\$105.00
19(5)	Right turn from wrong lane		\$105.00
19(6)	Illegal pass on laned roadway		\$105.00
20(1)	Pass on right		\$105.00
20(2)(a)	Unsafe pass on right		\$135.00
20(2)(b)	Pass on right off roadway		\$105.00
21(1)	Disobey traffic sign or signal		\$160.00
21(2)	Disobey traffic sign or signal		\$160.00
22	Improper left turn - no intersection		\$135.00
23	Improper right turn - no intersection		\$135.00
24(1)	Unsafe U-turn		\$135.00
24(2)(a)	U-turn crest of a grade		\$135.00
24(2)(b)	U-turn vision is obstructed		\$135.00
24(2)(c)	Prohibited U-turn		\$160.00
24(2)(d)	U-turn - intersection		\$135.00
24(2)(e)	U-turn - business district		\$135.00
25	Unsafe start		\$135.00
26(1)	No signal on turn		\$135.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
26(2)	Inadequate signal on turn		\$135.00
27(2)	Drive vehicle without signal device		\$135.00
28	Fail to yield		\$160.00
28	Disobey yield sign		\$160.00
29	Fail to yield on left turn		\$160.00
29	Fail to yield to left turn vehicle		\$160.00
30(1)	Fail to yield after stop		\$160.00
30(2)	Fail to yield to vehicle leaving stop		\$160.00
31(1)	Emerging vehicle fail to stop		\$160.00
31(2)	Emerging vehicle fail to yield		\$160.00
32(1)	Fail to stop at railway crossing		\$160.00
32(1)	Leaving railway crossing unsafely		\$160.00
32(2)	Drive past railway crossing gate		\$160.00
32(3)	Commercial vehicle - no stop at railway		\$160.00
32(4)	Fail to proceed with caution at railway crossing		\$160.00
33	Reverse into intersection		\$135.00
33	Reverse when unsafe		\$135.00
34(1)	Operate motorcycle - not on seat		\$135.00
34(2)	Permit unlawfully seated passenger		\$135.00
34(3)	Operate motorcycle over 2 abreast		\$135.00
35	Follow fire truck too closely	\$80.00	\$135.00
35	Park near fire truck	\$80.00	\$135.00
36	Drive over fire hose	\$80.00	\$135.00
37	Drive on sidewalk	\$160.00	\$210.00
38	Open door while unsafe	\$80.00	\$135.00
38	Open door longer than necessary	\$80.00	\$135.00
39	Disobey flagperson		\$210.00
40	Slow driving		\$135.00
41(1)	Speed in municipality		\$160.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
41(2)	Speed against municipal sign		\$160.00
41(3)	Speed on municipal laneway		\$160.00
42	Speed in school zone		\$160.00
43	Speed in playground zone		\$160.00
44	Fail to stop for school bus		\$210.00
45(1)	Fail to keep right		\$160.00
45(2)	Slow vehicle not on right		\$160.00
46	Pass when meeting oncoming vehicle		\$160.00
47(1)	Cross solid double line		\$160.00
47(2)(a)	Fail to keep right of double broken/solid line		\$160.00
47(2)(b)	Cross solid broken line		\$160.00
47(3)	Fail to keep right of single broken/solid line		\$160.00
48(1)(a)	Fail to pass at safe distance		\$160.00
48(1)(b)	Fail to complete pass safely		\$160.00
48(2)(a)	Fail to yield to passing vehicle		\$160.00
48(2)(b)	Increase speed while being passed		\$160.00
49	Unsafe pass on left		\$160.00
50	Pass without clear view		\$160.00
51(1)	Follow too closely		\$160.00
51(2)	Commercial vehicle - follow too close	\$160.00	\$210.00
52(1)	Drive over highway barrier		\$160.00
52(2)	Fail to keep right on divided highway		\$160.00
53(1)	Enter controlled access highway		\$160.00
53(2)	Leave controlled access highway		\$160.00
54(1)	Improper right turn		\$135.00
54(2)	Improper left turn - traffic both directions		\$135.00
54(3)	Improper left turn - traffic one direction		\$135.00
54(4)	Improper turn - disobey traffic control device		\$160.00
54(5)	Improper turn at intersection		\$135.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
54(6)	Improper turn at rotary traffic island		\$135.00
55	Fail to yield for emergency vehicle		\$210.00
56(1)	Fail to yield to pedestrian		\$160.00
56(2)	Pass vehicle yielding for pedestrian		\$210.00
56(3)	Disobey school guard/patrol		\$210.00
57	Unlawful engine brake		\$210.00
58(1)	Illegible plate		\$210.00
58(2)	Operate vehicle with obscured license plate		\$210.00
58(3)	Operate vehicle with device for obscuring license plate		\$210.00
58.1(1)	Prohibited idling	\$55.00	\$80.00
59(2)(b)	Pedestrian entering roadway	\$80.00	\$105.00
60(1)	Pedestrian disobey yellow light	\$80.00	\$105.00
61	Pedestrian disobey red light	\$80.00	\$105.00
62(2)	Disobey pedestrian traffic control signal	\$80.00	\$105.00
63(1)	Fail to use crosswalk at intersection	\$80.00	\$105.00
63(2)	Fail to use crosswalk - no intersection	\$80.00	\$105.00
64(1)	Impede traffic on highway	\$80.00	\$105.00
64(2)	Impede traffic on sidewalk	\$80.00	\$105.00
65(1)	Pedestrian fail to yield right-of-way	\$80.00	\$105.00
65(2)	Fail to yield to pedestrian in crosswalk		\$160.00
65(3)	Pedestrian disobey traffic control device	\$80.00	\$105.00
65(4)(a)	Jaywalking	\$80.00	\$105.00
65(4)(b)	Pedestrian on roadway - sidewalk available	\$80.00	\$105.00
65(4)(c)	Pedestrian on roadway - no sidewalk	\$80.00	\$105.00
65(4)(d)	Careless pedestrian on highway	\$80.00	\$105.00
65(4)(e)	Careless pedestrian in crosswalk	\$80.00	\$105.00
65(5)	Solicit ride or business	\$80.00	\$105.00
65(6)	Sledding, etc. on roadway		\$105.00
66(2)(a)	Ride cycle on sidewalk	\$80.00	\$105.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
66(2)(b)	Ride cycle on crosswalk	\$80.00	\$105.00
66(2)(c)	Fail to ride cycle on right	\$80.00	\$105.00
66(2)(d)	Cyclist riding abreast	\$80.00	\$105.00
66(2)(e)	Cyclist riding without using handlebars	\$80.00	\$105.00
66(2)(f)	Cyclist not astride seat	\$80.00	\$105.00
66(2)(g)	Cyclist carrying too many persons	\$80.00	\$105.00
66(2)(h)	Cyclist on highway where prohibited	\$80.00	\$105.00
66(2)(i)	Cycle without required bicycle helmet	\$80.00	\$105.00
66(3)	Permit cycling without required bicycle helmet	\$80.00	\$105.00
66(5)	Cycle attached to vehicle		\$160.00
66(6)	Careless cycling		\$160.00
66(6)	Cycle without reasonable consideration		\$160.00
66(7)	Ride cycle without lights	\$60.00	\$160.00
67(1)	Fail to deposit fee	\$40.00	\$55.00
67(2)	Remetering	\$40.00	\$55.00
67(3)	Parking meter expired	\$40.00	\$55.00
67.1(4)	Fail to pay fee	\$40.00	\$55.00
67.1(5)	Purchased time expired	\$40.00	\$55.00
67.1(6)	Parking time exceeded	\$40.00	\$55.00
68(1)	Park on left side	\$40.00	\$55.00
68(1)	Park too far from curb	\$40.00	\$55.00
68(2)(a)	Unsecured motor vehicle	\$80.00	\$105.00
68(2)(b)	Fail to turn front wheels when parked on grade	\$80.00	\$105.00
68(3)	Park obstructing traffic	\$80.00	\$105.00
68(4)	Improper angle parking	\$65.00	\$85.00
68(4.1)	Improper reverse angle parking	\$65.00	\$85.00
68(5)	Fail to display valid number plates	\$80.00	\$105.00
68(7)	Park closer than 1 metre to parked vehicle	\$40.00	\$55.00
68(8)	Leave less than 3 metres of roadway	\$80.00	\$105.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
69(1)	Park on boulevard	\$55.00	\$80.00
69(1.1)	Parking on sidewalk	\$80.00	\$105.00
69(1.2)	Parking on curb	\$40.00	\$55.00
69(2)	Block driveway	\$55.00	\$80.00
69(2.1)	Block walkway	\$55.00	\$80.00
69(3)	Park in intersection	\$55.00	\$80.00
69(4)	Park near hydrant	\$55.00	\$80.00
69(5)	Park on crosswalk	\$55.00	\$80.00
69(6)	Park near crosswalk	\$55.00	\$80.00
69(7)	Park near traffic control device	\$55.00	\$80.00
69(8)	Park near railway crossing	\$55.00	\$80.00
69(9)(a)	Park displayed for sale	\$60.00	\$90.00
69(9)(b)	Park for repair or wrecking	\$55.00	\$80.00
69(9)(c)	Park displaying signs	\$55.00	\$80.00
69(9)(d)	Park selling goods	\$55.00	\$80.00
69(10)	Park obstructing traffic at construction site	\$55.00	\$80.00
69(11)	Double parking	\$55.00	\$80.00
69(12)	Park on bridge or in tunnel	\$160.00	\$210.00
69(13)	Parking in No Parking Zone/Restricted Parking Zone	\$40.00	\$55.00
69(14)	Park obstructing visibility of traffic control device	\$80.00	\$105.00
69(15)	Angle parking - excessive vehicle length	\$55.00	\$80.00
69(16)	Park at bus stop	\$55.00	\$80.00
69(17)	Park too close to intersection	\$40.00	\$55.00
69(17.1)	Park too close to intersection	\$40.00	\$55.00
69(19)	Park blocking opposite driveway	\$40.00	\$55.00
70	Park beyond 72 hours	\$55.00	\$80.00
71	Park in loading zone	\$40.00	\$55.00
72	Park in disabled zone without permit	\$105.00	\$160.00
74(3)	Disobey direction of peace officer/fire-fighter/BLEO		\$210.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
75(1)	Litter on highway		\$210.00
76(1)	Abandon container or vehicle		\$210.00
77(1)	Driver fail to correctly state name		\$160.00
77(2)	Pedestrian or cyclist fail to correctly state name		\$160.00
78(1)	Obstruction without permit/warning		\$210.00
78(2)	Place material on highway		\$210.00
78(3)	Fail to remove material from highway		\$210.00
78(4)	Interfere with traffic control device		\$210.00
78(5)	Interfere with parade or funeral procession		\$210.00
79	Fail to remove accident debris		\$210.00
80(1)	Fail to remove snow - business	\$55.00	\$80.00
80(2)	Fail to remove snow - residential	\$40.00	\$55.00
80(3)(a)	Fail to remove litter from boulevard	\$40.00	\$55.00
80(3)(b)	Fail to trim grass on boulevard	\$40.00	\$55.00
81(4)(a)	Construct driveway without permit	\$210.00	\$260.00
81(4)(b)	Construct driveway contrary to design	\$210.00	\$260.00
82(1)	Place unauthorized sign on highway	\$105.00	\$160.00
83(3)	Fail to comply with regulations:		
-	No oversize permit		\$260.00
-	Contrary to oversize permit		\$260.00
-	Wheels and tires		\$160.00
-	Weighing of vehicles		\$160.00
-	No overload permit		\$260.00
-	Contrary to overload permit		\$260.00
-	Fail to secure load as required	\$210.00	\$260.00
-	Misuse of overload or oversize permit		\$260.00
-	No axles permit		\$260.00
-	Contrary to axles permit		\$260.00
-	Overweight on towing dolly	As per Section 91(2)	As per Section 91(2)

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
-	No pilot car as required		\$260.00
-	No flags or lamps as required		\$210.00
83.1(1)	Unlawful vending of printed materials	\$105.00	\$160.00
83.1(2)	Unlawful vending of wares	\$105.00	\$160.00
84(1)(a)	Place merchandise on highway	\$210.00	\$260.00
84(1)(b)	Deposit soil/mulch on highway	\$210.00	\$260.00
84(1)(c)	Permit material to slide/fall onto highway from property	\$210.00	\$260.00
84(1)(d)	Drag or skid on highway	\$210.00	\$260.00
84(1)(e)	Cut trees or break up highway	\$210.00	\$260.00
84(1)(f)	Stop or alter drainage of water	\$210.00	\$260.00
84(1)(g)	Place construction/structure on highway	\$210.00	\$260.00
84(1)(h)	Foul a highway	\$210.00	\$260.00
84(1)(i)	Deface highway or structure (graffiti)	\$105.00	\$160.00
84(1)(j)	Animals on highway	\$105.00	\$160.00
84(1)(k)	Construct driveway crossing	\$210.00	\$260.00
84(1)(l)	Damage plants or structures on boulevard	\$210.00	\$260.00
84(1)(m)	Operate vehicle with loudspeaker		\$160.00
84(1)(n)	Illegal parade or procession	\$210.00	\$260.00
84(1)(o)	Construction on highway	\$210.00	\$260.00
84(1)(p)	Obstruct traffic	\$210.00	\$260.00
84(1)(q)	Unauthorized traffic control	\$210.00	\$260.00
85(6)	Fail to obtain/display permit	\$210.00	\$260.00
85(8)	No resident parking only permit	\$40.00	\$55.00
87(1)	Operate heavy truck off of truck route	\$210.00	\$260.00
87.2(3)	Exceed posted weight or dimensional limits	\$210.00	\$260.00
87.3(2)	Fail to produce permit	\$210.00	\$260.00
87.4(3)	Failure to proceed to nearest truck route upon entering City	\$210.00	\$260.00
87.4(4)	Fail to proceed to nearest truck route upon exiting City	\$210.00	\$260.00

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
87.4(5)	Fail to proceed to nearest truck route upon leaving business	\$210.00	\$260.00
87.4(6)	Fail to take most direct access to/from truck park to/from nearest truck route	\$210.00	\$260.00
87.6(1)(a)	Fail to stop for purpose of weighting and inspection	\$210.00	\$260.00
87.6(1)(b)	Fail to proceed to nearest weigh scale	\$210.00	\$260.00
87.6(1)(b)	Fail to produce official registration certificate	\$210.00	\$260.00
87.6(1)(c)	Fail to rearrange or remove load	\$210.00	\$260.00
87.6(2)	Fail to stop		\$260.00
87.7(1)(a)	Load not secured or covered	\$210.00	\$260.00
87.7(1)(b)	Load covering not securely fastened	\$210.00	\$260.00
87.7(1)(c)(i)	Shifting load	\$210.00	\$260.00
87.7(1)(c)(ii)	Escaping load	\$210.00	\$260.00
87.7(1)(d)	Fail to display red flag or lights for projecting load	\$105.00	\$160.00
87.7(1)(e)	Tires not in good order	\$210.00	\$260.00
88(1)(a)	Overlength parked in laneway	\$105.00	\$160.00
88(1)(b)	Overlength vehicle in angle parking spot	\$105.00	\$160.00
88(2)	Heavy commercial vehicle on highway in residential district	\$105.00	\$160.00
88(3)	Heavy commercial vehicle parked 1900 to 0700 hours	\$105.00	\$160.00
88(4)	Trailer parked without motive power	\$105.00	\$160.00
88(5)	Vehicle/commercial vehicle parked containing dangerous goods	\$105.00	\$160.00
89(1)	Heavy truck in residential district after hours	\$210.00	\$260.00
90	Heavy truck on no heavy truck route		\$260.00
91(1)(a)	Exceed licensed gross vehicle weight	As per Section 91(2)(b)	As per Section 91(2)(b)
91(1)(b)	Exceed axle weight permitted	As per Section 91(2)(b)	As per Section 91(2)(b)
91(1)(c)	Exceed load dimension	As per Section 91(2)(a)	As per Section 91(2)(a)
91(1)(c)	Exceed vehicle dimensions	As per Section 91(2)(a)	As per Section 91(2)(a)
91(1)(d)	Non-conforming distance between axles	As per Section 91(2)(a)	As per Section 91(2)(a)

SECTION	DESCRIPTION	PAID BEFORE 7 DAYS	FINE
94	ATV not equipped as required	\$60.00	\$105.00
94	ATV not insured or licensed	\$310.00	\$510.00
95	Snowmobile on highway without permit		\$510.00
96	No lights on ATV when required		\$80.00
97(1)	Careless operation of ATV	as per Court	as per Court
97(2)	Operate ATV in planting area		\$80.00
97(3)	Operate ATV on railroad right-of-way		\$80.00
97(4)	ATV on private property without permission		\$80.00
97(5)	Operate ATV harassing wildlife		\$80.00
98	Operate ATV without required helmet		\$105.00
100	Fail to comply to standards	\$105.00	\$160.00

SCHEDULE B
SCHEDULE OF FEES

Amended B/L 13832, 10/04/99; 14768, 07/22/02; 15976, 04/03/06; 16205, 01/15/07; 17075, 12/14/09; 17317, 01/10/11; 17562, 02/06/12; 17837, 12/17/12; 18130, 01/13/14; 18354, 01/12/15; 18586, 12/14/15; 18978, 12/19/16; 19424, 12/18/17; 19714, 12/19/18; 19980, 12/16/19; 20219, 12/21/20; 20505, 12/24/21

City Road and Right-of-Way Use Permit

- General	\$82.00
- Servicing Agreement	\$111.00
- Inspection ^{1,2}	\$127.00
- Video inspection ^{1,2}	\$206.00
- Video review ^{1,2}	\$41.00
- Shoring	\$422.00
- Hoarding	\$422.00 plus Road Use Fee

Road Use Fee

- Boulevard	\$0.60/m ² /week
- Sidewalk/Pathway	\$1.25/m ² /week
- Parking Lane ³	\$1.50/m ² /week
- Travel Lane Local	\$1.75/m ² /week
- Travel Lane Arterial/Collector	\$2.25/m ² /week
- Covered Walkway Only (no storage above)	\$100.00/month (\$400.00 min. and 30m max. length)

Traffic Obstruction Permit

- General: ⁴	
▪ Arterial/Collector Road	\$323.00
▪ Local Road:	
○ Significant obstruction	\$323.00
○ Minor obstruction	\$74.00

- Servicing Agreement:⁴
 - Arterial/Collector Road \$847.00
 - Local Road:
 - Significant obstruction \$847.00
 - Minor obstruction \$227.00
- Road Closure: \$239.00
- Traffic Control Training: \$206.00
- Storage Containers/Bins: \$133.00
- Filming: \$323.00

Oversize Permit

- Single trip: \$74.00
- Annual permit \$350.00

Heavy Commercial Vehicle Parking Permit \$77.00 per vehicle per month

Pavement Cut

- Permanent repair done by City: \$103.00/m²
- Permanent repair done by Applicant: \$31.00/m²
- Minimum charge: \$625.00

All Land Development Works: Fees collected at execution of Servicing or Mini-Servicing Agreement

Capital Works Projects: Fees included as part of contract

Site Specific Municipal Access Agreement

- Works per site < 20 m: \$2,118.00
- Works per site >= 20 m: \$2,118.00 plus \$15.00/m

¹ Number of inspections required based on scope of work.

² Fee for regular work hours. After-hour fee may apply.

³ Loss of parking revenue will be charged in addition to Road Use Fee.

⁴ For permits with multiple road classifications, fees based on highest road classification.

All fees are subject to applicable taxes.

SCHEDULE C
TRUCK ROUTES

**As amended by By-law Nos: 13605, 12/14/98; 13832, 10/04/99; 13938, 02/14/00;
14144, 11/06/00; 16853, 01/19/09; 16940, 05/25/09**

Each of the following portions of a highway or series of connected highways is hereby designated as a "Truck Route":

- 8 Avenue between 160 Street and Highway #15
- 16 Avenue between 128 Street and 196 Street
- 32 Avenue between 152 Street and 176 Street (after December 31, 2001)
- 32 Avenue between 176 Street and 196 Street
- 32 Avenue Diversion between the King George Highway and 152 Street
- 64 Avenue between King George Highway and 152 Street
- 72 Avenue between Scott Road and 152 Street
- 80 Avenue between Scott Road and the King George Highway
- 88 Avenue between Nordel Way and Highway #15
- 96 Avenue between Scott Road and 160 Street, and between 184 Street and 196 Street
- 96 Avenue between 160 Street and 176 Street
- 104 Avenue between the King George Highway and 160 Street
- 108 Avenue between the King George Highway and Ferguson Diversion (restricted to vehicles less than 3.2 metres in width, inclusive of load)
- 116 Avenue between 126A Street and King Road
- 116A Avenue between King Road and Surrey Road
- 120 Street (Scott Road) between Highway #10 and the King George Highway
- 128 Street between 72 Avenue and 88 Avenue
- 132 Street between 72 Avenue and 88 Avenue
- 132 Street between 88 Avenue and the King George Highway (restricted to the hours of 0700 - 1800 {7:00 a.m. - 6:00 p.m.} daily)
- 140 Street between 96 Avenue and 108 Avenue

152 Street between 16 Avenue and Highway #1

160 Street between the Fraser Highway and Highway #1

176 Street from Barnston Drive East to 104 Avenue

192 Street between 16 Avenue and Highway #10

Barnston Drive East between 176 Street and 184 Street

Bridge Road between Old Yale Road and 112 Avenue

Bridgeview By-Pass (128 Street - 130 Street) between the King George Highway and 116 Avenue

Ferguson Diversion between 108 Avenue and 152 Street (restricted to vehicles less than 3.2 metres in width, inclusive of load)

Fraser Highway between the King George Highway and 196 Street

Highway #1 between the Port Mann Bridge and 196 Street

Highway #10 between Scott Road and 192 Street

Highway #15 between 0 Avenue and Barnston Drive East

Highway #99 between 120 Street and 8 Avenue

Industrial Road between 112 Avenue and 126A Street

King George Highway between 8 Avenue and the Pattullo Bridge

King Road between 116 Avenue and 116A Avenue

Langley By-Pass between 192 Street and 196 Street

Old Yale Road between River Road and Scott Road

River Road between 96 Avenue and South Fraser Way

South Fraser Way between River Road and Old Yale Road

Tannery Road between River Road and Scott Road

Nordel Way between Scott Road and 88 Avenue

**Proposed Amendments to
Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480**

The following amendments are proposed to the Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480, as amended:

1. In Section 83 delete "\$50" and replace it with "\$200".
2. In Section 83 delete "\$2,000" and replace it with "\$50,000".
3. In Section 83 delete the following in its entirety " , or to a term of imprisonment not exceeding three (3) months, or both".

CITY OF SURREY

BY-LAW NO. 13480

Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998
.....

As amended by By-law No. 15780, 07/11/2005; 16987, 07/27/09; 17392, 05/09/11; 19216, 05/08/17

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

- (a) WHEREAS the Council of the City of Surrey is empowered to make rules and regulations governing the management, maintenance, improvement, operation, conservation, control and use of property held by the City for pleasure, recreation or community purposes;
- (b) AND WHEREAS the general welfare of the community is enhanced by the availability and efficient use of pleasure, recreation and community use property within the City;
- (c) AND WHEREAS the Council of the City of Surrey has delegated to the General Manager, Parks, Recreation and Culture Department certain specific administrative powers of the Council relating to property held for pleasure, recreation and community purposes;

Under its statutory powers, including Part 2 of the *Community Charter*, S.B.C. 2003, c.26, the Council of the City of Surrey enacts the following provisions:

INTENT OF BY-LAW

- (a) to make rules and regulations to ensure that the best use is made of all parks, recreation and cultural facilities within the City; and

- (b) to empower the General Manager, Parks, Recreation and Culture to carry out the intent of this By-law.

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Part 1
Introductory Provisions

Title

1. This By-law may be cited as "Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480."

Definitions

2. In this By-law,

"Bathing Beach"

means any beach within a park normally used for swimming and similar aquatic exercises or for sun bathing.

"Activated e-cigarette"

means an e-cigarette in which an e-substance is being vapourized.

"Boulevard"

includes any portion of any road, street or highway which has been sodded, seeded or otherwise improved and maintained by the Parks, Recreation and Culture Department.

"City"

means the City of Surrey.

"Community Charter"

means the *Community Charter*, S.B.C. 2003, c.26, as amended.

"Driveway", "Roadway", "Path" or "Lane"

includes any way or thoroughfare within a park set apart and improved by grading, gravelling or other means for the use of pedestrian, vehicular or animal traffic.

"e-cigarette"

means the following:

- (a) a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vapourizing an e-substance for inhalation or release into the air;

- (b) a product or device similar in nature or use to a product or device described in clause (a).

"e-substance"

means a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine.

"General Manager"

means the General Manager, Parks, Recreation and Culture Department for the City, or designate.

"Liquor"

means liquor as defined in the *Liquor Control and Licensing Act*, R.S.B.C. 1996, c. 267, as amended.

"Park"

includes:

- (a) every public park, open space, playground, urban forest (including all driveways, roadways, paths and lanes within a public park, playground or urban forest), beach, boulevard, swimming pool (whether indoor or outdoor), water playground, wading pool, ice arena, community centre, art gallery, museum, arena, exhibition building, cemetery, marina, and all other community recreational or cultural facilities owned or controlled by the City; and

- (b) any real property acquired and held by the City and dedicated and reserved by it for the use, recreation or enjoyment of the public.

"Person"

includes natural persons of either gender, associations, corporations, bodies politic and partnerships, whether acting by themselves or by an agent, employee, or servant and the heirs, executors, administrators, successors and assigns or other legal representatives of such persons.

"Smoke" or "Smoking"

means to inhale, exhale, burn or carry:

- (a) a lighted cigarette, cigar, pipe, hookah pipe or other lighted smoking equipment that burns tobacco or other weed or substance; or
- (b) an activated e-cigarette.

"Swimming Pool"

includes any swimming pool, whether indoor or outdoor, or any water playground within a park.

"Vehicle"

includes all forms of conveyance for the carriage or transport of persons, passengers, goods or materials, whether drawn by animals or propelled by any mechanical device or other motive power whatsoever, and shall include bicycles, motorcycles, tricycles, rollerblades, skateboards and boats.

Part 2
Grant of Powers

Accept and Hold Property

3. Subject to the restrictions and requirements of the *Community Charter*, the City is hereby authorized and empowered to accept and to hold any real or personal property within the City for pleasure, recreation or community uses of the public.

Powers of General Manager

4. The General Manager shall, in addition to the responsibilities imposed upon him or her pursuant to this By-law, enforce and exercise all duties and powers which relate to any park and are imposed pursuant to any other by-law of the City and shall exercise those powers of collecting monies, rentals and admission fees and charges prescribed in such by-laws.
 - 4.1. Without limiting Section 4 or any other provision in this By-law, the General Manager may:
 - (a) make rules for the administration, management, control and protection of a park and the natural resources in a park;
 - (b) make rules prohibiting or regulating and controlling the time, place and manner in which animals may be permitted in any park;
 - (c) make rules regulating and controlling persons and their activities or use of a park or park facilities including prohibiting or regulating and controlling the actions, activities, conduct and behaviour of any person; and
 - (d) design, construct, modify and post signs in or around a park.

Part 3
Application

Parks

5. Every park, subject to the trusts, dedications and reserves under which the park has been acquired and is being held by the City, shall be subject to the provisions of this By-law and the General Manager shall be responsible for enforcing its provisions.

Additional Facilities

6. The General Manager is hereby authorized and empowered and, subject to the limitations and requirements of the *Community Charter*, to acquire, construct, equip, operate and maintain such additional public recreational, cultural and community facilities within any park. All such additional facilities shall be included in the definition of "park" and shall be subject to all provisions and regulations of this By-law.

Exemption

7. The restrictions of this By-law shall not apply to employees, agents, contractors and volunteers of the City engaged in the performance of their duties.

Part 4
General Regulations

Advertising

8. No person shall deliver, distribute, post, paint or affix any advertisement, promotional material, poster, bill or advertising within a park without the prior written permission of the General Manager.

After Dark

9. No person shall enter, occupy or remain within a park between dusk of one day and dawn of the immediately following day.

Aircraft

10. No person shall land or launch an aircraft within, into or from a park without the prior written permission of the General Manager.

Boats

11. No person shall use any boat, motor boat, sea sled or other contrivance or thing on a pond, lake, stream, creek or any other waterway within a park without the prior written permission of the General Manager or unless otherwise posted.

Construction

12. No person shall erect, construct, place or cause to be erected, constructed or placed, any building, shelter, pavilion or other permanent construction whatsoever any place within a park without the prior written permission of the General Manager.
13. No person shall erect, construct, place or cause to be erected, constructed or placed, any tent, trailer, mobile home, portable shelter, contrivance, device or other construction whatsoever any place within a park without the prior written permission of the General Manager.
14. Any person who receives written permission pursuant to Section 12 or Section 13 shall post a copy of such permission conspicuously at the construction site.

Damage

15. No person shall within a park:
- (a) remove, cut, break, injure or in any way destroy or damage any animal, tree, shrub, plant, turf, sod, or flower;
 - (b) cut or remove any tree, timber or firewood;
 - (c) damage or deface any building, structure, fence, sign, seat, bench or ornament;
 - (d) damage, deface, clutter or block any boulevard, driveway, roadway, path or lane;
 - (e) injure, deface or destroy any notice, sign, rule or regulation posted or affixed to anything by order or permission of the General Manager;
 - (f) climb, walk or sit upon any wall, fence or other structure unless it is designed and intended for such purpose;
 - (g) cross, travel on, use or walk upon any area where signs have been posted forbidding such use; or
 - (h) place, plant, or introduce any plant or animal into a park without the prior written permission of the General Manager.
16. No person shall wilfully or maliciously let off, turn on, or discharge any water so that the water runs to waste and useless out of any reservoir, pond, lake, tap, pipe or other fixture within a park.

Encroachment

17. No person shall encroach upon or partition any lands within a park for his or her own purposes.

Fires and Smoking

18. No person shall make or set a fire within a park without the prior written permission of the General Manager, other than a self-contained barbecue in an area designated and posted for such purpose by the General Manager.

19. No person shall throw or place upon the ground within a park any lighted match, cigar, cigarette or other burning substance.
- 19.1 No person shall smoke within a park except in an area designated and posted for such purpose by the General Manager.

Interference

20. No person shall wilfully or maliciously hinder, deter, or interrupt, or cause to be hindered, deterred or interrupted the General Manager, the employees, agents, contractors or volunteers of the City in the exercise of any of their duties.

Liquor

21. No person shall possess liquor within a park at any time, except where the liquor is possessed pursuant to and in compliance with a license under the *Liquor Control and Licensing Act*, R.S.B.C. 1996, c.267, as amended.

Loitering

22. No person shall loiter or take up temporary abode within a park.

Motorized Toys

23. No person shall fly motorized model aircraft, sail motorized toy boats or drive or propel motorized toy vehicles within a park without the prior written permission of the General Manager unless in an area of a park posted for such purposes.

Nuisance

24. No person shall within a park:
 - (a) behave in a disorderly or offensive manner;
 - (b) molest or injure any other person; or

- (c) interfere with the free use and enjoyment of the park by any other person.

Parachuting

- 25. No person shall parachute or skydive within, into or from a park without the prior written permission of the General Manager.

Regulations

- 26. No person shall violate any rule, regulation, notice, or any order or lawful direction of the General Manager. The General Manager may post precise hours and dates parks will be open to the public and no person shall enter, occupy or remain within a park contrary to those hours and dates.

Sale of Goods

- 27. No person shall sell or expose for sale any refreshments or any article or thing or offer any service for a fee within a park without the prior written permission of the General Manager.

Waste

- 28. No person shall foul or pollute any fountain, lake, stream, pool, well or spring within a park.
- 29. No person shall foul any water within any park and any lake, pool, pond, swimming pool or any other receptacle for water within any park or damage, injure in any way or destroy any of the works, pipes and fittings in connection therewith.
- 30. No person shall deposit any material or debris of any kind within a park without the prior written permission of the General Manager except for normal litter deposited in receptacles designated for such purpose.

31. No person shall remove any material or debris of any kind from a park without the prior written permission of the General Manager.
32. No person shall deposit cremated remains within a park, except in an area designated and posted for such purpose by the General Manager or except as carried out in a City cemetery in accordance with Surrey Cemeteries Regulation By-law, 1993, No. 11840, as amended.

Weapons

33. No person shall carry or discharge any firearm, fireworks, airgun, sling shot, catapult, bows and arrows or other weapon or dangerous toy, or fire or explode any combustible or other explosive material within a park, without the prior written permission of the General Manager.

Wildlife

34. No person shall within a park:
 - (a) fish or angle in any lake or stream without the prior written permission of the General Manager except in an area designated and posted for such purposes by the General Manager;
 - (b) molest, disturb, frighten, injure, trap or snare any bird or animal;
 - (c) feed fish, birds or animals;
 - (d) damage, destroy or disturb nests of birds; or
 - (e) damage, destroy or alter natural area habitats.

Part 5

Playgrounds, Courts and Games

Damage

35. No person shall wilfully, maliciously or carelessly damage or destroy the utility of any court, green, grounds, or lawn, or in any way interfere with or obstruct their free use by those lawfully entitled to their use.

Equipment

36. No person shall play any games on any court, green, grounds or lawn unless wearing appropriate shoes and only with the requisite appliances for such games.

Fees

37. All fees and other charges imposed or designated for the use of any park, court, green, grounds or lawn shall be payable before the commencement of any games unless otherwise specifically arranged for with the General Manager.

Golf

38. No person shall play golf or strike a golf ball within a park other than in an area specifically provided for such purpose.

Hours and Dates of Operation

39. The General Manager may post precise hours and dates playgrounds, tennis courts, lawn bowling areas, or other recreational facilities will be open to the public and no person shall use any facility contrary to those hours and dates.
40. Notwithstanding Section 39, the General Manager may restrict the playing of games on any court, green, grounds or lawn within any park at any time.

Restrictions

41. The General Manager may prescribe rules, regulations, terms and conditions respecting the playing of games within parks and no person shall play any games on any court, green, grounds or lawn except in accordance with those rules, regulations, terms and conditions.

Part 6

Bathing Beaches and Swimming Pools

Applications for Private Rental

42. The General Manager is authorized to receive, review and grant or refuse applications for private rentals for the use of any bathing beach or swimming pool, and may impose terms and conditions on any facility use permit granted for a private rental.

Dress

43. No person shall undress or dress in or adjacent to any bathing beach or swimming pool except in the places specifically provided for that purpose.

Fishing

44. No person shall fish, cast or haul in any net or other fishing contrivance from or adjacent to any bathing beach between May first (1st) and October first (1st) in each year.

Health

45. No person suffering from any contagious or communicable disease shall enter or bathe in any water at any bathing beach or in any swimming pool.

Hours and Dates of Operation

46. The General Manager may advertise precise hours and dates swimming pools will be open to the public and no person shall use a swimming pool contrary to those hours and dates.
47. Notwithstanding Section 46, the General Manager may restrict the use of swimming pools at any time.

Interference

48. No person shall disobey:
 - (a) the lawful command or order of any person having the superintendence, management or control of a bathing beach or swimming pool; or
 - (b) the command of any lifeguard or other person in charge of or superintending any bathing beach or swimming pool.
49. No person shall interfere with, obstruct, impede, hinder or prevent the discharge of the duties of any employee or any attendant, lifeguard or other person engaged in superintending, controlling, instructing or overseeing swimming, bathing or aquatic sports or games at any bathing beach or in any swimming pool.

Litter

50. No person shall litter up, deposit or leave, or cause to be littered up, deposited or left, any matter or thing on any beach within a park or in any adjacent waters.

Nuisance

51. No person shall play ball or any games so as to molest or interfere with or become a nuisance to the general public present at any bathing beach or swimming pool.

52. No person shall loiter or behave in such manner as to be objectionable to other persons or the general public present at or immediately adjacent to any bathing beach or swimming pool.
53. No person shall create any undue disturbance, congregation or alarm that will cause or tend to cause panic, excitement or any hazard, annoyance or interference with other persons or the general public present at or immediately adjacent to any bathing beach or swimming pool.

Part 7

Animals

Dogs

54. No person owning or having custody, care or control of a dog shall allow the dog to be within a park unless the dog is kept on a leash of a maximum length of three (3) metres.
55. Notwithstanding Section 54, the General Manager may designate and post precise locations and hours where a dog may be permitted without a leash within a park. No person owning or having custody, care or control of a dog shall allow the dog to be within a park without a leash contrary to the designated times or outside of the designated areas and where permitted to be off leash, the dog must be under the direct control of a person.
56. The General Manager may designate and post precise locations and dates where dogs are not permitted within a park. No person owning or having custody, care or control of a dog shall allow the dog to be within a park in a designated "no dogs permitted" area.
57. No person owning or having custody, care or control of a dog or any other animal shall allow the dog or other animal to swim or enter into water contained in any reservoir, ocean, lake, pond, swimming pool or other receptacle for water within a park or connected to a park or upon any ice within a park when such water is frozen, except in an area designated and posted by the General Manager for such an activity.

58. No person owning or having custody, care or control of a dog shall allow the dog to deposit excrement within a park unless that person immediately removes the excrement and disposes of it in a sanitary manner.

Horses

59. No person owning or having custody, care or control of a horse shall allow the horse to be upon any beach within a park unless otherwise posted.
60. No person owning or having custody, care or control of a horse shall allow the horse to deposit excrement within a park unless that person immediately removes the excrement and disposes of it in a sanitary manner.
61. No person owning or having custody, care or control of a horse shall allow the horse to be within a park unless the person is in full control of the horse at all times through the use of appropriate equestrian restraint devices.

Other Animals

62. No person owning or having custody, care or control of any animal or fowl shall allow the animal or fowl to run at large within a park or to feed upon any lands within a park without the prior written permission of the General Manager, Parks, Recreation and Culture.
63. No person shall cause or permit any animal to swim in or foul any waters within or adjacent to a park.

Restrictions

64. No person shall ride or drive a horse or other animal within a park except upon a roadway or bridle path designated for horse or animal traffic and in accordance with signs posted by the General Manager, Parks, Recreation and Culture.

Part 8
Vehicles

Parking

65. No person shall park a vehicle within a park other than in a designated area and in accordance with posted signs or as otherwise directed by the General Manager, Parks, Recreation and Culture.

Restrictions

66. No person shall drive or propel or permit to be driven or propelled, any vehicle within a park except upon a driveway, roadway, path, lane or parking area designed for vehicular traffic.
67. No person shall use a vehicle to occupy or travel on any driveway, roadway, path, lane or boulevard within a park where signs have been posted prohibiting such use, occupation or travel.
68. No person shall drive or propel any vehicle within a park in any direction other than in the direction posted and in accordance with the regulations authorized by the General Manager for the respective driveway.
- 68.1 No person shall cycle on a trail or pathway in a manner or at a speed that could cause injury to other persons.

Speed Limit

69. No person shall drive a vehicle within a park at a rate of speed greater than 15 kilometers per hour.

Vehicles for Hire

70. No person shall operate a vehicle for hire within any park for the purpose of taking on or discharging passengers for hire from or to any point within a park without the prior written permission of the General Manager.

Removal

71. In addition to any other penalty provided for in this By-law, any vehicle found within a park in contravention of this By-law is subject to seizure and removal from the park at the expense of the owner or operator of the vehicle.

Exemptions

72. The regulations in this Part 8 shall not apply to:
- (a) invalids' chairs or children's carriages propelled on footwalks provided that they do not interfere with the free use of footwalks by pedestrians;
 - (b) vehicles owned by the City or on behalf of the City; and
 - (c) emergency vehicles as defined in the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as amended.

Part 9

Special Events

Authority to Grant Permits

73. The General Manager is authorized to issue and to grant permits for the use of parks.

Prohibition

74. No person shall hold a procession, march, drill, performance, ceremony, concert, gathering or meeting within a park without a valid permit issued by the General Manager.

Part 10

Permission to Act

Conditions

75. Every person who receives the written permission of the General Manager to act in manner which would otherwise be contrary to the provisions of this By-law shall at all times act in accordance with the conditions imposed by the written permission.

Indemnity

76. Every person who receives the written permission of the General Manager shall indemnify and save harmless the City, and its elected and appointed officials, employees and agents from and against any and all claims, demands, suits or compensation arising, directly or indirectly, from the granting of the permission.

Part 11

Obstructions

Obstructions

77. No person shall use, occupy or travel on any driveway, roadway, path, lane or boulevard within a park in such manner as to obstruct or interfere with its lawful use by any person or traffic.
78. No person shall encumber, obstruct or cause to be encumbered or obstructed in any way any part of a park or any driveway, roadway, path, lane or boulevard within a park without the prior written permission of the General Manager, Parks, Recreation and Culture.

Removal

79. The General Manager, shall have the authority to order the removal, or to remove or cause to be removed, any obstruction or thing placed within a park contrary to the provisions of this By-law.
80. The General Manager is hereby authorized to direct any employee or agent of the City to do every lawful act required to have the obstruction or thing immediately removed from the park.
81. The General Manager shall have the authority to hold and to retain possession of every obstruction or thing until the owner has paid to the City a sum equal to all expenses incurred in the removal and the storage of the obstruction or thing until claimed by the owner.

Part 12

Offences and Penalties

Offences

82. Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention of this By-law or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this By-law shall be liable to the penalties hereby imposed and each day that such violation is permitted to exist shall constitute a separate offence.

Penalties

83. Any person who violates any of the provisions of this By-law shall upon summary conviction, be liable to a penalty of not less than ~~\$50~~**\$200** and not more than ~~\$2,000~~**\$50,000** plus the cost of the prosecution, ~~or to a term of imprisonment not exceeding three (3) months, or both.~~

Part 13
General Provisions

Repealment

84. "Surrey Parks and Recreation Facilities Regulation By-law, 1974, No. 4395", as amended, is hereby repealed.

Commencement

85. This By-law shall come into force on the date of final adoption hereof.

PASSED THREE READINGS on the 6th day of July, 1998.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk and sealed with the corporate seal on the 13th day of July, 1998.

_____ MAYOR

_____ CLERK

<https://surreybc.sharepoint.com/sites/lgllegalgeneral/corporate-reports/2023/proposed-amendments-to-modernize-and-strengthen-penalty-provisions/appendix-iv-by-law-13480-03102023.docx>

Further Discussion on Proposed Amendments to the Subject Bylaws**DISCUSSION**

The Amendments to the *Surrey Zoning By-law, 1993, No. 12000* (the "Zoning By-law"), *Surrey Business License By-law, 1999, No. 13680* (the "Business License By-law"), *Surrey Highway and Traffic By-law, 1997, No. 13007* (the "Highway By-law"), and *Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480* (the "Parks By-law") (collectively the "Subject Bylaws") are being proposed for the purpose of increasing their deterrent impact and providing clarity and consistency to the penalty language of the Subject Bylaws.

One way that the City addresses violations of its bylaws is through prosecutions commenced in the Provincial Court of British Columbia. A defendant convicted of a violation of a City bylaw is liable to the penalties set out in the said bylaw. The City's bylaws each contain a penalty provision establishing a minimum fine amount and a maximum fine amount. Some City bylaws also contain imprisonment provisions, including the Zoning By-law and Parks By-law. The *Community Charter* prescribes that a bylaw may have a maximum fine amount upon conviction of \$50,000 and a term of imprisonment not more than six (6) months. The *Community Charter* does not prescribe a minimum fine amount.

Following a conviction in a bylaw prosecution, the Court will issue a sentence including a fine amount, falling somewhere within the penalty range set out in the bylaw. In 2023, a maximum fine amount of \$2,000 and a minimum fine amount of \$50 or \$100 is inadequate to address many contraventions of the Subject Bylaws. An increase to both the minimum and maximum fine amounts is necessary to increase the deterrent impact of Surrey's bylaws and to signal to the Courts that bylaw violations warrant more than nominal fines.

An amendment to the Subject Bylaws increasing the maximum and minimum fine amounts will make consequences clearer, reduce the number of cases in which the Court issues ineffective fines, while also bringing consistency to the penalty provisions. Increasing the maximum fine amount of the Business License By-law, Highway By-law and Parks By-law will bring them in line with the maximum fine in the Zoning By-law that was increased to \$50,000 in *Surrey Zoning Bylaw, 1993, No. 12000, Text Amendment Bylaw, 2021, No. 20300* (the "Zoning Amendment Bylaw"). The minimum fine amount was not increased in the Zoning Amendment Bylaw. Accordingly, increasing the minimum fine amount in each of the Subject Bylaws to the same amount, including the Zoning By-law, will further the goal of bringing consistency to the penalty provisions of the Subject Bylaws and create a higher floor for fine amounts that increases deterrence and also accounts for the effects of inflation over time.

Although imprisonment is referenced in some of Surrey's bylaws, including the Zoning By-law and the Parks By-law, Courts do not issue a prison term for a bylaw offence on first instance. Therefore, references to imprisonment in Surrey's bylaws provide no value and hinder prosecutions, as they engage additional rights under the *Charter of Rights and Freedoms* which complicates how matters are scheduled before the Courts. For repeated bylaw breaches, the Court can sentence an accused to imprisonment through the provisions of the *Community Charter* without imprisonment being referenced in the bylaw.