



City of PARKSVILLE

PO Box 1390, 100 E. Jensen Avenue, Parksville, BC V9P 2H3
Telephone: (250) 248-6144 Fax: (250) 248-6650
www.parksville.ca

COUNCIL MEETING AGENDA

MONDAY, FEBRUARY 16, 2009 - 1:00 P.M.

1. ADOPTION OF MINUTES

- a) of the regular meeting of Council held February 2, 2009 - Pages 1 to 5

Recommendation: THAT the minutes of the regular meeting of Council held February 2, 2009 be adopted.

2. APPROVAL OF AGENDA

3. PRESENTATIONS

4. DELEGATIONS

- a) Mike Bourcier, Executive Director - Parksville and District Chamber of Commerce - The "Alphabet Walk" Project (PowerPoint Presentation) - Page 6
The Parksville & District Chamber of Commerce (PDCC), in partnership with the Building Learning Together (BLT) Coalition and the Qualicum Beach Chamber of Commerce (QBCC) is introducing to Council, for their consideration, the consent of an "Alphabet Walk".

The "Alphabet Walk" project would see 26 benches being strategically placed in the core centres of Parksville (16 benches – A to P) and Qualicum Beach (10 benches – Q to Z). These benches would be labeled from A to Z and painted by local artists within the framework of "Children Storybooks".

When people visit with their kids, the children will receive a "passport" displaying all the benches drawings as a coloring book. The passport will also have a spot for a stamp, which will be available in a location adjacent to each bench. The holder of the completed passport (all 26 or the 16 in Parksville and the 10 in Qualicum Beach) will be given a brick. These bricks can be colored and the name of the child can be posted on the brick, which will then be stacked in a given location in each community. These will form a brick wall and become permanent structures...creating the legacy.

5. UNFINISHED BUSINESS

6. CORRESPONDENCE

7. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

8. REPORTS

a) Committee of the Whole - February 9, 2009 - Page 7

The following three issues were considered by Council, sitting as Committee of the Whole, on February 9, 2009. The recommendations made at the Committee of the Whole meeting are now being forwarded to Council for approval.

(1) Director of Community Planning - Establish the City's level of Participation in the Provision of Affordable Housing Units

The City is being asked to support a variety of affordable housing initiatives which require some financial participation or concessions from the City. Currently staff does not have a means of evaluating the proposals as a level of City participation has not yet been established by Council.

In the past few months the City has received several requests to provide varying levels of support to a variety of "Affordable Housing" proposals. The support requested includes the provision of land and/or the low cost lease of land, waiving of development cost charges (DCCs) and other development fees, limitations on servicing requirements, and relaxation of a number of standards including parking, unit sizes, accessibility, sprinkler and landscaping.

Affordable housing, and the concessions being asked for, are all part of a very complex issue that should not be addressed in isolation from the other applications or the multitude of other issues facing the City.

Recommendation: THAT the report from the Director of Community Planning dated January 26, 2009 to establish the City's level of participation in the provision of affordable housing units be received; AND THAT this matter be referred to the Strategic Planning and Budgeting process for direction from Council.

(2) Director of Administrative Services - Communities in Bloom

As a 2006 National Winner, Parksville has been invited to participate in the 2009 National Edition of Communities in Bloom. Communities in Bloom is a Canadian non-profit organization committed to fostering civic pride, environmental responsibility, and the beautification and protection of green spaces. The program consists of communities being evaluated either provincially or nationally by a volunteer jury of trained professionals on the accomplishments of their entire community.

Since the City first entered to the program in 2004 we have won the National Canadian Classic, the provincial and national awards for our population, and were second only to Stratford Ontario last year in the International category for medium sized communities.

Concerns with entering the competitive portion of the program are:

- *The main volunteers of the community in bloom committee have retired and as far as the City knows there is no longer a committee.*
- *The City's current standards won't be altered by not competing. The City work will still be done (the only difference would be no deadlines and no coordination with the volunteer committee).*

Recommendation: THAT the report dated January 30, 2009 from the Director of Administrative Services entitled "Communities in Bloom" be received for information;

AND THAT City enter the Circle of Excellence non-competitive, non-evaluated category for the 2009 National Edition of the Communities in Bloom program at a cost of \$450.00.

(3) Director of Administrative Services - Community Park Concession Lease Agreement for 2009

Each year the City advertises for submission of tenders to provide a food concession service from the City owned building in the Community Park from the Victoria Day weekend until Thanksgiving.

In response to a tender request two proposals were received, each for the same amount. One proposal was from a proponent with previous experience in running the Community Park concession for the 2002 to 2006 seasons and included a more comprehensive submission along with provisions for a more diverse menu. The other proponent has experience in running a number of concessions with different associations and contains what appears to be a commitment to providing a donation to the Ballenas Whalers Football Team.

Recommendation: THAT the report from the Director of Administrative Services dated February 2, 2009 entitled "Community Park Concession Lease Agreement for 2009", be received;

AND THAT the City enter into an agreement with Matt Doran and Joan Hasell for the operation of the Community Park Concession for the 2009 season commencing May 15, 2009 and ending October 14, 2009 with an option to renew for one additional year;

AND FURTHER THAT the Mayor and Director of Administrative Services be authorized to execute the Community Park Concession Agreement on behalf of the City.

b) Director of Administration - 2009 Special Events - Pages 8 to 11

Under the provisions of the City's Special Events Policy organizations proposing to hold an event on municipal property, streets or parks are required to apply for a special events permit. All events covered in the policy must be approved by Council and event organizers must fulfill the requirements outlined in the policy.

Recommendation: THAT the following individuals/organizations be permitted use of the identified areas of the Community Park for special events during the specified times and in the areas outlined in the list of applications attached to the report from the Director of Administrative Services dated February 3, 2009 entitled "2009 Special Events Applications":

The Nature Trust "Brant Wildlife Festival Opening" on March 7, 2009

Parksville Lion's Club 4th Annual International Kite Festival on July 18 and 19, 2009

Coastal Community Credit Union "Employee Beach Day" on July 26, 2009

Oceanside Overdrive Car Show on August 2, 2009

Oceanside KidFest on August 16, 2009

Mowat / Stannard Wedding on August 22, 2009

BC SPCA "Paws for a Cause" on September 13, 2009

AND THAT the following organizations be granted use of the Gazebo in Foster Park:

Regional District of Nanaimo for a Drop In Playground Program on weekdays June 29 to August 21, 2009 inclusive from 8:30am to 3:30pm;

AND THAT the following organizations be permitted use of City property and roads for special events at the specified times and on the roads outlined in the list of applications attached to the report from the Director of Administrative Services dated February 3, 2009 entitled "2009 Special Events Applications":

Ballenas Secondary School "Dry Grad Parade" on May 23, 2009;

BC & Yukon Heart and Stroke Foundation "Big Bike Ride for Stroke" on June 3, 2009;

North & Central Island Association for ALS "2009 Walk for ALS" on June 7, 2009;

Bike for Your Life Vancouver Island Society "Bike Race" on August 9, 2009;

AND FURTHER THAT the approval for each event be granted on condition that the organizers adhere to their signed Terms and Conditions forms.

9. BYLAWS

Bylaws must be given three readings before it is adopted. There must be one day between when it is given third reading and when it is adopted. Note: These two bylaws have been discussed at a previous council meeting.

a) "Traffic Bylaw, 2009, No. 1436" - Pages 12 to 31

The Community Charter gives a municipality ownership of, and jurisdiction over, the roads within its boundaries. Under the provisions of the Charter a municipality has the right, to regulate the roads as a municipal service outlining what uses are permitted, and setting such controls as speed limits and parking time limits. The only roads not under the control of a municipality are private roads within a strata development.

The current City of Parksville Traffic Bylaw No. 269 was originally adopted in 1970, when Parksville was still referred to as a "Village". Although portions of the bylaw have been updated over the years, it is appropriate to replace it with a new bylaw which reflects current requirements. The proposed bylaw is similar to traffic bylaws in other communities

(i) Recommendation: THAT "Traffic Bylaw, 2009, No. 1436" be read a first time.

(ii) Recommendation: THAT "Traffic Bylaw, 2009, No. 1436" be read a second and third time.

b) "Municipal Ticket Information Amendment Bylaw, 2009, No. 1444.1" - Pages 32 to 37

Sections 264 and 265 of the Community Charter provide local governments with the authority to adopt a bylaw that permits designated bylaw officers to issue tickets for bylaw offences. The Community Charter Bylaw Enforcement Ticket Regulation provides limitations on the authority of municipalities to ticket including the types of bylaws for which tickets cannot be issued; who may issue tickets, the formats for the tickets and sets the maximum penalty that may be imposed for a ticket at \$1000.

Upon being issued a municipal ticket information (MTI) ticket a person has 14 days in which to pay the fine and accept liability for the offence, or to notify the City that they wish to dispute the ticket. Disputed tickets are referred to the Provincial Court. At the hearing the Justice will review the ticket and may cancel it, impose a lesser fine if there are mitigating circumstances, or convict the person and impose the penalty if the ticket appears to be in order.

This amendment to the MTI bylaw adds the new Traffic Bylaw to the MTI system by setting the fines for infractions of the bylaw and authorizing staff to enforce the bylaw by writing tickets.

(i) Recommendation: THAT "Municipal Ticket Information Amendment Bylaw, 2009, No. 1444.1" be read a first time.

(ii) Recommendation: THAT "Municipal Ticket Information Amendment Bylaw, 2009, No. 1444.1" be read a second and third time.

10. NEW BUSINESS

a) Appointment of Council Liaisons

The role of a liaison is to keep lines of communication open between Council and the respective committees, societies and groups. A liaison is not a voting member.

Recommendation: THAT the following Council liaison appointments be made to Boards, Commissions and Associations for the period December 8, 2008 to December 7, 2009 inclusive;

AND THAT the role of liaison be to facilitate cooperation and communications between the City and the Boards, Commissions and Associations:

- a) **THAT Councillor S. E. Powell be appointed to the Oceanside Community Arts Council.**
- b) **THAT Councillor M. Lefebvre be appointed to the Old Age Pensioners Association/Seniors Advisory Network.**
- c) **THAT Councillor A. R. Greir be appointed to the Parksville and District Historical Society.**
- d) **THAT Councillor C. J. Powell-Davidson be appointed to the Parksville Downtown Business Association.**

11. NOTICE OF MOTION

At the end of the meeting, members may give notice of their intention to bring forward a certain issue at the next meeting. This enables the other members to familiarize themselves with the issue in the meantime, and it ensures the addition of the motions in the agenda of the next meeting.

- a) Councillor Greir - Budget - From February 2, 2009 Regular Meeting of Council.

Recommendation: THAT staff be instructed to prepare a budget with a 0% increase and no service cuts.

- b) Councillor Burger - Hirst & Craig Street Intersection - From February 2, 2009 Regular Meeting of Council.

Recommendation: THAT staff be directed to upgrade the Hirst Avenue Craig Street intersection from a 2-way stop to a 4-way stop.

- c) Mayor Mayne - Mayor's Charity Golf Tournament - From February 2, 2009 Regular Meeting of Council.

Recommendation: THAT Council endorse the Mayor's Charity Golf Tournament to be held September 11, 2009 at the Morningstar Golf Club.

- d) Councillor Lefebvre - Recycling Council of BC - From February 2, 2009 Regular Meeting of Council.

Recommendation: THAT the City of Parksville join the Recycling Council of BC for an annual membership of \$290.00.

12. SPECIAL BUSINESS (Closed/In Camera)

Depending on the subject matter and in accordance with the Act, Council can decide to discuss the topic in a closed / in camera session. In order to close a meeting to the public, City Council must state by resolution that a closed meeting will be held and state the general nature of the matter to be considered at the closed meeting. The agenda and minutes are confidential; members of the public are not welcome to these meetings.

Pursuant to Sections 90 (1) (c) of the Community Charter Council proceed to a closed meeting to consider an item relating to personnel.

13. ADJOURNMENT

ooOOoo

TO BE ADOPTED

AGENDA
COUNCIL
FEB 16 2009
DATE

4573.

CITY OF PARKSVILLE

February 2, 2009

Minutes of the regular meeting of Council held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, February 2, 2009 at 6:00 p.m.

PRESENT: His Worship Mayor E. F. Mayne

Councillors: C. R. Burger
A. R. Greir
M. Lefebvre
T. C. Patterson
S. E. Powell
C. J. Powell-Davidson

Staff: F. Manson, Chief Administrative Officer
L. Taylor, Director of Administrative Services
G. Jackson, Director of Community Planning

1. **ADOPTION OF MINUTES**

Powell - Lefebvre
09-014 THAT the minutes of the regular meeting of Council held January 19, 2009 be adopted. CARRIED.

2. **APPROVAL OF AGENDA**

Burger - Powell
09-015 THAT the February 2, 2009 Council meeting agenda be approved. CARRIED.

3. **PRESENTATIONS** - Nil

4. **DELEGATIONS**

a) Ron Cantelon, Minister of Agriculture and Michelle Stilwell, Chair of the 10 by 10 Committee gave an update on the 10 by 10 Challenge.

5. **UNFINISHED BUSINESS** - Nil

6. **CORRESPONDENCE**

a) **Regional District of Nanaimo - Northern Community Sewer SA Development Cost Charges Amendment Bylaw No. 1442.02**
Burger - Powell
09-016 THAT the Council of the City of Parksville consents to the adoption of "Northern Community Sewer SA Development Cost Charges Amendment Bylaw No. 1442.02", and the Regional District be notified accordingly. CARRIED.

b) **Parksville Community and Conference Centre - Appreciation for Snow Removal**

09-017 Patterson - Powell-Davidson
THAT the correspondence dated January 19, 2009 from the Parksville Community and Conference Centre regarding snow removal, be received for information. CARRIED.

c) **Vancouver Island Regional Library - Budget and Levy to Members**

09-018 Powell - Patterson
THAT the correspondence from the Vancouver Island Regional Library dated January 14, 2009 regarding library budget and 2009 levy, be received for information. CARRIED.

7. **DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE** - Nil

8. **REPORTS**

a) **Committee of the Whole – January 26, 2009**

09-019 THAT the report of the Committee of the Whole meeting held January 26, 2009 be received and the following recommendations considered:

(1) **Director of Community Planning - Zoning Amendment Application [451, 461 and 465 Hirst Avenue West]**

Patterson - Powell-Davidson
THAT the report of the Director of Community Planning dated December 15, 2008 for the zoning amendment application for 451, 461 and 465 Hirst Avenue West, be received;
AND THAT Council refer the application for Lot 1, Plan 17579 and Lot A, Plan 17962 and Lot 4, Plan 18691, all of District Lot 106, Nanoose District (451, 461, And 465 Hirst Avenue West) for a 41 dwelling unit multifamily residential development to the APC;
AND THAT Council refer the application to a Public Information Meeting;
AND FURTHER THAT Staff report back to Council the results of the Public Information Meeting. CARRIED.

(2) **Director of Community Planning - Amendment to Bridgewater Development Permit Pertaining to Trees**

Burger - Powell
THAT the report from the Director of Community Planning dated January 20, 2009 for the amendment to Bridgewater Development Permit pertaining to trees be received;
AND THAT the Bridgewater Strata Council be requested to consult with the property owners abutting the natural treed buffer on the tree management proposal and report back to Council with a collective recommendation through the Planning Department. CARRIED.

- b) **Manager of Operations - Vandalism / MVA Damage Costs - 2008**
Patterson - Lefebvre
09-020 THAT the report from the Manager of Operations dated January 14, 2009 entitled Vandalism / MVA Damage Cost for 2008, be received for information. CARRIED.
- c) **Manager of Engineering - Core Area Parking Study**
Lefebvre - Powell
09-021 THAT the report of the Manager of Engineering dated January 23, 2009 entitled "Core Area Parking Study", be received;
AND THAT the project be awarded to Boulevard Transportation Group in the amount of \$41,680.00 plus GST. CARRIED.
- d) **Director of Administrative Services - Business Improvement Area**
Burger - Lefebvre
09-022 THAT the report of the Director of Administrative Services dated January 20, 2009 entitled "Business Improvement Area", be received;
AND THAT the Parksville Downtown Business Association be advised that should they wish to proceed with the renewal of the business improvement area, it should be done under section 212 (petition for) of the Community Charter. CARRIED.
- e) **Director of Administrative Services - City of Parksville Traffic Bylaw**
Lefebvre - Powell
09-023 THAT the report from the Director of Administrative Services dated January 19, 2009 entitled "City of Parksville Traffic Bylaw No. 1436" be received for information;
AND THAT "Traffic Bylaw, 2008, No. 1436" be advanced for reading consideration. CARRIED.
- f) **Director of Administrative Services - Amend Municipal Ticket Information Bylaw No. 1444**
Greir - Burger
09-024 THAT the report from the Director of Administrative Services dated January 19, 2009 entitled "Amend Municipal Ticket Information Bylaw" be received for information;
AND THAT "Municipal Ticket Information Amendment Bylaw, 2009, No. 1444.1" be advanced for reading consideration. CARRIED.
- g) **Chief Administrative Officer - Parksville & District Chamber of Commerce 2009 Fee for Services Agreement**
Patterson - Lefebvre
09-025 THAT Council defer deliberation on the 2009 Chamber Fee for Service Agreement to the 2009 Final Budget Discussions. CARRIED.

9. BYLAWS - Nil

10. NEW BUSINESS

a) **February 16, 2009 Council Meeting**

09-026 Greir - Lefebvre
THAT the February 16, 2009 Regular Council meeting be held at Ballenas High School, 135 Pym Street, Parkville commencing at 1:00 p.m. CARRIED.

11. NOTICE OF MOTION

a) **Councillor Lefebvre - Boundary Extensions** - *From January 19, 2009 Regular Meeting of Council*

09-027 Lefebvre - Greir
THAT the moratorium on boundary extensions and/or incorporation applications be extended until December 31, 2009. CARRIED.

b) **Councillor Lefebvre - Falls Prevention Clinic Advisory Committee** - *From January 19, 2009 Regular Meeting of Council*

09-028 Lefebvre - Powell
THAT Councillor Lefebvre be appointed as Council Liaison to the Falls Prevention Clinic Advisory Committee. CARRIED.

c) **Councillor Powell-Davidson - City Hall Sign** - *From January 19, 2009 Regular Meeting of Council*

09-029 Powell-Davidson - Burger
THAT staff investigate the feasibility of erecting a sign that indicates "City Hall" on the corner of Jensen Avenue and Craig Street in front of the PCTC and report back to Council on the proposed design and costs. CARRIED.

d) **Councillor Greir – Budget**

Councillor Greir gave notice that he will be bringing forward a motion at the February 16, 2009 Council meeting to instruct staff to prepare a budget with a 0% increase and no service cuts.

e) **Councillor Burger – Hirst & Craig Street Intersection**

Councillor Burger gave notice that he will be bringing forward a motion at the February 16, 2009 Council meeting to direct staff to upgrade the Hirst Avenue Craig Street intersection from a 2-way stop to a 4-way stop.

f) **Mayor Mayne – Mayor's Charity Golf Tournament**

Mayor Mayne gave notice that he will be bringing forward a motion at the February 16, 2009 Council meeting to have Council endorse the Mayor's Charity Golf Tournament to be held September 18, 2009 at the Arrowsmith Golf Club.

g) **Councillor Lefebvre – Recycling Council of BC**

Councillor Lefebvre gave notice that he will be bringing forward a motion at the February 16, 2009 Council meeting to have the City of Parksville join the Recycling Council of BC for an annual membership of \$290.00.

12. SPECIAL BUSINESS - Nil

13. ADJOURNMENT

It was moved by Councillor Lefebvre and seconded by Councillor Powell-Davidson that the meeting adjourn. CARRIED.

The meeting adjourned at 7:45 p.m.

Certified Correct.

Mayor



Director of Administrative Services



City of PARKSVILLE

REQUEST TO APPEAR AS A DELEGATION

TO BE HELD 16th February, 2009 AT 1:00 P.M.
Day Date

NAME OF PERSON MAKING PRESENTATION: MIKE BOURCIER
[Please print]
NAME OF APPLICANT IF OTHER THAN ABOVE: SAME
[Please print]
NAME OF ORGANIZATION [if applicable]: Parksville District Chamber of Commerce

Mailing address: PO Box 99 Parksville BC V9P 2G3
Phone: 228-5210 - 252-3732 Fax: 248-5210
[Business] [Home]

DETAILS: [Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents in letter sized format for photocopying purposes. All requests and documentation must be received by the Administration Department by twelve noon on the Tuesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of *Delegations and/or Presentations to Council or Committee Policy 2.22* will not be processed.]

To present the "Alphabet Walk" project to
council.

[Signature]

NOTE: Any personal information on this form is collected for the purpose of administering the meetings of Council as noted in Section 26(c) of the Freedom of Information and Protection of Privacy Act.

February 10, 2009

REPORT TO: MAYOR AND COUNCIL

FROM: COMMITTEE OF THE WHOLE

SUBJECT: FEBRUARY 9, 2009 MEETING RECOMMENDATION

The following item was considered by the Committee of the Whole at its special meeting held Monday, February 9, 2009:

RECOMMENDATIONS

1) Director of Community Planning - Establish the City's level of Participation in the Provision of Affordable Housing Units

THAT the report from the Director of Community Planning dated January 26, 2009 to establish the City's level of participation in the provision of affordable housing units be received;

AND THAT this matter be referred to the Strategic Planning and Budgeting process for direction from Council.

2) Director of Administrative Services - Communities in Bloom

THAT the report dated January 30, 2009 from the Director of Administrative Services entitled "Communities in Bloom" be received for information;

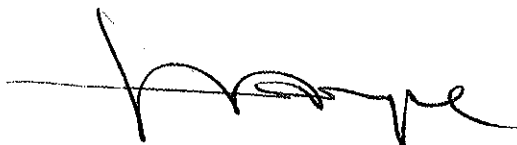
AND THAT City enter the Circle of Excellence non-competitive, non-evaluated category for the 2009 National Edition of the Communities in Bloom program at a cost of \$450.00.

3) Director of Administrative Services - Community Park Concession Lease Agreement for 2009

THAT the report from the Director of Administrative Services dated February 2, 2009 entitled "Community Park Concession Lease Agreement for 2009", be received;

AND THAT the City enter into an agreement with Matt Doran and Joan Hasell for the operation of the Community Park Concession for the 2009 season commencing May 15, 2009 and ending October 14, 2009 with an option to renew for one additional year;

AND FURTHER THAT the Mayor and Director of Administrative Services be authorized to execute the Community Park Concession Agreement on behalf of the City.



MAYOR ED MAYNE, Chair
COMMITTEE OF THE WHOLE

FEBRUARY 3, 2009

MEMO TO: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER
FROM: LAURIE TAYLOR, DIRECTOR OF ADMINISTRATIVE SERVICES
SUBJECT: 2009 SPECIAL EVENTS APPLICATIONS
OUR FILE: 8100-01

ISSUE:

Consideration of Special Events Applications for 2009

EXECUTIVE SUMMARY:

Under the provisions of the City's Special Events Policy organizations proposing to hold an event on municipal property, streets or parks are required to apply for a special events permit. All events covered in the policy must be approved by Council and event organizers must fulfill the requirements outlined in the policy.

REFERENCE:

Policy No. 8.22 – Applications for Special Events
Special Event Application Advertising in local newspaper September 5 and 9, 2008
Completed Event Application Forms, including Terms and Conditions signed and dated.

BACKGROUND:

As required by the City's Special Events Policy, ads were placed in the local newspaper and on the website in September of last year inviting applications for the use of City facilities for special events. Attached to this report is a list of the applications that were received by the deadline of January 31, 2009. This does not preclude any other special events requests from being considered during the remainder of the year, however applications received before the deadline receive priority over ones received after January 31, 2009. All organizers of approved events are required to maintain general liability insurance coverage during the event in the amount of \$5M. The City must receive a copy of the valid insurance policy, as well as a \$500 refundable security deposit, a minimum of five working days prior to the event in order for the event to proceed.

The main issues associated with special events requests are:

- The impacts of the event on pedestrians, traffic conditions and the public. In some instances there may be minor interruptions to traffic but these are required to be mitigated;
- Access to properties and services by emergency vehicles, the public, utility companies and the municipality;
- Public liabilities and damages that may result from the event

Staff has reviewed the applications and determined that none of the events have scheduling conflicts and the above issues will be properly handled.

The Fire Department, RCMP and Engineering & Operations were consulted on all of these applications and no concerns with any of the proposed events have been expressed.

OPTIONS:

Option 1: Deny the requests

Option 2: Approve the requests with conditions.

ANALYSIS:

1. Denying the requests outright would avoid the need to address any concerns however this would also deny consideration of what may be viewed as positive community events;
2. The approvals could be made conditional upon the applicants addressing legitimate issues and concerns to the satisfaction of the City and other appropriate authorities. Given the City of Parksville is the owner of the Community Park and Foster Park with associated public responsibilities with respect to safety, access, utilities, and other matters, it is appropriate to consider applying reasonable conditions to address these issues.

It is recommended that Council support Option 2.

SUSTAINABILITY/ENVIRONMENTAL IMPLICATIONS: - Nil

FINANCIAL IMPLICATIONS: - Nil

RECOMMENDATION:

THAT the following individuals/organizations be permitted use of the identified areas of the Community Park for special events during the specified times and in the areas outlined in the list of applications attached to the report from the Director of Administrative Services dated February 3, 2009 entitled "2009 Special Events Applications":

The Nature Trust "Brant Wildlife Festival Opening" on March 7, 2009
Parksville Lion's Club 4th Annual International Kite Festival on July 18 and 19, 2009
Coastal Community Credit Union "Employee Beach Day" on July 26, 2009
Oceanside Overdrive Car Show on August 2, 2009
Oceanside KidFest on August 16, 2009
Mowat / Stannard Wedding on August 22, 2009
BC SPCA "Paws for a Cause" on September 13, 2009

AND THAT the following organizations be granted use of the Gazebo in Foster Park:


Regional District of Nanaimo for a Drop In Playground Program on weekdays June 29 to August 21, 2009 inclusive from 8:30am to 3:30pm;

AND THAT the following organizations be permitted use of City property and roads for special events at the specified times and on the roads outlined in the list of applications attached to the report from the Director of Administrative Services dated February 3, 2009 entitled "2009 Special Events Applications":

Ballenas Secondary School "Dry Grad Parade" on May 23, 2009;
BC & Yukon Heart and Stroke Foundation "Big Bike Ride for Stroke" on June 3, 2009;
North & Central Island Association for ALS "2009 Walk for ALS" on June 7, 2009;
Bike for Your Life Vancouver Island Society "Bike Race" on August 9, 2009;

AND FURTHER THAT the approval for each event be granted on condition that the organizers adhere to their signed Terms and Conditions forms.

Respectfully submitted



LAURIE TAYLOR
Director of Administrative Services

CHIEF AMINISTRATIVE OFFICER'S COMMENTS:



FRED MANSON
Chief Administrative Officer

LIST OF APPLICATIONS

COMMUNITY PARK

DATE	TIME	NAME	PURPOSE	LOCATION
Saturday, March 7	9:00am - 1:00pm	The Nature Trust of BC	Brant Wildlife Festival Opening	Waterfront Kiosk
Sat., July 18 - Sun. July 19	9:00am - 5:00pm	Parksville Lion's Club	Kite Festival	Grass Kite Field
Sunday, July 26	9:00am - 5:00pm	Coastal Community Credit Union	Employee Beach Day	Community Park Grass (south side of volleyball courts and skateboard park to the road - across from the concession)
Sunday, August 2	6:00am - 5:00pm	Oceanside Overdrive	Oceanside Overdrive Car Show	Community Park (grass kite field, all parking lots)
Sunday, August 16	7:00am - 5:00pm	Oceanside KidFest Society	KidFest 2009	Grass Kite Field
Saturday, August 22	3:30pm - 4:00pm	Jenny Mowat & Paul Stannard	Wedding	Waterfront Kiosk
Sunday, September 13	7:30am - 2:30pm	BC SPCA	Paws for a Cause	Community Park Picnic Shelter

FOSTER PARK

DATE	TIME	NAME	PURPOSE	LOCATION
Mon - Fri June 29 - Aug 21	8:30am - 3:30pm	RDN - Recreation & Parks	Drop In Playground Program	Gazebo

Use of City Streets for **PARADES/RACES/WALKS/RUNS** for the following events:

DATE	TIME	NAME	PURPOSE	LOCATION
Saturday, May 23	6:00pm - 7:30pm	Ballenas Secondary School	Dry Grad Parade	Start Ballenas Secondary School - Pym to Humphrey to Church Road to Wembley Road entering the mall lot from the rear to Oceanside Place
Wednesday, June 3	8:00am - 8:00pm	Heart & Stroke Foundation	Big Bike Ride	Start PCCC - onto Jensen, across highway to MacMillan, return on Memorial, Island Hwy to Jensen and back to PCCC
Sunday, June 7	1:00pm - 4:00pm	North & Central Island Assoc. for ALS	2009 Walk for ALS	Start at PCTC - Craig to Hamilton to Corfield to Stanford to Shelly Road to Island Highway and back to PCTC pn Jensen
Sunday, August 9	8:30am - 2:30pm	Bike for Your Life VI Society	Bike for Your Life Cycling event	Start at PCCC with check points at Alberni Hwy and Oceanside Middle School; end PCCC

CITY OF PARKSVILLE
BYLAW NO. 1436
TRAFFIC BYLAW

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CITY OF PARKSVILLE

BYLAW NO. 1436

TRAFFIC BYLAW

Under the provisions of the *Motor Vehicle Act* and the *Community Charter* the Municipal Council of the City of Parksville, in open meeting assembled, enacts as follows:

1.0 TITLE

1.1 This bylaw may be cited as "Traffic Bylaw, 2009, No. 1436".

2.0 APPLICABILITY

2.1 Lands Within City Except as otherwise indicated, this Bylaw applies to all lands within the boundaries of the City of Parksville.

2.2 Provincial Arterial Highways. Unless otherwise indicated, this Bylaw does not apply to arterial highways classified as such by order of the Lieutenant Governor in Council under the *Transportation Act*.

2.3 Exclusions

This bylaw does not apply to:

- a) persons lawfully engaged in highway or public utility construction or maintenance work, upon a highway while they are at the site of the work, but does apply to them while traveling to or from the site of the work;
- b) persons operating emergency vehicles during an emergency; or
- c) the driving or operation of a mechanically propelled chair or scooter by a disabled person, the use of which is confined to the purpose for which it was designed.

The provisions of this bylaw regulating or prohibiting stopping and parking do not apply to the operators of:

- a) utility service vehicles owned by the City or by the governments of Canada or the Province of British Columbia;
- b) service vehicles owned by a public utility corporation; or
- c) vehicles specifically designed for the purpose of towing another vehicle;

while the operators of the vehicles are engaged in work requiring them to be stopped or parked in contravention of the provisions.

2.4 Traffic Control Devices Subject to other provisions of this bylaw, all traffic control devices installed in the City shall be deemed to be authorized traffic control devices under this bylaw.

3.0 INTERPRETATION

- 3.1 Enactments Any Act referred to in this bylaw is a reference to an Act of the Province of British Columbia or Canada, as the case may be, and the applicable regulations, as amended, revised, consolidated or replaced from time to time. Any bylaw referred to in this bylaw is a reference to a bylaw of the City of Parksville, as amended, revised, consolidated or replaced from time to time.
- 3.2 Headings The headings given to the parts, sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this bylaw.
- 3.3 Severability If any part, paragraph or phrase in this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in force.
- 3.4 Schedules The following schedules attached to this Bylaw form part of this bylaw:
- Schedule A – Crossing Design Requirements
 - Schedule B – Specified Speed Limits
 - Schedule C – Fee Schedule – Removal of Chattel, Obstructions and Vehicles

4.0 DEFINITIONS

- 4.1 Words or phrases defined in the *Motor Vehicle Act* or the *Commercial Transport Act*, or their regulations, have the same meaning in this bylaw, unless otherwise defined in this bylaw.
- 4.2 In this bylaw:
- "*Bicycle Path*" means that portion of a highway intended either exclusively or partially for use by cyclists.
- "*Boulevard*" means the area of a highway between the edge of pavement, sidewalk, and/or curb of the roadway and the adjacent property line, but excludes a sidewalk.
- "*Bylaw Compliance Officer*" means a Bylaw Compliance Officer appointed by Council.
- "*Chief of Police*" means the senior officer commanding the Oceanside Detachment of the Royal Canadian Mounted Police.
- "*City*" means the City of Parksville.
- "*Commercial Crossing*" means every crossing that is not a residential crossing.
- "*Commercial Vehicle Loading Zone*" means an area on a highway designated exclusively for the loading or unloading of materials by commercial vehicles.
- "*Council*" means the Council of the City of Parksville.

"*Crossing*" means any improvement that is constructed over a boulevard or sidewalk for the purpose of allowing vehicles or pedestrians to gain access between the highway and the land adjacent to the highway.

"*Crossing Permit*" means a permit issued by the Director to construct a crossing.

"*Curb*" means the line of demarcation between the roadway and the boulevard, or where no boulevard exists, the line of demarcation between the roadway and the sidewalk.

"*Director*" means the Director of Engineering and Operations appointed by Council and includes his authorized deputy.

"*Disabled Persons' Parking Permit*" means a parking permit issued to a Disabled Person under this bylaw and the Regulations of the Motor Vehicle Act

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

"*Disabled Zone*" means a parking zone set aside for the exclusive use of Disabled Persons using a vehicle displaying a Disabled Persons' Parking Permit.

"*Drainage Facility*" includes boulevard drainage inlets, catch basins, grates, or culverts

"*Fire Chief*" means the Chief of the City's Fire Department appointed by Council, and includes his authorized deputy.

"*Highway*" includes all public streets, roads, ways, trails, lanes, bridges and any other public way or right-of-way open to public use.

"*Impound*" means to detain or remove any vehicle, under the authority of a peace officer or a Bylaw Compliance Officer.

"*Lane*" means a highway not exceeding 8 metres in width, abutting the rear or side property lines of a parcel and intended primarily to give access to the rear or side yards of the parcel.

"*Motor home*" means a motor vehicle designed or used primarily for accommodation during travel or recreation, and includes a motor vehicle that has attached to it a structure

- (a) designed or used primarily for accommodation during travel or recreation, and
- (b) designed or intended to be detachable.

"*Occupier*" means a person who occupies the land but is not the registered owner.

"

"*One Way Street*" means a highway upon which vehicles are allowed to move only in one direction, as indicated by traffic control devices placed on or adjacent to the highway.

"Owner", in relation to a vehicle, means the owner as defined in the *Motor Vehicle Act*; and in relation to land means the owner as defined in the *Community Charter*.

"Parade" means the procession or group of pedestrians number more than twenty, standing, marching or walking on any highway or sidewalk, or any group of vehicles numbering ten or more standing or moving in a procession on any highway, except for a funeral procession or members or vehicles of Her Majesty's Armed Forces..

"Parking Stall" means an area on a highway designated as a parking place for one vehicle.

"Passenger Zone" means an area on a highway designated for the loading or unloading of passengers.

"Plantings" means any tree, shrub, bush or hedge installed as a natural or improved landscape treatment;

"Public Park" means any land which is designated as a public park and any other area open to the public and which is under the management of the City.

"Residential Crossing" means a crossing which provides access to and from land which is zoned for single family or two family residential use.

"Roadway" means the part of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include crossings.

"Traffic Control Device" means a sign, signal, line marking, yellow curb, space or any other device placed or erected by the authority of the person designated by Council to exercise such authority.

5.0 DELEGATION OF POWERS

Director

5.1 The Director is authorized to:

- a) Order the placement, replacement or alteration of traffic control devices for the regulation, control or prohibition of traffic;
- b) Regulate or prohibit parking on a highway during construction, repair, maintenance, Christmas decorating, banner placement, or snow removal operations;
- c) Order the placement of traffic signs prohibiting parking:
 - i) at the entrance to any place of public assembly;
 - ii) upon either or both sides of any highway along the route of any parade or in the vicinity of public gatherings;
 - iii) at any location where, in special circumstances, it is necessary to facilitate or safeguard traffic; or
 - iv) adjacent to any buildings or structures under construction, alteration, repair or demolition;
- d) designate portions of highways as:

- i) commercial vehicle loading zones,
- ii) passenger zones,
- iii) bicycle paths, or
- iv) school zones;
- e) close a highway, or restrict or divert traffic when, in his opinion, any part of the highway is unsafe or unsuitable for traffic, or it is advisable that traffic should be restricted or diverted;
- f) designate boulevards, sidewalks and walkways for the use of persons riding animals, or where the riding of animals is prohibited, and for that purpose to make regulations restricting the direction of travel and hours of use, and to locate and post signs or other traffic control devices as the may be necessary;
- g) issue a permit for the purpose of a temporary road closure for a block party;
- h) to designate access to and from a highway for adjacent land, including the location and extent of access when in the Director's opinion the designation is necessary to protect the best interests of the local residents and traffic; and
- i) rescind, revoke, amend or vary any order made by him.

5.2 The Director shall not:

- a) make orders that would vary any prohibitions in this bylaw; or
- b) make an order than would vary a provision of this bylaw with regard to speed limits, except under Section 5.1(d)(iv) of this Bylaw.

Fire Chief

5.3. The Fire Chief may:

- a) direct and regulate traffic in any manner deemed necessary during an emergency and in doing so, may disregard any traffic control device;
- b) place temporary traffic control devices deemed necessary in the interest of public safety or in an emergency
- c) impound any vehicle that interferes with this bylaw or during an emergency procedure
- d) designated in any manner, a line or lines near the location of a fire or other emergency, beyond which the public shall not pass.

6.0 GENERAL REGULATIONS

6.1 Except where otherwise directed by a peace officer, a Bylaw Compliance Officer or a person authorized by a peace officer to direct traffic, every person shall obey all directions, regulations and prohibitions contained in or upon any traffic control device which is erected or placed under the provisions of this bylaw.

6.2 No person shall mark or imprint on, or deface, damage or interfere with, any traffic control device which is erected or placed under the provisions of this bylaw.

6.3 No person other than the owner or operator of a vehicle shall remove any notice placed or affixed on the vehicle by a peace officer or Bylaw Compliance Officer under this bylaw.

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

7.0 PROHIBITIONS

7.1 No person shall:

- a) throw or cause to be deposited or tracked from a vehicle or to flow upon a highway, any water, oil, gasoline, grease, soil, sand, gravel or rock or any other substance, article or thing;
- b) leave any excavation or other obstruction on a highway without placing barricades and warning lights;
- c) interfere with any barricade, sign, warning lamp or other device which is lawfully occupying any highway at or near any excavation, obstruction or work on the highway;
- d) engage in any occupation on a highway except in an area designated for that purpose;
- e) engage in any sport, amusement, exercise, or occupation on a highway stand or loiter in such a manner as to obstruct, impede or interfere with the passage of vehicles, cyclists or pedestrians on a highway;
- f) drive or operate a vehicle on a highway between the persons or vehicles comprising a parade or funeral procession;
- g) occupy a trailer as living quarters while it is parked upon any highway;
- h) make any repairs to a vehicle while it is upon any highway, other than the temporary repairs as is necessary for the removal of the vehicle from the highway;
- i) leave any horse or other animal which is attached to any vehicle intended to be drawn by the horse or other animal on any highway or public park without the horse or other animal being tethered in such a manner as to prevent the horse or other animal from running away or from moving on the highway or public park in any way as to obstruct or impede other traffic;
- j) except with lawful authority, shall drive or operate a motor vehicle so as to leave a highway and enter a place where a sign indicates that motorized vehicle is prohibited;
- k) drive or operate any motor vehicle or motorcycle on any gravelled or grassed area on any trail within City boundaries.

8.0 DEBRIS REMOVAL

8.1 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 or substance caused by the accident from the highway.

9.0 BOULEVARD & SIDEWALK MAINTENANCE

9.1 Every owner and occupier of real property shall remove all snow or ice from all sidewalks bordering the real property within 12 hours from the cessation of a snowfall or storm event which caused such accumulation. An owner or occupier shall not use equipment which could cause damage to the boulevard or sidewalk due to the excess

weight of the equipment or sharp edges which could cause abrasions or scrapes to the sidewalk or boulevard.

- 9.2 Every owner or occupier of real property is required to remove snow or ice from the roof or other part of any structure on the property, where the location of that structure is such that it is reasonable to expect that the snow or ice on it may fall onto any sidewalk or highway, within 12 hours of the cessation of any snowfall or storm event that cause the accumulation.
- 9.3 An owner or occupier of land shall maintain a sidewalk and boulevard adjacent to their property and in particular shall:
- a) remove accumulations of filth, leaves, rubbish, discarded materials, hazardous objects and materials which obstruct a drainage facility;
 - b) in keeping with the reasonable standard of maintenance in the area keep grassed areas trimmed and free of all weeds;
 - c) keep in good repair and up to City standards all driveway crossings;
 - d) trim and maintain all plantings;
 - e) remove all filth, leaves, rubbish, discarded materials, hazardous objects and materials from all boulevards and sidewalks.
- 9.4 No person shall deposit the snow, ice or other material removed from sidewalks, boulevards or private property under this section onto city property or highways.

10. VEHICLE EQUIPMENT AND LOADS

- 10.1 No person shall drive or operate on a highway:
- a) a vehicle equipped with solid tires, the thickness of which between the rim of the wheel and the surface of the highway is less than 32 mm; or
 - b) a vehicle having wheels, tires or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections which extend beyond the tread or traction surface of the wheel, tire or track, provided that the use of tire chains studs that do not protrude more the 3.5 mm from the tread or traction surface of a tire may be used when required for safety, during the period between October 31 and March 30.
- 10.2 No studs shall be used on a tire on a non-drive wheel unless each drive wheel has at least one studded tire.

11.0 HIGHWAY USES PROHIBITED WITHOUT PERMIT

- 11.1 Except as authorized by a permit issued by the Director pursuant to this bylaw, no person shall:
- a) place any fuel, lumber, merchandise or chattel of any nature on any highway;
 - b) deposit, throw, or leave any earth, refuse, debris or any other thing on a highway;
 - c) cause or permit any earth, rocks, stones, liquids, logs or stumps or other things to cave, fall, crumble, slide or accumulate from any property onto a highway or 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;
- g) stop the flow of water through any drain, sewer or culvert on or through a highway;
- h) place, construct, install, maintain, demolish, remove or alter any works, structures or things of any kind, or perform any work of any kind on a highway;
- i) construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a highway;
- j) mark or imprint or deface in any manner whatsoever a highway or structure thereon;
- k) ride, drive, lead, move or propel any animal or vehicle over or across a boulevard, including any curb, sidewalk or ditch, except within a crossing; or
- l) cause damage to, cut down or remove trees, shrubs, plants, bushes and hedges, fences or other things erected or maintained on a boulevard.

12.0 ACCESS REGULATION AND CROSSING PERMITS

- 12.1 No person shall construct or replace a crossing without first obtaining a Crossing Permit.
- 12.2 An application for a Crossing Permit shall be accompanied by a non-refundable fee of \$50.00, and shall be made by the owner of the real property or the owner's agent, on the application form authorized by the Director.
- 12.3 Upon receipt of a completed application, payment of all required fees and deposits, and confirmation that the proposed crossing complies with this bylaw, the Director shall issue a Crossing Permit.
- 12.4 The Director may impose terms and conditions on a Crossing Permit, in relation to:
- a) dates and times of work on the crossing;
 - b) safety measures, including traffic control;
 - c) inspection of the work;
 - d) deadlines for completion of the work and defined portions of the work;
 - e) protection and restoration of public works and other property on or adjacent to the highway;
 - f) required modifications to existing works on the highway;
 - g) surfacing of the crossing;
 - h) soil debris and removal;
 - i) provision of plans, levels profiles, and surveys by the permit holder;
 - j) notification to the City regarding commencement and completion of construction; and
 - k) traffic movement restrictions within and from the crossing and installation of signage or other traffic control devices to give effect to those restrictions.
- 12.5 Crossings shall be designed and constructed in compliance with the requirements in Schedule "A" to this bylaw.
- 12.6 If alterations to a highway or the construction of public works or utilities requires the removal or modification of a crossing, no compensation in respect of the crossing shall be payable to the permit holder or to the owner or occupier of adjacent land.

13.0 PERMITS

- 13.1 The Director may issue a permit to do those things otherwise prohibited by Section 11, of this bylaw, subject to payment of an application fee of \$50.00 and subject to such other conditions contained in this section as are applicable.
- 13.2 As a prerequisite to the issuance of a permit under this section, the applicant shall:
- a) deposit with the City a sum of money (in cash or by unconditional letter of credit issued by a financial institution) which is, in the opinion of the Director, sufficient:
 - i) to pay the cost of repairing any damage which may be done to the highway or installations therein; and
 - ii) as security that any obligations imposed by the permit shall be fulfilled and completed within the time specified in the permit; and
 - b) provide satisfactory plans and specifications of any work to be undertaken and, when they are approved by the Director and the necessary permit is issued, the work shall conform in every respect to the approved plans and specifications and to the minimum general requirements of the subdivision servicing bylaw of the City for the area in which the highway is situated.
- 13.3 Where a deposit has been made in accordance with this bylaw, upon satisfactory compliance with the permit within the time specified, the deposit will be refunded to the applicant, less, where applicable, an inspection fee of \$40.00, or the actual cost of administration and inspection, whichever is the greater.
- 13.4 Where completed work is to be taken over by the City, the applicant shall be responsible for the cost of maintaining the work for a period of one year from the date of completion of the work, as certified by the Director. A security deposit may be required for the maintenance period by the Director.
- 13.5 Where alterations to completed works are required due to the reconstruction of a highway, the permit holder shall pay all the cost of the alterations.
- 13.6 The permit holder shall indemnify and save harmless the City from and against all damages, claims and demands of every kind arising out of or in any way connected with any default by the holder relating to the work or activity for which a permit has been issued. Prior to issuance of the permit the applicant shall provide proof of public liability insurance in the amount of Five Million dollars (\$5,000,000.00) with the City named as a Additional Insured on the policy with respect to the works carried out under the permit issued under this section.
- 13.7 In the event that the permit holder fails to repair any damage or fulfill any obligations set out in a permit, the City may repair the damage or fulfill the obligations and deduct the costs of doing so from the deposit. If there are insufficient funds on deposit to cover the costs, the permit holder shall pay any shortfall.

14.0 DISABLED PERSONS' PARKING PERMITS

- 14.1 Council designates the Social Planning and Research Council of British Columbia as the organization responsible for issuing and cancelling Disabled Persons' Parking Permits.
- 14.2 An application for a Disabled Persons' Parking Permit shall be made by or on behalf of a Disabled Person directly to the Social Planning and Research Council of British Columbia.
- 14.3 It is unlawful for any person to stop, stand or park a vehicle in Disabled Zone unless:
 - a) the vehicle displays a Disabled Persons' Parking Permit or a permit of a similar nature issued by another jurisdiction; and
 - b) the vehicle displaying a Disabled Persons' Parking Permit is stopped, left standing or parked for the purpose of transporting a Disabled Person.

15.0 SPEED LIMITS

- 15.1 No person shall drive or operate a motor vehicle on any highway within the City (other than a lane) at a rate of speed greater than 50 kilometres per hour, unless otherwise posted. Speed limits for specific highways and portions of highways shall be as set out in Schedule "B" to this bylaw.

16.0 SPEED LIMITS ON LANES

- 16.1 No person shall drive or operate a motor vehicle on a lane at a rate of speed greater than 20 kilometres per hour, unless otherwise posted.

17.0 STOPPING/PARKING PROHIBITIONS

- 17.1 Except as directed by a peace officer or as permitted by a traffic control device, or except when their vehicle is mechanically disabled as to render it immobile, no person shall stop, stand or park a vehicle:

(a)	24 Hours	upon any highway for a continuous period of time exceeding 24 hours within the same block, excluding a truck and/or trailer or motor home that has a licensed gross vehicle weight that exceeds 4500 kilograms or an overall length exceeding 6 metres.
(b)	Bridge	on a bridge or other elevated structure on a highway;
(c)	Bus Loading Zone	in any designated bus loading zone
(d)	Central Boulevard	on the side of any highway which abuts a central boulevard.
(e)	Crosswalk	on a crosswalk or within 6 metres of the approach side of a crosswalk
(f)	Distance from Curb	on a roadway more than 30 centimetres from the curb of such roadway if a curb has been constructed;

(g)	Double Parking	on the roadway side of a vehicle that is stopped or parked at the edge or curb of a roadway;
(h)	Driveway	in front of or within 3 metres of a public or private driveway
(i)	Entrance	within 6 metres from either side of the entrance to or exit from a hotel, theatre, public meeting place, dance hall, fire hall or playground;
(j)	Hydrant	within 5 m of a fire hydrant measured from a point in the curb or edge of the roadway which is closest to the fire hydrant to the nearest wheel of the vehicle
(k)	Intersection	in an intersection
(l)	Lanes	in any lane in such a manner or under such conditions as to leave available less than 3 metres of the usable traveled portion of such land for the free movement of vehicular traffic
(m)	Long Vehicles	on a highway or public place where the vehicle or combination of attached vehicles is in excess of 18 metres in length;
(n)	Obstruction	alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
(o)	Overtime Parking	On a highway where the length of time allowed for parking is controlled by a traffic control device, in contravention of the length of time indicated on the applicable traffic control device and where a vehicle has been parked at time-controlled parking space for a period of time, the owner or operator of such vehicle shall not permit the parking of such vehicle in the same or any other parking space on either side of the same block within the same twenty-four hour period;
(p)	Parking Prohibition	in a place that contravenes a traffic control device that gives notice that stopping, standing or parking there is prohibited;
(q)	Parking Stalls	in contravention of painted lines or markers indicating single parking stalls parallel to the highway or angled from the highway;
(r)	Paths	on a Bicycle Path, pedestrian walkway or equestrian trail;
(s)	Railway Crossing	within 15 metres of the nearest rail on a railway crossing;

(t)	Sales	on a highway for the purpose of (i) displaying a vehicle for sale; (ii) advertising, greasing, painting, wrecking, storing or repairing a vehicle, except where repairs are necessitated by an emergency; (iii) displaying signs; or (iv) selling flowers, fruit, vegetables, sea foods or other commodities or articles;
(u)	Schools	on the side of any portion of a highway upon which any school or school property abuts, on any school day between the hours of eight o'clock in the morning and five o'clock in the afternoon
(v)	Sidewalk	on a sidewalk or boulevard, either completely or partially;
(w)	Sign	within 6 metres of the approach to a flashing beacon, stop sign or traffic control signal located at the side of a roadway;
(x)	Trucks/ Motor Homes	on a highway or public place for more than two hours if the truck and/or trailer, or motor home has a licensed gross vehicle weight that exceeds 4500 kilograms or an overall length exceeding 6 metres
(y)	Visibility	in a manner that obstructs the visibility of a traffic control device;
(z)	Without Curbs	on the paved portion of any highway without curbs, unless the pavement is at least 7.3 m in width
(aa)	Wrong Side	upon a two-way highway, other than on the right side of the highway and with the right-hand wheels parallel to that side

18.0 LOADING ZONES – COMMERCIAL AND PASSENGER

18.1 No person shall stop or park a vehicle:

- a) in any commercial vehicle loading zone except while actually engaged in the loading or unloading of commercial goods and merchandise; or
- b) in any passenger zone for a period longer than 3 minutes, provided that the driver of any armoured vehicle used for the purpose of conveying cash or securities may stop the vehicle in a passenger zone for the period required while picking up or making delivery of any cash or securities.

19.0 IMPOUNDMENT OF VEHICLES

- 19.1 Any vehicle which unlawfully occupies any portion of a highway or public place may be removed or impounded by the City's employees, contractors or agents.
- 19.2 Any vehicle removed or impounded may be recovered by the owner upon presenting proof of ownership and upon payment of all fees, costs and expenses for the removal, detention and impoundment of a vehicle set out in Schedule "C" to the City.
- 19.3 Where the owner of vehicle which has been removed, detained or impounded under this bylaw defaults in paying the fees, costs and expenses the City may sell the vehicle at a public auction or initiate an action to recover the fees costs and expenses, provided that:
- a) the City has delivered to the address for the owner as shown on the records of the Superintendent of Motor vehicles a notice that the fees, costs, and expenses will be recovered by way of public auction or court action;
 - b) the owner of the vehicle has not paid the required sum to the City within 30 days of the delivery of the notice; and
 - c) the 30 days have expired.

20.0 REMOVAL OF CHATTEL OR OBSTRUCTIONS

- 20.1 Any chattel, obstruction, earth, mud, rocks, stones, logs, stumps, branches, garden clippings or other things unlawfully occupying any portion of a highway or public place may be removed, detained or impounded immediately it constitutes a danger to persons using the highway or public place or, when it does not constitute a danger, within 24 hours by any person authorized to do so by the Director or Bylaw Compliance Officer.
- 20.2 Any chattel or obstruction removed, detained or impounded may be recovered by the owner upon presenting proof of ownership and upon payment in full of any fees, costs and expenses which may be levied under the provisions of this bylaw to the City.

21.0 PUBLIC AUCTION

- 21.1 Any chattel, obstruction or vehicle not claimed by its owner within 30 days of its impounded or detention may be sold at public auction and such auction shall be advertized under the provisions of the Community Charter pertaining to requirement for public notice.
- 21.2 The proceeds of the auction sale shall be applied firstly to the cost of the sale, secondly to the fees, costs and expenses of the City or its contractors or authorized agents as set out above and thirdly the balance, if any, shall be held by the City for one (1) year from the date of the sale for the owner. If unclaimed at the end of the year, the sum shall be paid into the General Revenue of the City.
- 21.3 Should any chattel or obstruction not be purchased at public auction then the chattel or obstruction shall be disposed of in a place approved by the Director, and the expenses incurred in the removal or disposal of the chattel or obstruction, less the proceeds (if any) of disposal, are recoverable as a debt due the City from the owner.

21.4 Despite the preceding provisions, where any abandoned or unlicensed motor vehicle, garbage, rubbish, chattel, obstruction, earth, mud, rocks, stones, logs, stumps, branches, garden clippings or other things with an apparent market value of less than One Hundred Dollars (\$100.00) is left on any highway, such articles may be removed and disposed of by any person authorized to do so by the Director or Bylaw Compliance Officer. The full costs of removal and disposal shall be charged to the owner of the garbage, rubbish, abandoned or unlicensed motor vehicle or the owner of the property or contractor or any other person responsible for which the earth, mud, rocks, stones, logs, stumps, branches, garden clippings or other things originated from. The Director shall determine the apparent market value.

22.0 BICYCLES, ROLLER SKATES, SKATEBOARDS, SKIS, INLINE SKATES

22.1 A person using a bicycle, roller skates, skateboard, skis, or inline skates:

- a) shall not be on a sidewalk unless directed by a traffic control device;
- b) shall be on a bicycle lane, if there is a bicycle lane adjacent to the roadway, or if no bicycle lane be as near as practicable to the right hand side of the highway;
- c) shall not be abreast of another person on any highway;
- d) shall only cross a highway at an intersection using the pedestrian crosswalk and obeying pedestrian crossing signals where applicable;
- e) shall not be attached by the arm and hand of the operator or otherwise, to a vehicle on a highway; and
- f) shall not be on a highway between ½ hour after sunset and ½ hour before sunrise unless equipped with lights and/or reflective clothing visible from the front and rear.
- g) may have their bicycle, roller skates, skateboard, skis or inline skates removed or impounded by the City's employees, contractors or agents, should they be operating them in contravention of this bylaw.

22.2 Motorized push style scooters, motorized human transporters or motorized skateboards are not permitted on sidewalks or highways within City boundaries. Motorized wheelchairs or other mobility assist devices used for medical related ambulatory assistance are permitted within City boundaries and are treated the same as pedestrians.

23.0 OTHER REGULATIONS

23.1 No trailer designed for occupancy by individuals or for the carriage of goods and merchandise shall be parked on any highway unless it is attached to a motor vehicle capable of towing the trailer.

23.2 No owner or occupier of property adjacent to the intersection of two highways shall place or permit to be placed or to grow any tree, shrub, plant, fence or other structure with any horizontal dimension exceeding 0.6 m, within 7 m from the point of intersection of the two property lines which front on the intersecting highways, between the elevations of 0.9 m and 2.0 m above the elevation at the point of the intersection of the centerlines of the intersecting highways.

24.0 OFFENCE AND PENALTIES

- 24.1 Any person who contravenes, suffers or permits anything to be done in contravention of any of the provisions of this bylaw or any permit issued under this bylaw commits an offence punishable on summary conviction and shall be liable to a fine not exceeding \$10,000.00.
- 24.2 Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

25.0 REPEAL

- 25.1 The following bylaws are repealed by this bylaw:
"Village of Parksville Street Regulation Bylaw, 1956, No. 73"
"Village of Parksville Traffic Control Bylaw, 1964, No. 167"
"Morison Avenue Traffic Regulation Bylaw, 1968, No. 252"
"Village of Parksville Traffic Bylaw 1969, No. 269"
"Village of Parksville Off-Highway Vehicle Bylaw, 1975, No. 416,
"Crossing Control Bylaw, 1979, No. 594"
"City of Parksville Traffic Control Bylaw, 1988, No. 956"
"City of Parksville Extraordinary Traffic Regulation Bylaw, 1995, No. 1222"
provided that all traffic control devices placed under those bylaws shall remain in effect.

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

Director of Administrative Services

SCHEDULE “A”

Crossing Design Requirements

All crossings shall conform to the requirements of the crossing permit issued for construction of the crossing and shall meet the following conditions:

1. The number of crossings to a parcel that is used for residential use only, shall be not more than one for each 24 metres (78.74 feet) or remaining fraction thereof, of the total highway frontage of the parcel.
2. The number of crossings to a non-residential parcel shall be not more than one for each 30 metres (98.43 feet) or remaining fraction thereof, of the total highway frontage of the parcel.
3. No two crossings to one parcel shall be closer to each other than 9 metres (29.53 feet) at any point.
4. Where a non-residential parcel adjoins another parcel, no crossing to the non-residential parcel shall be less than 1.5 metres (4.92 feet) from the adjoining parcel boundary.
5. Crossings shall be located adjacent to the interior side lot line of a property and no closer than 7.5 metres (24.61 feet) at any point to the point of intersection of two highway right-of-way boundaries, or if one or more of the highways is a lane, within 4.5 metres (14.76 feet) of the intersection.
6. No commercial crossing shall be constructed wider than 9 metres (29.53 feet) at any point on public property.
7. No residential crossing shall be constructed wider than 6 metres (19.69 feet) at any point on public property.
8. Angled crossings to parcels are permitted, provided that the included angle between the crossing and the edge of pavement on the road right-of-way is no less than 45°.
9. Loop crossings are permitted, provided that the crossings at each end of the loop meet the requirements of Sections 1, 2, 3 and 6 of this Schedule and that no part of the connecting loop is on public property.
10. Except in areas where curbs have been installed or where all municipal services have been completed, no concrete driveways are permitted on public property.

SCHEDULE "B"

Speed Zones Other Than 50 km/hour

Road Name	Posted Speed	From	To
Banks Avenue East	30 km	Moilliet Street	East End of Banks Avenue
Corfield Street North	30 km	Highway 19A	North End of Community Park
Langara Place	30 km	Northwest Bay Road	North End of Saltspring Place
Morison Avenue	40 km	McMillan Street	Pym Street
Highway 19A West	60 km	Western boundary of City of Parksville at Ackerman Road	Pym Street
Highway 19A East	70 km	Inland/Island Highway (Highway 19) Off Ramp	150 meters south east of Englishman River Bridge

**SCHEDULE "C"
SPECIFIED SPEED LIMITS**

SCHEDULE "C"

FEE SCHEDULE - REMOVAL OF CHATTEL, OBSTRUCTIONS AND VEHICLES

1. The following fees, costs and expenses shall be paid by the owner of any chattel, obstruction or vehicle removed, detained or impounded pursuant to this Bylaw.
 - (a) for any chattel or vehicle weighing under 45 kg - \$50.00 plus \$2.00 per day impoundment charge with unclaimed chattels or vehicles to be sold by auction after 30 days.
 - (b) for any chattel or vehicle weighing over 45 kg - the actual cost incurred by the City for the removal and storage.

CITY OF PARKSVILLE

BYLAW NO. 1444.1

A Bylaw to Amend Municipal Ticketing Bylaw No. 1444

WHEREAS it is necessary to amend the Municipal Ticket Information Bylaw, 2008, No. 1444;

NOW THEREFORE the Council of the City of Parksville in open meeting assembled enacts as follows:

1. THAT "Municipal Ticket Information Bylaw, 2008, No. 1444" be amended by:
 - a) Replacing Schedule A with a new Schedule A attached to this bylaw.
 - b) Replacing Appendix 8 with a new Appendix 8 attached to this bylaw
2. This bylaw may be cited for all purposes as "Municipal Ticket Information Amendment Bylaw, 2009, No. 1444.1".

READ A FIRST TIME this

READ A SECOND TIME this

READ A THIRD TIME this

ADOPTED this

Mayor

Director of Administrative Services

SCHEDULE A

Column 1

DESIGNATED BYLAWS

1. Building Bylaw, 2003, No. 1387
2. Business Licence Bylaw, 1991, No. 1079
3. Dog Licence and Pound Bylaw, 1997, No. 1284
4. Noise Control Bylaw, 2007, No. 1432
5. Outdoor Burning Bylaw, 2007, No. 1428
6. Property Maintenance Bylaw, 1990, No. 1383
7. Sign Regulation Bylaw, 1997, No. 1276
8. Traffic Bylaw, 2009, No. 1436
9. Tree Management Bylaw, 2006, No. 1415
10. Zoning and Development Bylaw, 1994, No. 2000

Column 2

**DESIGNATED BYLAW
ENFORCEMENT OFFICERS**

- Building Inspector
Bylaw Compliance Officer
- Bylaw Compliance Officer
Building Inspector
RCMP
- Pound Keeper & Animal Control Officer
Bylaw Compliance Officer
Building Inspector
RCMP
- Bylaw Compliance Officer
Building Inspector
RCMP
- Fire Chief
Deputy Fire Chief
Assistant Fire Chief
Bylaw Compliance Officer
RCMP
- Bylaw Compliance Officer
Building Inspector
RCMP
- Bylaw Compliance Officer
Building Inspector
RCMP
- Bylaw Compliance Officer
Building Inspector
RCMP
Canadian Corps of Commissionaires
- Bylaw Compliance Officer
RCMP
- Bylaw Compliance Officer
Building Inspector
RCMP

SCHEDULE A

Column 1

DESIGNATED BYLAWS

11. Park Regulation Bylaw, 1999, No. 1327

12. Fireworks Bylaw, 2007, No. 1427

Column 2

**DESIGNATED BYLAW
ENFORCEMENT OFFICERS**

Bylaw Compliance Officer
Building Inspector
RCMP

Fire Chief
Deputy Fire Chief
Assistant Fire Chief
Bylaw Compliance Officer
RCMP

APPENDIX 8

Traffic Bylaw, 2009, No. 1436

<u>Column 1</u> <u>Offence</u>	<u>Column 2</u> <u>Section</u>	<u>Column 3</u> <u>Fine</u>
Deface, damage, interfere with traffic control device	6.2	\$150.00
Remove notice placed on vehicle	6.3	\$100.00
Failure to comply with lawful order	6.4	\$50.00
Deposit water, oil etc. on highway	7.1(a)	\$75.00
Leave excavation without barricades	7.1(b)	\$150.00
Interfere with barricade near excavation	7.1(c)	\$50.00
Engage in occupation on highway not permitted	7.1(d)	\$50.00
Obstruct Passage Of Pedestrians/Vehicle	7.1(e)	\$50.00
Drive between vehicles in parade or funeral procession	7.1(f)	\$50.00
Occupy trailer as living quarters	7.1(g)	\$50.00
Repair vehicle on highway	7.1(h)	\$50.00
	7.1(i)	\$50.00
Drive motor vehicle where prohibited	7.1(j)	\$75.00
Drive motor vehicle on grass or trails	7.1(k)	\$150.00
Failure to remove debris from accident	8.1	\$50.00
Failure to remove snow or ice from sidewalk	9.1	\$50.00
Failure to remove snow or ice from roof	9.2	\$50.00
Failure to maintain sidewalk & boulevard	9.3	\$75.00
Deposit snow, ice on highway or city property	9.4	\$50.00

APPENDIX 8 – Page 2

Traffic Bylaw, 2009, No. 1436

<u>Column 1</u> <u>Offence</u>	<u>Column 2</u> <u>Section</u>	<u>Column 3</u> <u>Fine</u>
Prohibited Highway use without permit	11.0	\$150.00
Construct crossing without permit	12.0	\$100.00
Park in Disable parking zone	14.3	\$50.00
Park for longer than 24 hours	17.1(a)	\$50.00
Park on bridge	17.1(b)	\$50.00
Park in bus loading zone	17.1(c)	\$50.00
Park on highway side of central boulevard	17.1(d)	\$50.00
Park on or within 6 meters of crosswalk	17.1(e)	\$50.00
Park more than 30 centimeter from curb	17.1(f)	\$50.00
Double park	17.1(g)	\$50.00
Park in front of driveway	17.1(h)	\$50.00
Park in front of entrance to public place	17.1(i)	\$50.00
Park within 5 meters of fire hydrant	17.1(j)	\$50.00
Park in an intersection	17.1(k)	\$50.00
Park in a lane	17.1(l)	\$50.00
Park long vehicle on highway	17.1(m)	\$50.00
Park to obstruct traffic	17.1(n)	\$50.00
Overtime parking	17.1(o)	\$50.00
Park in contravention of traffic control device	17.1(p)	\$50.00
Park in contravention of painted parking lines	17.1(q)	\$50.00

APPENDIX 8 – Page 3

Traffic Bylaw, 2009, No. 1436

<u>Column 1</u> <u>Offence</u>	<u>Column 2</u> <u>Section</u>	<u>Column 3</u> <u>Fine</u>
Park on bicycle path	17.1(r)	\$50.00
Park within 15 meters of railway crossing	17.1(s)	\$50.00
Display Vehicle for Sale on Highway	17.1(t)(i)	\$50.00
Display signs on highway	17.1(t)(iii)	\$50.00
Sale of commodities or articles on highway	17.1(t)(iv)	\$50.00
Park in school zone	17.1(u)	\$50.00
Park on sidewalk	17.1(v)	\$50.00
Park within 6 meters of traffic control signal	17.1(w)	\$50.00
Overtime parking of truck or motor home	17.1(x)	\$50.00
Park to obstruct visibility of traffic control device	17.1(y)	\$50.00
Park on paved portion of road	17.1(z)	\$50.00
Park on wrong side of highway	17.1(aa)	\$50.00
Park in commercial vehicle loading zone	18.1	\$50.00
Park unhitched trailer on highway	23.1	\$50.00
Planting, fence or structure within sight line of intersection	23.2	\$50.00