

## CITY OF CASTLEGAR

### Commercial Vehicle Route and Regulation Bylaw No. 716

A Bylaw to regulate the routes and gross weight of commercial vehicles in respect to highways in the City.

WHEREAS under Section 120 of the *Motor Vehicle Act* the City has the same powers and rights with respect to highways other than arterial highways in the municipality and their use by vehicles and persons as are exercisable by the Lieutenant Governor in Council and not referred to in Section 120 of the *Motor Vehicle Act*;

AND WHEREAS City Council may exercise those powers and rights by a bylaw;

AND WHEREAS under Section 211 of the *Motor Vehicle Act* the Lieutenant Governor in Council may make regulations in respect of vehicles driven, used or operated on highways in a municipality deemed necessary or advisable for regulating in respect of a highway the gross weight of vehicles or loads;

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

#### Citation

1. This bylaw may be cited as "Commercial Vehicle Route and Regulation Bylaw No. 716".

#### Definitions

In this bylaw, unless the context otherwise requires:

"City" means the City of Castlegar.

"Commercial Vehicle" means any vehicle defined as such by, and licensed pursuant to, the *Commercial Transport Act*, and any vehicle not so licensed which is used for the collection or delivery or both, of goods, wares, merchandise and other commodities in the ordinary course of a business undertaking.

"Council" means the Municipal Council of the City of Castlegar.

"Emergency Vehicle" means:

- (a) A motor vehicle carrying rescue or first aid equipment where there is an urgent emergency justifying a rate of speed in excess of any rate of speed provided for in the *Motor Vehicle Act*;

- (b) A motor vehicle driven by a member of the City of Castlegar Fire Department in the discharge of his duties;
- (c) A motor vehicle driven by a Peace Officer, Constable or member of the Police Branch of Her Majesty's Armed Forces in the discharge of his duties.

"Fire Chief" means the person duly appointed as such from time to time, and includes any person appointed or designated by the Fire Chief to act on his behalf.

"Highway" means a highway located within the City and includes every road, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles but does not include a highway defined in the *Highway Act* as an arterial highway.

"Peace Officer" means a Constable or person having the powers of a Constable and includes a Bylaw Enforcement Officer appointed under the *Police Act*.

"Superintendent of Public Works" means the person duly appointed as such from time to time, and includes any person appointed or designated by the Superintendent of Public Works.

#### Restrictions

- 2. No person shall drive a commercial vehicle with a gross vehicle weight in excess of 5,500 kg upon a highway as defined in Schedule "A" of this bylaw, in the City of Castlegar.

#### Exceptions

- 3. Notwithstanding Section 2, the following vehicles are exempt from the provisions of this bylaw:
  - 3.1 Municipal or utility vehicles engaged in work upon roadways or within the City;
  - 3.2 Emergency vehicles operating under the direction of the Fire Chief or a Peace Officer;
  - 3.3 Commercial vehicles collecting or delivering goods and materials to properties adjacent to the highways defined in Schedule "A".

Signage

4. The Superintendent of Public Works may post signs in the form shown on Schedule "B" to this bylaw to notify persons using the highways of regulations, limits or prohibitions with respect to traffic made under the authority of this bylaw.

Ticketable Offences

5. Ticketable offences and the fines therefor shall be those as set out in Municipal Ticketing Bylaw.
6. Tickets issued for a ticketable offence shall be as set out in the regulations to the *Municipal Act*.

Penalty

7. A person who contravenes this bylaw commits an offence and is liable to a fine of not less than \$200.00 and not more than the maximum prescribed by the *Offence Act*.

Enactment


8. This bylaw shall come into full force and effect upon adoption.

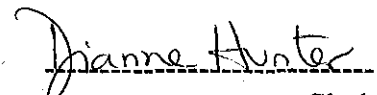
READ A FIRST TIME on the 6th day of December, 1994.

READ A SECOND TIME on the 6th day of December, 1994.

READ A THIRD TIME AND PASSED on the 7th day of January, 1997.

ADOPTED on the 21st day of January, 1997.

  
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Mayor

  
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Clerk

**CITY OF CASTLEGAR**

**COMMERCIAL VEHICLE WEIGHT RESTRICTION BYLAW NO. 716**

**SCHEDULE "A"**

**Designated  
Highway**

**Commercial Vehicle  
Weight Restriction**

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**Columbia Avenue from 18th Street  
to Arrow Lakes Drive**

**5,500 kg**

CITY OF CASTLEGAR

COMMERCIAL VEHICLE WEIGHT RESTRICTION BYLAW NO. 716

SCHEDULE "B"

Sign Regulating Gross Vehicle Weight

WEIGHT REGULATION

Gross Vehicle Weight  
Restricted to no more  
than 5,500 kg on  
NAME OF STREET