



**Diane Roy**  
Vice President, Regulatory Affairs

**Gas Regulatory Affairs Correspondence**  
Email: [gas.regulatory.affairs@fortisbc.com](mailto:gas.regulatory.affairs@fortisbc.com)

**Electric Regulatory Affairs Correspondence**  
Email: [electricity.regulatory.affairs@fortisbc.com](mailto:electricity.regulatory.affairs@fortisbc.com)

**FortisBC**  
16705 Fraser Highway  
Surrey, B.C. V4N 0E8  
Tel: (604) 576-7349  
Cell: (604) 908-2790  
Fax: (604) 576-7074  
Email: [diane.roy@fortisbc.com](mailto:diane.roy@fortisbc.com)  
[www.fortisbc.com](http://www.fortisbc.com)

November 30, 2017

British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC  
V6Z 2N3

Attention: Mr. Patrick Wruck, Commission Secretary and Manager, Regulatory Support

Dear Mr. Wruck:

**Re: FortisBC Energy Inc. (FEI)**

**Project No. 1598915**

**Application for Approval of Operating Terms between the City of Surrey and FEI  
(the Application) - FEI Supplementary Evidence**

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On May 18, 2017, FEI filed the Application referenced above. In accordance with the British Columbia Utilities Commission Order G-163-17 setting out the Regulatory Timetable for the review of the Application, please find enclosed the FEI Supplementary Evidence in the matter noted above.

If further information is required, please contact Ilva Bevacqua at 604-592-7664.

Sincerely,

**FORTISBC ENERGY INC.**

***Original signed:***

Diane Roy

Attachments

cc (email only): Registered Parties



## **FORTISBC ENERGY INC.**

# **Application for Approval of Terms for an Operating Agreement with the City of Surrey**

## **Supplementary Evidence of FEI**

**November 30, 2017**

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### APPENDIX A - SURREY'S BY-LAW NO. 13007

1 FortisBC Energy Inc.'s (FEI) Application and responses to information requests have provided  
2 considerable detail in support of its proposed terms for an Operating Agreement with the City of  
3 Surrey (Surrey, the City, or the Municipality). This Supplementary Evidence is limited in scope,  
4 directed at responding to a report that Surrey has filed in response to an information request from  
5 the British Columbia Utilities Commission (the Commission) regarding the costs that Surrey incurs  
6 as a result of FEI operating in the Municipality. Specifically, FEI addresses the following matters:

- 7 • First, there is a logical flaw in quantifying an Operating Fee based on an assessment of  
8 costs that Surrey incurs due to FEI's presence in Surrey. In any event, the City's cost  
9 estimate appears to be significantly overstated.
- 10 • Second, the City's evidence as to how its 10 year Capital Plan overlays with FEI's gas  
11 pipeline infrastructure only serves to highlight how Surrey's proposed relocation cost  
12 allocation could be expected to impose very significant relocation costs on FEI customers.  
13 Surrey's proposal that FEI would bear all of the costs of relocating its own facilities except  
14 in the case of new highways either eliminates (in most cases) or significantly reduces any  
15 incentive for Surrey to avoid inefficient or unnecessary requests to relocate FEI facilities.

16  
17 FEI's silence on other matters raised by Surrey in its evidence should not be treated as agreement.  
18 For instance, a significant portion of the City of Surrey's materials included with its responses to  
19 information requests relates to past projects and disputes with FEI. While FEI disagrees with  
20 Surrey's characterization of these disputes, FEI has not responded at this time because FEI  
21 considers that an examination of past disputes is not of assistance to the Commission in resolving  
22 the outstanding matters for determination in this Application. FEI's own responses to information  
23 requests address FEI's positions on the issues raised and the cost responsibility based on FEI's  
24 Proposed Operating Terms.

## 25 **1. FEI'S RESPONSE TO SURREY'S EVIDENCE REGARDING THE** 26 **COSTS THAT SURREY INCURS**

27 In BCUC-Surrey IR 1.4.2, the Commission asked Surrey the following question:

28 Please provide an analysis and describe, in detail, how the proposed 3 percent  
29 Operating Fee amounts calculated for each of the next five years compares to the  
30 anticipated costs related to FEI's activities within the City of Surrey. This should  
31 include a description of key cost drivers, key assumptions, key risks and a  
32 sensitivity analysis of items that are subject to material volatility. How does the  
33 calculation differ if FEI's proposed Operating Fee is applied? Please explain the  
34 differences.

35 In response to that information request, Surrey provided a report prepared by the City's municipal  
36 engineering consultant titled "Analysis of Costs Incurred by the City of Surrey due to FEI's

1 Presence and Activities within Highways” (the City’s Report or the Report). The City’s Report  
2 indicates that it was undertaken to assess the direct and indirect costs the City incurs as a result of  
3 FEI’s gas infrastructure located within the City’s highways. The City’s Report concluded that the  
4 City’s costs are in excess of \$3.3 million per year. The Report states that the City would not have  
5 incurred these administrative, capital, and operating costs if FEI’s infrastructure was located  
6 outside the highway/road allowance boundaries, such as in private property and Statutory Rights  
7 of Way (SROW). FEI explains below why it takes issue with the premise of having an Operating  
8 Fee determined based on an assessment of this nature, given that costs not recovered by  
9 municipal fees are recovered through taxes. FEI observes that its presence also confers a benefit  
10 on the City. Finally, FEI identifies a number of assumptions in the City’s Report that result in the  
11 estimated costs being significantly overstated in any event.

12 In providing the response below, FEI acknowledges the following comments from Surrey’s counsel  
13 in Exhibit B2-10, in which he advised that the City’s Report is not central to Surrey’s proposed  
14 Operating Fee:

15           The City has been clear that the operating fee it requests is calculated on the same  
16           basis as the operating fees FEI is currently remitting to 75 other municipalities in the  
17           province (e.g., 3% of gross revenues excluding taxes), none of which are calculated  
18           on the basis of the respective municipality’s costs.

19           ...

20           We continue to believe that FEI’s assumption that the operating fee should reflect a  
21           detailed assessment of the municipality’s costs is not right because it goes against  
22           the precedent of all 75 of FE I’s operating agreements with operating fees.

23           The Aplin Martin report is not central to the City’s requested operating fee. It was  
24           submitted in response to the Commission’s IR. ...

25 **1.1 MUNICIPALITIES COLLECT PERMIT FEES FOR WORK AND OTHER COSTS ARE**  
26 **COVERED BY TAXPAYERS**

27 Leaving aside for the moment the accuracy of the City engineers’ estimate, there is a fundamental  
28 logical flaw with basing an Operating Fee on an estimate of the costs that the Municipality incurs in  
29 its dealings with FEI. Municipalities do not operate on the basis that third parties (e.g., developers,  
30 utilities, etc.) wishing to operate or perform work in public spaces are billed for all of the City’s  
31 related operating, administrative and capital costs. Rather, municipalities charge published fees  
32 for permits and approvals. To the extent that the municipal fees charged do not offset the  
33 municipality’s full costs, the residual amount is part of the municipality’s overall operating budget  
34 that is recovered through other means (e.g., taxes).

35 Appendix A to this Supplementary Evidence is information regarding municipal fees that Surrey  
36 charges to third parties in the normal course. This information is part of Surrey’s By-Law No.

1 13007, which includes Schedule B – Schedule of Fees, and was obtained from Surrey’s website at  
2 [http://www.surrey.ca/bylawsandcouncilibrary/BYL\\_reg\\_13007.pdf](http://www.surrey.ca/bylawsandcouncilibrary/BYL_reg_13007.pdf). Surrey has never sought to  
3 charge FEI more than the published permit fees.

4 As FEI stated in its Application, FEI takes the position that it is presently not required to pay any  
5 permit fees to the City. FEI has frequently not paid the fees, and typically only pays them when it  
6 is expeditious to do so. However, even if FEI were to be subject to the full permitting fees, they  
7 would not come anywhere close to the \$3.3 million amount discussed in the City’s Report. FEI  
8 demonstrated in the Application<sup>1</sup> that, even if FEI were to pay all permit fees, the associated  
9 revenue to the City would be approximately \$350 thousand. Indeed, even the City’s Report  
10 discusses permit and pavement cut fees of approximately the same value.<sup>2</sup> This serves to  
11 highlight FEI’s view that an Operating Fee higher than what FEI is proposing would really be more  
12 akin to a tax by the City on FEI’s customers in Surrey to cover costs that the City would otherwise  
13 be recovering from all residents of Surrey.

## 14 **1.2 UTILITIES ALSO BRING BENEFITS TO MUNICIPALITIES**

15 The City’s Report is focused on the costs “as a result of Fortis’ infrastructure operating with in the  
16 City’s highways”<sup>3</sup> without considering the potential benefit to the City from having natural gas  
17 infrastructure present.

18 It is evident from Figure 1 below which shows FEI’s steady increase in new customer attachment  
19 rates for all building types and customer classes since 2013 and FEI’s upward trending capture  
20 rate (most recent data available is for 2014 and 2015) that the availability of natural gas service is  
21 important to Surrey’s community. Surrey is the single largest municipality that FEI serves with  
22 regard to the number of new customer attachments.

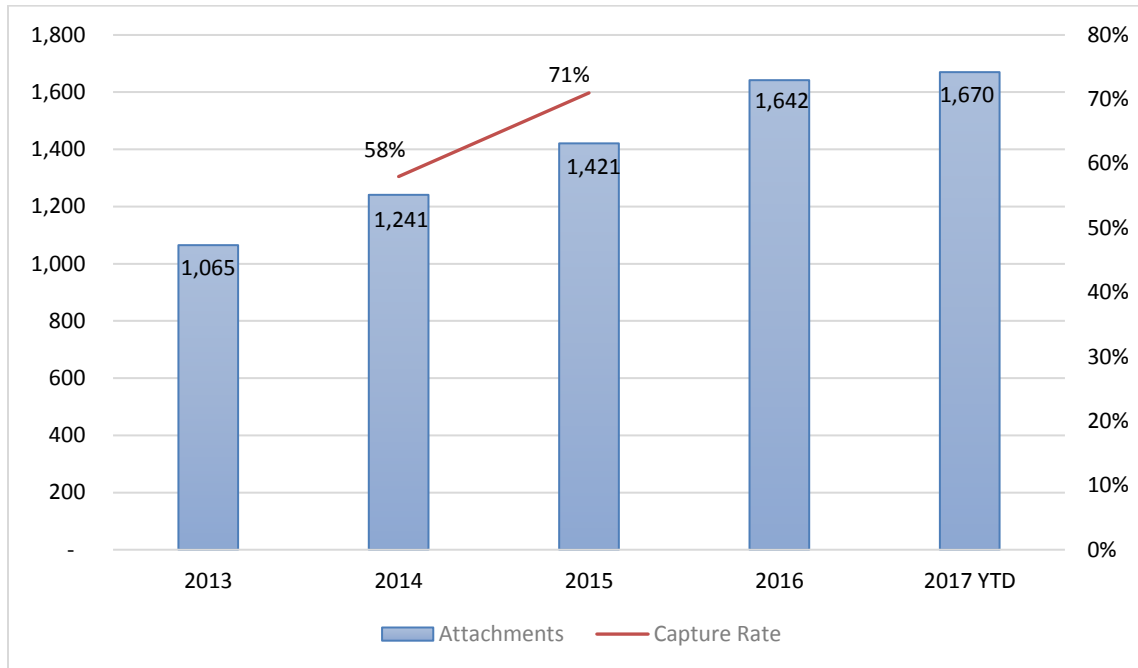
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<sup>1</sup> Page 15.

<sup>2</sup> City’s Report, p. 12.

<sup>3</sup> City’s Report, page 12.

1 **Figure 1: FEI New Customer Attachments and Capture Rate for Surrey**



2  
 3 FEI’s commercial and industrial customers in Surrey make up 37 percent of the total volume of gas  
 4 FEI delivers in Surrey, with the balance delivered to residential customers. These commercial and  
 5 industrial customers rely on gas service for their heating, hot water, or business process needs.  
 6 FEI serves 220 industrial customers and 8,829 commercial customers in Surrey, for a total of  
 7 9,049 commercial and industrial customers (as at August 31, 2017). Table 1 below provides the  
 8 breakdown.

9 **Table 1: FEI Commercial and Industrial Customer Count in Surrey**

Customer Class	# Customers (at Aug 31, 2017)	Total Volume (GJs)	% of Total Volume
Commercial	8,829	3,379,208	22%
Industrial	220	2,274,799	15%
<b>Total:</b>	<b>9,049</b>	<b>5,654,007</b>	<b>37%</b>

10  
 11 FEI expects that these businesses and industries contribute substantially to Surrey’s tax revenue  
 12 base.

13 FEI is also a Surrey taxpayer. FEI’s main operations centre is in Surrey. FEI pays taxes to Surrey  
 14 for all of its facilities and operations in the Municipality (including offices, buildings, stations, pipe  
 15 assets, and services). In 2017, FEI paid to the City of Surrey approximately \$5.2 million in taxes.  
 16 Table 2 below provides the breakdown of taxes paid by FEI to the City as a result of its facilities  
 17 and operations in Surrey:

1

**Table 2: 2017 Taxes Paid by FEI to Surrey**

Tax	Amount
1% of Revenue	\$ 1,175,971
General Municipal	861,508
School	2,439,020
Other	703,185
<b>Total:</b>	<b>\$ 5,179,684</b>

2

3 This amount alone exceeds, by a wide margin, the amount that the City is asserting that it incurs  
 4 annually as a result of FEI’s gas infrastructure being located within the City’s highways.

5 Much of FEI’s larger transmission infrastructure has been present in the City of Surrey since the  
 6 late 1950s, originally built in Statutory Rights of Way (SROW). However, due to the City’s  
 7 development, FEI had to either surrender its SROWs or have them expropriated to allow the City  
 8 to install its own infrastructure. As such, the development that has taken place over the years now  
 9 causes FEI significant costs to manage its infrastructure as a result of the presence of Surrey’s  
 10 own utility facilities and road infrastructure. Not unlike Surrey, FEI and other third party utilities  
 11 have similar challenges to those cited in the Report. FEI incurs additional costs to comply with  
 12 Surrey’s by-laws, rules, and requirements. FEI also incurs additional costs to work around  
 13 Surrey’s own facilities and infrastructure, and from working within constrained corridors.  
 14 Effectively, these types of costs must be managed and factored into each party’s own business,  
 15 operations, planning, and budgeting processes in the normal course.

16 Much of the work FEI performs in the Municipality in a given year is related to the requirement for  
 17 FEI to relocate its infrastructure, directly driven by and at the request of Surrey either for its own  
 18 requirements or for third party projects for which Surrey has issued building permits. As discussed  
 19 later in Section 2, Surrey’s proposal to eliminate any obligation to pay for requested relocations of  
 20 FEI facilities in most circumstances, and to bear only half the costs in other circumstances, would  
 21 negate or reduce the financial disincentive on Surrey to request costly and inefficient relocations.

22 **1.3 ISSUES WITH THE AMOUNTS ESTIMATED BY THE CITY’S ENGINEERS**

23 The City’s engineers have made a number of assumptions in the Report when estimating costs  
 24 related to FEI’s presence in municipal roads. While FEI does not have visibility into some of the  
 25 City’s internal costs and project details, FEI has provided below some general observations about  
 26 the reasonableness of City’s assumptions regarding some of the costs, the frequency of such  
 27 costs being incurred, and their allocation. FEI has also provided some specific examples of  
 28 instances where the cost estimates appear to be excessive, where the City’s Report treats some  
 29 costs as the norm when in fact they are the exception, and where the City’s Report has attributed  
 30 costs to the Municipality that would, in fact, be paid by FEI in the normal course.



1 **1.3.1 Operating Costs**

2 The City’s Report discusses operating costs<sup>4</sup> such as emergency services for response to gas  
 3 leaks or breaks, utility cross bores, tree replanting, and utility infrastructure repairs. The City’s  
 4 Report does not attribute a cost to these items; however, it does provide some discussion. The  
 5 following table summarizes the City’s claim and FEI’s comments on cost items.

6 **Table 3: Operating Costs Items**

Cost Item	City’s Claim	FEI’s Reason the City’s Claim is Overstated
Gas Leak or Break Response	When there is a gas leak, or break, either due to pipe age/condition or construction activity (City, Regional Government, Developer, or 3rd Party Utility Agency), City emergency services are called upon as a first responder.	<ul style="list-style-type: none"> <li>• The City first responders (Fire Dept.) are dispatched to attend only some gas leaks, and the decision to attend is based on the City’s own criteria. If FEI’s Technicians and Crews require the Fire Dept., FEI makes an outbound call, which is very infrequent.</li> <li>• FEI Technicians are also called to respond to house fires by the City Fire Department. These calls rarely involve gas and is at a cost to FEI.</li> </ul>
Utility Cross Bores <sup>5</sup> (sanitary and storm sewer) and Repair	Instances where Fortis, or its contractor, has damaged municipal infrastructure by drilling a gas service through a municipal sewer and as a result the City has higher maintenance costs for flushing and inspecting their sewers as the video camera cannot proceed past the service nor can the City utilize root cutting / debris removal equipment as there is a risk to damaging the gas service.	<ul style="list-style-type: none"> <li>• There have been 9 cross bores in Surrey since FEI commenced a cross bore program with municipalities in 2014. One was not caused by FEI’s installation.</li> <li>• Cross bores are a legacy issue, since current construction procedures prevent future cross bore occurrences. The number of occurrences will continue decline until the projected completion of the review program targeted by the end of 2018.</li> <li>• When a cross bore caused by FEI’s installation is discovered, FEI pays for the cost associated to resolve it. This includes delays, repairs, restoration, and standby costs.</li> </ul>
Tree Replanting	Whether in roadside boulevards or in Parks, as a result of Fortis’ activities and removal of trees to facilitate Fortis’ gas pipelines and services.	<ul style="list-style-type: none"> <li>• FEI’s construction managers who work in Surrey do not recollect an instance where tree removal and replanting has occurred during day-to-day operations.</li> <li>• In 2017, FEI embarked on a large transmission pipeline project that passes through the City of Surrey. That project required the removal of many trees but the majority were in FEI’s right-of-way or on private property. The few that were removed from City property were cottonwood and alders that the City and FEI mutually agreed should be removed. FEI paid all costs of removal, plus the cost of some enhancements to City property.</li> </ul>

<sup>4</sup> City’s Report, p. 3.

<sup>5</sup> A cross bore is the intersection of an existing underground utility or underground structure by a second utility installed using trenchless (directional drilling) technology. This results in an intersection of the utilities, compromising the integrity of either or both utility or underground structure.

Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
Utility / Infrastructure Repairs	Required where Fortis, or its contractor, has completed unauthorized cross bores (described above) or not restored the surface (asphalt, sidewalk, ditch, etc.) to original conditions and/or City standards.	<ul style="list-style-type: none"> <li>Surface repairs are completed to municipal standards. FEI uses the same paving contractor as the City to ensure repairs meet Surrey standards. In some cases, these asphalt repairs are better than the existing roadway, with some repairs requiring multiple grind-backs and repaving to meet City standards.</li> </ul>

1

2 **1.3.2 Administrative/Overheads**

3 The City's Report discusses costs for administrative/overheads<sup>6</sup>. The following table summarizes  
 4 the City's claim and FEI's comments on certain cost items. FEI notes that there appears to be a  
 5 calculation error in the City's Report such that the permit fee revenues have been treated as costs,  
 6 and added to the estimated administrative and overhead costs, as opposed to being netted out  
 7 against the costs. This error results in a significant overstatement of costs as noted in the table  
 8 below.

9

**Table 4: Administrative/Overheads**

Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
Administrative Costs for Permitting	<ul style="list-style-type: none"> <li>Administrative and overhead costs include internal staff time/costs and costs related to processing permits that are incurred as part of the permitting and enforcement of municipal bylaws.</li> <li>Surrey Administrative / Overhead Costs to Permit FEI Work based on 2,313 financial transactions from FEI to the City result in a Total Cost of \$511,330.</li> </ul>	<ul style="list-style-type: none"> <li>FEI used Surrey's published Schedule of Fees from Schedule B of By-Law No. 13007 (Appendix A), which are the only amounts Surrey has the opportunity to recover from third parties filing for such permits.</li> <li>FEI's calculation on permitting and pavement cut fees, based on 2,313 transactions and Surrey's published fees, resulted in \$358,730, which it then rounded in FEI's calculation in the Application to \$350 thousand.</li> <li>This \$350 thousand was then used as part of FEI's calculation for the purposes of including this amount in a cost-based calculation to support an Operating Fee based on 0.7 percent of Delivery Margin revenue, should the Commission determine an Operating Fee is appropriate.</li> <li>The City's Report appears to have treated Permit revenues collected from FEI (Permit Fees of \$154,030 and Pavement Cut Fees of \$204,700) as costs.</li> <li>Surrey's Permit fees revenues appear to exceed its costs by a healthy margin (Revenues \$358,730 less Costs \$152,600 = \$206,130 income). Therefore, the City's cost estimate is overstated by \$717,460.</li> </ul>
Enforcement	<ul style="list-style-type: none"> <li>As noted above.</li> </ul>	<ul style="list-style-type: none"> <li>FEI uses the same contractor for asphalt paving repairs as is used by the City, which FEI would expect would reduce the need for additional inspections.</li> </ul>

<sup>6</sup> City's Report, pp. 3-4.

1 **1.3.3 Capital Program Costs**

2 The City’s Report discusses capital program costs<sup>7</sup>. FEI provides the following general comments  
 3 on themes that appear throughout the Report, and provides more specific comments in Table 5  
 4 which follows.

5 **1.3.3.1 Unusual or Exceptional Cost Items:**

6 In calculating values for the various cost items identified in the Report and Appendix 2 to the  
 7 Report, the City has treated exceptional or unusual items as though they apply to all jobs. FEI  
 8 believes this approach results in costs being significantly overstated.

9 For example, the City’s engineers have assumed additional cost to install their facilities at greater  
 10 depth to avoid conflicts with FEI’s facilities. In Appendix 2 of the Report, cost items are provided  
 11 under three pipe scenarios (IP/TP and DP crossings, and DP Parallel) across four or five service  
 12 categories (water, sewer, storm, roadworks, or roadworks [poor soil]). In the pipe scenarios, cost  
 13 items have been attributed to various service categories; however, the assumption in the Report is  
 14 that the cost items will apply in all cases to all of the jobs/projects. This assumption results in  
 15 approximately \$3.4 million of costs over the City’s 10 year plan (IP/TP \$1,046,250; DP \$43,750;  
 16 DP Parallel \$2,338,250; Total \$3,428,250). The assumption driving these significant cost estimates  
 17 is unrealistic because conflicts with FEI’s facilities represents the exception rather than the norm.  
 18 In reality, Municipal facilities such as sanitary sewers are generally located much deeper than  
 19 FEI’s distribution mains and it would be rare for FEI’s facilities to cause conflict and require Surrey  
 20 to locate its facilities deeper than they otherwise would. In fact, the City has already stated that  
 21 gas piping is “generally shallower than City water mains, drainage and sanitary sewers therefore  
 22 FEI’s infrastructure tends to cross above the City’s utilities”<sup>8</sup>. This means that FEI facilities rarely  
 23 conflict with the City’s underground utilities. As such, estimated amounts for additional depth and  
 24 the frequency of occurrence in the Report is overstated.

25 **1.3.3.2 Poor Soil Conditions:**

26 In most cases in the City’s Report, there are significantly higher costs attributed to circumstances  
 27 where soil conditions are poor. It is important to note that the presence of poor soil conditions is  
 28 not something that FEI nor the City has control over, it simply is a factor that must be dealt with in  
 29 the circumstance. As such, it not valid to characterize the presence of FEI’s infrastructure as  
 30 contributing to all costs related to poor soil conditions. Indeed poor soil conditions necessitate the  
 31 City to conduct studies and perform work irrespective of the other third party utilities that may be  
 32 present. FEI notes that it also incurs additional costs borne by FEI’s customers to maintain and  
 33 operate its distribution system when poor soil conditions are present in the City of Surrey, for which  
 34 FEI has no control.

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<sup>7</sup> City’s Report, pp. 4-11.

<sup>8</sup> Ex. B2-8-1, Surrey Response to BCUC IR 1.7.2.

1 The City’s Report identifies five roadworks projects under poor soil conditions that the Report  
 2 indicates result in over \$10 million over the next 10 years for five jobs/projects. While FEI does not  
 3 have the specific job details, a review of the maps indicate that some or all of those jobs may  
 4 actually be in FEI’s SROWs rather than in Municipal roadways. To the extent that these jobs are in  
 5 FEI’s SROWs, those costs should be excluded based on the scope of the Report. Further, even if  
 6 one or more of these jobs is in the Municipality’s roadways, the Report again assumes that poor  
 7 soil conditions will occur in all five jobs, and that FEI will be required to install a bypass at \$1.5  
 8 million for each of the five cases (\$7.5 million total). Again, this is extremely unlikely given only  
 9 one such circumstance has arisen on a project in the past 60 years.

10 **1.3.3.3 Statutory Rights of Way:**

11 The City’s Report may also have included in their 10 year plan of projects some projects, even  
 12 beyond those noted above which may encounter poor soil conditions, where FEI’s infrastructure  
 13 may not be located in Surrey’s roadways, but instead be in private land or in FEI’s SROWs.  
 14 Without more detailed project specific information, it is not possible for FEI to confirm; however, to  
 15 the extent that is the case, costs for those projects should be excluded based on the scope of this  
 16 Report.

17 **1.3.3.4 FEI Specific Comments:**

18 The following table summarizes certain costs claimed in the City’s Report under the Design Phase  
 19 and Construction Phase that FEI believes the City’s Report is overstating. FEI’s comments apply  
 20 generally to the three pipe scenarios (IP/TP and DP crossings, and DP Parallel) unless specifically  
 21 identified.

22 **Table 5: Capital Cost Items**

Cost Item	City’s Claim	FEI’s Reason the City’s Claim is Overstated
<b>Design Phase</b>		
Utility Pre-location (Report p. 7)	<ul style="list-style-type: none"> <li>• Upon receiving record information from BCOne Call, the design consultant is required to physically locate key utilities that are within the project scope and transpose the surveyed data to the drawing in preparation for the detail design.</li> <li>• For example, in May 2017, we requested a quote from one of the local contractors to perform utility pre-location for one of our design projects. The cost to perform pre-locates for each crossing instance averaged at \$4,470 including the contractor effort and the design staff time.</li> </ul>	<ul style="list-style-type: none"> <li>• FEI’s cost for pre-location work is typically closer to \$1,000, which suggests that the cost the City Report is citing is for locating other utilities as well.</li> <li>• FEI frequently receives short-notice relocation requests from the City at the construction stage, which suggests that the City is not always conducting pre-location work at the design stage.</li> </ul>

Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
<p>Geotechnical Investigation and Assessment (Report p. 7)</p>	<ul style="list-style-type: none"> <li>Geotechnical investigation efforts could vary significantly depending on the location and type of infrastructure renewal work. For a typical utility renewal project, the geotechnical investigation and reporting cost is averaged at \$5,675. However, when unfavorable subsoil condition is encountered in a roadworks project, the cost of geotechnical investigation and assessment is averaged at \$67,300 due to the additional assessment that is needed to be performed to ensure the existing Fortis main is not subjected to any negative impact during the subsoil improvement.</li> </ul>	<ul style="list-style-type: none"> <li>Geotechnical is typically not required for renewal work on utility crossings.</li> <li>Geotechnical is required for new road construction. However, a geotechnical assessment would be required for the road construction project itself, as well as for other utilities, so implying that this is exclusive to the gas infrastructure is unrealistic.</li> </ul>
<p>Electromagnetic field review (Report p. 8)</p>	<ul style="list-style-type: none"> <li>This investigation is required when working near IP/TP mains in order to assess the potential impacts resulting from relocating the BC Hydro Transmission infrastructure adjacent to the Fortis infrastructure. This scenario generally occurs when the City widens arterial corridors under Hydro ROW, such as 100 Avenue, 105 Avenue, 160 Street, and 168 Street. The cost of this review is averaged at \$16,520, which from our experience will take place once every two years based on the 10 Year Servicing Plan.</li> </ul>	<ul style="list-style-type: none"> <li>FEI would expect that this work would have to be undertaken in any event for other utilities including Surrey's own DI water mains.</li> </ul>
<p>Design efforts to accommodate existing gas main (Report p. 8)</p>	<ul style="list-style-type: none"> <li>Design efforts will need to be expended to address the spatial and surrounding environmental constraints. For a typical utility improvement project, the design effort is averaged at \$2,770. However, when poor subsoil is encountered the design effort is estimated at \$27,700 as it requires specific design requirements to address the existing Fortis infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>This amount is likely overstated for the same reasons as with Geotechnical Investigation and Assessment, and is not applicable if pipe is in FEI's SROW.</li> </ul>

Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
<p>Prepare permit application and liaison during application (Report p. 8)</p>	<ul style="list-style-type: none"> <li>In addition to design, the consultant team will be required to prepare and apply for authorization to work near Fortis IP/TP infrastructure, which will often include separate design drawings as well as additional sketches / reports to present findings and a mitigation strategy to the satisfaction of the Fortis representatives. For a typical project, the effort is averaged at \$855. However, for roadworks projects in poor subsoil region, the effort is averaged at \$13,500.</li> </ul>	<ul style="list-style-type: none"> <li>FEI believes the average effort noted by the City at \$855 for applying for a permit from FEI is overstated. FEI's permit process is now online rather than manual, and approximately 50 percent of applications are processed within a 24-hour turnaround.</li> <li>On a straightforward crossing, FEI estimates approximately 15 minutes of time would be required.</li> <li>In cases where there are a few anomalies, it may require interaction of a Project Engineer estimated at 1 hour at a rate \$165.</li> <li>Poor soil conditions are more complicated; however, the \$13,500 amount the City estimates is roughly 80 hours at a Project Engineer's rate. This seems excessive even with monitoring.</li> </ul>
<p>Delay in design approval and revisions (Report p. 8)</p>	<ul style="list-style-type: none"> <li>Upon submission to Fortis, iterative revisions and further follow ups will often be required. Typically, the consultant team will expend up to 40 hours of the team's effort in its attempt to ensure timely approval.</li> <li>Appendix 2 notes costs of \$3,840 and \$28,800 related to poor soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>If planned appropriately by the City at the design stage and FEI is provided with all the required information in a timely manner, FEI believes that there would not be any delays.</li> </ul>
<p>Presence of Fortis Watchman / Inspectors (Report p. 10)</p>	<ul style="list-style-type: none"> <li>Fortis representative(s) will need to be onsite during work performed near IP/TP mains. For typical projects, the Fortis inspector will be onsite up to 8 hours. For projects with unfavorable sub-soil condition, the typical Fortis inspector could be onsite for up to 500 hours over the duration of the project.</li> <li>Appendix 2 notes costs of \$1,320 and \$82,500 related to poor soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>Costs for FEI inspectors/watchmen are paid by FEI so no additional cost to the City unless the City requires weekends or overtime.</li> <li>The City is control of its own scheduling; therefore, it can control the need for overtime to manage/mitigate additional costs.</li> </ul>

Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
<p>Construction Delays (Report p. 11)</p>	<ul style="list-style-type: none"> <li>• In City infrastructure renewal projects with IP/TP main crossings, the Contractor (the City) will experience delays to the critical path schedule for each instance. This delay is often attributed to the scheduling of Fortis crew or outstanding terms stated in authorization to work. On one of the previous Aplin Martin projects (26104), we were delayed for 2 months after commencement of construction before receiving our authorization to work. For the purposes of our analysis we have assumed one week of delay on average.</li> <li>• Appendix 2 notes costs of \$21,400 and \$200,000 related to poor soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• FEI's experience is that construction delays are often caused by the requester.</li> <li>• Construction delays are often the result of either poor or insufficient planning by the City that has resulted in short-dated requests and unrealistic lead times for relocation work. In the case of TP/IP work, FEI requires additional lead time for special permitting, materials, and approval from the BC Oil and Gas Commission (OGC). Seasonal gas demands and maintenance activities may also restrict the timing of construction work to ensure reliability of supply to gas customers.</li> <li>• Delays are also caused by insufficient engineering data provided by the City.</li> <li>• For DP relocations, FEI crews are typically booked 4 to 6 weeks in advance, so short-dated relocations requests cannot always be accommodated. Again, most of these are preventable at the planning and design phase with many being caused by lack of pre-locating by the City.</li> <li>• FEI does expedite City requests where possible, but ultimately it means rescheduling and delaying other customer work.</li> </ul>
<p><b>Construction Phase</b></p>		
<p>Site meeting and pre-construction coordination with Fortis (Report p. 9)</p>	<ul style="list-style-type: none"> <li>• Prior to the start of construction, the contractor will attend an onsite meeting with Fortis' representatives to review the scope of the work, and various safety and emergency response protocols. This task will typically involve a representative from the consultant, the City, and the Contractor. In the case of unfavorable subsoil, there are ongoing meetings for the duration of the project to review the state of Fortis' infrastructure, access / maintenance requirements, and other constructions related issues. Accordingly, we estimated 150 hours of staff time will be required from each party.</li> <li>• Appendix 2 notes costs of \$1,740 and \$65,250 related to poor soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• While FEI recognizes that site and pre-construction meetings are necessary, FEI believes that the estimate of hours involved represents the rare occurrences where a DP relocation may be required and where soil conditions are poor.</li> <li>• As such, FEI believes the \$65,250 cited in Appendix 2 is overstated in that it represents rare instances.</li> <li>• This cost item would not apply if pipe is in FEI's SROW.</li> </ul>

Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
Utility pre-location (Report p. 9)	<ul style="list-style-type: none"> <li>• Prior to excavation, the construction contractor will be responsible for physically locating and marking the Fortis infrastructure including service connections. The cost make up for this task is very similar to that of the utility pre-location during design.</li> <li>• Appendix 2 notes costs of \$3,750.</li> </ul>	<ul style="list-style-type: none"> <li>• As noted above under the Design Phase utility pre-location, FEI believes that \$1,000 is a reasonable amount for this work.</li> </ul>
Loss of production due to hand excavation at crossing over 5m length (Report p. 9)	<ul style="list-style-type: none"> <li>• When working near any IP/TP mains, Fortis will require the contractor to perform hand excavation. The production rate with hand excavation is assessed at about 20% when the same tasks are performed by machine. The typical machine trenching rate is 7.5m per hour versus 1.5m per hour by hand.</li> <li>• Appendix 2 notes costs of \$1,450</li> </ul>	<ul style="list-style-type: none"> <li>• As written, this seems to suggest that hand excavation is required at 5m from FEI's pipe. To the extent that this is what is intended, FEI believes this cost is overstated by more than 50 percent given the Gas Safety Regulation section 39(6) requires hand excavation of 1m on either side of the pipe.</li> </ul>
Presence of Fortis Watchman / Inspectors (Report p. 10)	<ul style="list-style-type: none"> <li>• Fortis representative(s) will need to be onsite during work performed near IP/TP mains. For typical projects, the Fortis inspector will be onsite up to 8 hours. For projects with unfavorable sub-soil condition, the typical Fortis inspector could be onsite for up to 500 hours over the duration of the project.</li> <li>• Appendix 2 notes costs of \$1,320 and \$82,500 related to poor soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Costs for FEI inspectors/watchmen are paid by FEI so no additional cost to the City unless the City requires weekends or overtime.</li> <li>• The City is control of its own scheduling; therefore, it can control the need for overtime to manage/mitigate additional costs.</li> </ul>
Installation of pipe offset or concrete protector pad for IP/TP (Report p. 10)	<ul style="list-style-type: none"> <li>• For water main crossings of IP/TP mains, the installation of pipe offset will typically be required to go underneath the Fortis infrastructure. For road crossings of IP/TP mains, Fortis typically requires the installation of a concrete pipe protection pad above the gas main across the entire roadway as per Fortis drawing 99000-C-100-100-R3.</li> <li>• Appendix 2 notes costs ranging between \$11,025 and \$6,800.</li> </ul>	<ul style="list-style-type: none"> <li>• The referenced standard for concrete protector pads is outdated and no longer applicable. Pads are no longer routinely used on road crossings, but rather are rare when specified by an engineering assessment.</li> <li>• Therefore, FEI believes the estimate is overstated.</li> </ul>



Cost Item	City's Claim	FEI's Reason the City's Claim is Overstated
<p>Installation of Fortis bypass and monitoring (Report p. 10)</p>	<ul style="list-style-type: none"> <li>• A IP/TP bypass will be required to be constructed when a road upgrade is being performed under unfavorable sub-soil conditions. From previous experience, when preloading over the Fortis infrastructure, to improve the subsoil conditions, the City will be required to follow specific preload monitoring protocols on preload over the existing infrastructure as well as pay for the bypass which will serve as the future Fortis main once the road upgrade is completed. We based our unit cost for this item on historical data as these are very unique circumstances.</li> <li>• Appendix 2 notes costs of \$1.5m related to poor soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• There has only been one instance of geotechnical issues of this magnitude in the last 60 years in Surrey. Assuming that 5 will occur in the next 10 years is an aggressive assumption and unlikely.</li> <li>• Moreover, the cost estimate of \$1.5m for a bypass due to geotechnical issues would only relate to large diameter pipe. There are only a few discrete areas in Surrey where FEI has large diameter pipe that would likely be exposed to geotechnical issues. In those areas, FEI's transmission pipeline is in SROWs and not in the City's road allowance. As such, assuming, as the City's Report does, that FEI facilities are in the City's roadways is not accurate.</li> <li>• The estimated costs are significantly overstated for occurrence frequency and the \$1.5m amount.</li> </ul>
<p>Construction delays (Report p. 11)</p>	<ul style="list-style-type: none"> <li>• In City infrastructure renewal projects with IP/TP main crossings, the Contractor (the City) will experience delays to the critical path schedule for each instance. This delay is often attributed to the scheduling of Fortis crew or outstanding terms stated in authorization to work. On one of the previous Aplin Martin projects (26104), we were delayed for 2 months after commencement of construction before receiving our authorization to work. For the purposes of our analysis we have assumed one week of delay on average.</li> <li>• Appendix 2 notes costs of \$21,400 and \$200,000 related to pool soil conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Delays can also be a result of poor planning or lack of pre-location at the Design Stage, most of which is under the City's control to manage and mitigate.</li> </ul>

1 **2. WHAT THE CITY'S 10 YEAR CAPITAL PLAN SUGGESTS ABOUT**  
2 **EXPECTED RELOCATION COSTS**

3 The costs that FEI would incur as a result of municipally-requested relocations are potentially very  
4 significant in a rapidly developing municipality like Surrey. The City's Report includes a link to  
5 Surrey's 10-Year Servicing Plan, which includes both capital asset/projects and operating costs.  
6 The Report states that the authors overlaid the Capital Plan on FEI's gas pipeline infrastructure.  
7 This material highlights how the cost to all FEI customers could become very significant under  
8 Surrey's relocation cost allocation proposal, given that Surrey would have a significantly reduced  
9 incentive to avoid inefficient or unnecessary relocation requests.

10 Under the 1957 Operating Agreement (and other municipal operating agreements approved with  
11 Vancouver Island and Inland municipalities to which Surrey compares itself) the party requesting a  
12 relocation bears all of the costs. As such, there is significant cost discipline on the party requesting  
13 relocations. FEI's proposed Operating Agreement includes a compromise on High Pressure  
14 Pipelines that weakens this discipline in the interests of securing an overall agreement (FEI is  
15 proposing equal sharing for High Pressure Pipelines). Surrey's proposal goes further, suggesting  
16 the application of the Pipeline Crossing Regulation to both High Pressure Pipelines and Gas  
17 Mains, which would involve FEI paying 100 percent of the costs in many circumstances (with the  
18 only exception being new roads, where the costs would be shared equally). Surrey's proposal  
19 eliminates or materially reduces the present cost discipline on the City when requesting relocations  
20 of FEI's facilities for the City's own purposes, including for transmission relocations, the cost of  
21 which can be very significant. This outcome increases the potential for the City to initiate very  
22 costly relocations so as to reduce its own cost and inconvenience even where the relocation is  
23 unnecessary or costs more overall.

24 FEI's experience would suggest it is reasonable to expect Surrey to take this approach. Surrey  
25 has never moved its own facilities at the request of FEI, even though it may cost significantly less  
26 for the City to move its facilities than to require FEI to work around them. The majority of the costs  
27 incurred by FEI on projects usually relates to working around City infrastructure, restoring/paving to  
28 City specifications and working under their by-law restrictions (road and hours of work restrictions).

29 It is important for the Operating Agreement to retain cost discipline on Surrey when it requests  
30 relocations. FEI believes that allocating a greater portion of the costs of relocation to FEI than  
31 what has been proposed by FEI would materially erode benefits to FEI under the Proposed  
32 Operating Agreement. Certainly, it would be very harmful to FEI and its customers if the relocation  
33 allocation adopted by the Commission were to allow, for instance the City to insist on a relocation  
34 that may cost FEI a significant amount when the City could work around FEI's pipeline at a fraction  
35 of the cost.

**Appendix A**

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**CITY OF SURREY BY-LAW NO. 13007**

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

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 received 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 TRUCK**" means a motor vehicle which:

- (a) has a licensed gross vehicle weight in excess of 10,000 kilograms; or
- (b) comprises a tractor towing one or more trailers or semi-trailers.

"**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 resolution of the Council from time to time 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 resolution of the Council from time to time.
  - (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 (1) 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 motor vehicle having a licensed gross vehicle weight exceeding 5,000 kilograms on any highway within a residential district.
- (3) No person shall park any motor vehicle having a licensed gross vehicle weight exceeding 5,000 kilograms 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.

## 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, but not exceeding \$2,000.00.
- (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**

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

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
7(2)	Disobey traffic control device		\$150.00
7(3)	Damage traffic control device		\$100.00
7(4)	Remove notice from vehicle	\$40.00	\$60.00
8(1)	Disobey stop sign - stop line		\$150.00
8(2)	Disobey stop sign - crosswalk		\$150.00
8(3)	Disobey stop sign - no stop line/crosswalk		\$150.00
9	Stunting		\$100.00
10(1)	Unnecessary noise from vehicle	\$100.00	\$150.00
10(2)	Loud car stereo	\$100.00	\$150.00
10(3)	Other unnecessary noise from vehicle	\$100.00	\$150.00
11	Racing		\$250.00
12(1)	Due care and attention	\$150.00	\$200.00
12(2)	Reasonable consideration for others	\$150.00	\$200.00
12(3)	Speed relative to conditions		\$150.00
13(1)	Fail to yield to pedestrian - green light		\$150.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
13(2)	Fail to yield to vehicle - green light		\$150.00
14(1)	Yellow light at intersection		\$150.00
14(2)	Yellow light - no intersection		\$150.00
15(1)	Red light at intersection		\$150.00
15(2)	Fail to yield - right turn - red light		\$150.00
15(3)	Fail to yield - left turn - red light		\$150.00
15(4)	Red light - no intersection		\$150.00
16(1)	Disobey green arrow		\$150.00
16(2)	Fail to stop - yellow arrow		\$150.00
17(1)	Red flashing light at intersection		\$150.00
17(2)	Red flashing light - no intersection		\$150.00
17(3)	Yellow flashing light at intersection		\$150.00
17(4)	Yellow flashing light - no intersection		\$150.00
17(5)	Fail to yield at green flashing light		\$150.00
18	Drive over newly painted lines		\$100.00
19(1)	Unsafe lane change		\$125.00
19(2)	Lane change solid line		\$100.00
19(3)	Change lanes without signal		\$100.00
19(4)	Left turn from wrong lane		\$100.00
19(5)	Right turn from wrong lane		\$100.00
19(6)	Illegal pass on laned roadway		\$100.00
20(1)	Pass on right		\$100.00
20(2)(a)	Unsafe pass on right		\$125.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
20(2)(b)	Pass on right off roadway		\$100.00
21(1)	Disobey traffic sign or signal		\$150.00
21(2)	Disobey traffic sign or signal		\$150.00
22	Improper left turn - no intersection		\$125.00
23	Improper right turn - no intersection		\$125.00
24(1)	Unsafe U-turn		\$125.00
24(2)(a)	U-turn crest of a grade		\$125.00
24(2)(b)	U-turn vision is obstructed		\$125.00
24(2)(c)	Prohibited U-turn		\$150.00
24(2)(d)	U-turn - intersection		\$125.00
24(2)(e)	U-turn - business district		\$125.00
25	Unsafe start		\$125.00
26(1)	No signal on turn		\$125.00
26(2)	Inadequate signal on turn		\$125.00
27(2)	Drive vehicle without signal device		\$125.00
28	Fail to yield		\$150.00
28	Disobey yield sign		\$150.00
29	Fail to yield on left turn		\$150.00
29	Fail to yield to left turn vehicle		\$150.00
30(1)	Fail to yield after stop		\$150.00
30(2)	Fail to yield to vehicle leaving stop		\$150.00
31(1)	Emerging vehicle fail to stop		\$150.00
31(2)	Emerging vehicle fail to yield		\$150.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
32(1)	Fail to stop at railway crossing		\$150.00
32(1)	Leaving railway crossing unsafely		\$150.00
32(2)	Drive past railway crossing gate		\$150.00
32(3)	Commercial vehicle - no stop at railway		\$150.00
32(4)	Fail to proceed with caution at railway		\$150.00
33	Reverse into intersection		\$125.00
33	Reverse when unsafe		\$125.00
34(1)	Operate motorcycle - not on seat		\$125.00
34(2)	Permit unlawfully seated passenger		\$125.00
34(3)	Operate motorcycle over 2 abreast		\$125.00
35	Follow fire truck too closely	\$75.00	\$125.00
35	Park near fire truck	\$75.00	\$125.00
36	Drive over fire hose	\$75.00	\$125.00
37	Drive on sidewalk	\$150.00	\$200.00
38	Open door while unsafe	\$75.00	\$125.00
38	Open door longer than necessary	\$75.00	\$125.00
39	Disobey flagperson		\$200.00
40	Slow driving		\$125.00
41(1)	Speed in municipality		\$150.00
41(2)	Speed against municipal sign		\$150.00
41(3)	Speed on municipal laneway		\$150.00
42	Speed in school zone		\$150.00
43	Speed in playground zone		\$150.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
44	Fail to stop for school bus		\$200.00
45(1)	Fail to keep right		\$150.00
45(2)	Slow vehicle not on right		\$150.00
46	Pass when meeting oncoming vehicle		\$150.00
47(1)	Cross solid double line		\$150.00
47(2)(a)	Fail to keep right of double broken/solid line		\$150.00
47(2)(b)	Cross solid broken line		\$150.00
47(3)	Fail to keep right of single broken/solid line		\$150.00
48(1)(a)	Fail to pass at safe distance		\$150.00
48(1)(b)	Fail to complete pass safely		\$150.00
48(2)(a)	Fail to yield to passing vehicle		\$150.00
48(2)(b)	Increase speed while being passed		\$150.00
49	Unsafe pass on left		\$150.00
50	Pass without clear view		\$150.00
51(1)	Follow too closely		\$150.00
51(2)	Commercial vehicle - follow too close	\$150.00	\$200.00
52(1)	Drive over highway barrier		\$150.00
52(2)	Fail to keep right on divided highway		\$150.00
53(1)	Enter controlled access highway		\$150.00
53(2)	Leave controlled access highway		\$150.00
54(1)	Improper right turn		\$125.00
54(2)	Improper left turn - traffic both directions		\$125.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
54(3)	Improper left turn - traffic one direction		\$125.00
54(4)	Improper turn - disobey traffic control device		\$150.00
54(5)	Improper turn at intersection		\$125.00
54(6)	Improper turn at rotary traffic island		\$125.00
55	Fail to yield for emergency vehicle		\$200.00
56(1)	Fail to yield to pedestrian		\$150.00
56(2)	Pass vehicle yielding for pedestrian		\$200.00
56(3)	Disobey school guard/patrol		\$200.00
57	Unlawful engine brake		\$200.00
58(1)	Illegible plate		\$200.00
58(2)	Operate vehicle with obscured license plate		\$200.00
58(3)	Operate vehicle with device for obscuring license plate		\$200.00
58.1(1)	Prohibited idling	\$50.00	\$75.00
59(2)(b)	Pedestrian entering roadway	\$75.00	\$100.00
60(1)	Pedestrian disobey yellow light	\$75.00	\$100.00
61	Pedestrian disobey red light	\$75.00	\$100.00
62(2)	Disobey pedestrian traffic control signal	\$75.00	\$100.00
63(1)	Fail to use crosswalk at intersection	\$75.00	\$100.00
63(2)	Fail to use crosswalk - no intersection	\$75.00	\$100.00
64(1)	Impede traffic on highway	\$75.00	\$100.00
64(2)	Impede traffic on sidewalk	\$75.00	\$100.00
65(1)	Pedestrian fail to yield right-of-way	\$75.00	\$100.00



<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
65(2)	Fail to yield to pedestrian in crosswalk		\$150.00
65(3)	Pedestrian disobey traffic control device	\$75.00	\$100.00
65(4)(a)	Jaywalking	\$75.00	\$100.00
65(4)(b)	Pedestrian on roadway - sidewalk available	\$75.00	\$100.00
65(4)(c)	Pedestrian on roadway - no sidewalk	\$75.00	\$100.00
65(4)(d)	Careless pedestrian on highway	\$75.00	\$100.00
65(4)(e)	Careless pedestrian in crosswalk	\$75.00	\$100.00
65(5)	Solicit ride or business	\$75.00	\$100.00
65(6)	Sledding, etc. on roadway		\$100.00
66(2)(a)	Ride cycle on sidewalk	\$75.00	\$100.00
66(2)(b)	Ride cycle on crosswalk	\$75.00	\$100.00
66(2)(c)	Fail to ride cycle on right	\$75.00	\$100.00
66(2)(d)	Cyclist riding abreast	\$75.00	\$100.00
66(2)(e)	Cyclist riding without using handlebars	\$75.00	\$100.00
66(2)(f)	Cyclist not astride seat	\$75.00	\$100.00
66(2)(g)	Cyclist carrying too many persons	\$75.00	\$100.00
66(2)(h)	Cyclist on highway where prohibited	\$75.00	\$100.00
66(2)(i)	Cycle without required bicycle helmet	\$75.00	\$100.00
66(3)	Permit cycling without required bicycle helmet	\$75.00	\$100.00
66(5)	Cycle attached to vehicle		\$150.00
66(6)	Careless cycling		\$150.00
66(6)	Cycle without reasonable consideration		\$150.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
66(7)	Ride cycle without lights	\$55.00	\$150.00
67(1)	Fail to deposit fee	\$35.00	\$50.00
67(2)	Remetering	\$35.00	\$50.00
67(3)	Parking meter expired	\$35.00	\$50.00
67.1(4)	Fail to pay fee	\$35.00	\$50.00
67.1(5)	Purchased time expired	\$35.00	\$50.00
67.1(6)	Parking time exceeded	\$35.00	\$50.00
68(1)	Park on left side	\$35.00	\$50.00
68(1)	Park too far from curb	\$35.00	\$50.00
68(2)(a)	Unsecured motor vehicle	\$75.00	\$100.00
68(2)(b)	Fail to turn front wheels when parked on road	\$75.00	\$100.00
68(3)	Park obstructing traffic	\$75.00	\$100.00
68(4)	Improper angle parking	\$60.00	\$80.00
68(4.1)	Improper reverse angle parking	\$60.00	\$80.00
68(5)	Fail to display valid number plates	\$75.00	\$100.00
68(7)	Park closer than 1 metre to parked vehicle	\$35.00	\$50.00
68(8)	Leave less than 3 metres of roadway	\$75.00	\$100.00
69(1)	Park on boulevard	\$50.00	\$75.00
69(1.1)	Parking on sidewalk	\$75.00	\$100.00
69(1.2)	Parking on curb	\$35.00	\$50.00
69(2)	Block driveway	\$50.00	\$75.00
69(2.1)	Block walkway	\$50.00	\$75.00
69(3)	Park in intersection	\$50.00	\$75.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
69(4)	Park near hydrant	\$50.00	\$75.00
69(5)	Park on crosswalk	\$50.00	\$75.00
69(6)	Park near crosswalk	\$50.00	\$75.00
69(7)	Park near traffic control device	\$50.00	\$75.00
69(8)	Park near railway crossing	\$50.00	\$75.00
69(9)(a)	Park displayed for sale	\$55.00	\$85.00
69(9)(b)	Park for repair or wrecking	\$50.00	\$75.00
69(9)(c)	Park displaying signs	\$50.00	\$75.00
69(9)(d)	Park selling goods	\$50.00	\$75.00
69(10)	Park obstructing traffic at construction site	\$50.00	\$75.00
69(11)	Double parking	\$50.00	\$75.00
69(12)	Park on bridge or in tunnel	\$150.00	\$200.00
69(13)	Parking in No Parking Zone/Restricted Parking Zone	\$35.00	\$50.00
69(14)	Park obstructing visibility of traffic control device	\$75.00	\$100.00
69(15)	Angle parking - excessive vehicle length	\$50.00	\$75.00
69(16)	Park at bus stop	\$50.00	\$75.00
69(17)	Park too close to intersection	\$35.00	\$50.00
69(17.1)	Park too close to intersection	\$35.00	\$50.00
69(19)	Park blocking opposite driveway	\$35.00	\$50.00
70	Park beyond 72 hours	\$50.00	\$75.00
71	Park in loading zone	\$35.00	\$50.00
72	Park in disabled zone without permit	\$100.00	\$150.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
74(3)	Disobey direction of peace officer/fire-fighter/BLEO		\$200.00
75(1)	Litter on highway		\$200.00
76(1)	Abandon container or vehicle		\$200.00
77(1)	Driver fail to correctly state name		\$150.00
77(2)	Pedestrian or cyclist fail to correctly state name		\$150.00
78(1)	Obstruction without permit/warning		\$200.00
78(2)	Place material on highway		\$200.00
78(3)	Fail to remove material from highway		\$200.00
78(4)	Interfere with traffic control device		\$200.00
78(5)	Interfere with parade or funeral procession		\$200.00
79	Fail to remove accident debris		\$200.00
80(1)	Fail to remove snow - business	\$50.00	\$75.00
80(2)	Fail to remove snow - residential	\$35.00	\$50.00
80(3)(a)	Fail to remove litter from boulevard	\$35.00	\$50.00
80(3)(b)	Fail to trim grass on boulevard	\$35.00	\$50.00
81(4)(a)	Construct driveway without permit	\$200.00	\$250.00
81(4)(b)	Construct driveway contrary to design	\$200.00	\$250.00
82(1)	Place unauthorized sign on highway	\$100.00	\$150.00
83(3)	Fail to comply with regulations		
-	No oversize permit		\$250.00
-	Contrary to oversize permit		\$250.00
-	Wheels and tires		\$150.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
-	Weighing of vehicles		\$150.00
-	No overload permit		\$250.00
-	Contrary to overload permit		\$250.00
-	Fail to secure load as required	\$200.00	\$250.00
-	Misuse of overload or oversize permit		\$250.00
-	No axles permit		\$250.00
-	Contrary to axles permit		\$250.00
-	Overweight on towing dolly	As per Section 83.1(2)	
-	No pilot car as required		\$250.00
-	No flags or lamps as required		\$200.00
83.1(1)	Unlawful vending of printed materials	\$100.00	\$150.00
83.1(2)	Unlawful vending of wares	\$100.00	\$150.00
84(1)(a)	Place merchandise on highway	\$200.00	\$250.00
84(1)(b)	Deposit soil/mulch on highway	\$200.00	\$250.00
84(1)(c)	Permit material to slide/fall onto highway from property	\$200.00	\$250.00
84(1)(d)	Drag or skid on highway	\$200.00	\$250.00
84(1)(e)	Cut trees or break up highway	\$200.00	\$250.00
84(1)(f)	Stop or alter drainage of water	\$200.00	\$250.00
84(1)(g)	Place construction/structure on highway	\$200.00	\$250.00
84(1)(h)	Foul a highway	\$200.00	\$250.00
84(1)(i)	Deface highway or structure (graffiti)	\$100.00	\$150.00
84(1)(j)	Animals on highway	\$100.00	\$150.00
84(1)(k)	Construct driveway crossing	\$200.00	\$250.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
84(1)(l)	Damage plants or structures on boulevard	\$200.00	\$250.00
84(1)(m)	Operate vehicle with loudspeaker		\$150.00
84(1)(n)	Illegal parade or procession	\$200.00	\$250.00
84(1)(o)	Construction on highway	\$200.00	\$250.00
84(1)(p)	Obstruct traffic	\$200.00	\$250.00
84(1)(q)	Unauthorized traffic control	\$200.00	\$250.00
85(6)	Fail to obtain/display permit	\$200.00	\$250.00
85(8)	No resident parking only permit	\$35.00	\$50.00
87(1)	Operate heavy truck off of truck route	\$200.00	\$250.00
87.2(3)	Exceed posted weight or dimensional limits	\$200.00	\$250.00
87.3(2)	Fail to produce permit	\$200.00	\$250.00
87.4(3)	Failure to proceed to nearest truck route upon entering City	\$200.00	\$250.00
87.4(4)	Fail to proceed to nearest truck route upon exiting City	\$200.00	\$250.00
87.4(5)	Fail to proceed to nearest truck route upon leaving business	\$200.00	\$250.00
87.4(6)	Fail to take most direct access to/from truck park to/from nearest truck route	\$200.00	\$250.00
87.6(1)(a)	Fail to stop for purpose of weighting and inspection	\$200.00	\$250.00
87.6(1)(b)	Fail to proceed to nearest weigh scale	\$200.00	\$250.00
87.6(1)(b)	Fail to produce official registration certificate	\$200.00	\$250.00
87.6(1)(c)	Fail to rearrange or remove load	\$200.00	\$250.00
87.6(2)	Fail to stop		\$250.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
87.7(1)(a)	Load not secured or covered	\$200.00	\$250.00
87.7(1)(b)	Load covering not securely fastened	\$200.00	\$250.00
87.7(1)(c)(i)	Shifting load	\$200.00	\$250.00
87.7(1)(c)(ii)	Escaping load	\$200.00	\$250.00
87.7(1)(d)	Fail to display red flag or lights for projecting load	\$100.00	\$150.00
87.7(1)(e)	Tires not in good order	\$200.00	\$250.00
88(1)(a)	Overlength parked in laneway	\$100.00	\$150.00
88(1)(b)	Overlength vehicle in angle parking spot	\$100.00	\$150.00
88(2)	Overweight vehicle on highway in residential district	\$100.00	\$150.00
88(3)	Overweight parked 1900 to 0700 hours	\$100.00	\$150.00
88(4)	Trailer parked without motive power	\$100.00	\$150.00
88(5)	Vehicle/commercial vehicle parked containing dangerous goods	\$100.00	\$150.00
89(1)	Heavy truck in residential district after hours	\$200.00	\$250.00
90	Heavy truck on no heavy truck route		\$250.00
91(1)(a)	Exceed licensed gross vehicle weight	As per Section 91(2)(b)	
91(1)(b)	Exceed axle weight permitted	As per Section 91(2)(b)	
91(1)(c)	Exceed load dimension	As per Section 91(2)(a)	
91(1)(c)	Exceed vehicle dimensions	As per Section 91(2)(a)	
91(1)(d)	Non-conforming distance between axles	As per Section 91(2)(a)	
94	ATV not equipped as required	\$60.00	\$100.00
94	ATV not insured or licensed	\$300.00	\$500.00

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAID BEFORE 7 DAYS</b>	<b>FINE</b>
95	Snowmobile on highway without permit		\$500.00
96	No lights on ATV when required		\$75.00
97(1)	Careless operation of ATV	as per Court	
97(2)	Operate ATV in planting area		\$75.00
97(3)	Operate ATV on railroad right-of-way		\$75.00
97(4)	ATV on private property without permission		\$75.00
97(5)	Operate ATV harassing wildlife		\$75.00
98	Operate ATV without required helmet		\$100.00
100	Fail to comply to standards	\$100.00	\$150.00



**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

City Road and Right-of-Way Use Permit

- General: \$60.00
- Servicing Agreement: \$90.00
- Inspection<sup>1,2</sup>: \$105.00
- Video inspection<sup>1,2</sup>: \$215.00
- Shoring and hoarding: \$365.00

Traffic Obstruction Permit

- General:<sup>3</sup>
  - Arterial/Collector Road \$170.00
  - Local Road:
    - Significant obstruction \$170.00
    - Minor obstruction \$ 60.00
- Servicing Agreement:<sup>3</sup>
  - Arterial/Collector Road \$365.00
  - Local Road:
    - Significant obstruction \$365.00
    - Minor obstruction \$120.00
- Road Closure: \$185.00
- Traffic Control Training: \$180.00
- Storage Containers/Bins: \$110.00
- Filming: \$170.00

Oversize Permit

- Single trip: \$60.00
- Book of 10: \$545.00
- Annual permit (up to 3.20 m wide): \$300.00
- Annual permit (> 3.20 m & up to 3.80 m wide): \$605.00

Overload Permit

- Single trip: \$60.00
- Annual permit: \$300.00

Pavement Cut

- < 50 m<sup>2</sup>: \$90.00/m<sup>2</sup>
- > 50 m<sup>2</sup>: \$80.00/m<sup>2</sup>
- Minimum charge: \$540.00

- Pavement degradation fee (\$10.00/m <sup>2</sup> ):	Included
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:	\$1,700.00
- Works per site >= 20 m:	\$1,700.00 plus \$10.00/m

<sup>1</sup> Number of inspections required based on scope of work.

<sup>2</sup> Fee for regular work hours. After-hour fee may apply.

<sup>3</sup> 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