

# **The Corporation of the City of Penticton**

## **Bylaw No. 2025-01**

*A Bylaw to regulate traffic and the use of highways within the boundaries of the City of Penticton*

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WHEREAS Council is empowered to regulate, prohibit and impose requirements in relation to public places, and regulate and prohibit in relation to all uses of or involving a highway, or part of a highway, within the City of Penticton;

NOW THEREFORE, the Council of the Corporation of the City of Penticton in open meeting assembled ENACTS AS FOLLOWS:

### **1. Citation**

This bylaw may be cited for all purposes as "Traffic Bylaw No. 2025-01".

### **2. Definitions**

In this Bylaw unless the context otherwise requires:

"Accessible Parking Permit" means a parking Permit for people with disabilities issued by the Social Planning and Research Council of British Columbia.

"Boulevard" means that portion of a Highway between the curb lines or the lateral lines of a Roadway and the adjoining property or Roadway, and includes curbs, Sidewalks and ditches.

"Bylaw Enforcement Officer" means a person designated as such by the City.

"City" means the Corporation of the City of Penticton.

"Council" means the Council of the City of Penticton.

"Crosswalk" means:

- a) a portion of a Roadway, at an intersection or elsewhere, distinctly indicated for Pedestrian crossing by signs or by lines or other markings on the surface, or
- b) the portion of a Highway at an intersection that is included within the connection of the lateral lines of the Sidewalks on the opposite sides of the Highway, or within the extension of the lateral lines of the Sidewalk on one side of the Highway.

"Director" means the General Manager of Infrastructure of the City and any other person or persons designated by the General Manager of Infrastructure from time to time to act on their behalf.

"Electric Vehicle" means a vehicle that operates either partially or exclusively on electrical energy from an off-board source, that is stored onboard for motive purpose; but for the purposes of this Bylaw, does not include vehicles that cannot be licensed by the Insurance Corporation of British Columbia.

"Extraordinary Traffic" includes any carriage of goods or persons over a Highway, whether in vehicles drawn by animal power or propelled by some other means, that taken in conjunction with the nature or existing condition 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, so as to, in the opinion of the Director, substantially to alter or increase the burden imposed on the Highway through its proper use by ordinary Traffic, and to cause damage and expense in respect of the Highway beyond what is reasonable or ordinary.

"Gross Vehicle Weight" means the combined weight of the Motor Vehicle and its load.

"Highway" includes a street, road, Lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property.

"Impound" includes the seizure, removal and detention of any vehicle, whether being driven or not, and any other chattel which is unlawfully placed, left, kept or driven upon a street, or in any public place.

"Impounding Charges" includes all expenses of removal and detention or impounding and also towing, storage, and other charges, all as provided by the Fees and Charges Bylaw.

"Lane" means any Highway up to 8 m in dedicated width.

"Metered Space" means a section of Highway at which a parking meter has been installed or payment is required.

"Micro Mobility Lane" means a portion of a Highway that has been improved and is designated by a Traffic Control Device for use by Wheeled Conveyances.

"Motor Vehicle" means a gas, fuel, or electric powered vehicle by which a person or property may be transported on a roadway, but does not include a Wheeled Conveyance or wheelchair.

"Municipality" means the City of Penticton.

"Multi Use Path" means an area that is designated by a Traffic Control Device for use by Pedestrians and Wheeled Conveyances.

"Neighbourhood Zero Emission Vehicle" has the same meaning as in the *Motor Vehicle Act Regulations* B.C. Reg. 26/58.

"Officer in Charge" means the senior resident member of the Royal Canadian Mounted Police responsible for the policing of the Municipality.

"Owner" in respect of real property has the same meaning as in the *Community Charter* SBC 2003 c. 26 and for the purpose of this Bylaw includes the registered owner of a Motor Vehicle.

"Parade" means any procession or body of Pedestrians, except members of the armed forces, numbering more than thirty (30), standing, marching, or walking upon any Highway, or any group of vehicles numbering ten (10) or more, excepting funeral processions, and excepting vehicles of the armed forces, standing or moving on any Highway.

"Park" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading.

"Pedestrian" means a person afoot, or in a wheelchair, stroller or carriage.

"Permit" means a document in writing issued by the City pursuant to this Bylaw.

"Residential Area" means any area zoned residential in the Zoning Bylaw including the Highways abutting such zones and where the zone is different on the two sides of the Highway the dividing line shall be taken to be the centre line of the Highway.

"Roadway" means the portion of the Highway that is improved, designed, or ordinarily used for vehicular Traffic, but does not include the shoulder.

"Sidewalk" means the area between the curb-lines or lateral lines of a Roadway and the adjacent property lines improved for use of Pedestrians.

"Traffic" includes Pedestrians, ridden or herded animals, Motor Vehicles, Wheeled Conveyances and other conveyances, either singly or together, while using a Highway for purposes of travel.

"Traffic Control Device" means a sign, signal, line, meter, marking, space, barrier, or device, placed or erected by authority of the Council or person duly authorized by the Council to exercise such authority.

"Traffic Control Personnel" means a person authorized by the City to direct traffic.

"Traffic Control Signal" means a Traffic Control Device, whether manually, electrically, or mechanically operated, by which Traffic is directed to stop or to proceed.

"Trailer" includes a vehicle without motive power designed to be drawn by or used in conjunction with a Motor Vehicle.

"Wheeled Conveyance" means a device having any number of wheels that is propelled by human power or a combination of human power and an electric motor, and on which a person may ride including a bicycle, skateboard, roller skates, in line skates and similar conveyances but not including a wheelchair.

"Winter Tire" means a tire that is advertised or represented by its manufacturer or a person in the business of selling tires to be a tire intended principally for winter use and that provides or is designed to provide adequate traction in snow or mud and is in such condition respecting tread, wear and other particulars as the regulations under the Motor Vehicle Act may prescribe.

### **3. Delegation of Authority**

3.1 The Director is authorized to exercise the powers of the City in relation to Highways, subject to the terms and conditions in this Bylaw, to:

- a) Designate the form of Permit applications and Permits within the scope of this Bylaw;
- b) Require proof of insurance and security to be provided to the City as a condition of issuance of a Permit;
- c) Impose terms and conditions that must be met for obtaining, continuing to hold or renewing a Permit;
- d) Issue, refuse to issue, suspend or cancel Permits within the scope of this Bylaw;
- e) Place or erect Traffic Control Devices to regulate, control or prohibit stopping, standing or parking of Motor Vehicles in the City;
- f) Place or erect Traffic Control Devices to regulate, control or prohibit Pedestrian Traffic, ridden or herded animals, vehicular Traffic, Wheeled Conveyances, and Traffic by other conveyances;
- g) Place or erect, maintain and operate automatic or mechanical meters for measuring and recording the duration of parking of Motor Vehicles;

- h) Set apart and allot portions of Highways for the parking of Motor Vehicles and Wheeled Conveyances, and the regulation of that parking;
  - i) Cause any Metered Space to be removed from use as a Metered Space;
  - j) Remove, detain or Impound Motor Vehicles or things unlawfully occupying a Highway or public place;
  - k) Establish or designate loading zones, commercial zones, passenger zones and school zones;
  - l) Regulate and control processions and Parades on Highways in the Municipality;
  - m) Close a Highway or Highways or portion thereof, including by closing 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 the Director deems may be necessary.
  - n) Regulate, limit or prohibit the use of a Highway for Extraordinary Traffic where, in the opinion of the Director, a Highway is liable to damage through Extraordinary Traffic;
  - o) Permit, regulate, control and prohibit encroachments on or over a Highway, including by requiring applicants to pay a street occupancy fee and provide an indemnity and provide proof of insurance for the benefit of the City;
  - p) Prohibit Motor Vehicles which are not equipped with chains, Winter Tires, or sanding devices, or any combination of these which the Director may consider necessary in view of prevailing road conditions, from being driven or operated on a Highway.
  - q) Permit construction of or alteration to a Highway including driveway access thereto.
- 3.2 The Director, the Fire Chief, the Officer in Charge, or a Bylaw Enforcement Officer may place or cause to be placed temporary "No Parking" signs or other applicable Traffic Control Devices on a Highway:
- a) along the route of any Parade;
  - b) in the vicinity of a large gathering or during special circumstances;
  - c) to facilitate the fighting of fires;
  - d) to facilitate the clearing of snow, cleaning, repairing, excavating, decorating or other work upon a Highway being carried out by the City;
  - e) in the interest of public safety.

#### **4. Regulations**

- 4.1 Except where otherwise directed by Traffic Control Personnel or a Bylaw Enforcement Officer, no person shall walk, travel or operate a Motor Vehicle or Wheeled Conveyance contrary to the instructions of an applicable Traffic Control Device erected pursuant to the provisions of this Bylaw.

- 4.2. No person shall drive a Motor Vehicle on any Micro Mobility Lane, Multi Use Path, Sidewalk or Boulevards, except when entering or leaving a driveway or Lane or when entering or leaving land adjacent to the Highway.
- 4.3. Being the person who has removed a wrecked or damaged Motor Vehicle or Wheeled Conveyance from the scene of an accident, no person shall leave any glass or other debris from the accident upon a Roadway.
- 4.4. No person shall leave any excavation or other obstruction upon a Highway without sufficiently fencing, barricading and marking the same with warning lights.
- 4.5. No person shall drive or operate a Motor Vehicle between the persons or Motor Vehicles comprising a funeral procession or Parade unless part of the funeral procession or Parade.
- 4.6. No person shall operate a Motor Vehicle, Wheeled Conveyance, or stand or loiter in such a manner as to obstruct or impede or interfere with Traffic on a Highway.
- 4.7. No person shall operate a track Motor Vehicle in any manner that may cause or causes damage to a Sidewalk, Boulevard, Roadway or Lane.
- 4.8. No person shall place, operate, or use an extension cord across a Sidewalk or a Micro Mobility Lane.
- 4.9. Without a Permit issued pursuant to this Bylaw, no person shall place or permit to be placed any fuel, lumber, merchandise, chattel or ware of any nature on a Highway.
- 4.10. No person shall drag or skid anything along or over a Highway so that the same damages the surface of the Highway.
- 4.11. Being the Owner or occupier of property abutting on a Highway, no person shall allow or permit any earth, rocks, stones, logs or stumps or other things to cave, fall, crumble, slide or accumulate from any such property onto a Highway, or to remain thereon.
- 4.12. No person shall remove any notice of ticket affixed or placed on a Motor Vehicle by a City employee unless the person is the Owner or operator of such Motor Vehicle.
- 4.13. Without a Permit issued pursuant to this Bylaw, no person shall drive a Motor Vehicle within the boundaries of any City Park except upon a Roadway.
- 4.14. No person shall construct or maintain a ditch, the water from which causes damage to any Highway.
- 4.15. No person shall distribute leaflets upon any Highway by placing the same on the windshield or a Motor Vehicle parked upon the Highway.
- 4.16. Unless otherwise posted with Traffic Control Devices indicating a truck route, no person shall drive a truck with a Gross Vehicle Weight in excess of 10,900 kg upon a Roadway, except municipal or utility Vehicles while engaged in work upon such Highways, or trucks picking up or delivering goods and materials to properties on a street or streets directly serviced by such Roadway.
- 4.17. No person shall operate a Motor Vehicle or Wheeled Conveyance upon a Roadway carrying any materials or goods unless such materials or goods are secured so that they

cannot fall from the Motor Vehicle or Wheeled Conveyance while it is proceeding along the Roadway.

- 4.18 No person shall permit any material or goods falling from a Motor Vehicle or Wheeled Conveyance to remain upon a Highway.
- 4.19 No person shall transport dangerous goods except on routes posted with Traffic Control Devices indicating a dangerous goods route and on the most direct route between a dangerous goods route and the destination.
- 4.20 No person shall drive or operate a Motor Vehicle with any person riding in the cargo compartment of that Motor Vehicle, except for a Parade authorized under this Bylaw.
- 4.21 No person shall cause or permit any fuel, oil, antifreeze or other similar products to leak or spill on any Highway.
- 4.22 No person shall throw, drop, deposit, or leave any bottle, glass, refuse, or any other object or material, on any Highway, or allow or permit any earth, rock, stone, tree, log, stump or other material to cave, fall, crumble, slide, accumulate or to be otherwise deposited on any Highway.
- 4.23 No person shall use a Permit for the driving or operation of a Motor Vehicle other than the Motor Vehicle for which such Permit was issued.
- 4.24 Without a Permit issued pursuant to this Bylaw, no person shall drive or operate over a bridge a Motor Vehicle or combination thereof having a gross weight or a Gross Vehicle Weight in excess of any load limit posted on that bridge.
- 4.25 Having been issued a Permit under this Bylaw, no person shall operate upon a Highway unless the Permit is carried in the Motor Vehicle that is the subject of the Permit at all times.

## **5. Parking Regulations**

### **Exceptions**

- 5.1 This Part does not apply to stopping, standing or parking:
  - a) authorized by a Permit issued pursuant to this Bylaw;
  - b) when necessary to avoid conflicts with Traffic;
  - c) to comply with the law;
  - d) as directed by a Bylaw Enforcement Officer or Traffic Control Device;
  - e) by a Municipal or Provincial utility vehicle of a public utility corporation while engaged in their duties;
  - f) by BC Transit vehicles while engaged in their duties;
  - g) by emergency response vehicles while engaged in their duties;
  - h) by municipal or provincial government Vehicles;

- i) by a Motor Vehicle so mechanically disabled as to render it immobile, for a period of time that does not exceed 2 hours and provided it is not obstructing the flow of traffic; or
- j) by a duly licenced Vehicle for hire while loading or unloading customers, except in Crosswalks or school zones or bus zones during operational hours.

### **Prohibitions: General**

#### **5.2 No person shall stop, stand or Park a Motor Vehicle:**

- a) which does not display valid license plates;
- b) which does not have valid insurance;
- c) on any portion of a Sidewalk, Multi Use Path or Micro Mobility Lane;
- d) on a Boulevard, unless authorized by a sign;
- e) in any portion of a Highway designated as a bus stop or school bus stop, or in such a manner as to obstruct the use of a bus stop by a BC Transit vehicle or school bus;
- f) on any Highway in a space adjacent to any Federal, Provincial or Municipal public building designed as being reserved for the use of Officials unless the operator is such an Official;
- g) in any Lane, except an attended commercial vehicle actually loading or unloading and located such that there is 3m of clear Roadway for the passage of vehicular Traffic;
- h) on the Roadway side of a Vehicle stopped or parked at the edge or curb of a Roadway;
- i) within an intersection, except as permitted by a Traffic Control Device;
- j) upon a bridge except as permitted by any applicable Traffic Control Device;
- k) in any place in contravention of a Traffic Control Device that gives notice that stopping, standing, or parking is prohibited or restricted in such place;
- l) upon a Roadway in such a manner as to obstruct the free passage of Traffic on the Roadway.
- m) in such a manner as to obstruct the visibility of any Traffic Control Device erected by or with the authority of the Director;
- n) alongside or opposite a street excavation or obstruction when stopping, standing, or parking obstructs Traffic;
- o) in a designated angle parking zone where the length of such vehicle and any Trailer attached thereto exceeds 6 m;

- p) upon any portion of the Highway where Traffic Control Devices consisting of lines are painted upon the surface of the Highway to designate parking areas, except within such designated space or area;
  - q) upon a portion of a Highway that has been improved and designated by Traffic Control Devices for the travel of Wheeled Conveyances or Wheeled Conveyance parking;
  - r) in any area that is designated by a Traffic Control Device as a loading zone, unless actively engaged in loading or unloading;
  - s) in any parking space designated as an accessible parking space, except where the Motor Vehicle displays a valid Accessible Parking Permit;
  - t) in any area that is designated by a Traffic Control Device to be reserved for the use of emergency vehicles;
  - u) on a portion of Highway designated by Traffic Control Devices as a Resident Parking Only Area except Motor Vehicles displaying a valid Resident Parking Only Permit;
  - v) on a portion of Highway designated as a Special Event Parking Only Area, except Motor Vehicles displaying a valid Special Event Parking Only Permit;
  - w) in a location reserved for Electric Vehicle charging, unless the Motor Vehicle is an Electric Vehicle and is using the Electric Vehicle charging station to charge the Electric Vehicle;
- 5.3 No person shall stop, stand or Park on any Highway, a Trailer, a semi-trailer, mobile equipment or any vehicle which has been detached from the Motor Vehicle used to draw it.
- 5.4 Where any type of Motor Vehicle has removable camping accommodation installed on it, the operator or Owner or any person in charge of the Motor Vehicle shall not leave the camping accommodation or other removable portion of the Motor Vehicle on any portion of a Highway after it has been removed from the Motor Vehicle.
- 5.5 Where parking on either side of a Roadway is permitted, a person may only stop, stand or Park a Motor Vehicle:
- a) with the sides of the Motor Vehicle parallel to the curb or edge of the Roadway;
  - b) with the wheels that are closest to a curb or edge of the Roadway not more than 30 cm from that curb or edge; and
  - c) facing in the direction of travel authorized for the Highway.

#### **Prohibitions: Proximity**

- 5.6 No person shall stop, stand or Park a Motor Vehicle:
- a) in front of or within 1.5 metres on either side of a public or private driveway;
  - b) within 3 m of the entrance or exit of a Lane;

- c) within 5 m of a fire hydrant, measured from a point on the curb or edge of the Roadway which is closest to the fire hydrant;
- d) where no Sidewalk is present, at an intersection within 6 metres of the projection of the curb or edges of the intersecting Highway, unless a sign otherwise permits;
- e) where a Sidewalk is present, within 6 metres of the near side of the intersecting Sidewalk, unless a sign otherwise permits;
- f) on a Crosswalk or within 6 m of the approach side of a Crosswalk or 3m on the departure side;
- g) within 6 m upon the approach to a stop sign or Traffic Control Signal located at the side of a Roadway;
- h) on a Roadway more than 30 cm from the curb of such Roadway if a curb has been constructed;
- i) unless a sign authorizes angle parking, other than with the sides of the Motor Vehicle parallel to the curb or edge of the Roadway and with the right wheels of the Motor Vehicle not more than 30 cm from the right curb or edge of the Roadway.

#### **Prohibitions: Hours and Duration**

- 5.7 No person shall stop, stand or Park a Motor Vehicle on any Highway, in the same parking space or in any other parking space on the same side of the Roadway in the same block, for a period exceeding seventy-two (72) hours without first obtaining the written permission of the Director.
- 5.8 No person shall stop, stand or Park a Motor Vehicle on any Highway adjacent to or across from a Residential Area, a commercial Vehicle having a Gross Vehicle Weight in excess of 5,600 kg, except when making deliveries between the hours of 6 am and 9 pm.
- 5.9 No person shall stop, stand or Park a Motor Vehicle on any Highway where Traffic Control Devices indicate the length of time allowed for parking, in contravention of the length of time indicated on the applicable Traffic Control Device.
- 5.10 No person shall stop, stand or Park a Motor Vehicle on any public parking lot operated by the City where Traffic Control Devices indicate the length of time allowed for parking, in contravention of the length of time indicated on the applicable Traffic Control Device.
- 5.11 Where a Motor Vehicle has been parked in a parking space on a Roadway for any period of time, the Owner or operator shall not in the next hour after having left such parking space, Park, or permit the parking of such Motor Vehicle in the same or in any other parking space on the same side of the Roadway in the same block.

#### **Prohibitions: Activities**

- 5.12 No person shall stop, stand or Park a Motor Vehicle or Wheeled Conveyance upon any Highway for the principal purpose of:

- a) displaying it for sale;
  - b) advertising, greasing, painting, wrecking, storing or repairing it, except where repairs are necessitated by an emergency;
  - c) displaying signs;
  - d) selling flowers, fruit, vegetables, seafood, or other commodities or articles.
- 5.13 No person shall occupy or allow or permit a Motor Vehicle or Trailer on any Highway to be occupied as a temporary or permanent dwelling unit.
- 5.14 No person shall cause or permit a Motor Vehicle to idle for more than three (3) minutes in any sixty (60) minute period, except:
- a) as authorized by a Permit issued pursuant to this Bylaw;
  - b) when necessary to avoid conflicts with Traffic;
  - c) to comply with the law;
  - d) as directed by a Bylaw Enforcement Officer or Traffic Control Device;
  - e) emergency response vehicles, BC Transit vehicles, municipal or provincial government vehicles, armoured vehicles, or refrigerated vehicles, if necessary to engage in their duties;
  - f) if required as a component of vehicle repair or maintenance process; or
  - g) while passengers are embarking or disembarking.

## **6. Parking Meters**

- 6.1 All parking meters and Metered Spaces in effect immediately prior to the coming into force of this bylaw shall continue in effect until removed pursuant to this bylaw.
- 6.2 The Director may authorize such other or additional Metered Spaces as are deemed necessary on any street or other City owned property for use as a Metered Space, cause the spaces so authorized to be marked for this purpose, and cause parking meters or kiosks to be installed.
- 6.3 The operator of any Motor Vehicle, except one which is not allowed to use a Metered Space pursuant to this bylaw, shall immediately after parking make a payment.
- 6.4 After making the payment the operator of the Motor Vehicle may, subject to any restrictions indicated by applicable Traffic signs or markings, Park their Motor Vehicle in the Metered Space for the period indicated on the parking meter or parking application.
- 6.5 Unless expressly authorized pursuant to this Bylaw, no Owner or operator of a Motor Vehicle shall permit such Motor Vehicle to remain in a Metered Space without sufficient payment for the duration of the stay.
- 6.6 Notwithstanding the other provisions of this Part, a Metered Space located on a street

may be used without charge on Provincial and Federal holidays, Sundays and on any other day of the week specified by the parking meters or parking application.

- 6.7 In addition to designated delivery vehicle spaces, the drivers of Motor Vehicles delivering goods, wares and merchandise may use a Metered Space without charge for not more than 10 minutes while engaged in deliveries to adjacent premises.
- 6.8 The drivers of Motor Vehicles for hire may use a Metered Space without charge, but only when taking on or discharging passengers, and, in any event, for a period not exceeding five (5) minutes.
- 6.9 Where a Metered Space is hooded for the benefit of a person other than the City, the person for whose benefit it is hooded shall pay a fee in accordance with the current City of Penticton Fees and Charges Bylaw. This fee will also apply to any non-metered, controlled parking space required for some other use.
- 6.10 Only those Motor Vehicles having and displaying a valid Permit are permitted to park in a parking space that is subject to a Permit requirement.
- 6.11 No person shall deposit a slug, device or metallic substitute for coins in any meter or deface, injure, tamper with, open, wilfully break, destroy or impair the usefulness of any parking meter.
- 6.12 Where parking spaces have been marked, no Owner or operator of any Motor Vehicle shall stop or Park or permit to be stopped or parked such Motor Vehicle other than between the lines or markings indicating the limits of a single parking space.
- 6.13 When parking a Motor Vehicle in a Metered Space, no Owner or operator of a Vehicle shall Park a Motor Vehicle other than wholly within the Metered Space and not across any painted line marking out such space.
- 6.14 Where a Motor Vehicle exceeds the length of a single parking space or Metered Space, the operator may Park such Motor Vehicle so that it occupies not more than two parking or Metered Spaces.
- 6.15 When a person Parks a Motor Vehicle in two Metered Spaces as authorized by this Bylaw, payment is required for both spaces.

## **7. Parking Permits**

- 7.1 A parking Permit shall specify the parking area for which the Permit is issued and shall be valid only for the designated parking area and the period of time specified in the Permit.
- 7.2 A Permit shall be clearly displayed by the Permit holder on the dashboard on the inside of the windshield of the Vehicle.
- 7.3 If a Permit is not displayed in accordance with this Bylaw, or if the Permit has expired, the Motor Vehicle shall be deemed to be parked without a Permit.

## **8. Removal of Vehicles and Chattels**

- 8.1 Any Bylaw Enforcement Officer or employee of the City designated by the Director to carry out the provisions of this Bylaw may Impound or cause to be impounded any

Motor Vehicle, Wheeled Conveyance, or chattel which is unlawfully placed, left, kept or driven upon a Highway or public place in the City.

- 8.2 Every Motor Vehicle, Wheeled Conveyance or chattel which has been impounded shall be kept at such premises as may be designated by the Director and shall there be kept at the Owner's risk.
- 8.3 Without limiting any other provision of this Bylaw, a Motor Vehicle is deemed to be unlawfully left on a Highway or public place if it has the sound of an automobile security system for a period exceeding fifteen minutes, or the sound of an automobile security system, not including its activation status signal, more than three times in a 24-hour period or a horn that is audibly sounding for a period of more than ten minutes.
- 8.5 The Owner of a Motor Vehicle, Wheeled Conveyance or chattel impounded pursuant to this Bylaw shall be responsible for the payment of all Impounding Charges.
- 8.6 The Owner of a Motor Vehicle, Wheeled Conveyance or chattel who has paid all Impounding Charges and has established title/ownership may recover possession of the item provided that such possession is taken within 3 months from the time of the impounding.
- 8.7 Subject to s. 67 of the *Community Charter* and the *Disposal of Property in Police Possession Regulation* B.C. Reg 366/2003, any unclaimed Motor Vehicle, Wheeled Conveyance or chattel may be disposed of by the City or by a person with whom the City contracts for the removal, towing, or storage of impounded Motor Vehicles, Wheeled Conveyances, or the removal of chattels or other personal property.
- 8.8 Upon the sale of any Motor Vehicle, Wheeled Conveyance or chattel pursuant to this Bylaw, the City shall, after deducting impounding and other charges, hold any balance for any lawful claimant thereto for 6 months from the date of sale.
- 8.9 Despite any other provision of this Bylaw, if an impounded Motor Vehicle, Wheeled Conveyance or chattel is perishable, or has no apparent market value, or custody involves unreasonable expense or inconvenience, the Director may dispose of such item in any manner they deem expedient.

## **9. Wheeled Conveyances**

- 9.1 Subject to this Part, where a Micro Mobility Lane is available for use, a person using a Wheeled Conveyance shall travel in the Micro Mobility Lane.
- 9.2 Where no Micro Mobility Lane is available, a person may use a human powered Wheeled Conveyance:
  - a) on a Sidewalk, unless otherwise directed by a Traffic Control Device; and
  - b) for the purpose of crossing a Highway, on a Crosswalk, unless otherwise directed by a Traffic Control Device.
- 9.3 Despite section 9.1, a person who is unable to operate a Wheeled Conveyance in a Micro Mobility Lane, by reason of proficiency or otherwise, may operate a human powered Wheeled Conveyance on a Sidewalk.

- 9.4 Despite any other provision of this Bylaw, no person shall use a Wheeled Conveyance on a Sidewalk, Crosswalk, Micro Mobility Lane, Multi Use Path, or any portion of a Highway, without due care and attention or consideration for other persons occupying the area.
- 9.5 No person shall stop, stand or Park a Wheeled Conveyance on a Sidewalk, Micro Mobility Lane, or Multi Use Path, except in a location designated for such use.

## **10. Uses Requiring the Director's Permission**

Except as authorized by a Permit issued by the Director:

- 10.1 No person shall close, obstruct, damage, construct, alter, dig up, break up or remove any part of a Highway, or cut down or remove trees or timber growing on a Highway, or excavate in or under a Highway.
- 10.2 No person shall cause damage to, cut down or remove trees, grass, shrubs, plants, bushes and hedges, fences, signs, or other things erected by the Municipality on a Highway.
- 10.3 No person shall alter the elevation of a Highway, or stop the flow of water through any drain, sewer or culvert on or through a Highway.
- 10.4 No person shall place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a Highway.
- 10.5 No person shall construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, nuisance or injury to any portion of a Highway.
- 10.6 No person shall mark or imprint or deface in any manner whatsoever a Highway or structure thereon.
- 10.7 No person shall erect or maintain any sign, advertisement or guide-post on or over any Highway or alter, repaint, tear down or remove any sign, advertisement or guide-post erected or maintained on any Highway.
- 10.8 No person shall construct a Boulevard crossing, including a curb, ditch or Sidewalk crossing.
- 10.9 No person shall construct a new driveway or modify an existing driveway.
- 10.10 No person shall drive or operate a commercial vehicle that is overloaded, oversized, or both on a Highway in the City.

## **11. Driveway Access Permits**

- 11.1 Any new driveway, or changes to an existing driveway shall: comply with the driveway standards within the Subdivision and Development Bylaw and Zoning Bylaw; not cross an existing or proposed bicycle lane where alternative access via side street or Lane exists; and be limited to a single driveway per property, with a maximum number of two unless required to manage the Traffic volumes and if approved by the Director.
- 11.2 In considering applications for new or changes to driveway access, the Director may

take into account the: current access to the site and the need for any additional access; proposed driveway widths and grades; impact on existing, or proposed, bicycle lanes; impact on the street scape; impact on street parking; impact on Pedestrians; impact of Traffic movement; impact on the Boulevard landscaping, including trees; and Traffic volumes.

## **12. Neighbourhood Zero Emission Vehicles**

- 12.1 A person may use or operate a Neighbourhood Zero Emission Vehicle on any Highway in the City that has a speed limit of 50 kilometres per hour or less, so long as the person drives or operates the Neighbourhood Zero Emission Vehicle in the lane of the Highway that is closest to the right hand edge or curb of the Highway, except in order to make a left hand turn or to pass another Motor Vehicle.
- 12.2 The authority conferred by Section 3 is in addition to the authority under the Motor Vehicle Act Regulations B.C. Reg. 26/58, for a person to drive or operate a Neighbourhood Zero Emission Vehicle on a Highway that has a speed limit of 40 kilometres per hour or less.

## **13. Offences and Enforcement**

- 13.1 Any person who attempts to prevent the impounding of any Motor Vehicle, Wheeled Conveyance or chattel or who in any manner interferes with, hinders or obstructs a City officer or employee in the exercise of authority under this Bylaw commits an offence and is liable on summary conviction to a fine of not more than \$50,000 and not less than \$10,000.
- 13.2 Any person who operates a Motor Vehicle, or who, being the Owner or operator of a Motor Vehicle, permits it to be parked in contravention of a Traffic Control Device or signal commits an offence and is liable on summary conviction to a fine of not more than \$50,000 and not less than \$5000.
- 13.3 Every person who violates any of the provisions of this Bylaw or a Permit issued under this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw or a Permit issued under this Bylaw, or who refuses, or omits or neglects to fulfil, observe, carry out or perform any duty or obligation imposed by this Bylaw or a Permit issued under this Bylaw, is guilty of a offence and is liable on summary conviction to a fine not exceeding \$50,000 and not less than \$5000.
- 13.4 Without limiting section 13.5 of this Bylaw, each day that a violation exists is a separate offence.
- 13.5 If a Motor Vehicle is stopping, standing or parking in contravention of this Bylaw, a separate offence is committed upon the expiry of each period of time that the Motor Vehicle could be lawfully stopping, standing or parking.
- 13.6 In addition to the remedies, penalties, and fines specified in this Bylaw, a Person found in contravention of this Bylaw may be subject to penalties imposed by way of a municipal ticket information, bylaw offence notice or as otherwise permitted by law.

14 **Severability**

- 14.1 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

15 **Interpretation**

- 15.1 A reference in this Bylaw to a Bylaw of the City or to an enactment of British Columbia or of Canada is to be construed as a reference to the Bylaw or enactment as amended or replaced from time to time.

16 **Repeal**

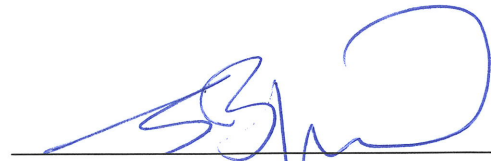
- 16.1 "City of Penticton Traffic Bylaw No. 94-39 (1994)" and the amendments thereto are hereby repealed upon the adoption of this Bylaw.

READ A FIRST time this 27 day of May, 2025

READ A SECOND time this 27 day of May, 2025

READ A THIRD time this 27 day of May, 2025

ADOPTED this 10 day of June, 2025

  
\_\_\_\_\_  
Julius Bloomfield, Mayor  
\_\_\_\_\_  
Angie Collison, Corporate Officer