

**STREETS AND TRAFFIC BYLAW, AMENDMENT BYLAW (NO. 17)**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Streets and Traffic Bylaw* to:

1. Increase the minimum fines for certain parking and street occupancy offences;
2. Increase street occupancy fees;
3. Clarify the Director of Engineering's power to require traffic control and traffic management plans in connection with street occupancy;
4. Empower the Director of Engineering to make orders identifying AAA bikeroutes; and
5. Require compliance with the conditions of street occupancy permits.

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Under its statutory powers, including sections 8, 35 to 46, 62, 194, and 260 -263 of the *Community Charter*, section 124 of the *Motor Vehicle Act*, and section 14 of the *Victoria City Act, 1919* the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the "Streets and Traffic Bylaw, Amendment Bylaw (No. 17)".

**Definition**

- 2 In this Bylaw, "**S&T Bylaw**" means Bylaw No. 09-079, the Streets and Traffic Bylaw.

**Amendments**

- 3 The S&T Bylaw, is amended by striking the phrase "street or sidewalk" wherever it appears and replacing it with the word "street".
- 4 The S&T Bylaw is further amended by adding the following definition to section 4, immediately above the definition of "air horn":

""AAA bikeroute"

includes any cycle route that has been constructed and is identified in the City's Official Community Plan Bylaw, 2012 on "Map 8: All Ages and Abilities Cycling

Network”, and also includes any portion of a street that is the subject of an order under section 9(s) of this Bylaw;” .

- 5 The S&T Bylaw is further amended by adding the following two new definitions to section 4, immediately above the definition of “trailer”:

““traffic control plan”

has the same meaning as in the British Columbia Ministry of Transportation and Infrastructure document titled “2020 Traffic Management Manual for Work on Roadways”, as amended from time to time;

“traffic management plan”

has the same meaning as in the British Columbia Ministry of Transportation and Infrastructure document titled “2020 Traffic Management Manual for Work on Roadways”, as amended from time to time;”.

- 6 The S&T Bylaw is further amended at section 9 as follows:

- (a) By striking out the period at the end of subparagraph (q)(iii) and replacing it with a semi-colon,
- (b) By striking out the period at the end of subparagraph (r)(ii) and replacing it with a semicolon, and
- (c) By adding the following new paragraph to section 9:
  - “(s) the streets or portions of streets where traffic, classes of traffic, vehicles or drivers are regulated as the Director of Engineering considers advisable to support the prioritization of cycle traffic including different provisions, including exceptions, for different classes of traffic, vehicles or drivers.”

- 7 The S&T Bylaw is further amended at subsection 106(3) as follows:

- (a) By repealing subsection 106(3)(a) and replacing it with the following:
  - “(a) In the application, state the period for which it is expected that the permit is required and provide any other information, including but not limited to a traffic control plan or traffic management plan, required by the Director;” ,
- (b) by repealing subsection 106(3)(b) and replacing it with the following:
  - “(b) pay to the City the following fees that apply to the occupation:
    - (i) for each 13m<sup>2</sup> of a street or portion thereof:
      - (A) \$10.00 per day on a boulevard;

- (B) \$15.00 per day on any part of a street not otherwise listed in this subsection 106(3)(b);
- (C) \$20.00 per day on a sidewalk;
- (D) \$20.00 per day in a metered zone or a pay station zone;
- (ii) In addition to the fee required under subparagraph (b)(i), if the occupation requires closure of a travelled portion of the street, the following fees must be paid to the City:
  - (A) for closure of a AAA bikeroute, the greater of \$100 per day or the applicable rate per day per closure as set out in subparagraph (b)(ii)(B);
  - (B) for closure of a sidewalk or any lane that is not a AAA bikeroute:
    - a. \$50 per day on a local street;
    - b. \$75 per day on a collector street;
    - c. \$75 per day on a secondary collector street;
    - d. \$100 per day on a secondary arterial street; and
    - e. \$250 per day per sidewalk or any lane on an arterial street;
- (iii) \$50.00 for each attendance of a City crew during the crew's regular working hours that is required for installation or removal of signs to reserve the space in connection with the occupation of a street;
- (iv) \$50 for each application submitted within 48 hours the proposed start of the proposed occupation, regardless of whether the permit is issued within 48 hours of the City receiving the application;
- (v) the actual cost of a City crew that is required for traffic control measures other than those set out in subparagraph (b)(iii) in connection with the occupation of a street; and
- (vi) \$70 per hour or portion thereof for traffic management plan or traffic control plan review by City staff." .

- 8** The S&T Bylaw is further amended by striking out the current text of subsection 106(5) and replacing it with the following text:

"The City must provide an applicant with an estimate of the costs described in subparagraphs (3)(b)(v) and (vi).".

**9** The S&T Bylaw is further amended at section 106 by adding new subsections 106(9) and 106(10) as follows:

- “(9) The holder of a permit issued under this section must comply with each condition of the permit, including but not limited to the terms and conditions of any required traffic management plan or traffic control plan.
- (10) The Director may cancel a permit issued under this section immediately, and without prior notice, if in the opinion of the Director the permit holder fails to comply with any of the conditions of the permit, including but not limited to the terms and conditions of any required traffic management plan or traffic control plan.”.

**10** The S&T Bylaw is further amended by:

- (a) Repealing Schedule F and replacing it with a new Schedule F that is attached to this Bylaw as Appendix 1 and that forms part of this Bylaw; and
- (b) Repealing Schedule G and replacing it with a new Schedule G that is attached to this Bylaw as Appendix 2 and that forms part of this Bylaw.

**Commencement**

**11** This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2024
READ A SECOND TIME the	day of	2024
READ A THIRD TIME the	day of	2024
ADOPTED on the	day of	2024

CITY CLERK

MAYOR

## Appendix 1

**SCHEDULE F****Streets and Traffic Bylaw****Minimum Fines for Traffic Offences other than Sections 19 to 44**

The minimum penalties set out in the second column of the following table apply to contraventions of the corresponding sections shown in the first column of the table:

<i>Section numbers</i>	<i>Minimum penalties</i>
48, 49, 53, 54, 65, 83, 87(2)(d),(l)&(m), 89, 90, 110, 112	\$40.00
50, 51, 56 to 59, 61, 63, 66 to 71, 72A(1), 72A(4), 72A(6), 75, 76, 78, 81, 82, 84 to 86, 87(2)(b),(c),(e) to (k),(n)&(o), 88, 95, 96	\$30.00
60	\$75.00
72A(5), 77	\$175.00
55, 62, 72A(2), 79, 80	\$50.00
Part 4 sections, including a statutory or regulatory provision adopted under that Part	\$102.50
102(1), 117	\$51.25
106(2), 106(9)	\$400
107, 109(1)(b)	\$100.00
114	\$77.50
115	\$57.50 for 1 <sup>st</sup> contravention \$67.50 for 2 <sup>nd</sup> contravention \$102.50 for 3 <sup>rd</sup> or subsequent contravention
provisions not referred to above	\$42.50

## Appendix 2

**SCHEDULE G****Streets and Traffic Bylaw****Voluntary Penalties Payable under Offence Notices**

The voluntary penalties set out in the second and third columns of the following table apply to contraventions of the corresponding sections shown in the first column of the table:

<i>Section numbers</i>	<i>Voluntary penalty if paid within 14 days from date of offence notice</i>	<i>Voluntary penalty if paid 15 or more days from date of offence notice</i>
48, 49, 53, 54, 65, 83, 87(2)(d),(l)&(m), 89, 90, 110, 112	\$40.00	\$80.00
50, 51, 56 to 59, 61, 63, 66 to 71, 72A(1), 72A(4), 72A(6), 75, 76, 78, 81, 82, 84 to 86, 87(2)(b),(c),(e) to (k),(n)&(o), 88, 95, 96	\$30.00	\$60.00
60	\$75.00	\$150.00
72A(5), 77	\$175.00	\$350.00
55, 62, 72A(2)	\$50	\$80
79, 80	\$50.00	\$100.00
Part 4 sections, including a statutory or regulatory provision adopted under that Part	\$51.25	\$102.50
102(1), 117	\$51.25	\$102.50
106(2), 106(9)	\$875.00	\$1000.00
107, 109(1)(b)	\$50.00	\$100.00
114	\$38.75	\$77.50

<i>Section numbers</i>	<i>Voluntary penalty if paid within 14 days from date of offence notice</i>	<i>Voluntary penalty if paid 15 or more days from date of offence notice</i>
115		\$57.50 for 1 <sup>st</sup> contravention \$67.50 for 2 <sup>nd</sup> contravention \$102.50 for 3 <sup>rd</sup> or subsequent contravention
provisions not referred to above		\$42.50