

THE CORPORATION OF THE DISTRICT OF BURNABY

By-law No. 137

A By-law for Regulating Traffic in the Municipality of
Burnaby.

The Municipal Council of The Corporation of the District
of Burnaby enacts as follows :-

1. "Public Place" whenever used in this by-law shall, when necessary, be held and construed to mean and include streets, lanes, avenues, ways, boulevards, sidewalks, drives, squares, triangles, school grounds and other public places and rights-of-way open to the use of the public, and the space above or beneath the surface of the same.

"Person" shall include any body corporate or politic or party and the heirs, executors, administrators or other legal representatives of such persons to whom the context can apply according to law, and words embodying the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one and female as well as male and the converse.

"Street" shall when necessary be held and construed to mean and include streets, lanes, ways, boulevards, drives, places, and sidewalks.

"Vehicle" shall be held and construed to mean and include wagons, carts, carriages, trucks, automobiles, bicycles, and all vehicles drawn by animals or propelled by steam, electricity, gas, gasoline or other motive power.

"Municipality" shall be held and construed to mean The Corporation of the District of Burnaby.

2. It shall be unlawful for any person to run by riding any bicycle, tricycle or autocycle upon the sidewalk of any street; provided however, that invalids, and children under 10 years of age may ride tricycles on sidewalks in strictly residential districts.

3. It shall be unlawful for any person to run by riding any bicycle or tricycle in or upon any street of the Municipality of Burnaby at a greater rate of speed than ten (10) miles an hour, or to pass any pedestrian while riding at a greater speed than six miles per hour, or to fail, neglect or refuse to give to any pedestrian the right of way.

4. It shall be unlawful for any person to run by riding any bicycle, tricycle or autocycle upon the street in the manner commonly known as "coasting" or in any other manner wherein the rider of such bicycle, tricycle or autocycle shall not have absolute control thereof, so that he may stop the same to avoid all possible injury or collision.

5. It shall be unlawful for two or more persons to ride bicycles, tricycles or autocycles in any public place more than two abreast.

6. It shall be unlawful for any person to run by riding any bicycle, tricycle or autocycle in any public place unless the same shall have attached thereto a good and sufficient bell, and unless such person shall ring said bell^a sufficient number of times to give notice of his approach and close proximity to any person or conveyance occupying or using such public place, or to run by riding any such bicycle, tricycle or autocycle in any public place in the night-time without having attached in front thereof a light of sufficient strength and brilliancy to be visible at a distance of two hundred (200) feet.

7. It shall be unlawful for any person to ride or drive any horse or other animal, whether attached to a vehicle or not,

at a greater rate of speed than twelve (12) miles an hour, over, along, or through any street or public place of the Municipality.

8. It shall be unlawful for any person to ride or drive any horse or other animal, whether attached to any vehicle or not, at a greater rate of speed than six (6) miles per hour across any ~~any~~ street, intersection, or in turning or rounding any street corner within the district.

9. Nothing in the two ~~preceding~~ sections shall apply to horses or vehicles used by the Fire or Police Department of the Municipality or neighbouring Municipality, or to ambulances when responding to emergency calls, or to vehicles used by private persons in giving or responding to alarms of fire under permit from the Board of Works, provided said vehicles are supplied with a suitable gong of sufficient power to be heard 400 feet in the business districts.

10. It shall be unlawful for any person to carelessly, heedlessly or negligently ride or drive any horse or other animal, or ride or propel any vehicle over, through or upon any public place in the Municipality of Burnaby so that such animal or vehicle attached thereto, or vehicle shall come in collision with any other animal or vehicle, or person.

11. It shall be unlawful for any person in any public place, to engage in any sport or amusement or exercise likely or calculated to frighten horses or hinder and embarrass the passage of vehicles.

12. It shall be unlawful for any person to turn out any old, decrepit or worthless animal, or allow any animal to wander at large, upon any public place in the Municipality.

12a. For purpose of preceding section "animal" shall be held and construed to mean and include horses, mares, stallions, fillies, foals, geldings, colts, bulls, cows, boars, rams, heifers, steers, calves, sheep, lambs, goats, mules, asses, swine, geese, ducks and poultry.

13. It shall be unlawful for any person while riding or driving any horse or animal, whether attached to a vehicle or not, or to ride or propel any vehicle, or to operate any street car when crossing any street intersection or when turning around any corner of any street to refuse to come to a full stop and remain standing until allowed to proceed when commanded so to do by any Police Officer.

14. It shall be unlawful for any person to ride in or upon any light carriage, wagon, roller skates, cart or vehicle upon any sidewalk or street in the manner commonly known as "coasting" or when such carriage, wagon, roller skate or vehicle is propelled by gravity or its own momentum.

15. It shall be unlawful for any person to lead, ride or drive any animal, or move or propel any vehicle, except light carriages for the conveyance of children, and invalids' chairs along or over any sidewalk unless for the purpose of necessarily crossing the same or to cross any sidewalk with any heavily loaded vehicle, without effectually protecting the sidewalk by planks or similar device, or to allow any vehicle or animal to stand on any sidewalk, or to cut saw or split firewood, lumber, block, rock, stone, or mix mortar, or to do any other act upon any sidewalk which shall interfere with or damage the sidewalk or which shall obstruct the passage of pedestrians over the same.

16. It shall be unlawful for any person to leave any horse, mule or other animal attached to any conveyance or vehicle in any public place, without being securely fastened or guarded.

17. The following vehicles in the order named shall have the right of way in the use of streets and public places, viz ~~p-~~ Apparatus of the Fire Department, Police Patrol Wagons, and Ambulance responding to or returning from emergency call, and it shall be unlawful for any person to fail, neglect, or refuse to give such vehicles the right of way, or to block, impede or in any way interfere with their progress.

18. It shall be unlawful for any person to drag or haul any timber or other article along or over any public place, in such a manner that any portion of the same shall rest upon or come in contact with the surface of such public place, or any planked, paved, or macadamized road, to lock the wheel of any vehicle or to use any method whereby anything other than the tire of such wheel or the smooth shoe, shall come in contact with the surface of the street.

19. It shall be unlawful for any person to use, drive or propel in any public place any vehicle used for the purpose of conveying passengers, whether for hire or not, without having attached thereto, near the front, two white lights of sufficient candle power to enable the person using such vehicle to clearly see a distance of at least 100 feet in front of such vehicle between dusk and dawn.

20. It shall be unlawful for any person to use, drive, or propel any vehicle which shall have attached thereto any siren horn, on, over or through any public place in the Municipality of Burnaby; provided, however, that this section shall not apply to any of the vehicles belonging to any Fire Department.

21. Subject to the provisions contained in Section 17 hereof, any person having, driving, operating or using in any way any vehicle, or having, riding, or driving any horse or other animal on any street or public place within the Municipality of Burnaby shall in all respects conform to and observe the provisions of the succeeding subsections of this section and the provisions of all other sections of this By-law; And wherever in the succeeding subsections of this section the word "he" is used, such word shall mean and include every such last mentioned person, and every vehicle, horse or animal so had, driven, operated, used or ridden by such person, And wherever in any such succeeding subsection any such person is directed, required to do, perform, observe or conform to any act, thing, requirement or condition, such person shall make or cause every vehicle, horse or animal, had, driven, operated

used or ridden by him to do, perform, observe or conform to such act, thing, requirement, or condition.

(a) He shall at all times, except as and when hereinafter mentioned, keep to the left side of the centre of the street or public place, and when travelling at the rate of a walk, he shall, except as and when hereinafter mentioned, keep as close as possible to the left hand curb or roadbed edge.

(b) When meeting another approaching vehicle he shall pass such vehicle to the left of, and entirely clear of it and the horses or other animals attached to it.

(c) In overtaking another vehicle he shall pass to the right side of the overtaken vehicle and shall not go or attempt to go over to the left side of the overtaken vehicle until entirely clear of it and the animals, if any, attached to it.

(d) When turning into another street or public place to the right he shall turn round the centre of the intersection of the two streets or public places and keep to the left of the street or public place into which he turns.

(e) In turning into another street or public place to the left he shall turn round the corner at the left hand curb or side of the said street or public place.

(f) He shall not stay upon or occupy any portion of any street or public place upon which street car tracks are laid, or drive along or across the same so as to impede, obstruct or interrupt the movement or progress of any street car.

(g) Without derogating from any other statute, By-law or Law, he shall not proceed, drive or go to the common danger.

(h) In driving any street car, he shall not stop behind any other street car which may be preceding him in such a position as will ^{not} allow space of at least ten (10) yards to intervene between the car which he is driving and the one which is preceding him.

(i) He shall not, in riding any bicycle, cling onto the side or rear of any street car or vehicle.

22. It shall be unlawful for any person, in hauling dirt, gravel, manure, or sawdust, pieces of wood or other refuse, along through, or upon any public place in the Municipality, to allow or permit the same to be dropped upon any public place except through unavoidable accident.

23. It shall be unlawful for any person to leave standing in any public place in the Municipality, any vehicle drawn by horses or other animals, unless the same be in the personal charge and custody of some person, provided in the case of an accident upon any street, the vehicle may be moved to the side of the street, and if a satisfactory and sufficient red light is located at both ends of the same, the vehicle may be allowed to remain on the street pending removal for repairs for a period not exceeding 24 hours.

24. It shall be unlawful for any person to ride, drive or propel any automobile, autocyte, or bicycle in the Municipality without having attached thereto a bell, gong, horn or whistle in good working order, and sufficient to give warning of the approach of such automobile, autocyte, or bicycle or to fail or neglect to sound such device as a warning, when necessary upon approaching any street car, vehicle, horse or other animal or pedestrian, or upon approaching any place, or any person or persons, who may be entering or leaving any street care or other public conveyance, or upon approaching any street intersection, or before passing around any corner.

25. It shall be unlawful for any person to ride, drive or propel any automobile in the Municipality between the hours of sunset and sunrise, unless there shall be fastened to the front thereof at least two white lights of sufficient candle power to enable the

person driving or operating such automobile to see clearly ahead a distance of at least 200 feet, and one red light so fixed as to be invisible from the front, but visible from the rear for a distance of at least 100 feet. Provided that this section shall not apply to any automobile which complies with the requirements of any Statute of the Province of British Columbia, governing automobiles.

26. It shall be unlawful for any person to ride or propel any bicycle, tricycle, or auticycle in the Municipality between the hours of sunset and sunrise unless there shall be fastened to the front thereof at least one white light of sufficient candle power to enable the person operating such machine to see clearly ahead a distance of at least 50 feet.

27. No person shall be guilty of drunkenness or any disorderly conduct in any street, highway, or public place in the Municipality

28. It shall be unlawful for any person to appear in any public place in a state of nudity, or in an indecent or lewd dress, or to make any indecent exposure of his person, or to expose his private parts to public view, or to be guilty of any lewd act or behaviour.

29. It shall be unlawful for any person to exhibit in any public place, any obscene book, pamphlet, magazine, story paper, printed paper, written paper, picture, engraving, drawing, photograph, or any book, pamphlet, magazine, newspaper or other paper devoted to the publication and principally made up of criminal accounts, police reports, or accounts of criminal deeds, or pictures or stories, or deeds of bloodshed, lust or crime.

30. It shall be unlawful for any person to lay out or expose any kind of poison, or leave exposed any poisonous food or drink for man, animal or fowl, or any substance or fluid whatsoever wherein or whereon there is or shall be deposited or mingled any kind of poison or poisonous or deadly substance whatsoever in any public place, or aid or abet any person in so doing.

31. It shall be unlawful for any person other than a duly authorized officer or employee, acting in pursuance of his duties, of the Municipality of Burnaby, to dig up or in any manner injure or destroy any flower, foliage, flowering plant, foliage plant, or shrubbery in any public place.

32. It shall be unlawful for any person to tie or fasten any horse or other animal to any tree on any public place, to any post or box, placed near or about such tree for the protection thereof, or to post any bill or placard upon any such tree or box near or about the same, or climb any such tree, or cut down, girdle, mutilate, dig up, move or in any manner whatsoever injure or destroy any tree in any public place.

33. Whenever the roadway of any street is made so as to leave a space within the limits of such street upon which it is intended to grow grass, shade trees or shrubs, such place shall be closed against traffic and it shall not be lawful for any person to ride or drive any animal or vehicle upon such space, and if any post or chain be placed on or about such space by or under the direction of the Council it shall not be lawful for any person to remove or injure such chain or post, provided that any person owning or occupying such premises on any such street shall have a right to enter such premises through any space opposite the ordinary entrance of such premises.

34. It shall be unlawful for any persons to collect in crowds, or by congregating thereon or therein to obstruct any public place, or to refuse to disperse when so congregated, upon being requested so to do by any Police Officer of the Municipality of Burnaby, and any person who shall be one of such crowd or congregation, or who shall refuse to separate therefrom when requested so to do by any Police Officer, or shall wilfully attract the attention of persons and cause them to congregate upon and obstruct any public place, shall be deemed guilty of violation of this section.

35. It shall be unlawful for any person to stand or loiter in any public place in such a manner as to obstruct travel thereon.

36. It shall be unlawful for any person to place, set up, keep or maintain any booth, stand, table, box board, shelf, vehicle, or other object for the purpose of selling, giving away or distributing therefrom any article or thing, or exhibiting any animal, bird or curiosity or advertising anything whatsoever in any public place so as to obstruct traffic in the same.

37. It shall be unlawful for any person owning or occupying any property abutting on or contiguous to any public place, to allow or permit any earth, rock, stones, trees, logs, stumps, or other substance to cave, fall, crumble, slide or accumulate, or to be otherwise deposited from any such premises upon any public place, or having been so deposited, to remain thereon.

38. It shall be unlawful for any person to place, or cause or suffer to be placed by any person in his employ or under his control, any merchandise or wares of any nature on any sidewalk in front of or alongside of his place of business, for the purpose of display or for any purposes, except in the actual course of receipt or delivery, or to use any portion of any sidewalk for the purpose of measuring or packing goods for sale.

39. It shall be unlawful for any person to place or to permit to be placed any firewood, coal, chattels, or merchandise in any public place, except while moving the same in or out of the premises adjoining such public place, or to keep any box for the storage of wood, coal, chattels, or merchandise in any public place.

40. It shall be unlawful for any person to throw or deposit in any public place, any broken glass, crockery, nails, or any substance whatever whereby the feet of horses or other animals, or the tires of vehicles may be injured.

41. It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited in any public place any coal, hair, shreds, rags, shells, ashes, garbage, paper, or other refuse matter, or any solids or liquids, animal or vegetable matter, or any substance whatsoever.

42. No person shall take up, dig or carry away any of the earth, sand or gravel in or from any street, road or lane within the Municipality without the permission of the Board of Works.

43. It shall be unlawful for any person to break, tear up, remove any planking, pavement, sidewalk, crossing, curbing, macadam or other surface in any public place, or to make any excavation in or under any public place within the Municipality for any purpose whatsoever, without having first obtained permission of the Board of Works so to do; and it shall be the duty of any person having obtained such permission to break tear up or remove any such planking, pavement, sidewalk, crossing, curbing, macadam, or other surface of any public place, or having obtained permission to make any excavation in or under any public place, to relay and fill up the same and to put the same in as good order and repair as before such breaking, tearing up, removing or excavation, and all such breaking, tearing up, removing and excavation shall be done under the direction and supervision of the Municipal Engineer, and the same shall be replaced to the satisfaction of the said Municipal Engineer, and every person to whom permission as aforesaid has been granted shall erect and maintain a good and sufficient fence, railing or barrier around every excavation made by him in such a manner as to prevent accidents, and shall place and keep upon such fence, railing or barrier a suitable and sufficient red light during the night, and shall take such further care and precaution as the Municipal Engineer may deem necessary and direct for the protection and safety of the public, and shall indemnify the Municipality against all loss, costs, charges, expenses and damages to which the said Municipality may be put by reason of such breaking, tearing up or removing as aforesaid, or by reason of the permission granted him to do; and it shall be the duty of the Board of Works before giving any such permission to take from every such person security that he will perform all the obligations imposed upon him by this section.

44. It shall be unlawful for any person to throw or cause to flow, or allow or permit anything to be thrown or to flow upon any public place, any water or other liquids which cause obnoxious effluvia, or any filthy water, or to permit any flow of water from any premises under his control, on or over any public place.
45. It shall be unlawful for any person to throw or drop on any sidewalk or street any vegetable or fruit, or other substance liable to cause any person injury, or to throw upon or into any public place or in any gutter, any kitchen refuse, paper, sweepings, or other substance liable to close up or choke any gutter.
46. It shall be unlawful for any person to build, construct, place, maintain, throw, leave, pass, tie or put, or cause to be built, constructed, placed, maintained, occupied, thrown, passed, tied or put, except in accordance with the provisions of this by-law, in any public place, any structure, fence, post, rod, chain, rail, wire, box, barrel, keg, firewood, coal, chattels, merchandise, vehicle, animal or any object or thing which is an obstruction to the free use of such public place, or which may be an inconvenience to the use thereof, or which may encroach thereon.
47. No person driving any carriage or other vehicle drawn by a horse or horses, or other animal or animals, or riding upon any horse or other animal on any of the bridges within the Municipality, shall cause, suffer or permit the horse or horses, or other animal or animals which he shall be so driving or riding, to go at a faster rate than a walk.
48. No steam or traction engine which emits black smoke shall be driven at a greater rate of speed than Ten (10) miles an hour along any street in the Municipality, and on approach^{ing} any horse whether attached to a vehicle or not such steam or traction engine shall slow down and if such horse exhibits signs of fright the engine shall be immediately stopped and remain stationary until such horse shall have safely passed.

49. It shall be unlawful for any person to erect or maintain in any public place in the Municipality, any awning, the framework of which shall in any way extend over said public place at a lesser distance than seven feet from the ground or walk or shall have thereto a drop or curtain of a greater length of a fall than one foot.

50. The Municipal Engineer is hereby authorized with necessary assistants to remove any object or thing which is an obstruction to the free use of any public place in the Municipality, or which may be an inconvenience to the use thereof, or which may encroach thereon, but such authority so given under this section shall not in any way relieve from responsibility or liability any person guilty of an infraction of any of the provisions.

51. It shall be unlawful for any person having the custody or control of any child under the age of ten (10) years to allow, suffer or permit any **such** child to play or loiter upon any street in the Municipality which is used for automobile traffic.

52. Any person guilty of an infraction of any of the provisions of this by-law shall upon conviction before the Police Magistrate or any Justice of the Peace having jurisdiction within the Municipality be liable to a penalty not exceeding \$100.00 and costs and in default of payment forthwith such penalty and costs may be levied by distress and sale of the goods and chattels of the offender, and in case of there being no distress found out of which the said penalty and costs can be levied the said Police Magistrate or Justice of the Peace may commit the offender to the common gaol or any lock-up house for a term of not more than sixty (60) days.

53. The "Burnaby Traffic By-law 1902" and the "Burnaby Regulation of Bicycle Traffic By-law 1911" are hereby repealed.

54. This By-law may be cited as the "Burnaby Street Traffic Regulation By-law 1912."

DONE AND PASSED in Open Council the Fourth
day of June, 1912.

RECONSIDERED and finally passed the Second
day of July, 1912.

J. Reeve

REEVE.

Arthur G. Moore

C.M.C.

