

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1725.

A BY-LAW to authorize the Corporation to designate and allot certain portions of Edmonds Street and Gilley Avenue in the Municipality of Burnaby for use by British Columbia Electric Railway Company busses for parking purposes and to prohibit the use of such portions of Edmonds Street and Gilley Avenue for parking purposes by any other vehicle.

WHEREAS it is provided by Section 59, Subsection 237 "A" of the "Municipal Act", being Chapter 199 of the Revised Statutes of British Columbia 1936, as enacted by Section 16 of the Municipal Act Amendment Act 1938, that the Council of a Municipality may from time to time make, order and repeal By-laws for controlling, limiting, or restricting the parking of any or all varieties of vehicles, including vehicles kept for hire, on any highway or other public place; for prohibiting such parking on any part of any highway or other public place; for designating, defining, and allotting portions of highways or other public places for such parking; for prohibiting such parking within or on any highway or other public place except in such area so designated, defined, and allotted; for designating what classes of vehicles may or may not use such portions of highway or other public place as are so designated and allotted for parking purposes; for prohibiting the use of such portions of highway or other public place for parking purposes by any vehicle other than those permitted.

AND WHEREAS the Commissioner of the Municipality of Burnaby, duly appointed as such and entitled to pass such By-laws as might be passed by a Council, deems it expedient to designate what classes of vehicles may use certain portions of Edmonds Street and Gilley Avenue in the Municipality of Burnaby for parking purposes and prohibiting the use of such portions for parking purposes by any other vehicle as hereinafter appearing.

THEREFORE the said Commissioner in exercise of all the powers him thereunto enabling ENACTS as follows:-

1. It shall be lawful for the British Columbia Electric Railway Company in connection with the bus service operated by it in the Municipality of Burnaby and the driver of any bus used in, upon or about the said service to park the bus for the purpose of taking on passengers or allowing them to alight on the following portions of Edmonds Street and Gilley Avenue in the Municipality of Burnaby, in the Province of British Columbia, namely:

(a) On the northwesterly side of Edmonds Street from a point 78 feet northeasterly from Kingsway to a point 178 feet northeasterly from Kingsway.

(b) On the southeasterly side of Edmonds Street from a point 53 feet northeasterly from Kingsway to a point 103 feet northeasterly from Kingsway.

(c) On the West side of Gilley Avenue from a point 25 feet south of Kingsway to a point 75 feet south of Kingsway.

(d) On the East side of Gilley Avenue from a point 25 feet south of Kingsway to a point 75 feet south of Kingsway.

2. It shall be unlawful for the said British Columbia Electric Railway Company or any driver in charge of any bus operated by it in connection with the said service to park any bus on the said respective sides of Edmonds Street or Gilley Avenue aforesaid within 300 feet of the area designated by this By-law on which busses may be parked on the respective sides of the said streets.

3. It shall be unlawful for any person in charge or in possession or in control of any vehicle to park such vehicle within any of the respective areas hereinbefore designated as places where the British Columbia Electric Railway Company or the driver in charge of any of its busses may park a bus on Edmonds Street or Gilley Avenue in the aforesaid Municipality of Burnaby.

4. Every person who violates any of the provisions of this By-law or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this By-law, and shall be deemed to be guilty of an infraction of this By-law, and shall be liable to the penalties hereby imposed.

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5. Any person guilty of an infraction of this By-law shall upon conviction thereof before the Police Magistrate of any two Justices of the Peace, or other Magistrate or Magistrates having jurisdiction in the Municipality of Burnaby, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Police Magistrate, Justices or other Magistrate or Magistrates convicting, a fine or penalty not exceeding the sum of \$100.00 and costs for each offence, and in default of payment thereof forthwith, it shall be lawful for such Police Magistrate, Justices or other Magistrate or Magistrates convicting as aforesaid, to issue a Warrant under his or their hand and seal to levy the said fine or penalty and costs, or costs only, by distress and sale of the offender's goods and chattels, and in case of no distress or insufficient distress found to satisfy the said fine or penalty, it shall be and may be lawful for the Police Magistrate, Justices or other Magistrate or Magistrates convicting as aforesaid to commit the offender to the common jail or any lock-up house in, of or for the Municipality of Burnaby for a period not exceeding 2 months unless the said fine or penalty be sooner paid.


6. This By-law shall not come into full force and effect unless and until it shall have received the approval of the Lieutenant Governor in Council.

7. This By-law may be cited for all purposes as "BURNABY BUS PARKING BY-LAW, 1941."

DONE AND PASSED ON the Twenty sixth (26th) day of February, A.D. 1941.

RECONSIDERED AND FINALLY PASSED this Fifth (5th) day of March, A.D. 1941.




COMMISSIONER.


CLERK.



THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

F. Hurley
FOR DEPUTY CLERK, EXECUTIVE COUNCIL

Certified Copy of a Minute of the Honourable the Executive
Council, approved by His Honour the Lieutenant-
Governor on the 14th day of March, A.D. 1941.
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TO HIS HONOUR
THE LIEUTENANT-GOVERNOR IN COUNCIL:

The undersigned has the honour to recommend

THAT pursuant to the provisions of Section 508 of the "Municipal Act", being Chapter 199 of the "Revised Statutes of British Columbia, 1936", By-law No. 1725, of The Corporation of the District of Burnaby, cited for all purposes as "Burnaby Bus Parking By-law, 1941", be approved in the form of By-law attached hereto:

AND THAT a certified copy of this Minute, if approved, be transmitted to R. Bolton, Acting Commissioner of the said Corporation, at Edmonds, B.C.

DATED this 14th day of March, A.D. 1941.

"A. W. GRAY"

Minister of Municipal Affairs.

APPROVED this 14th day of March, A.D. 1941.

"T. D. PATTULLO"

Presiding Member of the Executive Council.