

THE CORPORATION OF THE DISTRICT OF BURNABY

2074

BY-LAW NO. 4629

A BY-LAW to amend By-law No. 4418 being the  
Burnaby Commercial Vehicle Licensing  
By-law 1962.

The Council of the Corporation of the District of  
Burnaby ENACTS as follows:

1. This By-law may be cited as the "Burnaby Commercial Vehicle Licensing By-law 1962, Amendment By-law 1964".
2. By-law No. 4418 is amended by repealing sections 1 to 17 inclusive and substituting as sections 1 to 14 inclusive the following:

"1. In this by-law, unless the context otherwise requires;

'Act' means the Municipal Act being chapter 255 of the Revised Statutes of British Columbia 1960, as amended;

'Gross Vehicle Weight' means the weight at which a vehicle is licensed under the Department of Commercial Transport Act or the Motor-vehicle Act, as the case may be;

'Licence Inspector' means the person from time to time duly appointed as Licence Inspector for the municipality and also any person lawfully acting in that capacity;

'Owner' means, when used in reference to a vehicle, the person or persons duly registered from time to time under the Motor-vehicle Act or the Department of Commercial Transport Act as the owner or owners of the vehicle;

'Registration Card' means the motor-vehicle licence for the motor vehicle issued pursuant to the Motor-vehicle Act or the Department of Commercial Transport Act.

2. The Corporation of the District of Burnaby is hereby declared to be a participating municipality with respect to the licensing of commercial vehicles and the provisions of Division (2) of Part X of the Act apply to the municipality from and after the commencement of the licence year beginning in 1963.
3. Except as otherwise provided in this by-law and in the Act, but subject to the Motor Carrier Act, no vehicle shall be used or operated on any highway in the municipality unless there is displayed upon the vehicle a valid and subsisting licence-plate or exemption-plate issued for the vehicle in accordance with Division (2) of Part X of the Act and with this by-law.
4. Except as may be otherwise provided by the Act, the owner of every vehicle shall, before it is used or operated on any highway in the municipality, cause the vehicle to be licensed or registered with the Licence Inspector and a licence-plate or exemption-plate obtained pursuant to the Act and this by-law.
5. The application for a licence and licence-plate or exemption-plate, as the case may be, shall be in the form "A" shown as Schedule "A" hereto attached and forming part of this by-law and shall be signed by the owner or his duly authorized agent, provided that in the case of partnerships or multiple owners any one of such owners or partners may apply and such owner or partner applying shall be deemed to be the duly authorized agent of all the owners or of the partnership.
6. Where the applicant for a licence is an agent or co-owner, the owner or owners shall be deemed to have authorized all statements set forth in the application and

shall be deemed to have made such statements on his own or their behalf and as his own or their statements.

7. (1) The application form, together with the registration card for the vehicle, shall be delivered to the Licence Inspector and, in the case where a fee is applicable, shall be accompanied by the fee prescribed in the Act.  
  
(2) Where the applicant for licences is one and the same person, as many applications of the same kind as may conveniently be made on any one of the forms prescribed may be combined in one such form without the necessity for the completion of separate application forms for each vehicle for which a licence and licence-plate or exemption-plate is sought.  
  
(3) Notwithstanding subsections (1) and (2) but not inconsistent with the Act or this by-law, the Licence Inspector is hereby authorized to modify any of the forms prescribed, or any of the administrative procedures prescribed, deemed necessary by him when dealing with any owner applying for licences and plates for more than one vehicle.
8. All fees collected by the Licence Inspector under this by-law and in accordance with Division (2) of Part X of the Act shall be paid forthwith to the Treasurer of the municipality who shall deal with the said fees in the manner provided by the Act.
9. Upon receipt of the application for a licence or exemption-plate and upon being satisfied that the prescribed fee (if any) has been paid, the Licence Inspector shall cause to be issued and delivered a numbered licence-plate or exemption-plate, as the case may be, and shall endorse on the registration card
  - (a) the number of such licence-plate or exemption-plate

- (b) the date of issuance thereof; and
- (c) the fee paid and any qualification for exemption.

10. The licence-plate or exemption-plate shall at all times be affixed in a horizontal position on the front of the vehicle either to, or immediately adjacent to, the provincial motor-vehicle licence plate, and shall be kept entirely unobstructed and in a legible condition and shall not obscure any other legally required plate, sign, or notice.
11. (1) Where a person ceases to be the owner of a vehicle licensed and authorized to carry a licence-plate or exemption-plate, the registration thereof and the licence-plate or exemption-plate therefor, as the case may be, are deemed to be cancelled and the new owner may make application to the Licence Inspector for the transfer of the licence-plate or exemption-plate in accordance with the provisions of the Act.
- (2) The owner of a vehicle licensed and authorized to carry a licence-plate or exemption-plate may apply to the Licence Inspector in accordance with the provisions of the Act for the transfer of the said licence-plate or exemption-plate to another vehicle owned by him.
- (3) Notwithstanding subsection (1), the purchase of a vehicle by a dealer in vehicles for resale shall not require the licence-plate or exemption-plate to be cancelled or transferred until the dealer sells the vehicle to a person other than another such dealer for resale; provided, however, that the vehicle shall not prior to its sale be operated upon any highway in the municipality unless it

has displayed thereon an exemption-plate issued to such dealer pursuant to Division (2) of Part X of the Act.

12.           Where a licence-plate or exemption-plate is lost, stolen, destroyed or becomes illegible or mutilated, the owner of the vehicle in respect of which the plate was issued, or his agent, may apply to the Licence Inspector for a replacement thereof for a fee of two dollars upon the surrender of such plate, if still in the possession of the owner, and the Licence Inspector if satisfied of the truth of the facts in support of the application, may cause a new licence-plate or exemption-plate, as the case may be, to be issued in replacement and shall endorse the record of its issuance on the registration card.
  
13.           The Licence Inspector shall issue not more than twenty (20) exemption-plates for the use of a dealer in new or used vehicles licensed or subject to be licensed under the Department of Commercial Transport Act for the purpose only of demonstrating such vehicles for a fee of two dollars (\$2.00) for each such exemption-plate.
  
14.           Every person who offends against any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this by-law, or neglects to do or refrains from doing anything required to be done under this by-law, or who does any act or thing which violates any of the provisions of this by-law shall be deemed to have committed an offence under this by-law and shall be liable, on conviction to a fine and penalty of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00)."

3. By-law No. 4418 is further amended by renumbering sections 18 and 19 as sections 15 and 16.

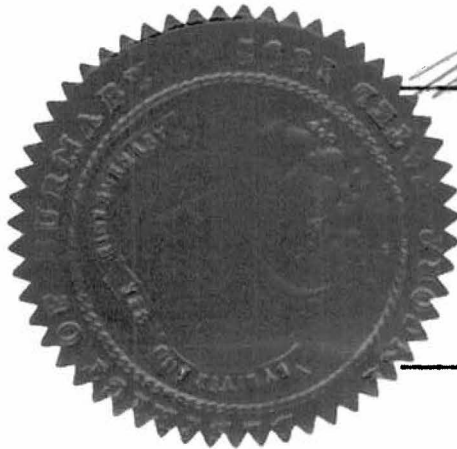
4. This by-law shall come into force and effect on the day of adoption.

READ a first time on the 27th day of July, 1964

READ a second time on the 27th day of July, 1964

READ a third time on the 27th day of July, 1964

RECONSIDERED AND ADOPTED on the 3rd day of August 1964.



*M. Blais*

ACTING REEVE

*J. Laine*

DEPUTY CLERK