



Hamlet of Cambridge Bay By-Laws

By-Law Name:	Highway Traffic
---------------------	-----------------

By-Law Number:	153
-----------------------	-----

Description

BEING A BY-LAW OF THE MUNICIPAL CORPORATION OF THE HAMLET OF CAMBRIDGE BAY IN NUNAVUT, THE NORTHWEST TERRITORIES TO REGULATE TRAFFIC IN THE HAMLET OF CAMBRIDGE BAY.

By-Law

WHEREAS Part XIII of the Motor Vehicles Act S.N.W.T. 1987 (1) c.24 provides that Municipal Councils may make by-laws in respect of highways within the limits of their municipalities;

NOW THEREFORE, pursuant to the Motor Vehicles Act THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE HAMLET OF CAMBRIDGE BAY in session duly assembled, enacts as follows:

(1) Short Title

This By-Law may be cited as the Highway Traffic By-Law. INTERPRETATION

2. (1) In this By-Law:

- a) "Council" means the Council of the Hamlet of Cambridge Bay;
- b) "Hamlet" means the Municipal Corporation of the Hamlet of Cambridge Bay in Nunavut, Northwest Territories;
- c) "Hamlet Manager" means the senior administrative officer of the Hamlet of Cambridge Bay and includes any person duly appointed as Acting Senior Administrative Officer, pursuant to the Cities, Towns and Villages Act, R.S.N.W.T. 1988, c. C - 8;
- d) "Highway" means any place or way; including any structure forming part thereof, which the public is ordinarily entitled or permitted to use for the passage of vehicles, and includes all the area between the boundary-lines of any right-of-way or land taken, acquired or used therefore, and includes:

- i) a privately owned area, other than the driveway of a private dwelling, that is designated and intended and primarily used for the parking of vehicles and necessary passageways therein, and
 - ii) a publicly-owned area designated, and intended to be used exclusively for parking of vehicles and necessary passageways therein;
- e) "Intersection" means the area closed by the imaginary extension and connection of the curbs or edges of roadways that intersect or join at any angle;
- f) "Loading Zone" means every parking area on a highway, posted as "Loading Zone" by a traffic control device as authorized by Council;
- g) "Peace Officer" means:
 - i) a member of the Royal Canadian Mounted Police;
 - ii) a By-Law Officer in respect of an offence under a Municipal by-law, or;
 - iii) a person prescribed as a peace officer, or one of a class of persons prescribed as peace officers.
- h) "Pedestrian" means a person on foot or in a wheelchair and includes a child in a carriage or carried by a person on foot;
- i) "Playground Zone" means a zone on a highway identified by a traffic control device as an area wherein children may be expected to be on the highway, or are permitted to cross the highway at a designated point along the highway;
- j) "School Bus" means a motor vehicle used to convey students to or from school or any other place approved by the authority in charge of the school that the students attend where:
 - i) the vehicle is owned or operated by the authority in charge of the school, or
 - ii) the vehicle is operated pursuant to a contract with the authority in charge of the school.

- k) "School Patrol" means a person delegated by a school or community education council, to assist pedestrians crossing highways in a school zone;
- l) "School Zone" means a zone on a highway identified by a traffic control device as an area wherein children may be expected to be on the highway, or are permitted to cross the highway at a designated point along the highway in the vicinity of an educational institution;
- m) "Sidewalk" means the part of a highway especially adapted to the use of, or ordinarily used by, pedestrians, and includes that part of a highway between a curb line (or edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved;
- n) "Traffic Control Device" means a sign, signal, light, marking or device placed or erected by authority of the Hamlet or by an official having jurisdiction for the purpose of regulating, warning or guiding traffic or pedestrians;
- o) "Traffic Control Signal" means a traffic control device whether manually, electrically or mechanically operated, by which traffic or pedestrians are directed to stop and to proceed;
- p) "Vehicle" means a device in, upon or by which a person or thing may be transported or drawn upon a highway, whether or not propelled or driven by any kind of power, including human power.

(2) Except where expressly provided for herein, terms used in this by-law shall have the same meaning as defined in the *Interpretation Act*, R.S.N.W.T. 1988, c. I-8, the *Motor Vehicles Act*, R.S.N.W.T. 1988, c. M-16, and the *Cities, Towns and Villages Act*; R.S.N.W.T. 1988, c. C-8.

EMERGENCY AND ROAD WORK

3. (1) Notwithstanding anything in this By-Law, but subject to subsections 3.(2) and 3.(3), the driver on a highway of an ambulance, police or fire-fighting vehicle, when in pursuit of an actual or suspected violator of the law, but not when returning from, may;
- a) Exceed the speed limit;
 - b) Proceed past a red traffic control sign or stop sign without stopping;

- c) Disregard rules and traffic-control devices governing direction of movement or turning in specified directions; and
 - d) Stop or stand.
- (2) The driver on a highway of an ambulance, police or fire-fighting vehicle shall not exercise the privileges granted by subsections 3.(1) paragraphs (a), (b) and (c) unless he/she is sounding an audible signal by bell, siren or exhaust whistle and/or is showing a flashing a red light, blue light or a combination of both red and blue lights.
- (3) A driver on a highway of an ambulance, police or fire-fighting vehicle exercising any of the privileges granted by subsection 3.(1), shall drive with due regard for safety having regard to all the circumstances of the case, including:
- a) the nature, condition and use of the highway,
 - b) the amount of traffic that is on or might reasonably be expected to be on the highway, and
 - c) the nature of the use being made of the ambulance, police or fire-fighting vehicle at the time.
- (4) A driver on a highway of an ambulance is deemed to be responding to an emergency call from the time he first receives such call until he arrives at the destination of his passenger.
4. Nothing in this By-Law applies to a person, vehicle or other equipment while engaged upon any work of construction, maintenance or clearance of a highway where it is necessary to do that work to disregard the provisions of this By-Law and the work has been authorized by an officer or a duly empowered agent of the Hamlet.

TRAFFIC CONTROL

5. A driver of a vehicle on a highway shall obey the instructions of every applicable traffic control device.
6. (1) Subject to section 7, the driver on a highway of a vehicle approaching an intersection shall yield the right-of-way to traffic that has entered the intersection from a different highway.
- (2) When two vehicles enter an intersection from different highways at approximately the same time, the driver on the left shall yield the right-of-way to the vehicle on the right.
7. When a driver of a vehicle intends to turn left, he shall yield the right-of-way to traffic approaching from the opposite direction and, having so yielded the right-of-way and given signal as required by Section 16, may proceed to turn left and the traffic approaching from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

8. (1) Where a driver of a vehicle who is about to enter a through-highway has stopped his vehicle in compliance with sections 9 and 24, he shall yield the right-of-way to that traffic which
 - a) has entered the intersection upon the through-highway, or
 - b) is approaching the intersection upon the through-highway.
- (2) Where a driver has yielded the right-of-way as required by subsection 8.(1), he may proceed with caution, and traffic approaching the intersection on the through-highway shall yield the right-of-way to the vehicle proceeding into or across the highway.
9. (1) A driver of a vehicle on a highway approaching a yield sign shall
 - a) slow his vehicle to a speed reasonable for existing conditions, and
 - b) yield the right-of-way;
 - i) to a pedestrian crossing the roadway on which he is driving, and
 - ii) to traffic in the intersection or approaching on the intersection on intersecting roadway, and
 - c) if required for safety, to bring the vehicle he is driving to a full stop.
- (2) Where a driver has yielded or stopped pursuant to subsection 9.(1) he may proceed with caution.
10. Where a driver is about to enter or cross a highway from a private road, alley, building, driveway or land he shall yield the right-of-way to traffic approaching on the highway.
11. Unless otherwise directed by an officer, upon the immediate approach of an ambulance, police vehicle or fire-fighting vehicle that is sounding an audible signal by bell, siren or exhaust whistle and/or is showing a flashing red light, the driver of a vehicle on a highway shall
 - (1) yield the right-of-way,
 - (2) immediately drive to a position parallel to and as close as practicable to the right-hand edge of the road-way clear of an intersection, and
 - (3) stop and remain in that position until the ambulance, police or fire-fighting vehicle has passed.
12. No person shall drive a vehicle on a highway behind another vehicle more closely than is reasonable and prudent in the circumstances.

13. (1) No person shall drive a vehicle on a highway to the left side of the roadway except
- a) when over-taking and passing another vehicle proceeding in the same direction, or
 - b) when the roadway to the right of the center of the roadway is obstructed by a parked vehicle or other object, or
 - c) when the roadway to the right of the center of the roadway is closed to traffic, or
 - d) upon a one-way roadway.
- (2) No driver of a vehicle on a highway shall over-take or pass another vehicle proceeding in same direction on any portion of a highway designated by a traffic control device as a "No Passing" area.

U-TURNS

14. No person shall drive a vehicle so as to make a "U-turn" at any place on a highway.

SCHOOL ZONES AND PLAYGROUND ZONES

15. a) Council may, by motion, direct that an area be designated a school zone or playground zone.
- b) No person shall operate a vehicle within a school zone in excess of thirty (30) kilometers per hour between the hours of 8:00 AM and 5:00 PM, or as otherwise posted.
 - c) No person shall operate a vehicle within a playground zone in excess of thirty (30) kilometers per hour.
 - d) Any person operating a vehicle on a highway within a school zone shall yield the right-of-way to pedestrians crossing the highway under the direction, protection or control of a school patrol.
 - e) Any person operating a vehicle on a highway within a school zone shall obey the instructions of a school patrol described herein in the exercise of their functions.

ILLEGAL PASSING

16. a) A driver shall not pass, or attempt to pass, another vehicle traveling in the same direction when in that portion of a highway which has been marked as a school zone or a playground zone.
- b) A school zone or playground zone

- (i) begins where there is a traffic control device indicating the school zone or playground zone, and
- (ii) ends where there is a traffic control device indicating a greater rate of speed , or at the end of the zone.

DRIVER'S SIGNALS

17. (1) The signals required of a driver of a vehicle under this by-law are those required under the Motor Vehicles Act.
- (2) Where a signal is required, a driver shall give it by means of a hand signal in accordance with subsection 17.(3) or a turn signal light if the vehicle is so equipped.
- (3) Where a driver of a vehicle on a highway gives a signal by hand, he shall give such a signal from the left side of his vehicle indicating,
- a) a left turn, by extending his left arm and hand out horizontally, to the left of the vehicle
 - b) a right turn, by extending his left hand and arm out and upward from the vehicle, and
 - c) a stop and decrease in speed, by extending his left hand and arm out and downward from the vehicle.
- (4) Where the driver mentioned in subsection 17. (2) is required to operate the vehicle from a position on the right side of the vehicle, then the signals described in subsection 17. (3) may either be given by a passenger in the same manner as the driver would have given them if he had been on the left side of the vehicle, or the driver may give them from the right side of the vehicle by indicating
- a) a left turn, by extending his right hand and arm out and upwards from the vehicle,
 - b) a right turn. by extending his right hand and arm out horizontally to the right from the vehicle, and
 - c) a stop or decrease in speed, by extending his right hand and arm out and downward from the vehicle.

SPEEDS

18. (1) Except as provided in subsection 18. (2), no person shall drive a vehicle at a greater speed than forty (40) kilometers per hour.

- (2) No person shall drive a vehicle on a highway at a speed greater than is designated by a traffic-control device or by any sign or signs erected above or to the side of the highway under this by-law or under the Motor Vehicles Act.
- 19. Except when it is necessary for safe operation or to comply with this by-law, no person shall drive a vehicle on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic then in the vicinity.
- 20. (1) No person shall operate a vehicle on a highway without due care and attention.
- (2) No person shall operate a vehicle on a highway without reasonable consideration for others using the highway.

PARKING

- 21. (1) Subject to subsections 21. (2) and 21. (6), no person shall park a vehicle so that any portion thereof is
 - a) in front of a public or private driveway,
 - b) within an intersection,
 - c) within a crosswalk or five (5) meters thereof,
 - d) within five (5) meters upon the approach to any stop sign or traffic-control signal located above or to the right of the highway,
 - e) on the roadway side of a motor vehicle or other vehicle stopped or parked on a highway,
 - f) within five (5) meters of any intersection.
- (2) Subsection 21. (1) does not apply
 - a) to the parking of a bus in a “Bus Stop” area designated by a traffic-control device located above or to the side of the highway,
- (3) No person shall park or stop a vehicle on a highway so that any part of the vehicle is facing contrary to the direction of travel for that portion of the highway on which it is located.
- (4) Subject to subsection 21. (5)
 - a) no person shall stop, park or leave a vehicle on the roadway where it is practicable to do so off the roadway,

- b) no person shall park a vehicle so as to obstruct the free passage of traffic on the roadway,
 - c) no person shall park or abandon a vehicle upon private property without the express permission of the owner or tenant of the property,
 - d) no person shall park or abandon a vehicle upon a highway for more than forty-eight (48) continuous hours.
- (5) Subsections 21. (1) to 21. (3) inclusive do not apply when a vehicle is so disabled that it is not practicable to avoid stopping and temporarily leaving it in contravention to the provisions of those subsections, provided all reasonable steps to comply promptly therewith are taken.
22. Where stopping, standing, or parking is permitted by a traffic authority, a person shall stop, stand or park a vehicle on the right side of the road-way with the right-hand wheels parallel to that side and within thirty (30) centimeters of the edge of the roadway.
23. (1) An officer may require the driver of a vehicle to move or may himself move, or have moved a vehicle stopped or parked in contravention of this by-law.
- (2) Where an unattended vehicle is parked in contravention of this by-law an officer may take the vehicle into his custody and cause it to be taken to and stored in a suitable place.
- (3) All costs and expenses incurred or arising out of any movement or storage of a vehicle shall be chargeable to the owner and the driver of the vehicle, jointly and severally, who shall be deemed to have authorized such movement and storage at their respective risk and cost.

STOP AND YIELD SIGNS

24. Where there is a stop sign at an intersection, a driver of a vehicle on a highway shall stop immediately before entering the intersection and not proceed until it is safe to do so.
25. Where there is a yield sign at an intersection, the driver of a vehicle on a highway, if required for safety to stop, shall stop immediately before entering the intersection and not proceed until it is safe to do so.
26. The driver of a vehicle on a highway, upon meeting or overtaking from any direction a school bus that has stopped for the purpose of receiving or discharging school children
- (1) shall stop the vehicle before reaching the bus when there is in operation on the school bus a flashing light as specified in Section 232 of the Motor Vehicles Act.
 - (2) shall not proceed until the school bus resumes motion or he is signaled by the driver of the school bus to proceed or the flashing light is no longer flashing.

NOISE

27. (1) No person operating a vehicle on a highway shall
- a) cause the vehicle to make an unnecessary noise;
 - b) permit unnecessary noise to emanate from the vehicle;
 - c) cut out or reduce the effective operation of the muffler;
 - d) sound a bell, siren, gong, horn, whistle, or other noise-making device so far as necessary for the safe operation of the vehicle.
- (2) Subsection 27.(1).(d) does not apply to an ambulance, police or fire-fighting vehicle operated by an authorized person.

VISIBILITY OF THE HIGHWAY

28. No person shall operate a vehicle on a highway when the windshield or windows of the vehicle are in such a condition as to impair his vision.
29. No person shall operate a vehicle on a highway so that any part thereof or any equipment, fixture or load thereon interferes with or obstructs the driver's clear view of the highway.

HEAVY BURDENS

30. Except with the written or express permission of the Hamlet Manager, no person shall place, drag, skid, move or operate or drive a vehicle or thing upon a highway in such a manner as to cause actual damage to the highway.
31. No person shall drive a tracked vehicle other than a motor toboggan on a highway unless he has obtained permission by the Hamlet Manager except:
- (1) when a covering of frozen snow or ice exists on the highway, tracked vehicle may operate without permission of the Hamlet Manager.
32. A person, who places, drags, skids, moves, operates or drives a vehicle or thing upon a highway contrary to Sections 30 and 31 shall be liable to compensate the Hamlet for the cost of and arising from any damage, injury or loss suffered by the Hamlet or by any person in respect thereof.

TRAFFIC CONTROL DEVICES

33. (1) The Hamlet Manager shall prescribe where traffic-control devices, signals and signs are to be erected, placed and maintained and the Hamlet Manager shall keep and maintain a

schedule recording such locations, such schedule shall be open to public inspection during normal business hours.

- (2) Except as authorized by the Hamlet Manager, no person shall
 - a) erect, place or display, or
 - b) alter, conceal, deface, damage, move or remove any traffic-control device.
- (3) Except as authorized under the Motor Vehicles Act or this by-law, no person shall on or near a highway erect, place or display any sign or device that purports to be, resembles or interferes with the effectiveness of a traffic-control device.

BICYCLES AND PLAY VEHICLES

34. (1) Subject to this section, a person riding a bicycle has the same rights and duties as a driver of a vehicle.
- (2) A person who is riding a bicycle shall operate the bicycle in a safe manner at all times, and;
 - a) shall ride it as near as practicable to the right-hand edge of a roadway;
 - b) shall not ride abreast of any other person who is riding a bicycle upon a roadway;
 - c) shall keep at least one hand on the handle bars;
 - d) shall not ride other than upon or astride a regular seat of the bicycle;
 - e) shall not use it to carry more persons at one time than the number for which it is designed and equipped; and
 - f) shall not ride it on a highway where signs prohibit its use.
- (3) An officer who on reasonable and provable grounds believes that a person riding a bicycle has contravened a provision of this by-law may seize and detain any bicycle in respect of which the offence has been committed until the final disposition of any proceedings that may be taken under this by-law.
- (4) An officer seizing a bicycle pursuant to subsection 34. (3) may cause the bicycle to be removed and taken to and stored in a suitable place.
- (5) If proceedings are not taken under this by-law within thirty (30) days after the vehicle is seized and detained pursuant to subsection 34. (3), the bicycle shall be forthwith returned to the owner.

MISCELLANEOUS RULES

35. (1) No person shall operate a vehicle in a backwards direction on a highway unless the movement can be made with safety and without interfering with traffic or pedestrians.
 - (2) No person shall operate a vehicle on a highway in a backwards direction around a corner at an intersection.
 - (3) No person shall operate a vehicle in a backwards direction so as to cross a lane of traffic.
 - (4) Where so posted, no person shall drive a vehicle so as to completely cross a lane of traffic, except when entering or exiting a lane, roadway or driveway.
 - (5) When water, mud or slush is lying on a highway, no driver shall drive on a highway in a manner so as to splash any pedestrian using the sidewalk or crosswalk.
 - (6) No person shall tow a vehicle on a highway in an unsafe manner, or with an unsafe tow rope, tow chain or other connecting device.
 - (7) No person shall drive or park or leave any vehicle on a sidewalk.
 - (8) A driver, on meeting a school bus that,
 - a) is heading in the same or opposite direction as the driver, and
 - b) has its flashing lights in use,shall
 - (i) stop his or her vehicle before it reaches the bus, and
 - (ii) not proceed until the flashing lights are no longer in use.
-
36. No driver of a vehicle on a highway other than an ambulance, police or fire-fighting vehicle shall follow closer than 100 meters behind a fire apparatus or drive or park within 100 meters of the place on the same street on which the fire apparatus has stopped in answer to a fire alarm.
 37. Unless he has obtained the consent of the fire department official in command, no person shall drive a vehicle over an unprotected hose of a fire department that has been laid down on a highway or private drive-way near the location of a fire or a suspected fire.
 38. (1) No person shall litter or deposit on a highway any glass, nails, tacks or scraps of metal or any rubbish refuse or waste.

- (2) A person who removes a wrecked or damaged vehicle from a highway shall remove all glass or other injurious substances or things dropped upon the highway from the vehicle.
- (3) No person shall drive or operate a vehicle on a highway or permit a vehicle to be driven or operated on a highway with any load unless such load and any covering is prevented from becoming loose, detached or in any manner a hazard to other users of the highway or from littering the highway.
- 39. No person shall drive a vehicle upon a designated pedestrian walk-way unless he is entering upon or leaving a driveway or lane or entering upon or leaving land adjacent to a highway.
- 40. No person shall operate a vehicle on a highway in a race or on a bet or wager as to its speed or performance.
- 41. (1) Notwithstanding anything in this By-Law, the Hamlet Manager or any person authorized by him or her, may erect and display and in due course remove signs upon, above or to the side of a highway temporarily prohibiting parking, directing the flow of traffic or prohibiting certain classes of traffic.
 - (2) Subject to subsection 41. (3) no person shall park or leave parked a vehicle on a highway where temporary "No Parking" signs have been displayed under subsection 41. (1).
 - (3) The provisions of subsection 41. (2) shall take effect twenty-four hours after the first display and shall remain in effect until the authorized removal of such signs.
 - (4) A sign displayed under this section shall be deemed to be a traffic-control device.
 - (5) The provisions of Section 23 apply respecting vehicles found to be parked in contravention of subsection 41. (2).
- 42. (1) No driver shall fail to stop his vehicle when requested by an officer in uniform or signaled from a police vehicle by an audible signal, by siren and/or is showing red or red and blue flashing lights.
 - (2) No person who is stopped by an officer under subsection 42. (1) shall move his vehicle until he is permitted by the officer.

OFFICERS

- 43. (1) Council may appoint such persons upon such terms as it requires by By-Law and Resolution to be officers to enforce and carry out the provisions of this By-Law.
 - (2) Every member of the Royal Canadian Mounted Police stationed in and at the Hamlet of Cambridge Bay is ex officio an officer for the purpose of enforcing and carrying out the provisions of this By-Law.

