

THE TOWN OF THE CITY OF DAWSON

BYLAW # 00-21

Office Consolidated as amended by 01-17, 03-08, & 13-05

A Bylaw to regulate and control vehicular and pedestrian traffic and use of highways within the Town of the City of Dawson

WHEREAS the Municipal Act, Chapter 19, Statutes of the Yukon Territory and amendments thereto provide that, subject to the Highways Act and the Motor Vehicles Act, a municipality may pass bylaws regulating the use, management and control of municipal highways, and

WHEREAS the Town of the City of Dawson is desirous of consolidating various current bylaws regulating the use, management and control of municipal highways, now

THEREFORE, under and by virtue of the authority conferred upon it by the Municipal Act, Chapter 19, the Council of the Town of the City of Dawson, in open meeting duly assembled, HEREBY ENACTS AS FOLLOWS:

PART 1.00 SHORT TITLE

1.01 This Bylaw may be cited as the “**Traffic Bylaw**”

PART 2.00 DEFINITIONS

2.01 In this Bylaw:

- (1) “**Bicycle**” means a device propelled solely by human power upon which a person may ride, having one or more wheels of which at least one is more than forty (40) centimeters in diameter.
- (2) “**Bylaw Officer**” means an individual appointed by Council to act on behalf of the City of Dawson to enforce the bylaws.
- (3) “**Central Business District**” means the area bounded on the west by the Yukon River dyke, on the east by the laneway immediately east of Fifth Avenue, on the south by the southern edge of the Harper Street road allowance, and on the north by the northern edge of the York Street road allowance.
- (4) “**City Manager**” means the person appointed by Council to the position of Chief Administrative Officer for the City, or his designate.
- (5) “**City**” means the Town of the City of Dawson in the Yukon Territory.
- (6) “**Commercial Vehicle**” means any motor vehicle other than a private vehicle as defined in the Motor Vehicles Act.
- (7) “**Council**” means the duly elected Council of the City.
- (8) “**Driver**” or “**Operator**” means a person who drives or is in actual physical control of a vehicle.
- (9) “**Heavy Vehicle**” means any vehicle or combination of vehicles having a total of more than three axles, including the steering axle but does not include:
 - a) vehicles primarily intended for conveyance of passengers;

- b) vehicles in use for the purpose of construction or repair of any public utility or infrastructure on or within the right-of-way of a highway;
 - c) emergency vehicles;
 - d) vehicles intended for the purpose of moving buildings while engaged in conveying a building for which the necessary moving permits have been issued; and
 - e) vehicles recovering a disabled vehicle from a highway.
- (10) **“Highway”** means any cul-de-sac, boulevard, thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes
- (a) a sidewalk, including a boulevard portion thereof,
 - (b) where a ditch lies adjacent to and parallel with the roadway, the ditch,
 - (c) where a highway right-of-way is contained between fences or contained in a cut-line or between a fence and one side of the roadway, all the land between the fences, all the land in the cut-line, or all the land between the fence and the edge of the roadway, as the case may be,
 - (d) all the land shown on a registered plan of survey of a highway right-of-way,
 - (e) where a highway right-of-way is not shown on a registered plan of survey or is not contained between fences or cut-lines, all the land with thirty (30) meters of the center line of the highway.
- (11) **“Intersection”** means the area embraced within the prolongation or connection of the lateral curb lines or, if none, the exterior edges of the roadways of two or more highways which join one another at an angle, whether or not one highway crosses the other.
- (12) **“Judge”** or **“Court”** includes a Judge of the Territorial Court of the Yukon.
- (13) **“Lane”** means any highway where the width of the roadway is less than seven (7) meters.
- (14) **“Motor Coach/Bus”** means a vehicle in excess of 11,000 kilograms and Nine (9) meters in length primarily intended for conveyance of passengers.
- (15) **“Officer”** means a Bylaw Officer of the City, or a member of the Royal Canadian Mounted Police.
- (16) **“Official”** means the Chief Administrative Officer or any other person authorized by Council or the Chief Administrative Officer to act on behalf of the City.
- (17) **“Owner”** means the person in whose name a motor vehicle or trailer is or is required to be registered under the Motor Vehicles Act of the Yukon Territory.
- (18) **“Person”** includes an individual, partnership, association, company, trustee, executor, administrator or legal representative.
- (19) **“Public Works Superintendent”** means the person hired by the City to fulfill the duties of Public Works Superintendent or his designate.
- (20) **“Residential Area”** means any district classed in the City=s Zoning and Historic Control Bylaw as *Mobile Home Residential*, *Multiple Unit Residential*, *Single Detached Residential*, or *Country Residential* or any grouping of dwellings in any

other area in which the predominant use of buildings in the area is for single family or multiple family dwellings.

- (21) **“Road Allowance”** means any surveyed road right-of-way or, where no surveyed road right-of-way exists, all the land within thirty (30) meters of the center line of the road.
- (22) **“Skateboard”** means any self-propelled device consisting of a platform mounted on wheels, with or without a control pedestal, on which the rider stands.
- (23) **“Summary Conviction”** means summary conviction under and by virtue of the Criminal Code and the Yukon Summary Convictions Act.
- (24) **“Traffic Control Device”** means any sign, signal, marking or device, including the post or standard on which it is mounted, placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic.
- (25) **“Traffic Control Signal”** means a traffic control device whether manually, electrically, or mechanically operated by which traffic is directed to stop and to proceed.
- (26) **“Vehicle”** shall include a motor vehicle, trailer, semi-trailer, self-propelled machine, traction engine, or any device in, upon or by which any person or property is or may be transported or drawn upon a highway.

PART 3.00 ROAD PROTECTION AND SAFETY COMMITTEE

3.01 There is hereby established a Road Protection and Safety Committee, consisting of:

- (1) The Mayor, or in his / her absence the Deputy Mayor,
- (2) The Chief Administrative Officer, or in his / her absence his delegate, and
- (3) the Public Works Superintendent, or in his / her absence his delegate.

3.02 All decisions of the Road Protection and Safety Committee shall be recorded in writing.

PART 4.00 PROTECTION OF HIGHWAYS

4.01 No person shall cause or allow or do any act which is likely to cause or does cause damage to or interfere with the operation of one or more of the following:

- (1) a highway
- (2) a culvert
- (3) a bridge
- (4) a traffic control device
- (5) any public property or permitted private property situated on a highway or within a road allowance.

4.02 No person shall affix any advertising material poster, placard, sign, or other material on any traffic control device or any part of a highway, bridge or culvert without written permission of the City and no person shall erect any device or structure, either in or outside of a road allowance which interferes with the effectiveness or visibility of a traffic control device.

4.03 No person or public utility shall cause an obstruction for the purpose of working on

power, phone or cable utilities without approval of an Official of the City. Once approval has been obtained the City shall cause barriers to be erected and the fee for this service shall be as set out in the Fees and Charges Bylaw.

- 4.04 No person shall cause or allow or do any act which is likely to cause or does cause any obstruction to be on or within one or more of the following:
- (1) a highway
 - (2) a culvert
 - (3) a bridge
 - (4) any public property or permitted private property situated on a highway or within a road allowance.
 - (5) power poles
- 4.05 No person shall:
- (1) excavate or otherwise destruct a highway, including the road allowance thereof, or
 - (2) transport material or loads of material over a highway which would be of an extraordinary use likely to imperil the highway or people living on or near the highway.
- 4.06 Notwithstanding Section 4.04, a person, with the written approval of an Official of the City, may excavate or otherwise destruct a highway, including the road allowance thereof, or make extraordinary use of a highway subject to such conditions as may be imposed by the Official. If any unauthorized excavation or destruction occurs, the person responsible for the action shall repair the disturbance to the satisfaction of the City or reimburse the City for the cost of repair.
- 4.07 No person shall cause or allow to be caused by vehicular traffic any disturbance to the traveled roadway surface of paved, gravel or dirt highways which will rut or mark the traveled roadway surface of the paved highway, or which will rut or mark the traveled roadway surface of the gravel or dirt highway to the extent that it will create a hazard for a typical passenger car using that highway. If such a disturbance is caused, the person responsible shall repair the disturbance to the satisfaction of the City or reimburse the City for the cost of repair.
- 4.08 Where a person is using a highway to the extent that such usage creates a dust problem annoying or hazardous to people living alongside of or near the highway, the city may require said person to provide dust suppression treatment for the highway for as long as the annoyance or hazard exists.
- 4.09 Where a person uses the highway to an extent which causes the need for more than routine maintenance by the City, the City may require said person to be responsible for providing the additional maintenance needed.

- 4.10 No person shall dispose of rubbish in a public place or on a highway or within a road allowance unless the rubbish is disposed of in a container placed for the purpose of collecting rubbish.
- 4.11 An Officer or Official may destroy or otherwise dispose of rubbish or other matter which has been unlawfully deposited on a highway or in a public place or within a road allowance.
- 4.12 No person shall operate or move on a highway any vehicle, equipment or machine other than personal used motorized toboggan not equipped with rubber tires which support the weight of the vehicle, equipment or machine while being operated or moved on a highway without the written permission of the City.
- 4.13 No person shall use any implement or machine to cultivate, mow or in any other way disturb or cause damage to any road allowance or the shoulder of any highway without the written permission of the City.
- 4.14 No person shall remove from any highway any gravel, asphalt, pavement or other material used to surface a roadway, without the written permission of the City.
- 4.15 No person shall cause or do any act which causes all or parts of a load being transported along a highway to be distributed or otherwise spread onto the surface of the highway or onto the road allowance, without the written permission of the City.
- 4.16 No person shall deposit or dispose of rocks, earth, vegetation, petroleum products, chemicals or other similar materials on a highway or within a road allowance without the written permission of the City. Any person doing so without permission shall be responsible for removal of all materials deposited and, where necessary, for the restoration of the highway or road allowance to its original or better condition.
- 4.17 No person shall construct an access onto a highway, nor build a pipeline or other infrastructure along or across a developed highway or undeveloped road allowance, nor use an undeveloped road allowance without the written permission of the City.
- 4.18 An Officer or Official is hereby authorized to take any action deemed reasonable and necessary to prevent continuation of any act prohibited by “PART 3: ROAD PROTECTION AND SAFETY COMMITTEE” of this Bylaw and may do, but is not restricted to, the following:
 - (1) Impound a vehicle, or a vehicle and its cargo and/or equipment, or any other machine or object or thing used to commit an offence under this Part and to hold same until it is, in the opinion of the Officer, rendered inoffensive.
 - (2) Order the vehicle, machine or equipment to be removed from the highway or road

allowance.

- (3) Detour any vehicle and cargo or other machinery and equipment.
- (4) Order a person to cease any act which causes an offence under this Part.
- (5) Remove and dispose of any signs or other objects improperly affixed to or interfering with traffic control devices, parts of a highway, bridge or culvert.

PART 5.00 RATES OF SPEED

- 5.01 For the purposes of this Part, Council hereby delegates authority for the fixing of maximum rates of vehicle speed to the Road Protection and Safety Committee, who shall from time to time set out on a form as prescribed in Schedule "B" maximum rates of vehicle speed which shall have full force and effect in the zones or areas and highways described in the said Schedule. In setting maximum rates of speed, the Road Protection and Safety Committee shall consider policy of Council and recommendations of the Manual of Uniform Traffic Control for Canada.
- 5.02 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any curve in a highway where the design of the curve requires a safe traveling speed which is less than the regular maximum vehicle speed for that highway or portion of that highway. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.
- 5.03 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any part of the highway under construction or repair or in a state of disrepair. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.
- 5.04 The Road Protection and Safety Committee is hereby authorized to place such traffic control devices and signals, including but not restricted to speed limit signs and warnings of changes in speed limits as may be necessary to inform the traveling public of the vehicle speed limits and recommended traveling speeds.

PART 6.00 WEIGHT AND DIMENSION CONTROL ON HIGHWAYS AND BRIDGES

- 6.01 No person without the written permission of the City shall operate a vehicle on a highway which exceeds the maximum allowable weight, width, height or length of the vehicle as determined in the Yukon Highways Act Regulations or the license issued for the vehicle.
- 6.02 The Road Protection and Safety Committee is hereby delegated the authority to:
- (1) prohibit the use of any highway by a traction engine or public vehicle, or by a class or classes thereof, for a period or periods that the Committee determines.
 - (2) limit or restrict the speed of a traction engine or public vehicle, or of a class or

classes thereof, using a highway for a period or periods that the Committee determines, and

- (3) increase, limit or restrict the maximum gross weight that may be borne by a tire, an axle or an axle group, or any of them, or the maximum gross weight that may be borne by a vehicle or combination of vehicles on a highway for a period or periods that the Committee determines, when the Committee is of the opinion that the prohibition, limitation or restriction is necessary for public safety or the preservation of the highway, or that the increase is appropriate for the road conditions at the time.

- 6.03 All decisions of the Road Protection and Safety Committee shall be recorded in writing. Changes to standard Territorial road weights shall be advertised by posting the appropriate signage on the highway affected and by notifying the Dawson Detachment of the RCMP and the Territorial Vehicle Enforcement Section.
- 6.04 The Chief Administrative Officer is authorized to approve individual overload or over dimensional permits. Such approvals shall be at the discretion of the approving Official and shall have regard for public safety and road conditions.

PART 7.00 STOP AND YIELD

- 7.01 Subject to the provisions of this Bylaw, “stop” and “yield” regulations and prohibitions shall be in compliance with the Yukon Motor Vehicle Act.
- 7.02 The Road Protection and Safety Committee is hereby authorized to determine the locations at which stop signs and yield signs shall be affixed and at which operators are required to stop or yield as the case may be. In determining these locations, the Chief Administrative Officer shall consider public safety, the free flow of traffic, policy approved by Council, and the recommendations of the Manual of Uniform Traffic Control for Canada.

Part 8.00 PARKING AND RESTRICTED PARKING

- 8.01 For the purposes of this Part, Council hereby delegates to the Road Protection and Safety Committee the authority for the designation and prescribing of “no parking” or “restricted parking” zones, and to have appropriate signs erected. Without restricting the generality of the term, “restricted parking” zones could include angle parking, limited hours of parking, loading zones, and type or size of vehicle which may park. The Road Protection and Safety Committee shall maintain an inventory of the said signage in the form of a written inventory or map.
- 8.02 In exercising his authority under Section 8.01 above, the Road Protection and Safety Committee shall have due regard for public safety, clear and unobstructed flow of traffic and, to the degree that it does not hinder the first two objectives, the convenience of the motoring public; as well as any policy approved by Council and the recommendations of the Manual of Uniform Traffic Control for Canada.

- 8.03 No person shall stop or park a vehicle upon a highway when it is practicable to stop or park the vehicle off the highway, and in no event shall a person stop or park a vehicle on a highway unless a clear and unobstructed width is left between the vehicle and the center line of the highway for free passage of other vehicles thereon.
- 8.04 Where a vehicle is parked on a highway not in a developed residential, commercial or industrial area, there must be a clear view of the parked vehicle for sixty (60) meters in either direction from the vehicle along the highway and adequate night time warning of the vehicle must be placed in front and to the rear of the vehicle.
- 8.05 No person shall park a vehicle in contravention of a “no parking” or “restricted parking” sign erected by authority of this Part and no person shall park in a loading zone for any other purpose than to load or unload a vehicle.
- 8.06 Unless required or permitted by this Bylaw, or by a traffic control device erected by the authority of this Bylaw, or by the order of an Officer, or in order to prevent a traffic accident, no person shall stop or park any vehicle:
- (1) on a sidewalk or boulevard,
 - (2) in a crosswalk or on any part of a crosswalk,
 - (3) within an intersection,
 - (4) at an intersection nearer than within five (5) meters of the projection of the corner property line lying at right angles to the direction of travel,
 - (5) within 1.5 meters of an access to a garage, private road or driveway,
 - (6) within, upon, alongside or opposite any public works excavation, obstruction, road construction or road repair project,
 - (7) on any bridge or overpass, or in any underpass, or in the approaches thereto,
 - (8) within five (5) meters of a fire hydrant,
 - (9) within six (6) meters of a stop or yield sign.
- 8.07 No vehicle in excess of five (5) tones gross vehicle weight may be parked on a road within a residential area of the City. This section shall not be used to prohibit larger vehicles from parking in a residential area for the period of time in which they are engaged in delivering a service to a residence.
- 8.08 The parking or storing of a tanker truck with a capacity exceeding 17,000 liters and generally used for the purpose of transporting flammable liquids or gases or other dangerous goods shall be prohibited in the Central Business District and in any residential area. Notwithstanding this Section, said vehicles may stop for the purpose of immediately off-loading their contents.
- 8.09 Where a vehicle or other object is left standing upon a highway for more than twenty four (24) hours without moving, it may be deemed by an Officer to be parked in contravention

of this Bylaw.

- 8.10 Nothing in this Part shall be construed to prohibit firefighting vehicles or equipment, police vehicles, ambulances, vehicles engaged in highway repair, maintenance and inspection, or vehicles of a public utility from parking on a highway when it is advisable to do so.
- 8.11 Nothing in this Part shall be construed to prohibit the driver of a school bus from parking on a highway for the purpose of loading or unloading passengers if there is insufficient space off the highway to load or unload passengers.
- 8.12 For the purpose of the enforcement of the parking provisions of this Bylaw, an Officer is authorized to place a sticker, notice, or erasable mark on the tire of any parked or stopped vehicle and the Officer and the City incur no liability for doing so.
- 8.13 An Officer may cause to be removed in any reasonable way any vehicle or object found in contravention of this Part or which otherwise is unreasonably obstructing traffic.
- 8.14 A vehicle or object removed by authority of Section 8.10 may be held, stored, or kept in any place deemed suitable or expedient by an Officer at the cost of the owner or person in charge of the vehicle.

PART 9.00 HEAVY VEHICLES

- 9.01 Except as otherwise indicated by a traffic control device or as provided for in this Part, no person shall operate, park or stop to load or off-load a heavy vehicle upon any highway in the Central Business District.
- 9.02 Except as provided for in this Part, no person shall operate a heavy vehicle on a highway not designated a truck route in Appendix “A” of this Bylaw.
- 9.03 Except as provided for in this Part, no person shall park a heavy vehicle upon a highway for more than two (2) consecutive hours.
- 9.04 For the purpose of access to and exit from a work site and for the purpose of loading or unloading furniture at a residence a person may operate, stop and park a heavy vehicle on any highway.
- 9.05 A person may operate a heavy vehicle in the Central Business District between the hours of 6:00 AM and 11:00 AM and between the hours of 7:00 PM and 12:00 Midnight for the purpose of loading or off-loading the heavy vehicle. The Chief Administrative Officer or his delegate is hereby authorized to extend the hours of loading and off-loading for a heavy vehicle in an emergent situation.
- 9.06 For the purposes of Section 9.05, an emergent situation is one caused by illness of the

operator; mechanical problems with the heavy vehicle; unforeseen road conditions; shortages of medical supplies, perishable foods or fresh milk; or similar situations. Council by resolution may approve policies to regulate emergent situations.

- 9.07 Where an emergent situation occurs which prevents the operator of a heavy vehicle from complying with Section 9.05, the operator shall cause the situation to be reported to the City Office on the next regular business day during regular hours. Any operator failing to report said occurrence is in contravention of this Bylaw.
- 9.08 Notwithstanding Section 9.05, a person is permitted at any time of the day to off-load fuel from a heavy vehicle to the Yukon Energy Corporation power plant at Fifth Avenue and the Klondike Highway and to any service station in the Central Business District providing that the heavy vehicle shall be parked entirely on private property during the off-loading.
- 9.05 Where a heavy vehicle must operate on a highway not designated to be a truck route, such heavy vehicle shall proceed on the most direct and shortest route between the nearest truck route and the point of destination.
- 9.06 The operation of engine compression or engine exhaust brakes is prohibited in residential areas.

10.00 TRACKED VEHICLES

- 10.01 Notwithstanding Section 4.11 above, a person may operate a tracked vehicle or equipment on any gravel or dirt road within the Callison Industrial Subdivision and may load or unload tracked vehicles and equipment at or near a work site without the written permission of the City providing that the person shall be responsible for repairing any damage caused to the road in accordance with Section 4.06 above.
- 10.02 For the purpose of installing, maintaining or altering installations in a road allowance, the City and any public utility may operate tracked vehicles or equipment on a highway or in a road allowance provided that the public utility has first obtained written authorization from the City and provided that the owner shall be responsible for repairing any damage caused to the road in accordance with Section 4.06 above.

PART 11.00 MOTOR COACH/BUS OPERATIONS

- 11.01 Council by resolution may establish restricted areas of operation and regulations governing motor coaches and buses for the purpose of conducting tours. Within residential areas, a person may only operate a bus on bus routes designated by Council resolution and only between the hours of 8:00 AM and 9:00 PM.
- 11.02 A person shall not stop or park a bus on any highway in the Central Business District for a duration of more than thirty (30) minutes except for the purpose of loading and off-loading passengers and/or their luggage.

- 11.03 A person may only stop or park a bus in a residential area for the purpose of loading and off-loading of passengers and/or luggage at locations designated by Council resolution.
- (1) Where a person, in order to reach a designated location in a residential area, must operate a bus on other than an approved bus route, he shall proceed on the most direct and shortest route between the nearest truck route and the designated location.
- 11.05 The use of down draft exhaust air conditioners and engine compression or engine exhaust brakes in residential areas is prohibited.

PART 12.00 GENERAL TRAFFIC CONTROL

- 12.01 The Council hereby delegates to the Chief Administrative Officer or his delegate the authority for designating and fixing of “regulatory” or “warning” traffic control devices.
- 12.02 The Chief Administrative Officer or his delegate is hereby authorized to designate the location of, and to have erected, any other traffic control devices or signals of a “regulatory”, “warning” or “advisory” nature not already authorized by this or any other Bylaw which might be necessary to ensure the safety of the traveling public and pedestrians and to assist with the free flow of traffic on the highways.
- 12.03 An inventory of all signs erected under the authority of this or other Bylaws shall be kept by the Chief Administrative Officer in writing or in map form.
- 12.04 The Chief Administrative Officer or his delegate and an Officer are each of them authorized to sign, close, barricade or otherwise prevent vehicle passage on any highway or bridge which, in their opinion, has become unsafe, and may, for the purposes of this Section, detour traffic for the distance or on any routes deemed expedient by the officials so authorized.
- (1) Devices erected for the purposes of this Section shall remain erected and in place until the Chief Administrative Officer or his delegate or an Officer is satisfied the highway or bridge is no longer unsafe.
- 12.05 Notwithstanding anything in this Bylaw, an Officer may direct traffic according to his discretion where he reasonably considers it necessary to do so in order to:
- (1) ensure orderly movement of traffic,
(2) prevent injury or damage to persons or property,
(3) permit proper action in an emergency.
- 12.06 No operator of a vehicle shall make a U-turn in the Central Business District unless signs have been erected permitting the making of a U-turn.
- 12.07 Vehicle operators are required to obey all regulatory signs erected under the authority of

this Bylaw and to obey all directions from Officers issued in accordance with this Bylaw.

- 12.08 Where written permission of the City is required or provided for under this Bylaw, it may be in the form of a letter, agreement or standardized form signed by an Official of the City.

PART 13.00 ADMINISTRATION

- 13.01 The Chief Administrative Officer is hereby authorized to design and approve all forms, agreements and permits necessary for the administration of this Bylaw.
- 13.02 A person who obtains written approval from the City for activities on highways or within road allowances in accordance with this Bylaw but who fails to comply with the conditions of those approvals is guilty of an offence.
- 13.03 Failure to comply with the conditions of a permit or agreement issued in accordance with this Bylaw renders the permit or agreement invalid and any procedure or prosecution subsequent to the violation of a condition of a permit or agreement will proceed as though the permit or agreement did not exist.
- 13.04 Nothing in this Bylaw shall obligate municipal officials to issue any permit or agreement, or give approval to any activity.

PART 14.00 PROCEDURE AND PROSECUTION

- 14.01 For the purpose of procedure and prosecution under this Bylaw, the Council adopts the provisions of Part CCVII of the Criminal Code of Canada respecting summary conviction; the Canada Interpretation Act; and the Summary Convictions Act, Interpretation Act, Municipal Act, Highways Act, Motor Transport Act, and the Motor Vehicles Act of the Revised Statutes of the Yukon Territory and amendments thereto.
- 14.02 The conviction of a person under the provisions of this Bylaw does not operate as a bar to further prosecution for the continued neglect or failure on the part of the person to comply with the provisions of this Bylaw, or conditions, orders or permits issued in accordance with this Bylaw.
- 14.03 In a prosecution for contravening this Bylaw, the existence of a traffic control device or signal is prima facie proof that the device was properly designated and erected by the proper authority without other or further proof.
- 14.04 A certificate or document purporting to be signed by the Chief Administrative Officer stipulating any particular relative to this Bylaw shall be admitted in evidence as prima facie proof of the facts stated in the certificate or document, without proof of the facts stated in the certificate or document, without proof of the signature or authority of the persons signing the certificate.

- 14.05 The owner of a vehicle is liable for any contravention of this Bylaw, regulations or schedules in connection with the vehicle unless the owner proves to the satisfaction of the Judge trying the case that at the time of the offence, the vehicle was not being operated by him or by any other person having his consent, express or implied.
- 14.06 Where a person violates or contravenes any provisions of this Bylaw respecting the transportation of cargo or a piece of equipment or machinery, the shipper and the carrier shall be jointly and severally responsible for the violation or contravention unless the shipper or the carrier, as the case may be, produces evidence to show that he did not violate or contravene the provision.
- 14.07 While enforcing the provisions of this Bylaw, an Officer may do any reasonable thing relevant to stopping vehicles and determining the identity of drivers, offenders, or suspects, including contravening provisions of this Bylaw providing such contravention is carried out in a manner which has concern for the safety of the general public.
- 14.08 Unless prohibited by territorial statute, an Officer may use any insignia, device or piece of equipment which is reasonably necessary for carrying out duties imposed by this Bylaw.
- 14.09 All schedules, regulations and acts of an Official of the Municipality or of the Road Protection Committee established under the authority of this Bylaw shall be deemed to have been made by Bylaw; and all such schedules, regulations and acts shall be construed as part of this Bylaw.
- 14.10 For the intent and purpose of this Bylaw respecting the duties and powers of any Official and the Road Protection Committee, it shall be deemed sufficient for those officials to amend or rescind any schedule, regulation or order and to record such action in writing, verified by the signature of the Official or one member of the Road Protection Committee, where appropriate, and the date of the action.
- 14.11 It shall be sufficient for the purpose of this Bylaw if signs required by this Bylaw are posted in the following forms and terms:
- (1) The speed limitations imposed by Part 5.00 "Rates of Speed" shall be expressed on signage in block numerals and may be preceded by *max* or *maximum* or *maximum speed* and may be followed by the terms *kmph* or *km/h*. Speed signs featuring other alpha-numeric combinations which are in place at the time this Bylaw comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the City.
 - (2) New stop signs shall be comprised of the word *STOP* in white lettering on a red octagonal or red circular background. Stop signs which are in place at the time this Bylaw comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the City.

- (3) New yield signs shall be comprised of the word *YIELD* in a contrasting color on a yellow triangular background, or a red triangle on a white background with or without the word *YIELD* in contrasting color. Yield signs which are in place at the time this Bylaw comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the City.
- (4) Parking signs and all other traffic control devices shall have contrasting colors of printing and background and shall use wording and/or symbols which clearly convey the intent of the restriction or warning. Parking signs and all other traffic control devices in place at the time this Bylaw comes into effect shall continue to have effect but shall be replaced with new signs as it becomes convenient for the City.

PART 15.00 PENALTIES

- 15.01 Any person who contravenes the provisions of Part 5.00 “Rates of Speed” is guilty of an offence punishable on summary conviction and is subject to the penalties for speeds as set out in Schedule “A” of this Bylaw.
- 15.02 Any person who contravenes the weight provisions of Part 6.00 “Weight Control on Highways and Bridges” as per the Motor Vehicle Act is guilty of an offence punishable in accordance with the overweight charges established in the Motor Transport Act of the Yukon Territory.
- 15.03 Any person who contravenes any other provisions as set out in Schedule “A” is guilty of an offence punishable on summary conviction and is liable to a penalty as set out in Schedule “A”.
- 15.04 Any person who contravenes any provisions of this Bylaw for which a penalty has not otherwise been provided is guilty of an offence punishable on summary conviction and is liable to a fine of not less than twenty five dollars (\$25.00) and not more than two thousand five hundred dollars (\$2,500.00), and in default of payment is liable to imprisonment for a term not exceeding six (6) months, or to imprisonment for a term not exceeding six (6) months without the option of a fine, or to both a fine and imprisonment.
- 15.05 A person served with notice of an offence of this Bylaw may pay to the City the specified penalty, out of Court, and in lieu of appearing in answer to a charge or information.
- (1) The voluntary payment option shall be valid for no more than ten (10) days following issue of the notice. Thereafter, if the person does not pay the penalty, they may be summoned to appear before a Judge in answer to a charge or information.
- 15.06 Notwithstanding Section 15.05, an Officer may:
- (1) Issue to a person charged with an offence a summons forming part of a “Violation

Ticket” according to the Summary Convictions Act, Violation ticket Regulation, and indicate thereon the specified penalty applicable to the offence as prescribed in Schedule “A”.

- (2) Issue to a person charged with an offence, a Criminal Code Form 6 Summons requiring a person to appear before a Judge of the Territorial Court of the Yukon in answer to a charge or information.

15.07 Service of notice of an offence referred to in Section 15.05 and 15.06 above shall be sufficient if it is:

- (1) personally served, or
- (2) attached to or left in or on the vehicle in respect of which an offence is alleged to have been committed, and/or
- (3) mailed to the address of the registered owner of the vehicle or person in possession of the vehicle.

15.07 Any fine or penalty imposed under this Bylaw shall inure to the benefit of the City.

15.08 Schedules “A” and “B” of this Bylaw may be amended from time to time by resolution of Council.

PART 16.00 REPEAL OF OTHER BYLAWS

16.01 Section 9 of Bylaw #95-06 and all of Bylaws # 97-21, 97-22, 97-29, 98-13 and 00-16 are hereby repealed.

PART 17.00 EFFECTIVE DATE

17.01 This Bylaw shall come into full force and effect on the final passing thereof.

READ a first time this 8th day of January, 2001
PUBLIC HEARING held this 5th day of March, 2001
READ a second time this 10th day of April, 2001
READ a third time this 17th day of April, 2001

MAYOR

CLERK

Schedule AA@

| <u>ITEM</u> | <u>SECTION</u> | <u>OFFENCE</u> | <u>PENALTY</u> |
|--------------------|-----------------------|--|-----------------------|
| 1. | 4.01/4.02 | Cause/allow damage to a highway, culvert or bridge or improperly affix signs, etc. | \$ 500.00 |
| 2. | 4.01 | Cause/allow damage to public/private property on a highway | 500.00 |
| 3. | 4.03 | Cause/allow an obstruction on a highway, culvert or bridge | 200.00 |
| 4. | 4.04 | Excavate a highway without permission | 1,000.00 |
| 5. | 4.06 | Damage the highway surface | 500.00 |
| 6. | 4.09 | Dispose of rubbish on a highway | 500.00 |
| 7. | 4.11 | Operate a vehicle not equipped with rubber tires | 500.00 |
| 8. | 4.12 | Improper cultivation on a road allowance | 500.00 |
| 9. | 4.14 | Improperly secure load | 200.00 |
| 10. | 4.15 | Deposit rocks, etc on a highway | 100.00 |
| 11. | 6.01 | Operate an oversized (other than overweight) vehicle on a highway | 500.00 |
| 12. | Part 7 and 12.07 | Fail to stop or yield | 100.00 |
| 13. | 12.07 | Fail to obey a miscellaneous traffic control device | 50.00 |
| 14. | Part 8.00 and 12.06 | Improper parking | 50.00 |

BYLAW # 00 - 21

Schedule AB@

Maximum Rates of Vehicle Speed

1. General Rates

- (1) Except as otherwise provided in this Schedule, the maximum rate of speed on a highway shall be Forty (40) kilometers per hour.
- (2) The maximum rate of speed in a school zone or playground zone shall be Twenty five (25) kilometers per hour.

2. Other Rates

- (1) The maximum rate of speed on Front Street, Klondike Highway North of the Dome Road Intersection shall be Forty (40) kilometers per hour.
- (2) The maximum rate of speed on the Klondike Highway from the Dome Road Intersection South to the Bonanza Creek Road Intersection shall be Seventy (70) kilometers per hour.
- (3) The maximum rate of speed on the Klondike Highway South from Bonanza Creek Road Intersection to the boundary limit of Dawson City (Quigley Dump) shall be Ninety (90) kilometers per hour.

Approved: _____
Chief Administrative Officer

Effective Date:

THE TOWN OF THE CITY OF DAWSON

BYLAW # 01-17

APPENDIX "A"

1. TRUCK ROUTES

The following highway sections are hereby designated to be truck routes.

- 1) 5th Avenue from Front to York Streets.
- 2) Front Street for the entire length.
- 3) Church Street from Front Street to 5th Avenue.=]
- 4) York Street from Front Street to 5th Avenue.

(4) **BUS ROUTES**

- (4) 5th Avenue from Front to Duke Streets.
- (5) Front Street for the entire length
- (6) 5th Avenue from Front to King Streets
- (7) Front Street, down Harper Street to 2nd Avenue
- (8) 2nd Avenue from Harper Street to King Street
- (9) 5th Avenue from Front to Queen Streets
- (10) 5th Avenue from 8th Avenue to Queen Streets
- (11) 3rd Avenue from Princess Street to Queen Street
- (12) 5th Avenue from 2nd Avenue to Princess Streets
- (13) Front Street along 5th Avenue to Duke Street
- (14) 5th Avenue to 7th Avenue along Princess Street
- (15) 7th Avenue between Princess Street and Harper Street
- (16) 5th Avenue to 7th Avenue along Harper Street
- (17) 5th Avenue to 6th Avenue along Graig Street
- (18) Front to Graig Street on 6th Avenue
- (19) Front to Firth Street on 7th Avenue up to 8th Avenue on Firth Street
- (20) 8th Avenue on Firth Street to Queen Street

3. TRAFFIC PATTERN - ZONE I

- 1) Zone I shall consist of 5th Avenue and Front Street.
- 2) All access highways to Front Street shall be controlled by a Stop sign.
- 3) All access highways to 5th Avenue shall be controlled by a Stop sign.
- 4) The access from 5th Avenue to Front Street shall be controlled by a Stop sign.

4. TRAFFIC PATTERN - ZONE II

- 1) Zone II shall consist of the area bound by Front Street, York Street, 5th Avenue and Church Street.
- 2) All intersections in Zone II shall be controlled by a Stop sign pursuant to the following pattern:
 - a) On 2nd Ave at York Street, Queen Street, Princess Street and Harper Street.
 - b) On 3rd Avenue at York Street, King Street, Queen Street, Princess Street, Harper Street and Church Street.
 - c) On 4th Avenue at York Street, King Street, Queen Street, Princess Street, Harper Street and Church Street.
 - d) On Princess Street and York Street at 3rd.
 - e) on King Street at 2nd and 3rd.
 - f) On Queen at 3rd.