

**CONTINUING CONSOLIDATION
TRAFFIC BY-LAW NO. 5463/16/87**

AS AMENDED BY BY-LAWS 5677/43/89, 5693/59/89, 5710/76/89, 5810/85/90, 5826/101/90, 5871/28/91, 5909/66/91, 5961/118/91, 5988/25/92, 6003/40/92, 6017/54/92, 6020/57/92, 6042/79/92, 6098/47/93, 6143/92/93, 6191/40/94, 6295/22/95, 6311/38/95, 6390/36/96, 6413/59/96, 6446/09/97, 6468/31/97, 6532, 6571, 6588, 6593, 6612, 6624, 6635, 6665, 6684, 6809, 6823, 6836, 6861, 6914, 6948 AND 7096.

BEING A BY-LAW of The City of Brandon, in Manitoba, for the regulation of traffic and parking and the use of streets and sidewalks to be known as the "Traffic By-law";
[AM. B/L 5810/85/90]

WHEREAS The City of Brandon is empowered under Part V of The Municipal Act RSM 1988 c.M225; Parts III, IV and VI of The Highway Traffic Act RSM 1985/86 c.H60; Section 9 of The Brandon Charter, SM 1989/90, c.71; and the Hazardous Goods Handling and Transportation Act RSM 1987 c.D12 to regulate traffic and parking and the use of streets and sidewalks by by-law and to impose penalties for the violation of such by-law;
[AM. B/L 5810/85/90]

AND WHEREAS it is deemed expedient and in the public interest to regulate traffic and parking and the use of streets and sidewalks in the City of Brandon.
[AM. B/L 5810/85/90]

NOW THEREFORE the Council of the City of Brandon in regular session assembled, enacts as follows:

PART I: INTERPRETATION, DEFINITIONS AND APPLICATION

1. INTERPRETATION

Pedestrians and all persons driving, operating or using in any way a vehicle on any highways, streets, public walkways, off-street parking area, other public property, green belt, or on private property (where and to the extent as authorized by this by-law), within the limits of the City shall in all respects conform to the provisions of this By-law save and except where provisions of this by-law are inconsistent with provisions of relevant Provincial or Federal Statutes in which case the provisions of such statutes shall override the provisions of this by-law.

[AM. B/L 5810/85/90]

1.1 CONTINUING CONSOLIDATION

(a) The City Clerk may cause to be prepared and printed, and kept up to date, a continuing consolidation of this by-law, and indices and appendices thereto, and may make such arrangements with respect thereto, and with respect to matters incidental thereto, as may be required.

[AM. B/L 5871/28/91]

(b) Where a continuing consolidation of this by-law is prepared, all approved revisions thereto shall bear the designation and be located as follows:

(1) When a specific portion has been amended or replaced by an amending by-law the designation '[AM. B/L #]' shall be inserted immediately following the affected block of text.

- 1.1 (b) (2) When a specific portion has been repealed or deleted by an amending by-law the designation '[REP. B/L #]' shall be inserted adjacent to the current section, subsection, paragraph or clause number in place of the removed text.
- (3) When a new portion has been enacted herein by an amending by-law the designation '[EN. B/L #]' shall be inserted immediately following the added block of text.
- (4) When any of the designations referred to in paragraphs (1), (2) and (3) are inserted within the text of this by-law, the figure '#' shall be replaced by the actual number of the respective amending by-law.
- (5) Where more than one clause, paragraph or subsection of any particular section is affected by the same amending by-law, the designation may be placed at the end of each clause, paragraph or subsection so affected or, at the left aligned margin of the paragraph, subsection or section so affected, whichever is deemed to have more clarity in each particular instance.

[EN. B/L 5810/85/90]

2. DEFINITIONS

- (a) Unless otherwise expressly provided or unless the context otherwise requires words and expressions in this By-law have the same meaning as the same words and expressions in The Highway Traffic Act of the Province of Manitoba.
- (b) All references herein to "he" shall include "she" unless the context thereof requires otherwise.
- (c) In this By-law:
- (1) "ACT" means The Highway Traffic Act of the Province of Manitoba and current amendments thereto unless otherwise indicated.
- (1.1) "ADVERTISING PANEL" means that portion of a sign intended to be removed for maintenance or other purposes which, when removed or altered, does not affect the structural support of the sign.
[EN. B/L 5871/28/91]
- (2) "ALLEY" means a lane as defined hereinafter.
- (3) "APPROACH", "DRIVEWAY" or "SIDEWALK CROSSING" means that portion of a curb, sidewalk or boulevard improved or designed for the passage of vehicular traffic.
- (4) "ARTERIAL ROADWAY" means a roadway used primarily for through traffic and usually on a continuous route.
- (4.1) "AXLE ASSEMBLY" means the axle or axles and all the wheels of a vehicle, the centres of which may be included between two vertical parallel transverse planes 1 metre (3.3 feet) apart, extending across the full width of the vehicle.
[EN. B/L 5810/85/90]

2. (c) (4.2) **"AXLE GROUP"** means a tandem or tridem axle.
[EN. B/L 5810/85/90]
- (4.3) **"AXLE SPREAD"** means the longitudinal distance between the extreme axle centres of the axle unit.
[EN. B/L 5810/85/90]
- (4.4) **"AXLE UNIT"** means:
i) a single axle;
ii) a tandem axle; or
iii) a tridem axle.
[EN. B/L 5810/85/90]
- (4.5) **"BANNER"** means any sign, other than a traffic control device, constructed of cloth, plastic or similar material, and erected across or adjacent to a street for the sole purpose of promoting the City in general or a recognized charitable organization, but shall not include commercial advertising signs.
[EN. B/L 5871/28/91]
- (5) **"BICYCLE (or BIKE)"** means a device having any number of wheels upon which a person sits astride and which is propelled solely by human muscular power through the use of pedals.
[AM. B/L 6836]
- (6) **"BICYCLE PATH/WALKWAY"** means a path or public lane or any other portion of a street and/or public property, intended for use by both bicyclists and pedestrians which is designated by traffic control devices, and upon which motor vehicles, other than those required for maintenance of the path or area, are strictly prohibited.
[AM. B/L 6836]
- (7) **"BOARD"** means The Highway Traffic Board as appointed by the Province of Manitoba pursuant to the Act.
- (7.1) **"BONDED CONTRACTOR"** means a contractor authorized in writing by the Department of Engineering and Operations as having the skills, manpower, materials, and equipment required to properly perform excavations and backfilling procedures, and having posted the required insurance bond with the City and proof of liability insurance, and includes any contractor under contract with the City for excavation work.
[EN. B/L 5961/118/91]
- (8) **"BOULEVARD"** means that portion of a street not meant for vehicular traffic between the curb lines or the lateral lines of the roadway and the adjoining property line, including the sidewalk; and that portion of a street between the curb lines or lateral lines of the roadways of a divided street and includes medians as hereinafter defined;
[AM. B/L 5871/28/91]

2. (c) (9) "**BUS**" means a free-wheeled vehicle having a self-contained source of motive power designed and used for transporting more than seven passengers for hire and operated by a public transit utility in the City authorized to pick up and deposit passengers, but also includes free-wheeled vehicles used for transporting less than seven passengers for hire and operated by the Handi-Transit utility service operated under the auspices of the City Transit System. Any bus which does not meet these requirements shall, for the purpose of this by-law, be considered a truck as hereinafter defined.
[AM. B/L 5810/85/90]
- (10) "**BUS LANE**" means a traffic lane reserved primarily or solely for buses, either in transporting, loading or unloading passengers and so designated by Traffic Control Devices.
[AM. B/L 5810/85/90]
- (11) "**BUS STOP**" means a designated portion of a roadway adjacent to the curb or road edge, where there is no curb, reserved for the loading and unloading of passengers of buses; and where the parking, standing and stopping by all other vehicles is prohibited.
- (11.1) "**CANOPY**" means any roof like structure which may be constructed as an integral part of a building or attached in such manner as not to be an integral part of a building, but is so constructed to provide shelter or shade over an entrance way or a window, and includes an awning or marquee.
[EN. B/L 5871/28/91]
- (12) "**CENTRE LANE**" means the middle or centre lane of an undivided two-way road, having an odd number of traffic lanes, which may be operated as a reversible flow lane or reserved solely for left turns as the case may be.
[AM. B/L 5810/85/90]
- (12.0.1) "**CHIEF BUILDING INSPECTOR**" means the Chief Building Inspector appointed by the Brandon and Area Planning District Board.
[EN. B/L 5871/28/91]
- (12.1) "**CITE**" or "**CITED**" means the issuance of a Traffic Citation in relation to violation of parking offences.
[EN. B/L 5810/85/90]
- (13) "**CITY**" means The City of Brandon or the area contained within the boundaries thereof.
[AM. B/L 5810/85/90]
- (13.1) "**CITY CLERK**" means the City Clerk for the City and any one acting or authorized to act on his behalf.
[EN. B/L 5810/85/90]
- (14) "**CITY ENGINEER**" means the City Engineer for the City and any one acting or authorized to act on his behalf.
[AM. B/L 5810/85/90]

2. (c) (15) "**CITY MANAGER**" means the City Manager for the City as appointed by by-law and anyone acting or authorized to act on his behalf.
[AM. B/L 5810/85/90]
- (16) "**CHIEF OF POLICE**" means the Chief of Police for the City and anyone acting or authorized to act on his behalf.
[AM. B/L 5693/59/89; B/L 5810/85/90]
- (17) "**COLLECTOR ROADWAY**" means a roadway with intersections at grade and direct access to abutting property, and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic.
- (18) "**CROSSWALK**" means that part of a street at an intersection or that part of a street elsewhere than at an intersection distinctly indicated for pedestrian crossing by a traffic control device or by lines or other markings on the surface thereof, and shall include that part of a street which may be unmarked but has a sidewalk or walkway that intersects or meets the street on either side thereof, measured, in each case, from the curb, or in the absence of curbs, from the edge of the street which the crosswalk is situated, and shall include pedestrian corridors.
[AM. B/L 6836]
- (19) "**CYCLE PATH**" means a lane intended solely for the use of bicycles, or that portion of a street or lane intended solely for the use of bicycles, and which is so designated by Traffic Control Devices.
[AM. B/L 5871/28/91]
- (20) "**CURB**" means a vertical or sloping structure along the edge of a pavement or shoulder forming part of a gutter, strengthening or protecting the edge, and clearly defining the edge to vehicle operators. The surface of the curb facing the general direction of the pavement is called the "face".
- (21) "**COUNCIL**" means the Council of the City.
[AM. B/L 5810/85/90]
- (22) "**DANGEROUS GOODS**" means any product, substance or organism, including hazardous wastes, as referred to in The Hazardous Goods Handling and Transportation Act RSM 1987 C. D12 and the regulations thereto.
- (22.1) "**DESIGNATED HIGHWAY**", for the purpose of this by-law, means any Provincial Trunk Highway or Provincial Road or portion thereof within the City for which the City is designated as the traffic authority but for which the Province provides maintenance, construction and traffic control devices.
[EN. B/L 5871/28/91]
- (22.2) "**DEVELOPMENT OFFICER**" means the Development Officer appointed by the Brandon and Area Planning District Board in accordance with the provisions of The Planning Act.
[EN. B/L 5871/28/91]
- (23) "**DRIVER**" means a person who drives or is in actual physical control of a vehicle and includes any body corporate in respect of vehicles driven by its officers, employees, or agents in the course of their employment, and the expression "driver" and "driving" have a corresponding meaning.

2. (c) (23.1) **"DRIVE AXLE"** means an axle that is or may be connected to the power source of a motor vehicle and transmits tractive power to the wheels.
[EN. B/L 5810/85/90]
- (23.2) **"ELECTION SIGN"** means a temporary sign which is designated or intended to be displayed in connection with the following:
- (a) a federal election or referendum;
 - (b) a provincial election, referendum or plebescite;
 - (c) a local government election, referendum or plebescite; or
 - (d) a district school board election.
- [EN. B/L 6823]
- (24) **"EMERGENCY VEHICLE"** means a vehicle used for police duty, or by a fire department, or as an ambulance, or for purposes related to maintenance of a public utility and designated as an emergency vehicle by the Traffic Authority, or under the authority of a municipality as a fire-pumper, or by a volunteer firefighter responding to a fire or other emergency and, in the case of an urgent emergency justifying a rate of speed in excess of the applicable rate of speed for which provision is made in the Act, a motor vehicle carrying rescue or first aid equipment shall be deemed to be an emergency vehicle for the purposes of this by-law.
- (24.1) **"ENCROACHMENT"** means any projection of a fence, wall, or other fixture, whether authorized or not, onto an adjacent street.
[EN. B/L 5810/85/90; AM. B/L 5871/28/91]
- (24.2) **"END DUMP BULK TRAILER"** means a semi-trailer truck so constructed that the semi-trailer box may be elevated to provide for the dumping of a load through the rear of the trailer.
[EN. B/L 5810/85/90]
- (24.2.1) **"FACIA SIGN"** means any sign attached against the surface of, or against or within a recess in the wall, a column or other perpendicular portion of a building in a position essentially parallel to said wall, column or other perpendicular portion. A facia sign shall also mean any sign attached to the walls of two or more buildings and spanning the spaces between said buildings.
[EN. B/L 5871/28/91]
- (24.3) **"FIRE CHIEF"** means the Fire Chief for the City and any one acting or authorized to act on his behalf.
[EN. B/L 5810/85/90]
- (24.4) **"FIRE DEPARTMENT"** means the Fire Department for the City.
[EN. B/L 5810/85/90]
- (25) **"FIRE LANE"** is a traffic lane or parking lane which is restricted for use by City fire fighting or emergency vehicles only.
- (26) **"GREEN BELT"** means any intermediate strip of property, regardless of width, owned by the City not forming part of a public street, but lying adjacent to such street and situated between such street and other adjacent property.
[AM. B/L 5810/85/90; B/L 5871/28/91]
- (26.1) **"GROSS AXLE WEIGHT"** means the gross weight carried by an axle unit and transmitted to the road by the wheels of that axle.
[EN. B/L 5810/85/90]

2. (c) (26.2) "**GROSS VEHICLE WEIGHT**" means the total weight of a vehicle or combination of vehicles, including its load, transmitted to the road by its axles.
[EN. B/L 5810/85/90]
- (27) "**HANDICAPPED PARKING AUTHORIZATION**" means a decal, placard, or permit issued to a person or organization by the Province of Manitoba or its delegate under Section 124.3 of the Act.
[AM. B/L 5810/85/90; B/L 5961/118/91]
- (28) "**HIGHWAY**" means any place or way, including all streets, avenues, lanes, including any structure forming part thereof, which or any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles, with or without fees or charge therefore, and includes all the space between the boundary lines thereof; but does not include any area designated or intended, and primarily used for the parking of vehicles and the necessary passageways thereon (unless the contrary intention is indicated) and for the purposes of this by-law the terms Street(s) and Highway(s) may be used interchangeably.
- (29) "**HOLIDAY**" or "**PUBLIC HOLIDAY**" includes any public holiday proclaimed by Canada, the Province of Manitoba or the City.
[AM. B/L 5810/85/90]
- (30) "**HORSE**" includes mule, ox or other beast of burden.
- (30.0.1) "**IMPROVED STREET**" means any new or reconstructed street to which the final lift of asphalt has been applied, or any existing street to which an overlay of asphalt has been applied.
[EN. B/L 5871/28/91]
- (30.1) "**INTERAXLE SPACING**" means the longitudinal distance separating two axle units as determined from the centres of each of the axles that is the closest to the other axle unit.
[EN. B/L 5810/85/90]
- (31) "**INTERSECTION**" means the area embraced within the straight production of the lateral boundary lines of two or more streets that join one another at an angle, whether or not such street crosses the other.
[AM. B/L 5871/28/91]
- (32) "**LANE**" means a street constructed and intended to provide a secondary means of access to and service at the rear or side of places of residence or business having a width of not more than 9 metres (29.52 feet).
(AM. B/L 5871/28/91)
- (33) "**LOADING ZONE**" means a designated portion of a street adjacent to the curb or road edge, reserved for the exclusive use of vehicles, including taxicabs, during the loading or unloading of passengers or goods.
[AM. B/L 5871/28/91]

2. (c) (33.1) "**MANAGER OF PUBLIC WORKS**" means the Manager of the Public Works Section of the Engineering and Operations Department of the City and any one acting or authorized to act on his behalf.
[EN. B/L 5810/85/90]
- (34) "**MEDIAN**" means that portion of a divided street separating the travelled ways for traffic in opposite directions.
[AM. B/L 5871/28/91]
- (34.1) "**MOBILE SIGN**" means any sign designed to be easily relocated and usually attached to a trailer type base capable of being secured once the unit is in place and includes those signs commonly referred to as trava-signs.
[EN. B/L 5871/28/91]
- (34.2) "**MOBILITY VEHICLE**" means a device or vehicle which is specifically manufactured or modified for operation by a mobility restricted person and which has a maximum speed capability of more than 15 kilometres per hour, but not more than 50 kilometres per hour.
[EN. B/L 6836]
- (35) "**MOTOR VEHICLE**" means a vehicle not run upon rails that is designated to be self-propelled including motorcycles, mopeds, and snow vehicles capable of being registered under "*The Driver and Vehicles Act*" for the Province of Manitoba, but does not include farm tractors, an implement of husbandry, a special mobile machine, an off-road vehicle or a power-assisted bicycle.
[AM. B/L 6836]
- (35.1) "**MOTORIZED MOBILITY AID**" means a device which is specifically manufactured or modified for operation by a mobility restricted person such as Segway Human Transporter devices or equivalent mobility aides, and which has a maximum speed capability of not more than 15 kilometres per hour and includes a motorized wheelchair.
[AM. B/L 6836]
- (35.2) "**MUNICIPAL LICENSING OFFICE**" means the Municipal Licensing Section of the Department of Legal Services for the City.
[EN. B/L 5810/85/90]
- (36) "**OFFICER**" means a peace officer, police officer or constable working for the City Police Service or such other person authorized to act by the Chief of Police or Traffic Authority.
[AM. B/L 5810/85/90; B/L 6098/47/93]
- (36.1) "**OFF-ROAD VEHICLE**" means an off-road vehicle as defined in "*The Off-Road Vehicles Act*" for the Province of Manitoba.
[EN. B/L 6826]
- (37) "**OFF STREET PARKING AREA**" means a parking area owned or operated by the City as more fully detailed in Subsection 215(4) of the Act.
- (38) "**PARK**", when prohibited, means to stand a vehicle whether occupied or not, except when it is caused to stand temporarily for the purpose of, and while actually engaged in, loading or unloading, or in obedience to an officer or a traffic control device, and "**PARKING**" has a corresponding meaning.
- (39) "**PARKING LANE**" means an auxiliary traffic lane primarily or exclusively for the parking of vehicles and shall be part of a roadway as defined hereinafter.

2. (c) (40) "**PARKING STALL**" means a space intended for the parking of a single vehicle in an off-street parking area or in a parking lot located on private property designated by lines painted on the surface of the parking area or by some other means.
- (41) "**PARADE**" means any procession or body of pedestrians, excepting members of Her Majesty's Armed Forces, standing, marching or walking anywhere on a roadway, or any group of vehicles, except a funeral or wedding procession or vehicles of Her Majesty's Armed Forces, standing or moving anywhere on a street and shall include all animal drawn vehicles used for the conveyance of one or more persons.
[AM. B/L 5871/28/91]
- (42) "**PARKING METER**" shall include parking ticket dispensers and means a device intended to indicate or regulate the length of time during which a vehicle may be parked in a particular place.
- (42.1) "**PARKS DEPARTMENT SUPERVISOR**" means the Supervisor of the Parks Department for the City and any one acting or authorized to act on his behalf.
[EN. B/L 5810/85/90]
- (43) "**PEDESTRIAN**" means a person afoot, or a person in a wheelchair or a child's carriage or a mobility restricted person operating a motorized mobility aid.
[AM. B/L 6836]
- (43.1) "**PERSON**" means any individual and includes corporation, firm, partnership and association or company and utilities.
[EN. B/L 5810/85/90]
- (43.2) "**POLICE SERVICE**" means the Police Service for the City.
[EN. B/L 5810/85/90; AM. B/L 6098/47/93]
- (43.3) "**POWER-ASSISTED BICYCLE**" means a vehicle as defined in "*The Highway Traffic Act*" for the Province of Manitoba.
[EN. B/L 6836]
- (44) "**PRIVATE PROPERTY**" means any property other than a 'street' or an 'off street parking area' as defined elsewhere herein.
- (44.1) "**PROJECTING SIGN**" means any sign other than a fascia sign which is attached to a building and extends beyond the exterior wall of the said building or beyond the surface of that portion of the building to which it is attached and projects, in whole or in part, onto a street and shall include any sign located on its own base which is either situated on, or projects onto, a street, but shall not include a mobile sign.
[EN. B/L 5810/85/90; AM. B/L 5871/28/91]
- (44.2) "**PROPERTY ADMINISTRATOR**" means the Property Administrator for the City and any one acting or authorized to act on his behalf.
[EN. B/L 5810/85/90]
- (45) "**PROVINCIAL HIGHWAY**", for the purpose of this by-law, means any Provincial Trunk Highway or Provincial Road or portion thereof within the City for which the Minister of Highways and Transportation of the Province of Manitoba is designated as the traffic authority, and for which the provisions of this by-law shall apply.
[AM. B/L 5693/59/89; B/L 5871/28/91]
- (46) "**PUBLIC WALKWAY**" means a path or lane intended for the use of pedestrians only and located other than within a street right-of-way.
2. (c) (46.1) "**REDUCED-SPEED SCHOOL ZONE**" means a portion of a street that is designated

by a traffic authority under Section 98.1 of *The Highway Traffic Act* as a school zone that has a reduced maximum permitted speed at specific times or at all times.
[EN. B/L 7096]

- (47) "**ROADWAY**" means the portion of a street that is improved, designed or ordinarily used for vehicular traffic and includes that portion thereof that, but for the presence of a safety zone, would be ordinarily so used and may contain more than one traffic lane but does not include the shoulder; and where a street includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not all of the roadways collectively.
[AM. B/L 5871/28/91]
- (47.1) "**RTAC**" means the Transportation Association of Canada which is an interprovincial traffic standardization committee.
[EN. B/L 5810/85/90; AM. B/L 5871/28/91]
- (47.2) "**RTAC TRUCK ROUTE**" means a truck route designated by the Province of Manitoba for use by RTAC vehicles.
[EN. B/L 5810/85/90]
- (47.3) "**RTAC VEHICLE**" means a vehicle which conforms to the criteria set out in Manitoba Regulation 575/88 and which displays, in a conspicuous place on both sides of the semi-trailer or full trailer near the front of the vehicle, the symbol for an RTAC vehicle, in the form of a decal, as supplied by the Minister.
[EN. B/L 5810/85/90; AM. B/L 5871/28/91]
- (48) "**RUSH HOUR ZONE**" means a "Rush-Hour No-Stopping Zone" on a portion of a street wherein stopping restrictions apply during certain hours of certain days, as posted by fixed or variable traffic control devices.
[AM. B/L 5871/28/91]
- (48.1) "**SAFETY MARK**" means any design, symbol, device, sign, label, placard, letter, word, number, abbreviation, or any combination thereof that is displayed or intended to be displayed on dangerous goods, packaging or containers, or vehicles used in the transporting or transferring of dangerous goods, as set out in *The Dangerous Goods Handling and Transportation Act RSM 1987 c.D12* and the regulations thereto, as amended from time to time.
[EN B/L 6588]
- (48.2) "**SANDWICH BOARD SIGN**" means an A-frame free-standing sign, designed to attract pedestrian traffic as opposed to motorists, which in a standing position does not exceed 1.2 meters (4') in height and 0.91 metres (3') in width, for purposes such as but not limited to advertising daily specials.
[EN B/L 6593]
- (48.3) "**SCHOOL**" means
- (a) a public school or a private school as defined in *The Education Administration Act*, or
 - (b) an educational institution established under *The Indian Act (Canada)* or under any other Act of the Parliament of Canada,
- but does not include a post-secondary educational institution;
[EN. B/L 7096]
- (48.4) "**SCHOOL PROPERTY**" means property on which a school, school yard or school recreational facility is located.
[EN. B/L 7096]

2. (c) (49) **"SIDEWALK"** means a footpath, whether or not paved or improved, that is intended primarily for the use of pedestrians and that either forms part of that portion of the street that lies between the curb line, or if there is no curb, the lateral boundary line of the street and the adjacent property lines, or, although not part of a street, is a publicly maintained right-of-way set aside for pedestrian traffic only and for the purpose of giving access to private property adjacent thereto.
[AM. B/L 6836]
- (49.0.1) **"SIGN"** means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), banner, pennant or any other figure of similar character which:
- i) is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or other structure; and
 - ii) is used to identify, direct attention to, or advertise.
- [EN. B/L 5871/28/91]
- (49.1) **"SINGLE AXLE"** means one axle or two consecutive axles having an axle spread of less than 1.0 metre (3.3 ft.).
[EN. B/L 5810/85/90]
- (50) **"SKATEBOARD"** means any platform or similar object suspended over two or more wheels and designed to be propelled by human power, the wheels attached to which are no larger than 150 millimeters (6") in diameter.
- (51) **"SNOW EMERGENCY ROUTES"** means all roadways that prohibit or restrict on-street vehicle parking duly designated for the immediate purpose of snow plowing and other purposes.
- (52) **"STAND"**, as applied to a vehicle, whether occupied or not, means (a) when required, to cause the vehicle to remain motionless in one place, and (b) when prohibited, to cause the vehicle to remain motionless in one place, except when necessary to avoid conflict with other traffic or in compliance with the directions of an officer or a traffic control device, and **"STANDING"** has a corresponding meaning.
- (52.1) **"STEERING AXLE"** means an axle on which the wheels turn left and right on one or more essentially vertical axes and their turning is controlled by, and in direct proportion to, the rotation of the steering wheel in the operator's compartment.
[EN. B/L 5810/85/90]
- (53) **"STOP"**, as applied to a vehicle whether occupied or not, means (a) when required, to cause the vehicle to cease to move, and (b) when prohibited, to cause the vehicle to cease to move, except when necessary to avoid conflict with other traffic or in compliance with the directions of an officer or a traffic control device, and **"STOPPING"** has a corresponding meaning.
[AM. B/L 5810/85/90]
- (54) **"STREET"** means any public right-of-way, including a highway, providing primary access to abutting property, used as a public thoroughfare for vehicles and pedestrians including streets under construction or repair, and where the context so requires, includes the whole of the area between the boundaries of the streets as recorded in the Land Titles Office and includes all lanes and alleys.

2. (c) 64.1) "**STRUCTURE**" means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and, without affecting the generality of the above, shall include such things as buildings, walls, paved portions of roadways and sidewalks, utility housing, buried wires and cables, utility poles, utility duct lines, sewers, watermains, and, as well, the appurtenant fixtures thereof, parking meters and posts, fences, projecting signs, signs, billboards, poster panels, light standards, chutes, areaways, bus shelters, bus benches, vending machines and similar items.
[EN. B/L 5810/85/90; AM. B/L 5871/28/91]
- (54.2) "**SUPERVISOR OF MUNICIPAL LICENSING**" means the Supervisor of the Municipal Licensing Office or any one acting or authorized to act on his behalf.
[EN. B/L 5810/85/90]
- (54.3) "**TANDEM AXLE**" means two or more equally spaced consecutive axles having an axle spread of not less than 1.0 metre (3.3 ft.) nor more than 1.85 metres (6.1 ft.) that are articulated from a common attachment to the vehicle or are designed to automatically distribute the load so that the gross weight on each single axle does not exceed the maximum for a single axle as prescribed herein.
[EN. B/L 5810/85/90]
- (55) "**TAXICAB STAND**" means a section of roadway adjacent to the curb where taxicabs may park and where parking and stopping by other vehicles is prohibited.
- (55.1) "**TAXICAB ZONE**" means a designated section of roadway adjacent to the curb where taxicabs may stop for the purpose of, and while actually engaged in, loading or unloading of passengers.
[EN. B/L 5810/85/90]
- (55.2) "**TEMPORARY SIGN**" means a sign specifically used for the promotion of a personal garage sale, personal yard sale, or real estate open house event, constructed of cloth, canvas, fabric, plywood, cardboard, plastic or other similar light material and designed or intended to be displayed for a short period of time.
[EN. B/L 6823]
- (56) "**TRAFFIC AUTHORITY**" means the Council of the City or such committee as designated by the Council unless otherwise indicated.
[AM. B/L 5810/85/90]
- (56.1) "**TRAFFIC CITATION**" means a Summons and/or Information Offence Notice as set out on Schedules "F1" and "F2" hereto and is the form issued in relation to violation of parking offences.
[EN. B/L 5810/85/90]
- (57) "**TRAFFIC CONTROL DEVICE**" means a sign, signal, light, pedestrian corridor, school corridor, marking or device, not inconsistent with The Act, placed or erected by a traffic authority for the purpose of regulating, warning or guiding traffic.
- (58) "**TRAFFIC CONTROL LIGHT**" means the light shown by a traffic control signal.
- (59) "**TRAFFIC CONTROL SIGNAL**" means a traffic control device, whether manually, electrically, or mechanically operated, by which, when operating, traffic is directed to stop and to proceed.
- (60) "**TRAFFIC LANE**" means a strip of roadway intended to accommodate a single line of moving vehicles.

2. (c) (61) **"TRAILER"** means a vehicle designed for carrying chattels, and for being towed by a motor vehicle or other vehicle.
[AM. B/L 5871/28/91]
- (61.1) **"TRIDEM AXLE"** means three equally spaced consecutive axles, having an axle spread of not less than 2.4 metres (7.87 ft.) nor more than 3.7 metres (12.1 ft.) and which are articulated from a common attachment to the vehicle or are designed to automatically distribute the load so that the gross weight on each single axle does not exceed the maximum prescribed for a single axle and so that the gross weight on any two adjacent single axles does not exceed the maximum prescribed for a tandem axle, as such maximum gross weights are prescribed herein.
[EN. B/L 5810/85/90]
- (62) **"TRUCK"**, including Truck Tractor, means a motor vehicle or semi-trailer truck that is constructed or adapted to carry goods, wares, and merchandise, freight or commodities, but not passengers or their personal luggage and that has more than four tires in contact with the road.
[AM. B/L 5810/85/90]
- (62.1) **"TRUCK ROUTE"** means the route of travel prescribed by Schedules "D1" and "D2" hereto for heavy vehicle traffic and may include RTAC Truck Routes.
[EN. B/L 5810/85/90]
- (63) **"TRUCK TRACTOR"** means a motor vehicle designed and used primarily for towing other vehicles, and not so constructed as to carry a load other than the driver thereof and a part of the weight of any vehicle so towed including the load thereon.
- (63.1) **"UTILITY"** means any corporation, company, City department, or other legal entity established for the purpose of and engaged in the supplying of a service to the community at large through the distribution or collection of electrical energy, steam, gas, water, wastewater, solid waste, refuse, or the supply of communications, and signal services.
[EN. B/L 5810/85/90; AM. B/L 6098/47/93]
- (64) **"VEHICLE"**, including motor vehicle, means a device, in, upon, or by which a person or thing is or may be transported or drawn upon a street and includes (a) an implement of husbandry that is not a motor vehicle, (b) a special mobile machine, (c) a bicycle, but does not include (d) a device designed to be moved by human power other than a bicycle or used exclusively upon stationary rails or tracks, (e) a motorized mobility aid. Reference to a vehicle in provisions respecting the stopping, standing, or parking of vehicles shall be deemed to include the whole vehicle or any portion thereof.
[AM. B/L 5871/28/91; B/L 6003/40/92]
- (65) **"VENDING MACHINE"** means any newspaper and/or magazine vending machine or dispenser.
[EN. B/L 5810/85/90]
- (65.1) **"VETERAN'S LICENSE PLATE"** means a 6" x 12" graphic reflective number plate issued to a person defined as a "veteran" by the Province of Manitoba or its delegate under Section 4.3(1) of The Highway Traffic Act, or any other provincial, territorial or state legislative authority.
[AM. B/L 6809]
- (66) **"WALKWAY"** means a public right-of-way to be used solely by pedestrians and non-motorized vehicles and does not include a street or lane.
[EN. B/L 5810/85/90]

2. (c) (67) **"WIDTH OF TIRE"** means: in the case of pneumatic tires, the nominal width of the tire marked thereon by the manufacturer; and in the case of all other tires, the actual width of the tire surface in contact with the road.
[EN. B/L 5810/85/90]
- (68) **"WRITTEN PERMISSION"** means, where no official form is supplied, a letter of authorization issued by a designated City official.
[EN. B/L 5810/85/90]

3. **APPLICATION**

- (a) This by-law shall apply to the entire City with the exception of Provincial Trunk Highways and Provincial Roads, as set out in Schedule "B2" which shall be subject to By-law No. 3738, as amended, until such time as Ministerial approval, pursuant to subsection 90(3) of the Act has been received for the inclusion of Provincial Trunk Highways and Provincial Roads in this by-law. Upon receipt of Ministerial approval, this by-law shall apply to the City with the sole exception of all portions of the Trans Canada Highway (PTH #1) within the City limits and that portion of PTH #10 north of the Trans Canada Highway (PTH #1), as set out in Schedule "B3", which shall be permanently excluded from the effects of this by-law and shall be under the exclusive jurisdiction of the Minister of Highways and Transportation.
[AM. B/L 5810/85/90; B/L 5871/28/91]
- (b) Weight restrictions contained in this by-law shall apply to all streets in the City with the exception of those streets set out on Schedule "B2" hereto which shall be governed by weight restrictions contained in the Act or Regulations thereto.
[EN. B/L 5810/85/90]
- (c) The Uniform Traffic Control Devices for Canada Manual (UTCDFC) is hereby adopted as the standard for all traffic controls within the City. If no standard for a traffic control device is set out in the UTCDFC then the City shall apply to the Board for approval of such proposed traffic control device.
[EN. B/L 5810/85/90]
- (d) Pursuant to the said UTCDFC the "Multi-Purpose Manual Traffic Sign Inventory System" for recording the location of all traffic control devices, including pavement, hazard and delineation markings, is hereby adopted, so as to create a permanent computer based record of all traffic control devices; to assist in regular maintenance and upgrading of such devices and, to provide a permanent record for the Traffic Authority of approved Traffic Control Devices within the City.
[EN. B/L 5810/85/90]
- (e) All existing traffic control devices, whether set out in the Traffic Sign Directory or not, are hereby acknowledged and the locations of and information set out thereon are approved.
[EN. B/L 5810/85/90]
- (f) Listings and plans of existing collector streets and arterial streets; provincial trunk highways and provincial roads; one way streets; truck routes; and the locations of parking meters as attached hereto and marked as Schedules "A1", "A2", "B1", "B2", "C1", "C2", "D1", "D2", "E1" and "E2" respectively are hereby acknowledged and approved.
[EN. B/L 5810/85/90]