

Corporation of the City of Nanaimo, B. C.

A By-Law to consolidate and amend certain By-Laws relating to the construction, maintenance and repairs of streets in the City of Nanaimo and to regulate the public traffic thereon.

Whereas it is deemed necessary to amend and consolidate the By-Laws relating to streets.

Be it therefore enacted by the Municipal Council of the Corporation of the City of Nanaimo as follows:-

1. All public footpaths and sidewalks, shall be graded, constructed, maintained and repaired by the Council at the expense of the Corporation except as hereinafter mentioned.
2. All public footpaths and sidewalks shall be made of wood, stone, tiles, brick or such other materials as the Council may from time to time by resolution order, and shall be of one uniform gradient, width and material throughout the entire length of the block abutting on any street and shall have a fall of one-fourth of an inch to the foot towards the street.
3. Every wooden sidewalk shall unless, the Council by resolution order otherwise, be constructed, according to the specifications next following, namely: two inch planks eight inches wide and uniformly sawn, with bearings four by four inches and cross bearings where required, and posts four by four inches placed on flat rocks not less than nine inches wide, and two inches thick; if the sidewalk be not more than six feet wide it shall have three bearers, if it be more than six feet and not more than eight feet wide it shall have four bearers and so on in proportion to any greater width, all posts shall be properly braced with one by four inch scantling, all planking

planking shall be nailed with four and one-half inch steel nails, two nails to each bearing, and all nails to be driven one-quarter of an inch below the surface of the plank, the bearers to be securely nailed on both sides of the post.

4. Where any portion of a wooden sidewalk may be required to be crossed by any vehicle or beast for gaining access to any premises, the crossing shall be constructed with planks not less than three inches thick laid longitudinally, and shall be constructed and maintained at the expense of the owner of the premises and to the satisfaction of the Council.
5. The Council may, whenever and wherever they may deem it expedient or necessary, construct and maintain such a fence or railing on the side or sides of any sidewalk or footpath as they shall by resolution order.
6. The Council may whenever they deem it expedient alter any sidewalk or footpath, but all such alterations shall be in accordance with this By-Law.
7. No person shall erect or cause to be erected any verandah or balcony upon or over any public sidewalks or sidewalk allowances.
8. No person shall erect or cause to be erected any post or structure in or upon any street or public sidewalk, footpath or sidewalk allowance, without the permission by resolution, of the Council.
9. Every awning, sign, or shade, and every bracket supporting the same, across or over any sidewalk shall be at least nine feet clear above the level of the sidewalk.
10. Every area extending under any street or public sidewalk must be covered with iron or strong wooden grating the space between the bars not exceeding one inch, but no such area shall be permitted without

without the consent by resolution of the Council; and such consent may be revoked at pleasure, if the covering be not kept in proper repair.

- 11 No gate or door abutting on any street or public sidewalk shall open outwardly over such street or sidewalk except by permission of the Municipal Council to be expressed in writing.
- 12 No steps or boot scrapers shall be placed on any street or public sidewalk.
- 13 No person shall break, tear up, or remove any plank, paving, or sidewalk, curbing or macadamizing or other road surface, or make any excavation in or under any street or public sidewalk, or deposit any building material thereon for the purpose of building or otherwise or erect thereon any fence, building, barricade, or obstruction of any nature or any kind, without having first deposited the sum of twenty dollars with the City Clerk (to be refunded on the work being completed to the satisfaction of the Street Committee of the Municipal Council) and obtained permission in writing from the Municipal Council or Street Committee to do so, and in case any such permission be granted the work so permitted shall be done only under the direction of the Street Committee of the Municipal Council, and the person to whom such permission is granted shall forthwith complete the work and replace, relay and make good whatever he may have broken, torn up, removed or excavated under such permission.
14. The person obtaining such permission as last aforesaid shall during the continuance of the work or obstruction in question keep and maintain all such fences, lights, and watchmen, and take such further precautions, as may be necessary to prevent accidents to persons or property, or as may be required by the

- the Street Committee or the Mayor, and shall be responsible for all accidents that may occur to any person or property by reason of such work or obstruction.
- 15 No person shall place, or cause, or allow to be placed any goods, wares, merchandises or other articles, upon or over any street or public sidewalk, but this provision shall not interfere with the reasonable and expeditious use of a portion of a street or sidewalk for the taking in or delivering of merchandises or other goods.
 - 16 No person shall saw or split cordwood or firewood upon any street or public sidewalk and no person shall stand on any sidewalk with his saw horse or saw so as to obstruct passengers.
 - 17 No person being the owner or purchaser of any cordwood, firewood, or coal which has been deposited upon any street shall permit it to remain on such street longer than twelve hours.
 - 18 Every occupier, and in case there is no occupier, every owner, lessee or agent for the absent owner, of any building or land abutting on any street, and every person having charge or care of any church, chapel, school or public building, abutting on any street, shall cleanly sweep and keep free from dirt, dust, snow, ice or incumbrances, the pavement or sidewalk and the gutter or water-course in front of such building or land before nine o'clock in the morning of each day except Sunday and in case any snow or ice shall be so frozen that it cannot be removed without injury to the sidewalk or pavement, he shall strew the same with ashes, sand or other suitable substances.
 - 19 Every person riding or driving along any street shall keep to the left-hand side, except when passing another horse or vehicle which is going in the same direction, or standing still.

- 20 No person shall ride or drive any horse or other animal in any street to a gallop or at a pace exceeding six miles an hour, or, on any bridge at a pace faster than a natural walk of said horse or other animal.
- 21 No person shall ride, drive, lead, or back any horse or vehicle or any wheelbarrow or other hand carriage (except hand carriages for children) against over or along any footpath or sidewalk, unless crossing it at a proper crossing to enter or leave any premises.
- 22 No person shall wantonly fire, light, or set off any cannon, gun, pistol, fireworks or explosive substance.
- 23 No person shall wilfully cut, hack, sawe, break, daub with paint, or in any other way injure, deface, or disfigure any public or private building, wall, fence, railing, sign, monument, post, bridge, or other property.
- 24 No person shall throw or cause to be thrown, or deposit or cause or allow to run on any of the footpaths, sidewalks, highways, streets, thoroughfares, or any public place, within the City Limits, any filth, rubbish, ashes, or offal of any kind, or any substance which may be a nuisance.
- 25 No person shall take away any gravel, sand, or earth from any street, square or public place without having first obtained permission in writing from the Municipal Council.
- 26 Any person or persons violating any of the sections of this by-law shall be subject to the penalties of this by-law.
- 27 Any person or persons guilty of an infraction of any of the provisions of this by-law, shall, upon conviction before the Mayor or any Justice or Justices of the Peace for the City of Nanaimo on the oath or affirmation of any creditable witness, forfeit and pay at the discretion of said Mayor or Justice or Justices of the Peace, convicting a penalty

penalty not exceeding the sum of Fifty Dollars, and not less, except for the first offence than the sum of Five Dollars for each and every offence exclusive of costs, and in default of payment thereof forthwith, it shall and may be lawful for the Mayor or Justice or Justices convicting as aforesaid, to issue a warrant under his hand and seal, or in case the said Mayor, Justice, or Justices, or any two or more of them are acting together therein, then under the hand and seal of one of them, to levy the said penalty and costs, or costs only, by distress, and in case of no sufficient distress to satisfy the said penalty and costs, it shall and may be lawful for the Mayor, Justice, or Justices, convicting as aforesaid to commit the offender or offenders to one of Her Majesty's jails with or without hard labour, for any period not exceeding six calendar months unless the penalty and costs be sooner paid.

- 28 The "Noanaimo Streets By-Law 1875" (No 4)
The "Noanaimo Footpath and Avoning By-Law 1875" (No 5)
and the "Noanaimo Streets By-Law 1888" are hereby repealed.
- 29 This By-Law may be cited as the "Streets By-Law 1894".
Passed the Municipal Council this 26th day of March 1894
Affirmed by the Municipal Council this 9th day of April 1894.

E. Drennell
Mayor

I Gough
City Clerk

