

THE CORPORATION OF THE CITY OF NANAIMO, B. C.

BY-LAW No. 353.

A By-Law regulating the use and occupation of, and the conduct of persons in or upon Streets, Avenues, Lanes, Ways, Boulevards, Drives, Sidewalks, Bridges, Squares, Triangles, School Grounds, Public Places, Wards and other Rights of Way open to the use of the Public, and the space above or beneath the surface of the same, providing for the control of the same.

The Mayor and Council of the City of Nanaimo, in open meeting assembled, enact as follows in the preamble:

1. The "Nanaimo Streets Traffic Regulation By-Law, 1915, No. 270"; the "Nanaimo Streets Traffic Regulation Amendment By-Law, No. 276, 1915"; and the "Nanaimo Streets Traffic Regulation Amendment By-Law, No. 321, 1919"; and "the Street Traffic Regulation Amendment By-Law, No. 345, 1921" are hereby repealed.

2. The repeal of the By-Laws in the last preceding section mentioned shall not revive any By-Law or any provision of any By-Law repealed by them, nor shall the repeal prevent the effect of any saving clause in the By-Laws or the application of any of the said By-Laws or any other By-Law or provision of law formerly in force in any transaction, matter or thing anterior to the said repeal to which they would otherwise apply.

3. The Council may install silent policemen or other traffic regulators at the intersection of Bastion and Commercial Streets and at the intersections of such other streets as they shall from time to time determine.

INSTALLATION OF SILENT POLICEMAN.

4. From and after the passage of this By-Law and the registration thereof, it shall be unlawful for any driver of any vehicle to drive upon Skinner Street between Commercial and Bastion Streets in any other direction than southwards, entering said Skinner Street from Bastion Street.

TRAFFIC ON SKINNER STREET ONE WAY ONLY.

5. It shall be unlawful for any person to run by riding any bicycle, tricycle, motorcycle or auto-cycle upon the sidewalk of any street.

RIDING VEHICLE ON SIDEWALK.

6. It shall be unlawful for any person to run by riding any bicycle, tricycle, motor-cycle or auto-cycle or automobile in or upon any street of the City of Nanaimo, at a greater rate of speed than fifteen miles an hour, or to ride so as to endanger or imperil any pedestrian, or to fail, neglect or refuse to give a pedestrian the right-of-way.

SPEED
OF
VEHICLE

7. It shall be unlawful for any person to run by riding any bicycle, tricycle, motor-cycle, auto-cycle or automobile upon any street in the manner commonly known as "coasting" or in any other manner wherein the rider of such bicycle, tricycle, motor-cycle, auto-cycle or automobile shall not have absolute control thereof so that he may immediately stop the same to avoid all possible injury or collision.

COASTING
ON STREETS

8. It shall be unlawful for any person to ride bicycles, tricycles, motor-cycles, auto-cycles in any public place more than two abreast.

RIDING
VEHICLES
MORE THAN
TWO
ABREAST.

9. It shall be unlawful for any person to run by riding any such bicycle, tricycle, motor-cycle, auto-cycle or automobile in any public place between the hours of dusk and dawn without having attached in front thereof a light or lights of sufficient strength and brilliancy to be visible at a distance of two hundred feet.

VEHICLES
TO HAVE
SUFFICIENT
LIGHTS.

10. It shall be unlawful for any person to ride or drive any horse or any other animal to a gallop at a greater rate of speed than ten miles per hour, over, along or through any street within the City, or on or over any bridge at a pace faster than the natural walk of said horse or other animal.

SPEED OF
HORSE
DRAWN
VEHICLE.

11. It shall be unlawful for any person to ride any horse, drive or run any vehicle except those referred to in Clause six at a greater rate of speed than ten miles per hour across any street intersection, or in turning or rounding any street corner within the said City.

SPEED CROSS-
ING STREET
INTERSEC-
TIONS.

12. Nothing in the two next preceding sections shall apply to horses or vehicles used by the Fire Department or Police Department of the City of Nanaimo, or to ambulances when the same, or any of them, are responding to an emergency call; provided said vehicles are supplied with a suitable gong or horn of sufficient power to be plainly audible for at least 400 feet at all times and places.

HORSES
AND
VEHICLES
USED BY
FIRE
DEPART-
MENT.

13. It shall be unlawful for any person to carelessly, heedlessly, recklessly or negligently ride any horse, or ride, run, drive or propel any vehicle, over, through or upon any public place in the City of Nanaimo.

RECKLESS
DRIVING

14. It shall be unlawful for any person in any public place in the City to engage in any sport, amusement, exercise or occupation likely or calculated to frighten horses or embarrass or delay the passage of vehicles, or pedestrians, or damage property.

FRIGHTEN-
ING
HORSES.

15. It shall be unlawful for any person while riding any horse, or riding, running, driving or propelling any vehicle, or running or operating any street car, when crossing any street intersection, or when turning around any corner of any street or any other place to refuse to come to a full stop and remain standing until allowed to proceed, when commanded or signalled so to do by any police officer of the City.

VEHICLES
TO COME
TO FULL
STOP WHEN
CROSSING
STREET
INTERSEC-
TIONS OR
ROUNDING
CORNERS.

16. It shall be unlawful for any person to ride in or upon any light carriage, sleigh, wagon, roller skates, cart or vehicle upon any sidewalk or street in the manner commonly known as "Coasting" or when such carriage, sleigh, wagon, roller skates or vehicle, is or are, propelled by gravity of its own momentum.

COASTING

17. It shall be unlawful for any person to ride, drive or lead any animal, or move, drive, run or propel any vehicle (except light carriages for the conveyance of children and invalids' chairs) along or over any sidewalk unless for the purpose of necessarily crossing the same; or to cross any

sidewalk with any loaded vehicle without effectually protecting the sidewalk by planks or similar devices; or to allow any vehicle or animal to stand on any sidewalk; or to cut, saw, break, split, place or pile any firewood, lumber, blocks, rock, stone, or other thing, or to mix mortar or to do any other act, upon any sidewalk so as to obstruct the same.

CROSSING
SIDEWALKS
WITH LOADED
VEHICLES.

18. It shall be unlawful for any person to leave any horse, mule or other animal attached to any conveyance or vehicle, in any public place, without being securely fastened or guarded.

LEAVING
HORSES
WITHOUT
BEING
SECURELY
FASTENED
OR GUARDED.

19. The following vehicles, in the order named, shall have the right-of-way in the use of all streets and public places, viz:- apparatus of the Fire Department, Police patrol wagons, and ambulances responding to or returning from emergency calls; and it shall be unlawful for any person to fail, neglect or refuse to give such vehicles the right-of-way, or to block, impede or in any way interfere with the progress of such vehicle.

VEHICLES
HAVING
RIGHT-OF-
WAY.

20. The driver of any vehicle in any street in the City of Nanaimo, shall, on the approach of any apparatus of the Fire Department, or any City or other ambulances, bring his vehicle immediately to a stand-still, as near as possible to the right hand curb, and keep such vehicle there at a stand-still until such apparatus or ambulance has entirely passed from the vicinity; and the motorman and conductor of street car shall, on the approach of any such apparatus, or ambulance, bring such car immediately to a standstill until such apparatus or ambulance has entirely passed from the vicinity. Where any such apparatus or ambulance is approaching upon any street or public place intersecting that upon which such street car is, such motorman and conductor shall bring such car to a stand-still at a distance of at least 75 feet from such intersecting street.

PROCEDURE
OF VEHICLES
ON APPROACH
OF FIRE
DEPARTMENT.

21. It shall be unlawful for any person to drag or haul any timber or other article along or over any street in such a manner that any portion of the same shall rest upon or come in contact with the surface of such street, or any planked, paved or macadamized road; or to lock the wheel of any vehicle by the method commonly known as "rough locking" or by any method where by such wheel is prevented from revolving, while such vehicles continues in motion; or to use any drag or stoneboat upon any street in the said City, except for the purpose of making or improving such street.

DRAGGING &
HAULING
TIMBER ETC.
ALONG STREET

22. It shall be unlawful for any person to use, drive or propel any vehicle or animal of any kind along, across or over any boulevard in the City except at crossings prepared for that use.

DRIVING
OVER
BOULEVARDS

23. It shall be unlawful for any person to use, drive or propel at night in any public place, any vehicle used for the purpose of conveying passengers (whether for hire or not) without having attached thereto, near the front, two white lights of sufficient strength and brilliancy to be visible at a distance of 200 feet in front of such vehicle, and one light on the rear, showing red from the rear and white of sufficient brilliancy and placed in such a position that it will show plainly the number of the vehicle.

LIGHTING
OF
VEHICLES.

24. It shall be unlawful for any person to use, drive, or propel at night any express wagon, dray or other vehicle without having attached thereto near the front a white light of sufficient strength and brilliancy to be visible at a distance of 200 feet in front of such vehicle.

25. It shall be unlawful for any person to use any siren-horn on any vehicle in any public place in the City, provided, however, that all vehicles belonging to the Fire Department of the City of Nanaimo shall be provided with and use a siren-horn of the same standard type, and that otherwise this

SIRENHORN

Section shall not apply to any of the said vehicles of or belonging to such Fire Department.

26. Every Driver or other person in charge of any vehicle conveying goods, wares or merchandise in or through any of the streets of the City shall remain upon such vehicle, or walk beside the horse or animal drawing the same, so as at all times to control the same, while such vehicle is in motion.

DRIVERS OF
VEHICLES TO
BE IN CON-
TROL OF
VEHICLE.

27. Whenever in the succeeding sub-sections of this Section the word "he" is used, such word shall, wherever the context permits, mean and include every person having, driving, operating, running, propelling or using any vehicle, or having, riding or driving any horse or other animal on any street within the City and every vehicle, horse or animal so had, driven, run, propelled, operated, used or ridden by such person, and whenever in any such succeeding sub-section any person is directed or required to do, perform, observe or conform to any act, thing, requirement, or condition, such person shall make or cause every vehicle, horse, or animal so had, driven, run, propelled, operated, used or ridden by him to do, perform, observe or conform to the following conditions namely:-

"HE"
DEFINED.

(1) He shall at all times except as and when hereinafter mentioned keep to the right hand side of the centre of the street, and when travelling at the rate of a walk he shall, except as when hereafter mentioned, keep as close as possible to the right hand curb, provided that where a silent policeman or other traffic regulator has been placed or installed at or upon any intersection, he shall in turning into another street to the left, drive around such silent policeman or other traffic regulator, and it shall be unlawful for any person to drive a vehicle in such a manner as to collide with such silent policeman or traffic regulator.

VEHICLES MEETING TO TURN TO THE RIGHT.

(2) In case a person travelling or being upon a highway or street in charge of a vehicle drawn by one or more horses or other animals, or propelled by some other means, meets another vehicle drawn or propelled as aforesaid, he shall seasonably turn out to the right from the centre of the travelled portion of the highway, allowing the vehicle so met one-half of the travelled portion of the highway.

VEHICLES OVERTAKEN TO TURN TO THE RIGHT.

(3) In case a person travelling or being upon a highway or street in charge of a vehicle so drawn or propelled, or on horseback is overtaken by any vehicle or horseman travelling at a greater rate of speed, the person so overtaken shall as soon as practicable turn out to the right and allow the overtaking vehicle or horseman to pass.

RIGHT OF WAY AT HIGHWAY OR STREET INTERSECTIONS.

(4) The person in charge of a vehicle so drawn or propelled upon a highway shall have the right of way over the person in charge of another vehicle approaching from the left upon an intersecting highway or street, and shall give the right-of-way to the person in charge of another vehicle approaching from the right upon an intersecting highway or street, but the provisions of this sub-section shall not excuse any person from the exercise of proper care at all times.

VEHICLES OVERTAKING ANOTHER TO TURN TO THE LEFT.

(5) In case a person travelling upon a highway or street in charge of a vehicle or upon horseback overtakes any vehicle or horseman it shall be the duty of such person to turn out to the left, and if he finds it impracticable to turn out as aforesaid he shall so regulate the speed of his vehicle or horse as to allow the overtaken vehicle or horseman to precede him to some point on the highway where such

turning out to the left and a passing can safely be affected.

(6) When turning into another street to the left he shall go round the corner of the right hand curb of said street and keep to the right of the street, into which he turns.

(7) When turning into another street to the left he shall go around the centre of the intersection of the two streets and keep to the right of the street into which he turns.

(8) When crossing from one side to the opposite side of any street not being a paved street, he shall commence to cross by turning to the left at as near an angle to a left angle as possible and shall then proceed across the street at a left angle to the side line of the street until he has reached as nearly as possible to the curb on the opposite side and then turn to the left at as near an angle to a left angle as possible, so that when completely turned to the right hand side of his vehicle, horse or animal will be parallel to and as close as possible to the curb.

(9) When on paved streets he shall not cross the street at any point except at Street intersections and by going around the centre of the intersections of the two streets.

(10) When stopping he shall stop at and with the right side of the vehicle or horse or other animal as close as possible to the curb, and at no time shall he allow a vehicle to remain standing on any street other than the right hand side of the street.

(11) Except for the purpose of allowing another vehicle, horse or animal or pedestrian to cross his track, he shall not stop on any street except near the right hand curb thereof and so as not to obstruct any crossing; and at no time shall he stop on any street at or upon its intersection with any other street, except for the purpose aforesaid.

(12) He shall not between the hours of 7 a.m. and 11 p.m. in any day of the week, allow or permit any such vehicle, horse or

animal to stand or be or remain standing for a longer period than twenty- minutes on any of the following streets or portion thereof, that is to say: Commercial, Church, Victoria Crescent, Bastion, and Chapel Street from its intersection with Church and Commercial Streets to the northerly boundary line of lot 13, Block 54, and at no time shall any vehicle or animal remain standing on the north-easterly side of Skinner Street from Commercial to Chapel Streets, or the south-westerly side of Skinner Street directly in front of Lots 5 and 6, Block 60, nor upon the section of Skinner Street south of Bastion Street allowed for the purpose of parking or standing such vehicle, unless such vehicle shall be placed or parked on said last mentioned section of street with the front wheel close to the right hand curb, and the body of said vehicle at an angle of not less than 30 degrees to the curb, provided that where spaces are delineated for such purposes by painted lines upon the pavement or street, on sections or streets within the City set aside for the parking of vehicles, such vehicle shall be parked or stood so that the same shall be wholly within such allotted space, and it shall be unlawful for any person being the driver or owner of any vehicle to take up more than the allotted space set aside for parking said vehicle. It is further provided always and it is hereby declared that notwithstanding the privilege hereby conferred, no vehicle, horse or animal shall be permitted to stand or be or remain standing in front of any theatre or building on any street of the City of Nanaimo, used for the purpose of public entertainment, so as to obstruct or impede the free and uninterrupted access, ingress and egress to and from such theatre or building.

(13) Notwithstanding anything contained in this By-Law to the contrary, it shall be lawful and permission is hereby granted to any taxi-cab company, firm or individual who may be operating automobiles for hire to leave not more than two such conveyances standing in front of or near their office during pro-

hibited hours on Commercial or Church Streets, subject nevertheless to the direction and approval of the Chief of Police.

(14) On approaching any intersecting street he shall extend his hand and arm horizontally in such a manner as to indicate to all persons following, approaching, passing or standing, the direction in which he intends to proceed.

(15) He shall not allow or permit any such vehicle to be closed in completely so that he cannot see readily to the right and left thereof, and behind such vehicle.

(16) Without derogating from any other statute, Hy-Law or law he shall not proceed, drive, or go to the common danger.

(17) In driving or operating any street car he shall not stop behind any other street car which may be preceding him, in such a position as to allow less than ten yards to intervene between the car which he is driving or operating and the one which is preceding him.

(18) He shall not, in riding any bicycle, cling on the side or rear of any street car or vehicle.

28. It shall be unlawful for any person to ride on the rear end of any vehicle, automobile or street car except in some place thereon provided and adopted for such purpose by the owner thereof.

RIDING ON
REAR END
OF VEHICLE.

29. It shall be unlawful for any person to drop or permit to be dropped any oil or grease, or similar substance, from any vehicle in or on any street.

DROPPING OIL
OR GREASE
FROM VEHICLES

30. It shall be unlawful for any person in hauling dirt, sand, earth, brick, gravel, manure, sawdust, pieces of wood, or other substances or material along, through or upon any public place, to allow or permit the same, or any part, piece or portion thereof, to be dropped upon any street (except through unavoidable accident), or, in any case, to remain thereon.

DROPPING
DIRT ETC.
FROM VEHICLES

31. It shall be unlawful for any person, being the owner or having charge of any vehicle, to allow or permit the same or

DISTANCE OF
VEHICLES TO
BE STATIONED
FROM FIRE
HYDRANTS AND
CORNERS.

any animal or animals attached thereto, to be stood or remain standing (except while being loaded or unloaded, or while taking on or letting off passengers), upon any street within fifteen feet of any fire hydrant, or within ten feet of any street corner or a greater distance than one foot from the curb, or in any other position than parallel with the curb, except as otherwise specifically provided for herein.

32. It shall be unlawful for any person to leave standing in any street any vehicle drawn by horses or other animals, unless the same be in the personal charge and custody and control of some person; provided that in case of an accident to a vehicle upon any street, the vehicle may be moved to the side of the street, and if a good and sufficient red light is located at both ends of such vehicle during the night, the same may be allowed to remain on the street pending removal for repairs for a period not exceeding 24 hours.

LEAVING
HORSES ETC.
STANDING
UNGUARDED.

33. It shall be unlawful for any person to run, ride, drive or propel any automobile, motor car, auto-cycle, tricycle, bicycle, motor cycle without having attached thereto a bell, gong or horn or whistle in good working order, and sufficient to give plainly audible warning of the approach thereof; or to fail or neglect to sound the same when approaching any street car, vehicle, horse or other animal, or pedestrian, or upon approaching any place where any person may be entering or leaving any street car, or other public conveyance, or upon approaching any street intersection, or before passing around any corner.

VEHICLES
TO HAVE
BELL OR
GONGS ETC.
ATTACHED.

34. It shall be unlawful for any person other than duly authorized officer or employee of the City, acting in pursuance of his duties, to dig up or in any manner injure or destroy any tree, flower, foliage, flowering plant, foliage plant or shrubbery in any public place.

DESTROYING
TREES, ETC.

35. It shall be unlawful for any person to tie or fasten any

horse or other animal to any tree in any public place or to any post guard, or box, placed near or about any such tree for the protection thereof, or to post any bill or placard upon any such tree, post, telephone poles, electric light poles, guard or box, or hydrant or climb any such tree, or cut down girdle, mutilate, dig up, move or in any manner whatsoever injure or destroy any tree in any public place.

FASTENING
HORSES TO
TREES, ETC.

36. It shall be unlawful for any person or persons to collect in crowds, or by congregating thereon or therein, to obstruct any public place, or to refuse to disperse when so congregated, upon being requested so to do by any police officer of the City and any person who shall be one of such crowd or congregation, or who shall refuse to separate therefrom when requested so to do by any police officer, or who shall wilfully attract the attention of persons and cause them to congregate upon and obstruct any public place, shall be deemed guilty of a violation of this Section.

OBSTRUCTION
OF PUBLIC
PLACES.

37. It shall be unlawful for any person to stand or loiter in any public place in such a manner as to obstruct travel thereon.

LOITERING.

38. It shall be unlawful for any person to place, set up, keep or maintain any booth, stand, table, box, board, shelf, vehicle or other object in any public place for the purpose of selling, giving away or distributing therefrom any article or thing, or exhibiting any animal, bird or curiosity, or advertising anything whatsoever, except by permission of the Council.

EXHIBITION
IN PUBLIC
PLACES.

39. It shall be unlawful for any person owning or occupying any property abutting on or contiguous to any public place, to allow or permit any earth, rock, stones, trees, logs, stumps or other substances to cave, fall, crumble, slide or accumulate or to be otherwise deposited from any such premises upon any public place, or having been so deposited, to

ACCUMULA-
TION OF
DIRT, ETC.
IN PUBLIC
PLACES.

remain thereon.

40. It shall be unlawful for any person to place, or cause or suffer to be placed by any person in his employment or under his control, any merchandise or wares of any nature on any sidewalk in front of or alongside of any premises occupied by him, for the purpose of display or for any purpose, except in the actual course of receipt or delivery; or to use any portion of any sidewalk for the purpose of measuring or packing or unpacking goods, wares or merchandise.

OBSTRUCTING
SIDEWALKS.

41. It shall be unlawful for any person to place or permit to be placed any firewood, coal, chattels or merchandise in any public place, except while moving the same in or out of the premises adjoining such public place, or to keep any box or receptacle for the deposit or storage of wood, coal, chattels, or merchandise in any public place.

DEPOSIT
OF FIRE-
WOOD, ETC.
IN PUBLIC
PLACES.

42. It shall be unlawful for any person to throw or deposit in any public place any broken glass, crockery, nails, or any substance whatever whereby the feet of horses or other animals or the tires of vehicles may be injured.

THROWING
GLASS ETC.
IN PUBLIC
PLACES.

43. It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited in any public place any coal, hair, shreds, rags, shells, ashes, garbage, paper or other refuse or waste matter, or any solids, or liquids, animal or vegetable matter, or any substance or thing whatsoever.

DEPOSITING
GARBAGE ETC.
IN PUBLIC
PLACES.

44. No person shall take up, dig or carry away any of the earth, sand, stone, clay or gravel in or from any street, road or lane within the City without the written permission of the City Engineer, or other authorized person.

45. It shall be unlawful for any person to break, tear up or remove any planking, pavement, sidewalk, crossing, curbing, macadam, or other surface of or on any public place, or to make any excavation in or under any public place within the City for any purpose whatsoever, without having first obtained written

permission of the City Engineer or other authorized person so to do; and it shall be the duty of any person having obtained such permission to break, tear up, or remove any such planking, pavement, sidewalk, crossing, curbing, macadam or other surface of any public place or having obtained permission to make any excavation in or under any public place, to relay and fill up the same and to put the same in as good order and repair as before such breaking up, removing or excavation; and all such breaking, tearing up, removing and excavation shall be done under the direction and supervision of the City Engineer; and every person to whom permission as aforesaid shall be granted, shall erect and maintain a good and sufficient fence, railing or barrier around every excavation made by him, in such manner as to prevent accidents, and shall place and keep upon such fence, railing or barrier, a suitable and sufficient red light during the night, and shall take such further care and precaution as the City Engineer may deem necessary and direct for the protection and safety of the public; and shall indemnify the City against all loss, cost, charge, expense and damage to which the said City may be put by reason of such breaking, tearing up, removing or excavating as aforesaid, or by reason of the permission granted him so to do and it shall be the duty of the City Engineer before giving any such permission to take from such person security that he will perform all the obligations imposed upon him by this Section.

46. It shall be unlawful for any person to throw or cause to flow, or allow or permit to be thrown or to flow upon any public place, any water or other liquid, substance or thing which may cause obnoxious effluvia, or any filthy water; or to permit any flow of water from any premises under his control, on or over any public place.

WATER
UPON
ANY
PUBLIC
PLACE.

47. It shall be unlawful for any person to throw on any sidewalk any vegetable, or fruit or peelings or other substance liable to cause any person accident or injury, or to throw upon or into any public place or in any gutter any kitchen refuse, paper sweeping, waste or other substance liable to close up or choke

THROWING
FRUIT OR
PEELINGS
ON SIDE-
WALK.

any gutter, or to permit any accumulation of snow or ice to remain upon any planked or paved sidewalks in front of or abutting any premises owned or occupied by him after 10 o'clock in any morning of any day, except Sunday.

REMOVING
SNOW FROM
SIDEWALKS.

48. It shall be unlawful for any person to build, construct, place, maintain, occupy, throw, leave, pass, tie or put, or cause to be built, constructed, placed, maintained, occupied, thrown, left, passed, tied or put (except in accordance with the provisions of this By-Law), or except with the approval of and subject to such condition as shall be determined by the Council, in any public place, any structure, fence, post, rod, chain, rail, wire, box, barrel, keg, firewood, coal, chattels, merchandise, vehicle, animal or any object, substance or thing, which is an obstruction to the free use of such public place, or which may be an inconvenience to the use thereof, or which may encroach thereon.

OBSTRUCTION
OF PUBLIC
PLACES.

49. It shall be unlawful for any person to erect or maintain in any public place in the City any awning, the frame work of which shall, in any way, extend over said public place, at a less height than seven feet, six inches from the sidewalk; or to have thereto a drop or curtain of a greater length of fall than one foot.

ERECTION
OF
AWNINGS.

50. Except as provided by the "Fire Escape Act", no person shall have or maintain any gate or door to, into, from or upon any premises owned or occupied by him, which shall be so constructed that the same shall swing or project across, over or out upon the street within the City.

PROJECTION OF
GATES.

51. Every person who shall make any excavation for any purpose adjoining or adjacent to any street within the City shall build and maintain a good and sufficient fence, or other barrier, along the line of such street, so as to effectually guard such excavation, and to protect and guard persons, horses and vehicles, travelling along such street against danger, risk or accident by reason of such excavation.

EXCAVATION.

52. No person shall, without having first made application

and received the permission of the City Engineer in writing, construct, open, maintain or use any area, cellar, trap door, coal hole, grating or other opening in or under any sidewalk or street within the City, and except in compliance with every By-Law of the City in that behalf.

CONSTRUCTION OF CELLARS ETC

53. No person shall erect or maintain any step, porch, railing or other projection or obstruction in, to or on any public street in the City of Nanaimo, except by permission of the Municipal Council.

PROJECTIONS OR OBSTRUCTIONS IN PUBLIC PLACES.

54. The City Engineer is hereby authorized, with necessary assistance, to remove any object or thing which is an obstruction to the free use of any public place in the City, or which may be an inconvenience to the free use thereof, or which may encroach thereon, but such authority so given under this Section shall not in any way relieve from responsibility or liability any person guilty of an infraction of any of the provisions of this By-Law.

REMOVING OBSTRUCTIONS BY CITY ENGINEER.

55. It shall be unlawful for any person to drive, ride, propel, convey or carry any cart, vehicle, or receptacle containing any garbage (as defined by the "Health By-Law" of the City), through, along or on any public place in the City unless such cart, vehicle or receptacle shall be kept tightly and securely covered and enclosed and in a water-tight condition.

CONVEYING GARBAGE THROUGH STREETS.

56. It shall be unlawful for any person to drive cattle or swine, through any of the streets of the City of Nanaimo, between the hours of 8 o'clock a.m. and 12 p.m. from the 31st March to 1st December, and between the hours of 8 a.m. and 12 p.m. from the 1st December to the 31st March following. This Section shall not apply to the Police Department or the Poundkeeper in the performance of their duties.

DRIVING CATTLE OR SWINE OVER CITY STREETS.

57. No person shall saw or split cord-wood or fire-wood 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.

UNLAWFUL TO SPLIT OR SAW CORDWOOD ON ANY STREET.

58. No person shall wantonly fire, light or set off any

cannon, gun, pistol or other firearms, fireworks or explosive substance, or make use of or have in his possession, any sling shot, catapult or any like weapon.

FIREWORKS
ETC.

59. Every driver in charge of any vehicle kept by him for the conveyance of passengers of wares or merchandise shall, when not employed and waiting to be hired, occupy with his vehicle and horse or horses some place on one or other of the stands hereinafter set apart by this By-Law as a stand for vehicles licensed for the conveyance of passengers or goods, which may be vacant at the time of reaching such stand, without encroaching on any of that part of the street which is intended to be used, and is commonly used, as a crossing place for foot passengers; and such driver, when arriving at any such stand not already occupied by the full number of vehicles capable of there being accomodated, shall stand such vehicle in the rear of the other vehicle already occupying such stand, and in such a position that the front of his vehicle will be turned in the same direction as the front of the vehicle stationed on such stand immediately before such last mentioned vehicle.

POSITION
TO BE
OCCUPIED
BY
VEHICLES
ON STANDS

60. When a vehicle shall be called or driven off any stand, the driver of any vehicle stationed on any such stand immediately in the rear of any such vehicle so called or driven off, shall cause the vehicle so stationed to be driven forward so as to fill the place occupied by the vehicle so called or driven off. The drivers of the several vehicles stationed on such stand in the rear of the vehicle so called shall cause their vehicles to be drawn or driven forward so that every vehicle shall in succession fill the place which shall have been previously occupied immediately in advance of such vehicle, by the vehicle drawn or driven forward, in accordance with the provisions of this By-Law.

DRIVERS
OF
VEHICLES
TO MOVE
FORWARD
WHEN
VACANCY
OCCURS
ON STAND.

61. It shall be unlawful for any owner or driver of any vehicle kept for hire for the conveyance of passengers to use as a stand or stopping-place for business, with or

CITY
HACK OR
AUTOMO-
BILE
STAND

without his vehicle, any place or places other than those hereinafter designated and appointed as stands for such vehicle.

The stands for vehicles kept for hire for the convenience of passengers shall be as follows:-

- (1) On the Centre of Front Street north of Dallas Square to Comox Road.
- (2) On the East side of Front Street from Bastion Street to the northern boundary of Lot 6, Block 56.

62. It shall be unlawful for any owner or driver of any vehicle licensed to carry goods for hire in the City to use as a stand or stopping place for business, with or without his vehicle, any public place or places other than those hereinafter designated and appointed as stands for such vehicles.

DRAY AND
EXPRESS
STANDS.

The stands for vehicles kept for hire for the conveyance of goods shall be as follows:-

- (1) On the south side of Wallace Street from the intersection of Commercial Street to Fitzwilliam Street, but not in such a position to obstruct the entrance or exits of any of the business premises on said street.

63. No owner or driver of any vehicle kept for hire for the conveyance of passengers or goods shall stand his vehicle on any street within a distance of 15 feet from any fire hydrant, or within a distance of 10 feet from any street corner.

DISTANCE
FROM FIRE
HYDRANTS
AND STREET
CORNERS.

64. Any person guilty of an infraction of this By-Law shall, upon conviction thereof before the Mayor, Police Magistrate, or any two Justices of the Peace, or other Magistrate or Magistrates having jurisdiction in the City of Nanaimo, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Mayor, Police Magistrate, Justice, or other Magistrate or Magistrates con-

PENALTIES

victing, a fine or penalty not exceeding, the sum of one hundred dollars and costs for each offence; and in default of payment thereof forthwith, it shall be lawful for such Mayor, Police Magistrate, Justice, or other Magistrate or Magistrates convicting as aforesaid at his or their discretion to issue a warrant under his or their hand and seal to levy the said fine or penalty and cost, or costs only, by distress and sale of the offenders goods and chattels; and in case of no sufficient distress found to satisfy the said fine or penalty, it shall, and may be lawful for the Mayor, Police Magistrate, Justice, or other Magistrates convicting as aforesaid, to commit the offender to one of His Majesty's goals, or any lock up house in the City of Nanaimo, for any period not exceeding two months (with or without hard labour), unless the said fine or penalty be sooner paid.

65. This By-Law may be cited as "The Streets Traffic Regulation By-Law, No. 353, 1922".

Passed by the Municipal Council of the Corporation of the City of Nanaimo on the fifth day of June, 1922.

Reconsidered and finally adopted on the twelfth day of June, 1922.

H. Mackwood.

City Clerk.

J. A. Busby.

Mayor.

