

CITY OF KELOWNA

BYLAW NO. 10666

Amendment No. 19 to Traffic Bylaw No. 8120

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Traffic Bylaw No. 8120 be amended as follows:

1. THAT all references to the "Transportation Plan" be deleted in its entirety and replaced with the words "Official Community Plan";
2. AND THAT **PART 1 - INTRODUCTION**, 1.1 Title, 1.2.3 Invalid's Chair that reads as follows be deleted:

"1.2.3 Invalid's Chairs. Unless otherwise indicated, this Bylaw shall not apply in respect of the driving or operation by an invalid of a mechanically propelled invalid's chair, the use of which is confined to the purposes for which it was designed."

And replaced with the following new definition for "Power Chair or Scooter" that reads:

"1.2.3 Power Chair or Scooter. Unless otherwise indicated, this Bylaw shall not apply in respect of the driving or operation by a person with disabilities of a mechanically propelled power chair or scooter, the use of which is confined to the purposes for which it was designed."

3. AND THAT **PART 1 - INTRODUCTION**, 1.4 Definitions, 1.4.4 be amended as follows:
 - a) Adding a new definition for "Bicycle Lane" in its appropriate location as follows:

"Bicycle Lane" means a lane designated for the use of non-motorized vehicles or motor-assisted cycles with motors less than 50cc.;"
 - b) Deleting definition for "City Engineer", in its entirety;
 - c) Deleting all references to "City Engineer" and replacing it with "Transportation Services Manager";
 - d) Deleting the definition for "City of Kelowna Transportation Plan" in its entirety;
 - e) Adding a new definition for "Director of Civic Operations" in its appropriate location as follows:

"Director of Civic Operations" means the person appointed by the City and his or her designate."
 - f) Adding a new definition for "Easement" in its appropriate location as follows:

"Easement" means a right held by a utility to make use of the land of another for a limited purpose, as right of passage for the City or a Utility provider.;"
 - g) Deleting the definition for "Engineer" and replacing it with the following:

"Engineer" means the person appointed by the City and his or her designate."

- h) Deleting the definition for “**Hoarding**” in its entirety and replacing it with the following:
- “**Hoarding**” means a temporary fence, structure, container or construction trailer placed or erected on a highway, or the storage of construction and landscaping materials on a highway.”;
- i) Adding a new definition for “**Official Community Plan**” in its appropriate location as follows:
- “**Official Community Plan**” means the *Kelowna 2030* Official Community Plan Bylaw No. 10500, as amended from time to time.”;
- j) Adding a new definition for “**Pathway**” in its appropriate location as follows:
- “**Pathway**” means an area improved for use by pedestrians and non-motorized traffic.”;
- k) Deleting the definition for “**Sidewalk**” in its entirety and replacing it with the following:
- “**Sidewalk**” means the area between the curb lines or lateral lines of a roadway and the adjacent property lines, or any walkway or pathway improved for the use by pedestrians.”;
- l) Deleting the definition for “**Traffic control device**” in its entirety and replacing it with the following:
- “**Traffic control device**” means a sign, signal, line, meter, pavement marking, barrier, or device, placed or erected by authority of Council or person duly authorized by Council to exercise such authority. A Traffic control device can also be any permanent or temporary device as laid out in the current British Columbia Ministry of Transportation & Infrastructure Traffic control manual for work on roadways.”;
- m) Adding a new definition in its appropriate location as follows:
- “**Transportation Services Manager**” means the person appointed by the City and his or her designate.”
- n) Adding a new definition for “**Truck Route**” in its appropriate location as follows:
- “**Truck Route**” means a route that is designated for truck traffic during specific hours and days of the week.”
4. AND THAT PART 2 - GENERAL REGULATIONS, 2.1 General, 2.1.5 Permits be deleted in its entirety and replaced with the following:
- “Permits. A permit issued under this Bylaw must be carried in the vehicle or on-site office at all times when operating on a highway within the City.”
5. AND THAT PART 2 - GENERAL REGULATIONS, 2.5 Snow and Rubbish Removal, 2.5.1 Sidewalks diagram be deleted in its entirety and replaced with the following:

SIDEWALKS EXEMPT FROM TRAFFIC BYLAW No. 8120, SECTION 2.5.1

Street Location	From	To	SIDE	METERS
CANTINA CT	SOUTH RIDGE DR	705 CANTINA CT.	N	145
CHUTE LAKE RD	MAIN ST	QUILCHENA DR	N	123
CHUTE LAKE RD	LARK ST	CHUTE LAKE CR	N	309
CHUTE LAKE RD	OAKAVIEW RD	SOUTH CREST DR	W	480
CHUTE LAKE RD	SOUTH CREST DR	Back of 503 Stanley Cr.	W	325
CHUTE LAKE RD	5128 CHUTE LAKE RD.	CHUTE LAKE CR	S	260
CHUTE LAKE RD	CHUTE LAKE CR	QUILCHENA	N	456
CHUTE LAKE RD	MAIN ST	W. END	N	70
FROST RD	WESTEND OF PARK	SOUTHRIDGE DR.	S	248
FROST RD	SOUTH RIDGE DR	EAST END OF ROAD	S	450
GORDON DR	STEELE	FROST RD	N	548
BARNABY RD	from 590	west end	N	279
HEDEMAN CT	TRUMPETER RD	CHUTE LAKE RD	S	99.5
LARK ST	5185 LARK ST.	CHUTE LAKE RD.	W	221
QUILCHENA DR	MCCARREN AVE	CHUTE LAKE RD	E	44.1
SOUTH RIDGE DR	CANTINA CT	SOUTH CREST DR	E	264
SOUTH RIDGE DR	SOUTH CREST DR	FROST RD	W	81
SOUTHRIDGE DR	CANTINA CT	5157 SOUTHRIDGE DR	E	220
SOUTHRIDGE DR	ARBOURVIEW	BARNABY	W	785
STEELE RD	BARNABY RD	809 STEELE RD	S	211
STELLAR DR	TANAGER DR	GROUSE AVE	E	236.2
STELLAR DR	OKAVIEW DR	403 STELLAR	W	220
UPLANDS DR	LAKESHORE RD	UPLANDS CT	S	152
CANYON FALLS CT	EAST END OF ROAD	CANYON RIDGE CR	W	119
CRAWFORD RD	STEWART RD W	CRAWFORD CT	S	70
CRAWFORD RD	CRAWFORD CT	PARKRIDGE DR	S	158.8
CRAWFORD RD	CRAWFORD CT	PARKRIDGE DR	S	52.7
GORDON DR	PARET RD	STEELE RD.	W	1130
GORDON DR	#892 PARET RD	STEELE RD.	W	714
LAKESHORE RD	KEITH	COLLETT	W	77
LAKESHORE RD	COLLETT	VINTAGE TERRACE CT	E	130
LAKESHORE RD	VINTAGE TERRACE	CRIGHTON RD	E	413
LAKESHORE RD	CRIGHTON	BARNABY	E	250

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STEWART RD W	EAST END OF ROAD	WESTRIDGE DR	W	200
STEWART RD W	WESTRIDGE DR	LARKRIDGE CT	W	324
STEWART RD W	LARKRIDGE CT	CRAWFORD RD	W	664
VARNEY CT	WEST END OF ROAD	RAYMER RD	E	153
WESTPOINT DR	LOT 1	#910	N	410
WESTPOINT DR	WESTPOINT RESERV	#765	S	220
WESTRIDGE DR	STEWART RD W	CANYON RIDGE CR	N	63
WESTRIDGE DR	CANYON RIDGE CR	MID RIDGE CT	N	123
WESTRIDGE DR	MID RIDGE CT	CANYON RIDGE CR	N	115
WESTRIDGE DR	CANYON RIDGE CR	PARKRIDGE DR	N	115
BARRERA RD	CASORSO RD	LAKESHORE RD	N	333
GORDON DR	OLD MEADOWS RD	LEQUIME RD	E	375
GORDON DR	LEQUIME RD	LEXINGTON DR	E	434.5
GORDON DR	LEXINGTON DR	COOK RD	E	130.8
GORDON DR	COOK RD	CASORSO RD	E	740
GORDON DR	CASORSO RD	3379 GORDON RD	E	570
DOYLE AVE	ELLIS ST	ST PAUL ST	S	102
ELLIS ST	ALLEY	LAWRENCE AVE	W	42
ELLIS ST	DOYLE AVE CITY LOT	DOYLE AVE	E	49
ELLIS ST	QUEENSWAY	MEMORIAL ARENA	W	98
LAWRENCE AVE	CITY LOT	ELLIS ST	S	32
QUEENSWAY	MUSEUM	ELLIS ST	N	83
ST PAUL ST	DOYLE CITY LOT	DOYLE AVE	W	60
ELLIS ST	CLEMENT AVE	GASTON AVE	W	204
ELLIS ST	GASTON AVE	INDUSTRIAL AVE	W	67.8
ORCHARD DR	PARK	north end	W	159
CLEMENT DR	CERISE RD	GORDON DR	N	449
CLEMENT DR	HIGH RD	CERISE RD	N	346
CLEMENT DR	SPALL RD	HIGH RD	N	968
CLIFTON	MAGIC DR	RIO DR	W	619
GLENVIEW	CERISE	HILLCREST	S	155
RIO DR S	MAGIC DR	CLIFTON RD	W	260
DRYSDALE BLVD	KANE RD	WHITMAN RD	W	105
DRYSDALE BLVD	VERNA CT	CROSS	W	239
GLENMORE RD	DALLAS RD	CROSS RD	E	642
GLENMORE RD	CROSS RD	UNION RD	E	543
GLENMORE RD	UNION RD	SCENIC RD	E	716
GLENMORE RD	SCENIC RD	SNOWCELL RD N	E	202
LONG RIDGE DR	STILL POND PL	BIG ROCK CT	E	942.1
SPALL RD	ENTERPRISE WAY	BERNARD AVE	W	495
SUMMIT DR	GLENMORE DR	VALLEY RD	S	182.5
SUTTON CR	SOUTH END OF ROAD	DRYSDALE BLVD	E	240

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UNION RD	WYNDHAM CR	VERNA CT	S	91.5
UNION RD	MILLARD	LONG RIDGE	E	673
UNION RD	EDGEHILL AVE	TERRACE HILL	W	498
UNION RD	TERRACE HILL	TUCKER CR	W	175
UNION RD	VALLEY RD	west end	S	52
VALLEY RD	ST ANDREWS DR	GOLFVIEW RD	W	246
VALLEY RD	GOLFVIEW RD	SUMMIT DR	W	94
VALLEY RD	SUMMIT DR	PALMER RD	W	294
VALLEY RD	PALMER RD	SHERRYDALE CR	W	546
VALLEY RD	SHERRYDALE CR	YATES RD	W	98.7
VALLEY RD	KANE RD	CROSS RD	W	831.3
VALLEY RD	CROSS RD	DRYSDALE BLVD	W	373.3
VALLEY RD	DRYSDALE BLVD	UNION RD	N	245.9
CASCADE PL	1036	1008	W	160
CHILCOTIN CR	2090 CHILCOTIN CR	past park entrance	W	108
CHRISTINA PL	MONASHEE PEAKS	975	W	120
DENALI DR	SUMMIT DR	DENALI CT	E	479
DENALI DR	DENALI CT	NORTH END OF ROAD	E	439.7
DILWORTH DR	LECKIE RD	OMINECA PL	W	715
DILWORTH DR	OMINECA PL	CASCADE PL	W	384
DILWORTH DR	CASCADE PL	SUMMIT DR	W	714
DILWORTH DR	SUMMIT DR	CASSIAR RD	W	338
RIFLE RD	CASSIAR RD	SILVER PL	W	582.5
SELKIRK DR	LILLOOET CR	FAIRMONT AVE	W	530
SELKIRK DR	LILLOOET CR	FAIRMONT AVE	W	115
SKEENA DR	SKEENA CT	SUMMIT DR	E	300
SUMMIT DR	DENALI DR	CHILCOTIN CR	N	449
SUMMIT DR	DENALI DR	CHILCOTIN CR	S	450
SUMMIT DR	VALLEY RD	DENALI DR	S	734.2
SUMMIT DR	CHILCOTIN CR	CHILCOTIN CR	S	171
SUMMIT DR	CHILCOTIN CR	SKEENA DR	S	415
SUMMIT DR	SKEENA DR	LILLOOET CR	S	245
SUMMIT DR	LILLOOET CR	PURCELL DR	S	100
SUMMIT DR	PURCELL DR	NAHANNI PL	S	195
SUMMIT DR	NAHANNI PL	DILWORTH DR	N	6
SUMMIT DR	NAHANNI PL	DILWORTH DR	S	291
MCINTOSH RD	FIRE HALL	RUTLAND RD N	S	93
RUTLAND RD N	SOUTH OF FIRE HALL	MCINTOSH RD	W	37
GRAY RD	HEALTH UNIT	PEMBERTON RD	N	93
SPRINGFIELD RD	HOLLYWOOD RD S	NEPTUNE RD	S	487
MCCURDY RD E	CRAIG RD	GIBSON RD.	N	1353
MCCURDY RD E	GIBSON RD.	LATTA RD.	N	419

MCCURDY RD E	LATTA RD.	MCKENZIE RD.	N	213
MCCURDY RD E	MCKENZIE RD.	DAY RD	N	559
MCKENZIE RD	HYW 33 ACCESS LANE	ELPASO RD	N	490
ELPASO RD	MCKENZIE RD	EAST END OF ROAD	N	90
OLD VERNON RD	ACLAND RD	ARGUS RD	N	84
BLACKMOUNTIAN DR	LUND RD.	STOCKLEY ST.	E	263
BLACKMOUNTIAN DR	STOCKLEY ST.	BIRKDALE AVE	E	1189
STOCKLEY ST.	BLACKMOUNTAIN DR	SOUTH END	N/E	1076
HWY 33	GARNER RD	TRAUT RD	S	201
HWY 33	TRAUT RD	LOSETH RD	S	260
HWY 33	LOSETH RD	1759 HWY 33	S	191
JAMES HOCKEY PL	VELROSE RD	NORTH END OF ROAD	E	220
KLOPPENBURG RD.	KLOPPENBURG CT.	GARNER RD	S	43
LOSETH RD	AUTUMN RD	LYNRICK RD	E	245
LOSETH RD	KLOPPENBURG RD	SUNRISE RD	S	375
LOSETH RD	MONTENEGRO DR	LOGA VISTA AVE	E	719.6
COUNTRY CLUB DR	SOUTH END OF ROAD	QUAIL RIDGE BLVD	W	909
COUNTRY CLUB DR	COUNTRY CLUB DR	SOUTH END OF RD	W	759
QUAIL RIDGE BLVD	COUNTRY CLUB DR	AIRPORT WAY	W	880
BENVOULIN RD	COOPER RD	SPRINGFIELD RD	W	525
RAYMER AVE	793	1165	S	711
CARTER RD.	MCCULLOCH RD	EASTWOOD DR.		84.00
EASTWOOD DR	MCCULLOCH RD	LAKEVALE PL	E	31
MCCULLOCH RD	MOHONIA DR.	3950 MCCULLOCH	N	397
KLO RD	SPIERS RD	HALL RD	N	125
KLO RD	SPIERS RD	HALL RD	S	30.5
TOTAL EXEMPT				47724.2

6. AND THAT PART 4 - PARKING REGULATIONS, 4.1 General Parking Prohibitions , 4.1.2 Parking Prohibitions (x) be deleted in its entirety and replaced with the following:

“Commercial vehicle (x) On any **highway** in a residential area as defined in the City of Kelowna Zoning Bylaw No. 8000, a **commercial vehicle** having a **gross vehicle weight** in excess of 5600 kg,”

7. AND THAT PART 5 - HIGHWAY USE REGULATIONS, 5.1 Highway Use Prohibitions , be amended as follows:

a) Sub-Section 5.1.1 **Track vehicles**, be amended by adding the words “or tracks” before the words “approved by the **City Engineer** to prevent damage to the road surface.”;

- b) Sub-Section 5.1.2 be deleted in its entirety that reads:

"5.1.2 School Zone Speed Limit. No person being the operator of a motor vehicle shall operate a vehicle on a highway designated by a traffic control device as a school zone at a rate of speed exceeding 30 km/h between the hours of 8:00 a.m. and 5:00 p.m. on school days."

- c) Sub-Section 5.1.9 be amended by deleting "Materials from Private Property." and replacing it with "Materials from or to Private Property";

- d) Sub-Section 5.1.14 be amended by deleting the words "the Electrical Utility Manager," before the words "the Fire Chief, the Chief of Police, or any Peace Officer," in the first paragraph and that the last paragraph be deleted in its entirety that reads:

"For clarification, in addition to the placement of any sign or traffic control device, the Engineer, the Electrical Utility Manager, the Fire Chief, the Chief of Police, or any Peace Officer may also require that all or some types of traffic be temporarily restricted or prohibited on a highway, in relation to the matters specified in this section."; and

- e) Adding a new Sub-Section 5.1.16 Temporary traffic control restrictions in its appropriate location as follows:

"5.1.16 Temporary traffic control restrictions" The Engineer, the Fire Chief, the Chief of Police, or any Peace Officer may also require that all or some types of traffic be temporarily restricted or prohibited on a highway, in relation to the matters specified in this section."

8. AND THAT PART 5 - HIGHWAY USE REGULATIONS, 5.4 Road Usage , be amended as follows:

- a) Sub-Section 5.4.1 Prohibitions, sub-paragraph (a) be amended by adding the word "plant," after the words "dig up, break or removed any part of a highway, or";

- b) Sub-Section 5.4.1 Prohibitions, sub-paragraph (i) be amended by adding the word "pathway," after the words "construct a boulevard crossing, including a curb, ditch";

- c) Sub-Section 5.4.2 Road Usage Permit, be amended by adding to the end of the paragraph the following:

"Where applicable, Road usage permits will only be issued if the applicant has a valid business license and a commercial vehicle plate."

- d) Sub-Section 5.4.3 Damage and Security Deposit be deleted in its entirety and replaced with the following:

"5.4.3 Damage and Security Deposit. As a prerequisite to the issuance of a road usage permit under 5.4.2 of this Part, A minimum \$500 deposit for any type of excavation work on a highway is required. The Transportation Services Manager may request that the applicant deposit with the City a sufficient sum of money, or irrevocable letter of credit from a chartered bank of Canada in the amount equal to 10% of the value of the work required, to secure the payment of the cost of repairing any damage done to the highway and the fulfilment of the obligations imposed by the road usage permit, including the remedy of any deficiencies in the work, and where applicable, the cost of one year's maintenance."

- e) Sub-Section 5.4.5 Default - City to Repair, be amended by adding the words "on the permit," after the words "set out in the road usage permit within the specified time"
 - f) Sub-Section 5.4.6 Plans be deleted in its entirety and replaced with the following:

"5.4.6 Plans and Notice to Proceed. The applicant shall provide a Notice to Proceed, and accurate plans and specifications in triplicate, for any new works to be undertaken and when such are supplied and approved by the Engineer and the necessary road usage permit issued, the work shall conform in every way to the plans and specifications so provided."
 - g) Sub-Section 5.4.7 Safety Devices be deleted in its entirety and replaced with the following:

"5.4.7 Safety Devices. Any person doing work on or in any highway shall provide and place appropriate barricades, lights and other safety devices as are required to protect the public. All traffic control equipment shall be installed in accordance with this Bylaw and any other applicable regulatory requirement and must meet all current standards as laid out in the "Traffic Control Manual for Work on Roadways."
9. AND THAT PART 5 - HIGHWAY USE REGULATIONS, 5.5 Hoarding Permits , be amended as follows:
- a) Deleting the sub-title, "5.5 Hoarding Permits" and replacing it with "5.5 Hoarding";
 - b) Sub-Section 5.5.3 Hoarding Permit Application, be amended by adding a new sub-paragraph (g) as follows:

"(g) Number of Parking meter bags required with the parking meter numbers and locations."

10. AND THAT SCHEDULE A FEES, be amended as follows:

- a) Subsection 5.4.2 Road Usage Permit be deleted in its entirety and replaced with the following:

Subsection 5.4.2 - Road Usage and Hoarding Permit (RUP & HP)

Road Usage and Hording Permit Fees:

Road Usage / Hoarding Permit Fees	Application Fee	Permit Fee	Deposits
RUP / Traffic Impedance / No Excavation / Events (Up to 1 month)	\$75.00	\$0.00	\$0.00
RUP / Road closure / Excavation, all type / Pole replacement	\$75.00	\$25.00 per day	\$500 minimum or 10% of total work value
RUP Extension fee	\$75.00	\$25.00 per day	\$500 minimum or 10% of total work value
HP 5 days or less	\$75.00	\$25.00 per day	\$0.00
HP extension fee, permit duration up to 5 days	\$75.00	\$25.00 per day	\$0.00
HP 6 days or greater	\$75.00	\$8.00 per Sqm per month	\$500 minimum or 10% of total work value
HP extension fee, permit duration greater than 6 days	\$75.00	\$8.00 per Sqm per month	\$500 minimum or 10% of total work value
Hoarding Permit for pedestrian scaffolding (no pedestrian impedance or redirection)	\$75.00	First 7 days FREE / \$75 per week thereafter	\$0.00
Meter Bags	\$0	\$5.00 Per day per bag	\$25.00 per bag

*Plus applicable taxes."

- b) Subsection 5.4.3 Damage and Security Deposit for Road Usage Permit be deleted in its entirety and replaced with the following:

"Subsection 5.4.3 Damage and Security Deposit for Road Usage and Hoarding Permit

Damage and Security Deposit: minimum \$500.00, with the actual amount to be determined by the Transportation Services Manager pursuant to Subsection 5.4.2 of this Bylaw."

- c) Subsection 5.5.3 Hoarding Permit Application be deleted in its entirety.

11. AND THAT SCHEDULE B ROAD USAGE PERMITS be amended as follows:

- a) Sub-Section 2. Application for permit be amended by deleting the words "ten calendar" and replacing it with the words "five working" after the words "A road usage permit must be applied for in writing at least";

- b) Sub-Section 10. Accommodation of Single Lane Traffic, Pedestrians and Cyclists be deleted in its entirety and replacing with the following:

"10. Accommodation of Vehicle, Pedestrian and Cyclist Traffic: The Permittee shall maintain at least one safe crossing for pedestrians and where the distance involved in the work site along the length of the highway is greater than 100 metres, further safe crossings at intervals of not more than 100 metres.

Where the sidewalk adjacent to the works or activity is disturbed, the Permittee shall provide and maintain a safe alternate passageway at least 1.2 metres in width along the sidewalk line. Smooth ramp(s) must be provided to allow safe movements on and off the temporary sidewalk where applicable.

The Permittee, at all times, will provide on an arterial or collector road a minimum lane width of 3.0 metres, unless otherwise approved by the Engineer and/or Transportation Services Manager. The roadway surface shall be level, free of potholes and other impediments. The Permittee Traffic Control Supervisor or designate shall monitor traffic queues, and maintain traffic flow to prevent delay to emergency vehicles. The Permittee must maintain adequate lane widths to accommodate the travelling public and to allow for the installation of information signs, channelizing devices and work zone warning devices. The Permittee shall provide safe routing for all public traffic such as pedestrians, wheel chairs, bicycles and vehicles. The Permittee's traffic control plan shall provide for, at all times, adequate separation between the travelling public and work area hazards, active or inactive, such as construction equipment, excavations and construction material, by means of delineation, barricades or fencing etc. or other acceptable means where overhead hazards are present.";

- c) Sub-Section 21. Routing of Traffic be deleted in its entirety and replacing with the following:

"21. Routing of Traffic: The Permittee shall take appropriate measures to ensure minimal impact to vehicle, pedestrian and cyclist traffic at all times during the undertaking of any work or activity covered by a road usage permit and that all measures comply with the Traffic Control Manual for Work on Roadways.

Prior to the issuance of a road usage permit the applicant for the permit shall provide the Engineer and/or Transportation Services Manager with a traffic control plan detailing the measures that shall be taken to ensure the least disruption of traffic. The Engineer and/or Transportation Services Manager may require at their discretion that the traffic control plan be prepared by an engineer or qualified traffic control supervisor.

The necessity of any complete closure of a highway required pursuant to a road usage permit, and any resulting detour, must be demonstrated to the Engineer and/or Transportation Services Manager and specifically provided for in the permit. At least three days in advance of the anticipated closure, and until the highway affected is re-opened, the Permittee shall post signs to notify the public of the closure, the length of time of the closure, and the detour route.";

- d) Sub-Section 22. Traffic Control & Traffic Control Devices be deleted in its entirety and replacing with the following:

"22. Traffic Control & Traffic Control Devices: The use and placement of any traffic control devices shall be in accordance with all the specific terms of the road usage permit and shall be in accordance with the "Traffic Control Manual for Work on Roadways and the Manual of Uniform Traffic Control Devices for Canada.";

- e) Sub-Section 25. Hours of Work be deleted in its entirety and replacing with the following:

"25. Hours of Work: All work or activity covered by a road usage permit shall be performed between the hours of 7:00 a.m. and 9:00 p.m. inclusive, except in the case of an emergency where the safety or convenience of the public requires that the work or activity be completed as soon as possible.

- (a) Arterial Roads must not be closed or reduced during peak times; 7am - 9am and 3:30pm - 5:30pm.
- (b) After hours, non-emergency work for durations of 5 consecutive days or less including all night activity can not take place without approval from the Director of Civic Operations or his designate.
- (c) After hours, non-emergency work for durations longer than 5 consecutive days including all night activity can not take place without approval of City Council."

- f) Sub-Section 27. Backfill be deleted in its entirety and replacing with the following:

"27. Backfill: All backfilling material shall be as per the Master Municipal Construction Documents (MMCD) and City specifications.";

- g) Sub-Section 28. Restoration of Surface be deleted in its entirety and replacing with the following:

"28. Restoration of Surface: The restoration and permanent resurfacing of any highway excavated pursuant to a road usage permit shall be completed according to the Master Municipal Construction Documents (MMCD) specifications and the following schedule:

- (a) **Arterial Roads** - immediately following backfill of the trench;
- (b) **Collector Roads** - within 24 hours of backfilling the trench; and
- (c) **Residential streets and lanes** - within 72 hours of backfilling the trench.

In the event that the necessary materials are not available such that the restoration and permanent resurfacing are complete according to the above schedule, the **Transportation Services Manager** shall be notified immediately. If the restoration falls between the dates of November 1 and March 31, temporary resurfacing shall be completed within the same schedule, to the following standards:

- a) All materials used in temporary resurfacing shall be compacted and shall conform closely enough to the level of adjoining paving material such that the **highway** is sufficiently smooth to enable **traffic** to travel safely;
 - b) Temporary resurfacing shall provide a top minimum surface of approximately 50 millimetres of bituminous material, commonly known as cold mix asphalt;
 - c) Temporary resurfacing done between November 1 to March 31 can be completed by the permittee as per the Master Municipal Construction Documents (MMCD) and City specifications and will be reviewed after March 31 to determine if the restoration will be classed as permanent with no additional work required or remain as temporary with permanent restoration required.
 - d) Temporary resurfacing done between November 1 to March 31 can be completed by the City of Kelowna at the request of the permittee by way of 3rd party work order. Work will be completed as per the Master Municipal Construction documents (MMCD) and City specifications and will be reviewed after March 31 to determine if the restoration will be classed as permanent with no additional work required or remain as temporary with permanent restoration required.
 - e) Temporary resurfacing done between November 1 to March 31 can be completed by using concrete at 150mm thick at 32 MPA on arterial roads and 100mm thick at 32MPA on collector roads. Permanent restoration will be required after March 31.
 - f) The temporary resurfacing shall be maintained by the Permittee in a safe condition until the restoration and permanent resurfacing has been completed OR temporary resurfacing that is completed between November 1 and March 31 will be maintained by the City of Kelowna by way of 3rd party work order that **MUST** be completed by the permittee.
 - g) Appropriate **traffic control devices** shall be placed in order to guide **traffic** until the restoration and permanent resurfacing has been completed;"
- (h) Sub-Section 29. Surface Restoration Specifications, sub-paragraph (d) be deleted in its entirety and replacing with the following:
- “(d) Expansion Joints - Expansion and control joints in Portland cement patches shall be matched to those in the adjoining **sidewalk** or pavement;”
- (i) Sub-Section 30. Failure to Restore the Site, be deleted in its entirety and replacing with the following:

- "30. Failure to Restore the Site: In the event that a Permittee fails to restore a site in accordance with section 28 of this schedule, the City may undertake to have the required work done and the Permittee shall be responsible for all costs of such work. The Permittee will also forfeit any and all deposits put forward to the City."
2. This bylaw may be cited for all purposes as "Bylaw No. 10666, being Amendment No.19 to City of Kelowna Traffic Bylaw No. 8120."
 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 7th day of May, 2012.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk