

THE MUNICIPAL CORPORATION OF THE CITY OF IQALUIT, NUNAVUT
BY-LAW No. 943
AMENDMENT TO THE TRAFFIC SAFETY BYLAW No. 894

A By-law of the Municipal Corporation of the City of Iqaluit.

WHEREAS Council wishes to enact a Traffic Safety By-Law, and for the regulation and control of vehicles and pedestrians in the City of Iqaluit, Nunavut;

AND THEREFORE pursuant to the provision of the Cities, Towns and Villages Act, R.S.N.W.T. 1988, c.C-8, and the Traffic Safety Act R.S.N.W.T. 1988, c M-16

NOW THEREFORE, the Council of the Municipal Corporation of the City of Iqaluit, in a regular session, duly assembled, enacts as follows:

1. Amends the Traffic Safety Bylaw No. 894 by adding Section 2.13 through to consecutively and amending schedule "A" of bylaw 894 by repealing Section 8. vi) and replacing it with Section 2.49.
2. Amends the Traffic Safety Bylaw No. 894 by repealing the wording of Section 12.1 and replacing it with "The termination of seizure shall be upon payment in full of all fees and all outstanding fines orders levied by the Nunavut Court of Justice associated to the operator or owner of the impounded vehicle or equipment", and
3. by repealing and replacing the wording in 12.1 subsection (c) having paid all associated costs pertaining to the towing and impoundment of the vehicle, including towing fee, daily impound fee and all outstanding fine orders levied by the Nunavut Court of Justice associated to the operator or owner of the impounded vehicle or equipment.

SHORT TITLE

This By-law may be cited as Amendment to the Traffic Safety By-Law No. 894.

1. DEFINITIONS

"bumper" means a device for absorbing shock, the horizontal bar and cover fixed across the front or back of a motor vehicle to reduce damage in a collision.

"license plate" means a license plate issued under Part I of the Traffic Safety Act, as amended from time to time, and includes a certificate issued under subsection 34(1);

"peace officer" means

- (a) a person appointed as a 'By-law Enforcement Officer' or 'Municipal Enforcement Officer – Peace Officer' in accordance with the Cities, Towns,

- and Villages Act for the purpose of the enforcement of City of Iqaluit By-laws;
- (b) a member of the Royal Canadian Mounted Police;
 - (c) a person prescribed as a 'peace officer or a member of a class of persons prescribed as peace officers under the Criminal Code of Canada relating to summary conviction offences as referenced in section 2 of the Summary Conviction Procedures Act, as amended from time to time.

"roadway" means the part of the highway between the edges of the travelled surface that is improved, designed or ordinarily used for the passage of vehicles, but does not include the shoulder of a highway, sidewalks and walkways, including medians, curbs and shoulders, where applicable.

"unsafe vehicle" means any motor vehicle, which does not comply with all safety laws and equipment standards for motor vehicles found in Federal and Territorial Regulations and Acts.

"validation Tag" means the month and year tag affixed to a license plate and bearing a unique serial number.

2. GENERAL PROVISIONS

13. A driver of a motor vehicle shall not turn in any direction without first signaling intent to turn in any direction.
14. A driver of a motor vehicle shall carry all required documents at all times while operating a motor vehicle, including but not limited to a certificate of valid registration, valid insurance certificate or an in transit permit where required.
15. A driver shall produce documents upon request of a Peace Officer.
16. The person named in a driver's license who is operating a motor vehicle under this By-law, shall carry and produce the driver's license.
17. No owner of a vehicle shall fail to register any vehicle brought into the City of Iqaluit as required.
18. No driver shall stop the motor vehicle on a roadway in a manner that impedes or obstructs the flow of traffic, where no traffic control device is located requiring the vehicle to stop or yield.
19. A driver shall not enter into traffic when prohibited or unsafe to do so.
20. In adverse weather and road conditions, a driver shall not drive

- (a) without due care and attention;
 - (b) without reasonable consideration for others;
 - (c) at a speed that is excessive relative to the roadway, traffic, visibility or weather conditions.
21. A driver shall not operate or park a motor vehicle so as to obstruct or impede.
- (a) the free passage of traffic on a roadway;
 - (b) and obstruct or impede other motor vehicles or pedestrians on a roadway.
22. No driver shall fail to remove snow, ice and any other obstruction from any part of window glass or any other part of a motor vehicle that may obstruct the driver's view or become dislodged from the motor vehicle while in operation.
23. No motor vehicle shall have affixed a license plate that has not been issued, registered and assigned to the motor vehicle to which it is registered.
24. No motor vehicle shall have affixed a Validation Tag to a license plate that has not been issued, registered and assigned by the Registrar to the motor vehicle to which it is registered.
25. A driver shall yield right of way for all emergency vehicles which are giving an audible signal by bell, siren or exhaust whistle, or showing at least a visible flashing red light, except when otherwise directed by a Peace Officer, and immediately drive to a position parallel to and as close as possible to the nearest edge of a roadway, clear of an intersection, and stop and remain in that position until the emergency vehicle has passed.
26. No driver shall pass or overtake a school bus that is loading or unloading children within the municipality including while the stop sign and or combination of flashing red lights engaged by the school bus.
- 26.1 Additionally, no driver of a motor vehicle on a roadway, on meeting a school bus
- (a) that is designated as a school bus;
 - (b) that is stopped on a roadway; and
 - (c) on or near which a sign or signal is displayed indicating the school bus is receiving or discharging school children,
- shall stop the motor vehicle before reaching the bus and not proceed until the bus resumes motion or the driver of the bus signals to the driver that it is safe to proceed.

27. No driver shall back-up a motor vehicle unless the movement can be made safely and the movement will not interfere with other traffic on the roadway and in no manner as to pose a risk to other motorists or pedestrians.
28. No driver shall operate a motor vehicle with inoperable head/tail lamp or signaling device.
29. No driver shall operate a motor vehicle that produces unreasonable smoke or exhaust.
30. No driver shall drive or follow another motor vehicle more closely than is reasonable in the circumstances including not too closely as to reasonably pose a risk.
31. No driver shall drive without a clear view of the roadway having regard to all circumstances.
32. Unless the driver has received consent from the Fire Chief or on scene commander, drive over an unprotected fire hose or fire suppression equipment that is laid on a roadway or driveway at the site of the emergency.
33. No driver or passenger shall fail to follow lawful direction of a Peace Officer.
34. No driver shall park within 5 meters of a stop sign, yield sign or within 5 meters of an intersection, or fire hydrant.
35. No driver shall drive on any roadway or portion thereof without consideration for persons or property and including a pathway whether marked or unmarked for the intended use by pedestrians.
36. No driver shall operate a motor vehicle contrary to driver license restrictions or endorsement, as amended from time to time.
37. No driver shall operate on a roadway, a motor vehicle with auxiliary lights illuminated unless the lights are mounted no higher than the headlights of the vehicle.
38. No person shall operate a flashing light inside a vehicle unless that person is authorized to do so by the Traffic Safety Act or Traffic Safety Bylaw as amended from time to time.
39. No driver shall operate a motor vehicle on a roadway without a properly affixed bumper.
40. No driver shall operate a vehicle unless it has at least two mirrors attached to the vehicle that gives clear view at least 60 meters behind the vehicle.

- a) one mirror is attached to the left side of the vehicle; and
 - b) one mirror is attached to the interior or the right side of the vehicle.
41. No driver or owner shall operate or allow to be operated an unsafe vehicle upon a roadway in such condition that it is likely to endanger the safety of the driver, passenger or the public.
42. A motor vehicle must be equipped with a windshield and all window glass as provided and installed at the time of manufacturing by the manufacturer of the motor vehicle.
- a) no person shall operate a vehicle unless the windshield and front passenger side windows of the vehicle are free from a coating of sunscreen or reflective material other than that applied by the vehicle manufacturer.
 - b) no driver shall drive a motor vehicle with any material covering the motor vehicle or parts of the motor vehicle including but not limited to wood, fabric or plastic where regulatory window glass is required.
43. No person shall park within 5 meters of a stop sign or yield sign upon a roadway or upon private or publically access property, which obstructs the view of other drivers or pedestrians upon a roadway.
44. No driver of a vehicle shall fail to secure loads with tarps and or approved strapping devices;:
- 1. For residential or commercial garbage or waste material that may fall from the conveyance onto a roadway or any other portion thereof;
 - 2. For residential or commercial material requiring straps or other approved securement device to prevent, any part of the load from moving, shifting, dislodging or escaping from the mode of conveyance.
45. No driver shall operate a motor vehicle with a covered or obscured license plate in any manner as to prevent the license plate from being fully viewed and legible.
46. Where in the opinion of a Peace Officer, may impound a vehicle in contravention of any section herein of this bylaw in order to prevent the continuation of the offence.
47. A driver of a motor vehicle with a towing conveyance shall ensure that the utility trailer or cargo trailer has a fully functioning braking system, brake lights and signal lights.
48. No person shall operate a motor vehicle on a roadway unless it is equipped with appropriate/adequate fenders, splash guards, rock guards or mud flaps to prevent unnecessary spray to the rear of the vehicle.
49. No person shall operate a motor vehicle equipped with a bumper unless

- (a) on passenger cars, the bumper is positioned on the vehicle so that the centre part of the bumper is not more than 550 mm or less than 380 mm above the road surface; or
- (b) on vehicles other than passenger cars the lowest part of the bumper is not more than 750 mm above the road surface.

SCHEDULE "A"

FINE SCHEDULE

SECTION	DESCRIPTION	FINE
2.13	A driver of a motor vehicle shall not turn in any direction without first signaling intent to turn in any direction	\$50.00
2.14	Fail to carry all required documents at all times while operating a motor vehicle	\$100.00
2.15	Fail to produce documents upon request of a Peace Officer	\$100.00
2.16	Fail to carry and produce his/her driver's license while operating a motor vehicle	\$150.00
2.17	Owner of vehicle fail to register any vehicle brought into the Territory as required	\$200.00
2.18	Driver stop on a roadway impeding the flow of traffic, where no traffic control device is located requiring the vehicle to stop or yield.	\$200.00
2.19	Driver enter into traffic when prohibited or unsafe to do so	\$200.00
2.20	Fail to drive in accordance with adverse weather and road conditions	\$250.00
2.21	Driver operate or park a motor vehicle that obstructs or impedes other motor vehicles or pedestrians on roadway	\$150.00
2.22	Driver fail to remove snow, ice and any other obstruction from all window glass or any other part of a vehicle that may become dislodged from the vehicle while in operation	\$250.00
2.23	Motor vehicle having affixed a License plate that has not been issued, registered and assigned to the vehicle, that it is registered to	\$200.00
2.24	Motor vehicle having affixed a Validation Tag to a License plate that has not been issued, registered and assigned to the vehicle, that it is registered to	\$200.00
2.25	Driver fail to yield right of way for all emergency vehicles	\$500.00
2.26	Driver pass or overtake a school bus that is loading or unloading children within the municipality while the stop sign and or combination of flashing red lights engaged	\$1000.00

2.27	Driver back-up in an unsafe manner as to pose a risk to other motorists or pedestrians	\$150.00
2.28	Operation of Motor Vehicle with inoperable Head/Tail Lamp or signaling device.	\$100.00
2.29	Driver operate a motor vehicle that produces unreasonable smoke or exhaust	\$100.00
2.30	No driver shall follow another motor vehicle too closely	\$100.00
2.31	No driver shall drive without adequate control or view	\$150.00
2.32	No driver shall drive over an unprotected Fire Hose or Fire suppression equipment	\$250.00
2.33	No driver or passenger shall fail to follow lawful direction of Peace Officer	\$500.00
2.34	Park within 5 meters of a stop sign, yield sign or within 5 meters of an intersection, or Fire Hydrant.	\$100.00
2.35	No driver shall drive on any highway or portion thereof without consideration for persons or property and including a pathway whether marked or unmarked for the intended use by pedestrians.	\$300.00
2.36	Operate a motor vehicle contrary to driver license restrictions or endorsement.	\$100.00
2.37	Operate on a roadway, a vehicle with auxiliary lights illuminated unless the lights are mounted no higher than the headlights of the vehicle.	\$200.00
2.38	No person shall operate a flashing light inside a vehicle unless that person is authorized to do so by the Traffic Safety Act or Traffic Safety Bylaw.	\$200.00
2.39	Operate a vehicle on a roadway without a properly affixed bumper.	\$250.00
2.40	Driver operate a vehicle unless it has at least two mirrors attached to the vehicle that gives clear view at least 60 meters behind the vehicle.	\$150.00
2.41	Driver or owner operate or allow to be operated an unsafe vehicle upon a roadway in such condition that	\$500.00

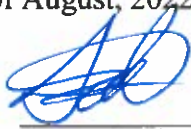
	it is likely to endanger the safety of the driver, passenger or the public.	
2.42	Motor vehicle not equipped with a windshield and all window glass as provided and installed at the time of manufacturing by the manufacturer of the motor vehicle. a) operate a vehicle unless the windshield and front passenger side windows of the vehicle are free from a coating of sunscreen or reflective material other than that applied by the vehicle manufacturer. b) operate motor vehicle with any material covering the motor vehicle or parts of the motor vehicle including but not limited to wood, fabric or plastic where regulatory window glass is required.	\$250.00 \$100.00 \$150.00
2.43	Park within 5 meters of a stop sign or yield sign upon a roadway or upon private or publically access property, which obstructs the view of other drivers or pedestrians upon a roadway.	\$100.00
2.44	Fail to secure loads with tarps and or approved strapping devices. 1. For garbage or waste material that may fall from the conveyance onto a roadway or any other portion thereof; 2. For material requiring straps or other approved securement device to prevent, any part of the load from moving, shifting, dislodging or escaping from the mode of conveyance.	\$250.00 \$500.00
2.45	Operate a motor vehicle with a covered or obscured license plate in any manner as to prevent the license plate from being fully viewed and legible.	\$100.00
2.47	Utility trailer or cargo trailer not having required braking system, brake lights and signaling lights.	\$250.00
2.48	operate a motor vehicle on a roadway without appropriate/adequate fenders, splash guards, rock guards or mud flaps to prevent unnecessary spray to the rear of the vehicle.	\$150.00
2.49	No person shall operate a motor vehicle equipped with a bumper unless a) on passenger cars, the bumper is positioned on the vehicle so that the centre part of the bumper is not more than 550 mm or less than 380 mm above the road surface; or	\$350.00 \$350.00

	b) on vehicles other than passenger cars the lowest part of the bumper is not more than 750 mm above the road surface.	
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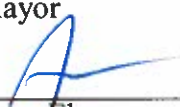
EFFECTIVE DATE

This By-law shall come into force upon receiving third reading.

THIS BY-LAW READ a First Time this 23rd day of August, 2022, A.D.


 *Solomon Awa*

Kenny Bell
Deputy Mayor




Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Second Time this 23rd day of August, 2022, A.D.

 *Solomon Awa*

Kenny Bell
Deputy Mayor



Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Third and Final Time this 13th day of September, 2022 A.D.



 *Solomon Awa*

Kenny Bell
Deputy Mayor



Amy Elgersma
Chief Administrative Officer