

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 7832

A Bylaw to provide for the licensing of commercial vehicles

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Commercial Vehicle License Bylaw, 2006, No. 7832**”.
2. In this Bylaw, a reference to any enactment includes any amendments to such enactment, from time to time, and any successor enactments.
3. In this Bylaw,

“**Act**” means the Local Government Act;

“**Bylaw Officer**” means City of North Vancouver Bylaw Enforcement Officers or RCMP members,

“**City**” means the Corporation of the City of North Vancouver;

“**Commercial Vehicle**” has the same meaning as set forth in the Act;

“**Exempt Vehicle**” means a vehicle described as exempt under the Commercial Transport Act, or the Motor Vehicle Act, or those exempted in Division 3 of Part 20 of the Act;

“**Gross Vehicle Weight**” means the maximum weight at which a vehicle is licensed under the Commercial Transport Act or the Motor Vehicle Act, as the case may be;

“**Highway**” means a highway as defined by the Act but does not include an arterial highway as defined by the Transportation Act;

“**Inspector**” means the City of North Vancouver Director of Finance or designate;

“**License Year**” has the same meaning as set forth in the Act;

“**License Plate**” has the same meaning as set forth in the Act;

“**Motor Vehicle**” has the same meaning as set forth in the Commercial Transport Act or the Motor Vehicle Act;

“**Owner**” means, when used in reference to a motor vehicle, the person or persons duly registered under the Motor Vehicle Act, or the Commercial Transport Act, as the owner or owners of the vehicle.

“Participating Municipality” has the same meaning as set forth in the Act; and

“Registration Card” means the motor vehicle license for the motor vehicle issued pursuant to the Motor Vehicle Act or the Commercial Transport Act.

4. Division 3 of Part 20 of the Act is hereby declared to apply to the City from and after the start of the license year that begins March 1, 2006.
5. (1) Except as otherwise provided by this Bylaw and in the Act, but subject to the Motor Carrier Act, it is unlawful for a commercial vehicle to be used or operated on any highway in the City unless there is displayed upon the commercial vehicle a valid and subsisting license plate issued for the commercial vehicle in accordance with the Act.

(2) A valid license plate issued for the current license year by any other participating municipality is valid in the City for that license year.
6. Except as may be otherwise lawfully provided, the owner of every commercial vehicle shall, before it is used or operated on any highway in the City, cause the vehicle to be licensed with the Inspector and a license plate obtained pursuant to the Act and this Bylaw.
7. The application for a license plate shall be in a form provided by the Inspector and shall be signed by the owner or his duly authorized agent, provided that in the case of partnerships or multiple owners any one of such owners may apply and such owner applying shall be deemed to be the duly authorized agent of all the owners.
8. Where the applicant for a license plate is an agent or co-owner, the owner or owners shall be deemed to have authorized all statements set forth in the application and shall be deemed to have made such statements on their own or their behalf as their own statements.
9. (1) The application form, together with the registration card for the vehicle, shall be delivered to the Inspector and shall be accompanied by the fee prescribed in the *Municipal Act Fees Regulation No. 1*, BC Reg. 405/93.

(2) Where the applicant for more than one license plate is the same person, as many applications of the same kind as may conveniently be made on any one of the forms prescribed may be combined in one such form without the necessity for the completion of separate application forms for each vehicle for which a license plate is sought.

(3) Notwithstanding subsections (1) and (2), the Inspector is hereby authorized to modify, in a manner that is not inconsistent with the Act or this Bylaw, any of the forms prescribed, or any of the administrative procedures prescribed, deemed necessary when dealing with any owner applying for a license plate for more than one vehicle.
10. Upon receipt of the application for a license plate and upon being satisfied that the prescribed fee has been paid, the Inspector may issue a numbered license plate for the current year.

11. The license plate shall at all times be affixed on the inside of the windshield in the upper centre area and shall be kept entirely unobstructed and in a legible condition and shall not obscure any other legally required plate, sign, or notice.
12. Upon application for a license plate under this section for any vehicle operated under a reciprocity agreement under the Commercial Transport Act, and payment of the license fee, the Inspector may issue a license plate and the license plate will be valid for display on any of the vehicles operated by the owner under the agreement.
13. Subject to the requirements of the Act and this Bylaw, on payment of the fee prescribed in the *Municipal Act Fees Regulation No. 1*, BC Reg. 405/93, together with any sum representing the difference in license fee required for the transfer of a license plate to a commercial vehicle of greater gross vehicle weight, a license plate may be transferred
 - (a) from one person to another person for the same commercial vehicle; or
 - (b) from one commercial vehicle to another commercial vehicle for the same person.
14. Where a license plate is lost, stolen, destroyed or becomes illegible or mutilated, the owner of the commercial vehicle in respect of which the license plate was issued or his agent, may apply to the Inspector for a replacement thereof for the fee prescribed upon surrender of the plate, if still in the possession of the owner, to the Inspector.
15. Except as provided by Section 12 and Section 13 of this Bylaw it is an offence to operate a commercial vehicle having affixed to it a license plate not authorized or issued for that commercial vehicle.
16.
 - (1) Any contravention of this bylaw may be enforced by issuing a ticket or a bylaw notice.
 - (2) Bylaw officers are designated as persons with authority to issue tickets or bylaw notices pursuant to S. 265 of the Community Charter for a breach of this bylaw
 - (3) Every person who offends against or violates any of the provisions in this Bylaw and its schedules or who suffers or permits any act or thing to be done in contravention of any of the provisions of this Bylaw, or, who neglects to do or refrains from doing, anything required to be done by any of the provisions of this Bylaw, or fails to comply with an order, direction, or notice given under this Bylaw is liable, upon summary conviction, to a fine and penalty not exceeding \$10,000 or imprisonment of not more than six months or both. Further, upon conviction in accordance with this Bylaw, a plate not authorized or issued for a commercial vehicle may be confiscated in addition to any penalty being imposed in accordance with this bylaw.
 - (4) Each day that an offence continues constitutes a separate offence.

17. **Repeal**
"Licensing of Commercial Vehicles Bylaw, 1976, No. 4891" and all the amendments thereto are hereby repealed.
18. **Effective Date**
This Bylaw shall be in effect from December 11, 2006.

READ a first time by the Council on the 27th day of November, 2006.

READ a second time by the Council on the 27th day of November, 2006.

READ a third time and passed by the Council on the 27th day of November, 2006.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 4th day of December, 2006.

"Darrell R. Mussatto"

MAYOR

"Sandra E. Dowey"

CITY CLERK

SCHEDULE B3 TO BYLAW NO. 6300

“COMMERCIAL VEHICLE LICENSE BYLAW, 2006, NO. 7832”

DESIGNATED EXPRESSION	SECTION	FINE
Failure to Display Valid Plate	5(1)	\$50.00
Displaying Unauthorized Plate	15	\$50.00