



# DISTRICT OF BARRIERE COUNCIL POLICY MANUAL

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Approval Date: July 16, 2018

**NO: 35**  
**SECTION: TRAFFIC & PARKING**  
**SUBJECT: COMMERCIAL VEHICLES IN RESIDENTIAL ZONES & PERMIT**

## 1. Policy Statement

This policy sets the parameters within which commercial vehicles may be granted authorization, by permit, to park in residential zones as per Traffic Bylaw No. 0029, 2008, as amended.

The goal of this policy is to permit commercial parking in residential zones on right-of-ways and/or private property, where issues may be manageable and controlled via a permitting process.

## 2. Definitions

*“Applicant”* – means the individual who is seeking a permit to legally park a commercial vehicle within a residential zone.

*“Boulevard”* – means the portion of the Road Right-of-Way between the shoulder and the nearest property boundary.

*“Commercial Vehicle”* – means a vehicle licensed for commercial use and having a gross vehicle weight exceeding 5,500 kg, or a length in excess of 7.5 m.

*“Council”* – means the Council for the District of Barriere

*“District”* – means the District of Barriere

*“CAO”* – means the Chief Administrative Officer or his/her Deputy

*“Permit”* – means a document issued by the District that indicates the parameters within which commercial parking in a residential zone is permitted by an applicant.

“*Permit Holder*” – means an individual holding a valid permit to park a commercial vehicle within a residential zone.

“*Road Right-of-Way*” – means the entire highway or road allowance between adjacent property boundaries.

“*Roads Manager*” – means the employee assigned to the task of Roads Management or other authorized agent of the Municipality.

“*Roadway*” – means travelled portion of the Road Right-of-Way.

“*Shoulder*” means the portion of the Road Right-of-Way between the Roadway and the Boulevard.

### 3. General Provisions

- i. As per Traffic Bylaw No. 0029, 2008 as amended, a permit is required to be obtained by anyone wishing to park a commercial vehicle for longer than the allowed 2hr timeframe permitted by Bylaw, within a Residential Zone.
- ii. An Application for Permit in a format agreeable by the District, is first completed by the applicant and submitted to the District for review.
- iii. The Roads Manager will strive to inspect the requested parking area of the applicant within 3 business days of application submission.
- iv. Permits are not eligible for commercial vehicles parking along Barriere Town Road or Barriere Lakes Road.
- v. Considerations of whether or not a permit may be suitable include, but are not limited to (see *Permit for complete list of conditions*):
  - a. Vehicle is fully licensed and insured;
  - b. Distance to Fire Hydrant;
  - c. Ability to park entirely off of Roadway and only on or in front of the applicant’s property unless otherwise approved by permit;
  - d. Does not block visibility for pedestrian or vehicular traffic that could reasonably pose safety issues;
  - e. Agreement by Applicant to adhere to idling regulations; and
  - f. Agreement by Applicant to cover the cost of any Road Right-of-Way repairs required as a result of the permit;
  - g. Permission granted, in writing, by the property owner if the applicant is not also the owner of the applicable property in which the vehicle will be parked.
- vi. There is no cost for the permit.

- vii. The permit can be revoked by the District at any time.
- viii. If an Applicant is denied a permit by the Roads Manager, the Applicant can appeal, in writing, to the CAO.
- ix. If an Applicant's appeal to the CAO is denied, the Applicant can appeal, in writing, to Council and appear as a formal delegation at a Regular Council Meeting.
- x. If Council denies an Applicant's appeal, the applicant can re-apply to the District either 12 months after the final application denial date, or if all unmet conditions can be remediated to the Roads Manager's approval.
- xi. Parking a commercial vehicle in a residential zone over the 2 hour allowable time limit, without a valid permit, is an offense subject to a penalty via a ticket as per the District of Barriere Municipal Ticketing Information Bylaw No. 71, as amended.
- xii. Any resulting nuisances and/or violations of a Permit, may be subject to a ticket via the Municipal Ticketing Information Bylaw No. 71, as amended and any other applicable bylaw(s), and may also include revocation of permit at the discretion of the District.

#### **4. Damage to Road Right-of-Way Remediation**

- i. Damage to a Roadway that is found to be caused by the Commercial Vehicle Permit holder, is required to be repaired with the associated costs to be incurred by the Commercial Vehicle Permit holder. For example:
  - a. Crumbling road edge along the permit holder's driveway where it meets the roadway;
  - b. Crumbling road edge along the roadway where the right-of-way meets the roadway.
  - c. Potholes on the portion of the Road Right-of-Way where a commercial vehicle is parked or travels;
  - d. Damage to stormwater control features and ditches;
  - e. Frost impacts to underground utilities beneath the parking area or travelled area of the permitted commercial vehicle, etc.
- ii. Any damage must be remediated to the satisfaction of the District prior to permit renewal or upon the District inspection of the parking condition within a reasonable timeframe indicated by the District.

- iii. Failure to remediate any damage to the Road Right-of-Way, may result in the District undertaking such work with the cost of which being applied to the property owner's annual taxes along with the revocation of permit.
- iv. The Permit holder shall not be responsible for the costs incurred to repair normal wear & tear or other damage to Road Right-of-Ways not related to the permit.

## **5. Permit**

- i. The permit format, permit checklist, and application form associated with this Policy may be amended from time to time as deemed necessary by the Road Manager.
- ii. A copy is to be provided to all Permit Applicants whether approved or not.
- iii. A permit is valid for 1 year following the permit date and subject to renewal.
- iv. If the permit expiry date falls on a date that the District Office is closed, the permit expiry date shall fall on the next business day.
- v. Display of valid permit on Commercial Vehicle is not necessary. A database will be kept at the District Office of all valid permits.

# COMMERICAL VEHICLE PARKING – RESIDENTIAL ZONES

## APPLICATION

Applicant: \_\_\_\_\_

Application Address: \_\_\_\_\_

Vehicle: \_\_\_\_\_

*Make/Company Name*

Plate #: \_\_\_\_\_ Contact: \_\_\_\_\_

Application #:

Application Date:

*Diagram of location to which this permit application applies:*

Are you the registered owner of the aforementioned property?  Yes  No

**If no**, please have the registered property owner confirm that they have no objection to this application:

\_\_\_\_\_  
*Registered Owner (Print Name)*

\_\_\_\_\_  
*Signature of Registered Owner*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Phone # / Email (inspector may contact you for confirmation)*

***By signing this application, I solemnly declare that I have read, understood and agree to the conditions, prohibitions and responsibilities described in Policy No. 35, as amended, and understand that in the spirit of being a considerate neighbour who is environmentally conscious, I will limit idling time to ten (10) minutes maximum as per Noise Bylaw No. 0020. I also understand that this permit does not grant me exclusive parking rights to this permitted location if it is on a boulevard.***

\_\_\_\_\_  
*Applicant signature*

\_\_\_\_\_  
*Date signed*

### \*\*\*To be completed by Inspector\*\*\*

Condition	<input checked="" type="checkbox"/>	Notes
Vehicle is fully licensed and insured		
At least 5m clearance of any fire hydrant		
At least 2m clearance of any valve box/water shut-off		
Not within 6m of approach of a crosswalk or intersection		
Not within 15m of a railway crossing		
Ability to park entirely off roadway ( <i>*Boulevard parking on Barriere Town Rd / Barriere Lks Rd is not permitted</i> )		
Ability to park only on or in front of applicant's property ( <i>*unless otherwise approved by permit</i> )		
Does not block visibility for pedestrian or vehicular traffic that could reasonably pose safety issues		
Is able to park/maneuver vehicle into parking space without utilizing neighbour's property?		
Vehicle is unloaded		
Risk of underground utilities affected low		
Residential roadway condition sufficient to accommodate the vehicle		
Vehicle is attached to trailer ( <i>*unattached trailers are not permitted on boulevard</i> )		
Other:		
Other:		
Other:		
Other:		
Other:		

Inspector: \_\_\_\_\_

Inspection Date: \_\_\_\_\_

Approved

Denied