

THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 770

CONSOLIDATED FOR CONVENIENCE ONLY

A Bylaw to provide for the licencing
of commercial vehicles.

The Municipal Council of The Corporation of the City of Port Coquitlam in open meeting assembled, enacts as follows:

1. In this Bylaw, unless the context otherwise requires:

"Act" means the Municipal Act, being Chapter 290 of the Revised Statutes of British Columbia, 1979, as amended;

"Gross Vehicle Weight" means the weight at which a vehicle is licenced under the Department of 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 Highway Act;

"Licence Inspector" means the person from time to time duly appointed as Licence Inspector for the Municipality and also any person lawfully acting in that capacity;

"Owner" means, when used in reference to a vehicle, the person or persons duly registered from time to time under the Motor Vehicle Act as the owner or owners of the vehicle'

"Registration Card" means the motor vehicle licence for the motor vehicle issued pursuant to the Motor Vehicle Act or the Department of Commercial Transport Act.

2. The Corporation of the City of Port Coquitlam is hereby declared to be a participating municipality with respect to the licencing of commercial vehicles and the provisions of Division (2) of Part 11 of the Act apply to the Municipality from and after the commencement of the licence year beginning in 1964.

3. Except as otherwise provided in this Bylaw and in the Act, but subject to the Motor Carrier Act, no vehicle shall be used or operated on any highway in the Municipality unless there is displayed upon the vehicle a valid and subsisting licence plate issued for the vehicle in accordance with Division (2) of Part 11 of the Act and with this Bylaw.

4. Except as may be otherwise provided by the Act, the owner of every vehicle shall, before it is used or operated on any highway in the Municipality, cause the vehicle to be licenced or registered with the Licence Inspector and a licence plate obtained pursuant to the Act and this Bylaw.

5. The application for a licence and licence plate shall be in the form "A" shown as Schedule "A" hereto attached and forming part of this Bylaw 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 or partners may apply and such owner or partner shall be deemed to be the duly authorized agent of all the owners or of the partnerships.
6. Where the applicant for a licence 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 his own or their behalf and as his own or their statements.
7.
 - (1) The application form, together with the registration card for the vehicle, (or photocopy thereof), shall be delivered to the Licence Inspector and, in the case where a fee is applicable, shall be accompanied by the fee prescribed in the Act.
 - (2) Where the applicant for licences is one and 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 licence and licence plate is sought.
 - (3) Notwithstanding subsections (1) and (2) but not inconsistent with the Act or this Bylaw, the Licence Inspector is hereby authorized to modify any of the forms prescribed, or any of the administrative procedures prescribed, deemed necessary by him when dealing with any owner applying for licences and plates for more than one vehicle.
8. All fees collected by the Licence Inspector under this Bylaw and in accordance with Division (2) of Part 11 of the Act shall be paid forthwith to the Treasurer of the Municipality who shall deal with the said fees in the manner provided by the Act.
9. Upon receipt of the application for a licence and upon being satisfied that the prescribed fee (if any) has been paid, the Licence Inspector shall cause to be issued and delivered a numbered licence plate and shall endorse on the registration card or photocopy thereof:
 - (a) the number of such licence plate
 - (b) the date of issuance thereof; and
 - (c) the fee paid.
10. The licence plate shall at all times be affixed in an upright position on the inside of the windshield in the upper centre and shall be kept entirely unobstructed and in a legible condition.

11. (1) Where a person ceases to be the owner of a vehicle licenced and authorized to carry a licence plate the registration thereof and the licence plate are deemed to be cancelled and the new owner may make application to the Licence Inspector for the transfer of the licence plate.

(2) Notwithstanding subsection (1), the purchase of a vehicle by a dealer in vehicles for resale shall not require the licence plate to be cancelled or transferred until the dealer sells the vehicle to a person other than another such dealer for resale.
12. Where a licence plate is lost, stolen, destroyed or becomes illegible or mutilated, the owner of the vehicle in respect of which the plate was issued, or his agent, may apply to the Licence Inspector for a replacement thereof for a fee of two dollars upon the surrender of such plate, if still in the possession of the owner, and the Licence Inspector if satisfied of the truth of the facts in support of the application, may cause a new licence plate to be issued in replacement and shall endorse the record of its issuance on the registration card.
13. Every person who violates any of the provisions of this Bylaw or who permits any act or thing to be done in contravention or in violation 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 shall be guilty of an offence punishable on summary conviction and shall be liable to a time of not more than \$2,000.00 or to imprisonment for not more than six months, or to both, the penalties being enforced and the fines and costs being recoverable upon summary conviction in the manner provided by the Offence Act R.S.B.C. 1979, c. 305 as amended.
14. Bylaw No. 711, being "City of Port Coquitlam Commercial Vehicle Licencing Bylaw, 1962" is hereby repealed.
15. This Bylaw shall come into force and effect on the day of its adoption.

16. This Bylaw may be cited as "City of Port Coquitlam Commercial Vehicle Licencing Bylaw, 1964".

Read a first time by the Municipal Council this 8th day of December, 1964.

Read a second time by the Municipal Council this 8th day of December, 1964.

Read a third time by the Municipal Council this 8th day of December, 1964.

Reconsidered, finally passed and adopted, ordered signed and the Corporate Seal attached on the 29th day of December, 1964.

"R.E. Nacht"
Acting Mayor

"D.N. Wilson"
Acting City Clerk

RECORD OF AMENDMENT

<u>BYLAW NO.</u>	<u>AMENDED SECTION</u>
1046	13
1412	Various
1940	13
2012	1A
2226	Various
