

DISTRICT OF FORT ST. JAMES

BYLAW NO. 791

A Bylaw to provide for the licensing of or exemption from licensing of commercial vehicles.

The Council of The District of Fort St. James, in open meeting assembled, enacts as follows:

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

- “Act” means the Local Government Act, being Chapter 323 of the Revised Statutes of British Columbia 1996, as amended;
- “Gross Vehicle Weight” means the weight at which a vehicle is licensed under the Department of Commercial Transport Act or the Motor Vehicle Act, as the case may be;
- “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;
- "Licence plate" means a decal for the current year;
- “Municipality” means the District of Fort St. James
- “Owner” means, when used in reference to a vehicle, the person or persons duly registered from time to time under the Motor Vehicle Act or the Department of Commercial Transport 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.
- “Vehicle” means a vehicle used by a person on a highway in the municipality which is a commercial vehicle defined as such by and licensed under the Commercial Transport Act, and a vehicle not so licensed which is used for the collection or delivery, or both, of merchandise or other commodity in the ordinary course of a business undertaking.

2. The District of Fort St. James is hereby declared to be a participating municipality with respect to the licensing of commercial vehicles, and the provisions of Division (3) of Part 20 of the Act apply to the municipality.
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 licensed 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 anyone of such owners or partners may apply and such owner or partner applying shall be deemed to be duly authorized agent of all the owners or of the partnership.
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, 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 the licences is one and 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 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 has been paid, the Licence Inspector shall cause to be issued and delivered a numbered licence-plate and shall endorse on the registration card the number of such licence plate, the date of issuance thereof, and the fee paid.

10. The licence plate shall at all times be affixed to the front windshield or on a side window adjacent to the front windshield and shall be kept unobstructed and in a legible condition.
11. (1) Where a person ceases to be the owner of a vehicle licensed and authorized to carry a licence plate, the registration thereof and the licence plate therefor, are deemed to be cancelled and the new owner may make application to the Licence Inspector for the transfer of the licence plate in accordance with the provisions of the Act.

(2) The owner of a vehicle licensed and authorized to carry a licence plate may apply to the Licence Inspector in accordance with the provisions of the Act for the transfer of the said licence plate to another vehicle owned by him.

(3) 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.
14. Every person who violates any of the provisions of this bylaw is guilty of an offence punishable upon summary conviction and shall be liable on conviction to a fine as prescribed in the Local Government Act, Section 672.
15. This bylaw shall come into force and effect on the date of adoption by Council
16. District of Fort St James Commercial Vehicle Licensing Bylaw No. 71, 1967 and any subsequent amending bylaws are hereby repealed.
17. This bylaw may be cited as the "District of Fort St. James Commercial Vehicle Licensing Bylaw No. 791, 2003".

Read a first, second and third time this 12th day of November, 2003.

Adopted this 26th day of November, 2003.

Jim Togyi, Mayor

Dan Zabinsky, Administrator

Certified a true copy of the "District of Fort St. James Commercial Vehicle Licensing Bylaw No. 791, 2003"

Dan Zabinsky, Administrator

SCHEDULE "A"

DISTRICT OF FORT ST. JAMES

COMMERCIAL VEHICLE LICENSING BYLAW 791

Decal No. _____

M.V. Registration No. _____

Gross Vehicle Weight _____

Prov. Licence Plate No. _____

I (We) hereby make application for licences for _____ vehicles in
accordance with the particulars listed above, for the licence year _____ for which is
tendered the fee of \$ _____.

Full Name of Registered Owner _____

Address _____

Date _____ Signed _____
(Owner/Agent)

The above mentioned person has paid the sum indicated by the cash register in respect of
municipal vehicle licence(s) as indicated and is entitled to operate such vehicle(s) on any
highway in the Municipality of Fort St. James.

This licence is not valid unless dated and receipted by the Corporation of Fort St. James
cash register and is issued subject to all Bylaws of the Municipality and all other laws
and Bylaws to come into force hereafter in the municipality.