

Town of Bay Roberts

Commercial Vehicle Parking Regulations

PUBLISHED BY AUTHORITY

The following regulations have been made by the Town Council of the Town of Bay Roberts under the provisions of Sections 413, 414 (2) (t) & 419 (1) (j) of the *Municipalities Act, 1999*, as amended.

Adopted by the Town Council of the Town of Bay Roberts on the 12th day of October, 2010.

1. These regulations may be cited as the Town of Bay Roberts Commercial Vehicle Parking Regulations.
2. In these regulations, unless the context otherwise requires:
 - (a) “Act” means *Municipalities Act, 1999*, as amended.
 - (b) “Council” means the Town Council of Bay Roberts.
 - (c) “Town Property” means any property, real or personal, owned by the Town.
 - (d) “Town” means the municipality of Bay Roberts.
 - (e) “Commercial Vehicle” means any motor vehicle designed or primarily used for commercial purposes and shall include, a bus, truck, delivery van or wagon, taxi, tractor, truck tractor, and trailer whether attached to a truck or not, construction equipment such as a back-hoe, dump truck, or excavator, but does not include a passenger car, light truck or recreational vehicle.
 - (f) “Highway” means the entire width between the boundary lines and/or road reservation including shoulders of a highway, road, street, avenue, thoroughfare, lane, place, bridge, or causeway, whether or not it is publicly or privately owned and whether or not it is designated or intended for use by the public, if the whole or any part of it is used by the public for the passage of motor vehicles.

- (g) “Park” means to permit a motor vehicle, whether occupied or not, to stand stationary for an extended period of time of not more than 3 hours, unless otherwise, for the immediate purpose of, and while actually engaged in loading or unloading goods or taking up or setting down passengers.
 - (h) “Taxi” means an automobile or van, other than a bus, used to transport passengers for profit.
 - (i) “Public Parking Area” means a parking area, developed, maintained and designated by the Town for public use whether it is Town property or privately owned property.
 - (j) “Vacant Lot” means an undeveloped or un-utilized land without permanent buildings.
 - (k) “Landscaped Area” means grounds that contain a covering of grass which may also include flowers, shrubs and/or trees.
 - (l) “Commercial Parking Lot” means a private parking area in a commercial zone designated and approved by Council for public use and includes mall parking lots, car lots, etc.
3. (a) All Commercial Vehicles within the Town shall be parked only on;
- (1) land approved by Council for business or commercial purposes,
 - (2) commercial parking lots.
- (b) No business or person shall park or permit to be parked a Commercial Vehicle on any part of a highway, or on any designated public parking area within the Town.
- (c) No business or person shall park or permit to be parked any Commercial Vehicle on a landscaped area or a vacant lot whether the land is publicly or privately owned without written permission from the Town.
- (d) Notwithstanding the provisions of subsections 3(a), (b), (c) one Taxi may be parked or permitted to be parked on any part of a driveway which abuts or is adjacent to any residential or accessory building.

- (e) Notwithstanding the provisions of subsections 3(a), (b), (c) one Commercial Vehicle may be parked or permitted to be parked on any land or any part of a highway which abuts or is adjacent to any residential or accessory building on the property. The provisions of this regulation shall not apply to construction related Commercial Vehicles without written permission from the Town.
- (f) No person shall park a commercial vehicle operating refrigeration equipment within 50 metres of a residential dwelling unit.
- (g) No person shall park any commercial vehicle carrying hazardous, contaminated or dangerous substances or materials, waste, garbage, or which harbour vermin or pestilence, or which emit noxious or noisome odours within 50 metres of a residential dwelling unit without written permission from the Town.
4. No regulation herein shall be deemed to prohibit the operation of
- (a) emergency vehicles within the Town;
 - (b) commercial motor vehicles owned or operated by the Town;
 - (c) Public Utilities;
 - (d) commercial vehicles while engaged in the repair, delivery of materials, maintenance or construction of streets, street improvements or street utilities upon any highway in the Town of Bay Roberts;
 - (e) commercial vehicles while engaged in the excavation of land, construction and/or renovation of buildings within the Town.
5. Pursuant to Section 419 (1) (j) of the *Act*, any person who contravenes or fails to comply with any provision of these Regulations, is guilty of an offence and is liable on summary conviction as per Section 420 of the *Act*. For a first offence to a fine not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or both the fine and imprisonment. For a subsequent offence to a fine of not less than \$500.00 and not more than \$1,000.00 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.
6. These regulations were adopted by resolution of Council at a meeting on the 12th of October, 2010 and shall come into effect on the 11th day of November, 2010.

Signed on this date: October 13, 2010

Glenn Littlejohn, Mayor

Shirley Hawe, Town Clerk