

Bay Roberts Snow Clearing Regulations

The following regulations have been made by the Town Council of the Town of Bay Roberts under the provisions of section 414, subsection (2) (nn) (i, ii, & iii) of the *Municipalities Act, 1999* as amended, and Section 189, subsection (1) (j) of the *Highway Traffic Act 1990*, as amended.

Amended and adopted by the **Town Council of the Town of Bay Roberts** on the 24th day of **October, 2006** .

Mayor, Glenn Littlejohn

Town Clerk, Shirley Hawe

SNOW CLEARING REGULATIONS

Short Title

1. These regulations may be cited as the Town of Bay Roberts Snow Clearing Regulations.

Definitions

2. In these regulations unless the context otherwise requires:
 - (a) “**Council**” means the Town Council of the Town of Bay Roberts;
 - (b) “**Act**” means the *Highway Traffic Act 1990*, as amended;
 - (c) “**Municipal Enforcement Officer** ” means a Peace Officer appointed by Council under Section 179 of the Municipalities Act, 1999, as amended;
 - (d) “**Vehicle**” means a device in, upon or by which a person or thing may be transported or drawn upon a highway;
 - (e) “**Emergency Vehicle**” means a vehicle clearly marked as an ambulance, fire truck or rescue vehicle;
 - (f) “**Municipality**” means the area in which the council exercises jurisdiction;
 - (g) “**Road or Street**” means a place or way, including a structure forming part of the place or way, designed and intended for, or used by, the public for the passage of traffic or the parking of vehicles and includes all the space between the boundary lines of the place or way; and,
 - (h) “**Civil Debt**” means money owed to Town for services provided under Section

132 (1) of the Municipalities Act, 1999, as amended in 2006.

Purpose

3. The purpose of these regulations is to facilitate the safe and efficient snow ploughing, and removal of snow from the streets and roads within the municipality in a timely manner.

Prohibition

4. No person shall park an unattended vehicle on any street or road in the Town during and for 48 hours after a snowfall where it impedes or hinders snow clearing operations.
5. No person shall shovel, plough , blow or cause to be shoveled or ploughed or blown, any residue snow from a driveway or parking lot unto any road within the municipal boundaries of the Town.

Fines and Penalties

6. Any vehicles parked on the sides of the road or street and obstructing snow clearing operations will be issued a summons by means of a violation ticket and/or towed away and impounded and the cost of such removal shall be recovered from the owner as a civil debt.
7. Any person who has a vehicle impounded under the provisions of these Regulations shall be liable for an impounding fee as set out in Schedule A. Neither Council nor its authorized agent shall accept responsibility for damages caused to any vehicle in the enforcement of these regulations. The Council may dispose of any vehicle by Public Sale if the vehicle is not claimed by its owner within ninety (90) days of the date of impounding.
8. Any person who has been convicted of an offence under these regulations made under section 189 of the Act or who acts in contravention of or fails to comply with any provisions thereof neglects or refuses to do so, shall be liable on summary conviction to the penalty prescribed in the Highway Traffic Act, 1990, Chapter H3 as amended and prescribed in the Schedule in Appendix A of these regulations.

Enforcement

9. These regulations may be enforced summarily by the RCMP, Municipal Enforcement Officer or any person appointed by Council.

Duration of Effect

10. These regulations shall come into effect on the 1st day of December and remain in effect until the 31st of March, inclusive, each year.

Repeal

11. All previous Bay Roberts Snow Clearing Regulations and amendments are repealed.
12. These Regulations were adopted by resolution of Council at a meeting on the 24th day of October and shall come into effect on the 1st day of December, 2006.

Appendix A

Fines and Penalties

Section	Offence	Penalty	
4	No Parking on street during storm or 48 hours thereafter	<p style="text-align: center;">Fines</p> <p>First Offence Max -\$200 Min -\$30</p> <p>2nd Subsequent Offence Max -\$500 Min -\$50</p>	<p style="text-align: center;">Default of Payment of Fine</p> <p>First Offence Imprisonment not exceeding 3 months</p> <p>2nd Subsequent Offence Imprisonment not exceeding 6 months</p>
5	No depositing of snow unto Town streets or roads	<p>First Offence Max - \$200 Min -\$30</p> <p>2nd Subsequent Offence Max -\$500 Min -\$50</p>	<p>First Offence Imprisonment not exceeding 3 months</p> <p>2nd Subsequent Offence Imprisonment not exceeding 6 months</p>
7	Vehicle Impounding	<p>Offence</p> <p>\$200.00 plus a daily storage fee as prescribed by impounder</p>	<p>Vehicle Sold at Public Sale</p>