

Town of Bay Roberts Traffic Regulations

PUBLISHED BY AUTHORITY

Pursuant to the power delegated by the Minister of Transportation and Works under section 189 of the Highway Traffic Act, and pursuant to the authority conferred by sections 414(2) and 421.1 of the Municipalities Act, 1999, the Town of Bay Roberts hereby enacts the following Regulations which were adopted at a Public Council Meeting held on the ninth day of June A.D. 2020.

Phillip Wood

MAYOR

TITLE

1. These Regulations shall be known and cited as "The Town of Bay Roberts Traffic Regulations."

DEFINITIONS

2. In these Regulations, the following words, unless the context otherwise requires, shall have the following meanings:
 - a) "**ambulance**" means a vehicle designed or used for carrying ill or injured persons for compensation;
 - b) "**bicycle**" means a device propelled by human power upon which a person may ride, having 2 wheels in tandem;
 - c) "**bus**" means a motor vehicle designed or used for the transportation of passengers with a seating capacity of 10 or more in addition to the driver, but excluding those motor vehicles when used for personal transportation by the owner or with the owner's permission.
 - d) "**commercial motor vehicle**" means a vehicle designed to carry goods, and includes a bus, a school bus, a truck, a truck tractor and other motor vehicles designed for commercial use but does not include camper type vehicles designed or adapted exclusively for recreational purposes;

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- e) **"council"** means the council or board of trustees established to control and manage a municipality;
- f) **"crosswalk"** means:
 - (i) Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface; or
 - (ii) The part of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalks of the opposite sides of a highway, measured from the curbs, or in the absence of curbs, from the edge of the roadway.
- g) **"driver"** means a person who drives or is in actual physical control of a vehicle;
- h) **"driveway"** means a clearly defined private roadway, path or passage or a like opening or space which is wide enough, but not wider than is necessary for the passage of a motor vehicle, whereby the owner, occupier or user of property has vehicular access from the roadway to a point within the property.
- i) **"emergency vehicle"** means:
 - (i) a motor vehicle driven by a peace officer or by a member of the police branch of 1 of the Crown's Armed Forces where there is an emergency justifying a rate of speed in excess of a maximum rate of speed provided for in this Act and includes a vehicle so operated by a chief of a volunteer fire department,
 - (ii) a motor vehicle carrying firefighting equipment in responding to an alarm of fire, and
 - (iii) an ambulance responding to a call or transporting a patient where there is an emergency justifying a rate of speed in excess of a maximum rate of speed provided for in this Act;
- j) **"highway"** 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;
- k) **"intersection"** means the area enclosed within the prolongation or connection of the lateral curb lines or if there are no curb lines, the lateral boundary lines of

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two or more highways that join one another at an angle, whether or not one of the highways cross the other.

- l) **"left" or "left-hand"** in reference to a highway or the position of traffic on the highway means the left when facing or moving in the direction of travel;
- m) **"mobility aid"** means a wheelchair or other device, whether motorized or not, designed and being used to facilitate the transport, in a normal seated orientation, of a person with a physical disability, including a physical limitation on the ability to walk or move;
- n) **"motor vehicle"** means a vehicle propelled, driven or controlled otherwise than by muscular power, other than a trailer or a vehicle running on fixed rails.
- o) **"municipality"** means The Town of Bay Roberts.
- p) **"operator"** means a person driving a motor vehicle on a highway or who has the care or control of the motor vehicle on a highway whether in motion or not.
- q) **"owner"** means,
 - i. the person who holds the legal title to a vehicle,
 - ii. in the case of a vehicle that is registered, the person in whose name it is registered,
 - iii. in the case of a vehicle that is the subject of a mortgage, the mortgagor if the mortgagor is entitled to possession of the vehicle,
 - iv. in the case of a vehicle that is the subject of a hire-purchase agreement, the person in possession of the vehicle under the agreement, or
 - v. in the case of a vehicle that is the subject of a conditional sale contract, the buyer under the conditional sale contract if the buyer is entitled to possession of the vehicle;
- r) **"park"** means to permit a vehicle, whether occupied or not, to stand otherwise than temporarily for the immediate purpose of and while actually engaged in loading or unloading goods or taking up or setting down passengers or in obedience to traffic regulations or traffic signs or the directions of a traffic officer;
- s) **"peace officer"** includes a member of the Royal Newfoundland Constabulary, the Royal Canadian Mounted Police Force stationed in the province, a member of a

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municipal police force and a park warden appointed under the Public Service Employment Act (Canada) who is stationed in the province;

- t) **"pedestrian"** means
 - (i) a person on foot,
 - (ii) a person in or on a mobility aid, or
 - (iii) a child in a carriage or sleigh;
- u) **"permit"** means a permit which has been issued under these regulations and which has not expired or been suspended or cancelled.
- v) **"regulations"** means Bay Roberts Traffic Regulations made under the authority of the Highway Traffic Act and amendments there to and the Municipalities Act, 1999 and amendments there to.
- w) **"right" or "right-hand"** in reference to a highway or the position of traffic on the highway means the right when facing or moving in the direction of travel.
- x) **"roadway"** means a portion of a highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder unless the shoulder is paved, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
- y) **"salvage vehicle"** means a vehicle which is damaged by collision, fire, flood, accident, trespass or other occurrence to the extent that the cost of repairing the vehicle for operation on the highway exceeds the vehicle's fair market value immediately prior to the damage.
- z) **"safety zone"** means an area or space which is set apart within a highway for the exclusive use of pedestrians and which is protected or is so marked or indicated by signs as to be plainly visible at all times while set apart as a safety zone;
- aa) **"school bus"** means a motor vehicle:
 - (i) Designed or used to carry 7 or more passengers, in addition to the driver;
 - (ii) Owned, operated by or contracted to a school board or agent of a school board; and

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- (iii) Used to transport children to or from school or to and from places other than school for the purpose of school related activities.

- bb) **"sidewalk"** means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines set apart for the use of pedestrians and includes any part of a highway set apart or marked as being for the exclusive or intended use of pedestrians and is considered to include an area of a highway lying between the curb lines or the lateral lines of a roadway and that portion of a highway set apart for the use of pedestrians.

- cc) **"stop"** means
 - i. when required, the complete cessation of movement, and
 - ii. when prohibited, any stopping or standing of a vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic officer or traffic-control device or signal;

- dd) **"taxi"** means a motor vehicle used to transport passengers for compensation other than;
 - i. a bus or a school bus used to transport passengers for compensation, and
 - ii. another motor vehicle not referred to in subparagraph (i) that only transports children to and from school and school related activities under a contract with a school board for that purpose;

- ee) **"tire"** means that part of a wheel, roller or other contrivance for the moving of an object upon a highway which comes into direct contact with the surface of the highway;

- ff) **"town"** means the Town of Bay Roberts.

- gg) **"traffic"** includes vehicles, pedestrians and animals while using a highway for the purpose of travel.

- hh) **"traffic-control device"** means a traffic sign, traffic-control signal, marking, symbol or device consistent with this Act placed or erected by authority of the Minister of Works, Services and Transportation or a traffic authority for the purpose of regulating, warning or guiding traffic and includes those contained in the Manual of Uniform Traffic Control Devices for Canada;

- ii) **"traffic-control signal"** means a traffic-control device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed;

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- jj) **"traffic sign"** includes all traffic control signals, warning sign posts, direction posts, signs, lines, marks or other devices for the guidance or persons using highways.
- kk) **"vehicle"** means a device in, upon or by which a person or thing may be transported or drawn upon a highway, but does not include devices used exclusively upon fixed rails; and
- ll) **"Violation Notice"** means a notice pursuant to s.421.1 of the Municipalities Act, 1999

COUNCIL AUTHORITY

3.

- a) The Minister of Works, Services and Transportation may by order delegate to the council of a municipality power to make regulations, which shall not conflict with this Act,
 - i. fixing the maximum or minimum speeds at which motor vehicles may be driven upon a highway in the municipality;
 - ii. regulating the use of specified highways or parts of them either absolutely or subject to conditions, including conditions as to place and direction of entry and departure and either generally or at or between specified times;
 - iii. regulating the routes or directions to be followed by vehicles from one specified point to another;
 - iv. regulating the relative position in the roadway of traffic of differing speeds or types;
 - v. prescribing the places where vehicles may not turn so as to face in the opposite direction to that in which they were proceeding or where they may so turn only under conditions prescribed by the regulations;
 - vi. regulating the loading and unloading of articles onto or from vehicles on specified highways;

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- vii. regulating the stopping of vehicles on specified highways for the purpose of picking up or discharging passengers;
 - viii. regulating the manner in which and the times and places at which and the conditions on which vehicles may draw up, stand, park, wait or be left unattended on highways;
 - ix. for the purpose of paragraph (vii) defining the expressions "draw up", "stand", "park", "wait" and "unattended";
 - x. regulating the parking, standing or waiting of vehicles on highways, in order to facilitate snow ploughing, snow removal or street cleaning;
 - xi. regulating the leading or driving of horses, cattle, sheep and other animals on highways;
 - xii. regulating the manner and prescribing the conditions subject to which and the times at which horses may be ridden on highways;
 - xiii. prescribing places on highways and in other public places where vehicles may or may not wait, either generally or at particular times, and the manner of placing those vehicles;
 - xiv. regulating the reservation of highways or parts of highways for parking purposes and the charging and collection of fees for parking, and generally in respect of other matters in connection with parking for which the council considers regulations necessary; and
 - xv. for enabling the council, in the event of a person failing to do anything which under the regulations that person ought to have done, to do that act and to recover the expenses of that act from the person so in default as a civil debt.
- b) A council to which the Minister of Works, Services and Transportation has delegated power under subsection (a) may make different regulations under that subsection in respect of different classes or descriptions of vehicles or traffic and in respect of the same class or description of vehicles or traffic in different circumstances, and may make regulations to apply generally or to a particular part of the municipality or to particular places or roads, streets or bridges and generally or during particular periods or at or between specified times or on specified occasions or at specified times only or in particular circumstances or conditions only, and may prescribe exceptions or limitations in favour of or against vehicles or traffic of a particular class or kind of vehicles operated for a specified purpose.

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- c) Subject to the approval of the Minister of Works, Services and Transportation, a council may make regulations under subsection (a) specifying penalties.
- d) A council which makes regulations in respect of a matter referred to in paragraphs (a)(i) to (xii) may appoint 1 or more peace officers to enforce the regulations.
- e) A peace officer appointed under subsection (d) has and may exercise within the limits of the municipality under the control and management of the council the powers of a peace officer in connection with the enforcement of the regulations made by the council under subsection (a).
- f) Notwithstanding subsection (g), regulations made by a council under subsection (a) have effect only within the limits of the municipality and in respect of those roads, streets, lanes, sidewalks, parking areas and bridges within the municipality the ownership, management or control of which is vested in the council and, subject to the approval of the minister, in respect of a highway which passes through the municipality and the ownership, management and control of which is not vested in the council.
- g) A council to which the minister has delegated the power to make regulations under subsection (a) has and shall be considered to have had power to amend or revoke and substitute other regulations for regulations made by the minister under section 187 or section 60 of the Works, Services and Transportation Act on a matter referred to in subsection (a) and regulations made under subsection (a) prevail over regulations made under section 187 or section 60 of the Works, Services and Transportation Act in respect of those matters referred to in subsection (a) of this section.
- h) A council shall publish a notice in the Gazette and in at least one newspaper circulating in the municipality stating that it has made regulations under this section and the council shall make the regulations available upon request, without charge.
- i) Regulations made by a council under this section have effect from the date of publication of the notice referred to in subsection (h) in the Gazette or from a later date that may be specified in the regulations.
- j) Regulations made by a council under this section but not published in the Gazette as required by subsection (h) as it read before the passage of subsection (h) at the same time as the passage of this subsection are considered to have had effect for all purposes notwithstanding that they were not published.

PARKING ON ROADWAY PROHIBITED

4.

- a) Where outside of an urban district it is practicable to stop, park or leave a vehicle off the roadway, a person shall not stop, park or leave the vehicle either unattended or attended on the roadway.
- b) A person shall not park a vehicle so as to obstruct the free passage of traffic on the roadway.
- c) Subsections (a) and (b) do not apply when a vehicle is so disabled that it is not practicable to avoid stopping and temporarily leaving it on a roadway.

PARKING NEAR BUS STOP

5.

- a) Except where otherwise provided by a sign erected under this Act, a person shall not stop or park a vehicle within a distance of 20 meters from a bus stop or school bus stop erected under this Act or the regulations where the distance is measured from the sign in the direction from which traffic approaches the sign on the side of the highway on which the sign is erected.

PARKING ON PRIVATE LAND

6.

- a) Except with the permission of the owner of the land given either orally or in writing and without or subject to conditions, the driver of a vehicle shall not park the vehicle upon private land.
- b) A driver who receives permission under subsection (a) shall park the vehicle in accordance with the conditions to which the permission is subject or, where there are no conditions, as otherwise directed by the owner of the land.
- c) A driver who commits a breach of this section is guilty of an offence and liable on summary conviction to a fine prescribed in the Schedule.
- d) A fine paid under subsection (c) shall, where a prosecution is taken and conducted in accordance with paragraph (6)(a), after deduction of the costs of the court be paid to the owner of the land.
- e) A court shall not convict an owner of a vehicle parked in contravention of this section where the court is satisfied that the owner did not park the vehicle and that the vehicle was parked contrary to the owner's instructions.
- f) Prosecutions under this section may be taken and conducted

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- i. by and in the name of the owner of the land on which the vehicle is parked; or
 - ii. where the land in respect of which the offence was committed is owned by a church, school or hospital and whether or not the land forms part of the land on which the church, school or hospital is located
 - by and in the name of a peace officer acting on a complaint of the owner or of a person representing the owner, or
 - by and in the name of a municipality.
- g) Nothing contained in this section is a bar to an action for trespass but, where
- i. an action for trespass is taken based on an occurrence which is a breach of this section, a prosecution shall not be taken under this section; or
 - ii. a prosecution is taken under this section, an action does not lie or shall not be taken for trespass based on the occurrence which gave rise to the prosecution.
- h) For the purpose of this section
- i. "driver" includes the owner of the vehicle;
 - ii. "owner", where the reference is to land and not to a vehicle, includes the lessee or occupier of the land;
 - iii. "park" means to permit a vehicle whether occupied or not to remain in a stationary position; and
 - iv. "person" includes a partnership.
- i) This section does not apply to land outside a municipality unless the land is surrounded by a fence or unless the owner by sign erected on the land or otherwise indicates that the land is private or that parking on it is prohibited or restricted.

PLACES WHERE PARKING PROHIBITED

7.

- a) Except where otherwise provided in an urban district by a traffic authority or where necessary to avoid conflict with traffic or to comply with the law or the directions of a traffic officer or traffic-control device, a person shall not stop, stand or park a vehicle on a highway so that the vehicle or a part of it is
 - i. on a sidewalk or an area generally used or intended for use by pedestrians;
 - ii. in front of a public or private driveway or in front of an authorized loading door designated as that by the minister or a traffic authority;
 - iii. within an intersection or within 6 meters of an intersection;
 - iv. within 1 meter from the point on the curb or edge of the roadway immediately opposite a fire hydrant;
 - v. within a crosswalk;
 - vi. within 6 meters of the approach of a crosswalk;
 - vii. within 10 meters upon the approach to a flashing beacon, stop sign or traffic-control signal located at the side of a roadway;
 - viii. within 6 metres either side of the entrance to or exit from a hotel, church, school, public meeting place, theatre, dance hall or playground;
 - ix. between a safety zone and the adjacent curb or within 10 meters of points on the curb immediately opposite the ends of a safety zone, unless a traffic authority indicates a different length by signs or markings;
 - x. within 7 meters of a driveway entrance to a fire station or on the side of a street opposite the entrance to a fire station within 100 meters of the entrance when properly marked with signs;
 - xi. alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
 - xii. on the roadway side of a vehicle stopped or parked at the edge or curb of a roadway;
 - xiii. upon a bridge or other elevated structure upon a highway, or within a highway tunnel;
or

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- xiv. in a place in contravention of a traffic-control device that gives notice that stopping, standing, or parking is there prohibited or restricted.
- xv. 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.
- xvi. Where a sign which has the words "NO PARKING " or a symbol for "NO PARKING" inscribed on it is erected on a highway and the part of the highway to which the sign is applicable is clearly indicated by painted red or white lines or words or markers on the highway or by additional words inscribed on the signs describing the area to which the prohibition of the sign is applicable by name or other description or by reference to another sign erected on or near the same highway, the driver of a vehicle shall not park the vehicle in the area to which the sign applies, or between the hours or during the time specified on the sign.
- xvii. Where a sign which has the words "NO PARKING EXCEPT UNDER PERMIT" or a symbol for "NO PARKING EXCEPT UNDER PERMIT" inscribed on it is erected on a highway and the part of the highway to which the sign is applicable is indicated by painted red or white lines or words or markers on the highway or by additional words or symbols inscribed on the sign describing the area to which the prohibition of the sign is applicable by name or other description or by reference to another sign erected on or near the same highway, a person other than the person to whom the permit was issued shall not park a vehicle in the area to which the sign applies.
- xviii. Signs to indicate places where commercial motor vehicles may be parked on a highway shall be considered to prohibit a vehicle other than a commercial motor vehicle from stopping or standing
 - (a) nearer to the sign than the distance; or
 - (b) within the area inscribed or referred to on the sign by name or other description or by reference to another sign erected on or near the same highway.

PARKING ON THE RIGHT SIDE

8.

- a) Except where a traffic authority otherwise permits, a driver shall not stop, stand or park a vehicle on a highway other than on the right side of the highway parallel to that side and, where there is a curb, with the wheels within 30 centimeters of the curb.

PARKING IN DANGEROUS POSITION

9.

- a) A person in charge of a vehicle shall not permit the vehicle or a trailer attached to the vehicle to remain at rest on a highway in a position or condition or under circumstances likely to cause danger to other persons using the highway.

PARKING WHERE NOT VISIBLE TO TRAFFIC

10.

- a) A person shall not park a vehicle upon a highway in a position that it is not visible to approaching traffic in both directions on the highway for a distance of 60 meters, except for the purpose of repairing the vehicle when repairs to the vehicle on the highway are necessary.

PARKING OF VENDING VANS

11.

- a) The owner or operator shall not permit to remain in a stationary position a vehicle or trailer designed and used for the purpose of preparing for sale or selling cooked foodstuffs, candy, bottled or other beverages, tobacco or cigarettes, on a highway outside a municipality or, within a municipality, on a highway which is not under the management or control of the municipality.

LITTERING HIGHWAY

12.

- a) A person shall not throw, deposit or leave on a highway ordinary litter, rubbish, refuse, waste, glass, nails, tacks, scraps of metal or other waste material.
- b) A person who removes a wrecked or damaged vehicle from a highway shall remove any glass, any substance which may injure tires of a vehicle or any other substance referred to in subsection (1) deposited upon the highway by the vehicle or as a result of the damage or wreck.
- c) A person shall not deposit or throw ice or snow on a highway unless permission to do so has been granted by the authority responsible for road maintenance in the area.
- d) A vehicle owner is responsible for a violation of this section and shall incur the penalty that arises from that violation.
- e) Notwithstanding subsection (4) of this section and section 210, where an owner proves that at the time of a violation of this section he or she was not the driver of the vehicle or that the vehicle was in possession of some person other than the owner without the owner's consent, the owner shall not incur the penalties provided for that violation.

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- f) No person shall place any object or structure including objects or structures used for street sports), on any street which interferes with the flow of traffic. Any object or structure so placed may be removed by any person authorized by Council, at the owner's expense.

COMMERCIAL VEHICLES

13.

- a) The Council is hereby authorized to determine and designate from time to time by resolution those streets in the Town, access to which by commercial vehicles may be restricted or prohibited.
- b) No person shall operate a commercial vehicle upon any street in a manner contrary to any restriction or prohibition.
- c) All Commercial Vehicles within the Town shall be parked only on;
 - i. land approved by Council for business or commercial purposes,
 - ii. commercial parking lots,
 - iii. other land as approved by council, at their discretion.
- d) No business or person shall park or permit to park a Commercial Vehicle on any part of a highway, or on any designated public parking area within the Town.
- e) No business or person shall park or permit to park 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.
- f) Notwithstanding the provisions of subsections 13 (c), (d), (e) 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.
- g) Notwithstanding the provisions of subsections 13 (c), (d), (e) Council may grant permission in their discretion, that 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. Council may fix terms of such permit as they see fit. The provisions of this regulation shall not apply to construction related Commercial Vehicles without written permission from the Town.
- h) No person shall park a commercial vehicle operating refrigerating equipment within 50 meters of a residential dwelling unit.
- i) Subsection (d) shall not apply to a commercial vehicle while actively engaged in the process of delivery of or removal of, goods from any premises adjoining and or abutting such street.

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- j) No person shall park any commercial vehicle carrying hazardous, contaminated or dangerous substances or materials, waste, garbage, or which harbor vermin or pestilence, or which remit noxious or unwholesome odours on any street.
- k) No person shall transfer hazardous, contaminated or dangerous substances or materials from one commercial vehicle to another within the Town of Bay Roberts except where written permit is provided by Council and in accordance with approvals from applicable government departments and agencies.
- l) The operator of a commercial vehicle loading or unloading freight within the Town shall,
 - (i) if practicable, place such vehicle off the highway into a private parking space;
 - (ii) where no private parking space is available; place such vehicle as near as possible to the curb or side of the highway and load or unload as quickly as possible;
 - (iii) in no case shall an operator place a commercial vehicle in such a position as to excessively hinder or obstruct the normal flow of traffic either vehicular or pedestrian.
- J) These Regulations shall not prohibit:
 - i. The operation of an emergency vehicle upon any street in the Town;
 - ii. The operation of commercial motor vehicle owned or operated by the Town, Public Utilities or any contractor engaged in the repair, delivery of materials, maintenance or construction of streets, street improvements, or street utilities within the Town; or
 - iii. The operation of commercial motor vehicles upon any officially established detour in the Town

OTHER LIMITATIONS

14.

- a) No structure, object or vehicle, other than a vehicle licensed under the Highway Traffic Act, shall be moved or operated, by any person, over a highway or bridge, within the Town, except with a written permit of Council, which permit may be subject to such conditions, if any, as Council may deem appropriate.
- b) Notwithstanding subsection (a), no vehicle that is propelled over tracks or other device, other than tires, shall be moved or operated, by any person, over a highway or bridge

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within the Town, except with a written permit of Council, which permit may be subject to such conditions, if any, as Council may deem appropriate.

- c) A person shall not cause or permit any vehicle which is wholly or partially on any street to be repaired, except for minor repairs in the event of a breakdown or emergency.
- d) A person shall not transport in any manner whatsoever on a street, sand, stone, earth, dirt, manure, lumber, metals or rubbish or any loose fluid or semi-fluid in such manner as to cause or permit the spilling or the scattering of same on a street.
- e) A person shall not place or caused to be placed anything upon any street or engage in action which will interfere with or tend to interfere with the free and/or uninterrupted and/or unobscured passage of persons and/or vehicles over a street, except as may be permitted in these regulations, and without restricting the generality of the foregoing, no owner of property shall permit a plant or shrubbery on that person's property to grow into or over a street and/or sidewalk and/or street reservation in such a way that it will interfere with the free and uninterrupted and/or unobscured passage of the public and/or vehicles over a street or sidewalk.
- f) Where any person has let stand, stop and or park a motor vehicle upon any highway within the Town, in contravention of these Regulations, or where any motor vehicle has been apparently abandoned upon a highway within the Town for longer than twenty-four hours, the Council or any person authorized for the purpose by the Council, may remove that vehicle, at the owner's risk and expense, to a place selected by the Council or person so authorized.
- g) The Council may dispose, in the manner outlined in section 14 (h) of these Regulations, of any vehicle removed and stored under these regulations, if the vehicle is not claimed by the owner within ninety (90) days of removal and storage and the requirements of paragraph 14 (h) of these Regulations are not met.
- h) Prior to the return of the vehicle to its owner the owner shall pay the costs of its removal and storage as determined by the Council and where such costs are not paid by the owner, the Council may sell the vehicle by public sale or public auction to satisfy such costs including the costs of and incidental to the public sale or public auction

OFFENCE

- 15. a) Any person who violates or otherwise contravenes any of the provisions of these Regulations, shall be guilty of an offence and shall be liable on summary conviction to a fine or not more than the maximum and not less than the minimum amount as prescribed for the offence in Schedule "A" to these Regulations and appearing in that Schedule opposite the number or letter or both of the Regulations, subsection or paragraph concerned.

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- b) Each separate day upon which the same offence is committed or continued is a separate offence
- c) Neither Council nor its authorized agents shall be responsible for damages caused to any vehicle in the enforcement of these regulations.

ENFORCEMENT

- 16. a) Enforcement of these regulations may be taken summarily by a Police Constable, Municipal Enforcement Officer, Director of Protective Services and/or Town employee specially authorized for such purpose and or by any other individual duly appointed as an agent representing the Town for such purpose.
- b) Any person referred to paragraph 16 (a) of the regulation may issue a violation notice to a person who contravenes any regulation herein.
- (c) Any offence under these regulations may be prosecuted by means of a traffic ticket issued under these regulations pursuant to the provisions of the Provincial Offences Act.

COMPLIANCE WITH OTHER ACTS AND REGULATIONS

- 17. Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulation of the Town or by any statute or regulation of the Province of Newfoundland and Labrador, or of Canada.

In Witness Whereof the Seal of the Town of Bay Roberts has been affixed hereto and these regulations have been signed by the Mayor and the Chief Administrative Officer on behalf of Council on this ninth day of June 2020.

Phillip Wood

Mayor

Nigel Black

Town Administrator

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SCHEDULE A

Town of Bay Roberts

Schedule of Penalties

Section	Subsection		Offence	Fine
4	(a)		Parking on roadway	\$45.00
	(b)		Parking so as to obstruct traffic	\$45.00
5	(a)		Parking too close to bus stop	\$45.00
6			Parking on private land	\$45.00
7	(a)	(i)	Parking on sidewalk	\$45.00
		(ii)	Parking in front of driveway or authorized loading door	\$45.00
		(iii)	Parking within an intersection	\$45.00
		(iv)	Parking too close to fire hydrant	\$45.00
		(v)	Parking within a crosswalk	\$45.00
		(vi)	Parking within 6 meters of the approach side of crosswalk	\$45.00
		(vii)	Parking within 10 meters of traffic-control signal on side of roadway	\$45.00
		(viii)	Parking too near the entrance to or exit from hotel, school, church, etc.	\$45.00
		(ix)	Parking too near safety zone	\$45.00
		(x)	Parking too near fire station	\$45.00
		(xi)	Parking too near street excavation or obstruction and obstructing traffic	\$45.00
		(xii)	Parking on the road-way side of a stopped or parked vehicle	\$45.00
		(xiii)	Parking on a bridge or in a highway tunnel	\$45.00
		(xiv)	Failure to observe traffic-control device prohibiting parking or stopping	\$100.00
		(xv)	Parking on a street during a snowfall extending up to 48-hours immediately following a snowfall	\$45.00
		(xvi)	Failing to obey no parking signs	\$45.00
		(xvii)	Parking in prohibited area without permit	\$45.00

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		(xviii)	Parking in places reserved for commercial motor vehicles	\$45.00
8	(a)		Failing to park on right side of highway	\$45.00
9	(a)		Parking so as to cause danger to persons using highway	\$100.00
10	(a)		Parking on highway where vehicle not visible to approaching traffic	\$45.00
11	(a)		Parking vending vehicle on highway	\$45.00
12	(a)		Throwing glass, etc., upon highway	\$100.00
	(b)		Failing to remove injurious material	\$100.00
	(c)		Deposit or throw ice or snow on a highway	\$45.00
	(d)		Placing object or structure on a street	\$50.00
13	(b)		Operating a commercial vehicle upon any street in a manner contrary to any restriction or prohibition	\$100.00
	(d)		Commercial Vehicle parked on any part of a highway, or on any designated public parking area	\$100.00
	(e)		Commercial Vehicle parked on a landscaped area or a vacant lot.	\$100.00
	(h)		Refrigerating equipment within 50 meters of a residential dwelling unit	\$100.00
	(j)		Commercial vehicle carrying hazardous, contaminated or dangerous substances or materials, waste, garbage, or which harbor vermin or pestilence, or which remit noxious or unwholesome odors on any street.	\$100.00
	(k)		Transferring hazardous, contaminated or dangerous substances or materials from one commercial vehicle	\$100.00

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14	(a)		Movement of structure, object or vehicle not licensed under the Highway Traffic Act without Council approval.	\$45.00
	(b)		Movement of vehicle not on tires without approval of Council	\$45.00
	(c)		Repairing a vehicle on a street	\$45.00
	(d)		Transporting of substances in a manner to permit spilling unto street	\$45.00
	(e)		Placing object or structure on a street or within a street reservation	\$45.00