


# SNOW CLEARING 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 Section 414 (2) (oo) of the Municipalities Act, 1999, the Town of St. Alban's hereby enacts the following Regulations which were adopted at a Public Council Meeting held on the 10<sup>th</sup> day of November, 2014.

  
MAYOR

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### **1. TITLE**

These Regulations shall be known as the "Town of St. Alban's Snow Clearing Regulations".

### **2. DEFINITIONS**

- (a) "Regulations" shall mean the Town of St. Alban's Snow Clearing Regulations.
- (b) "Council" shall mean the Town Council of the Town of St. Alban's.
- (c) "Municipal Enforcement Officer" means for the purpose of these Regulations, a peace officer with the powers as outlined in the Municipalities Act, M-24, RSN 1999 and amendments and as outlined in the Highway Traffic Act, RSN 1990, Chapter II-3 and amendments.
- (d) "Persons" means any person, firm, partnership, association, corporation or any organization of any kind.
- (e) "Street" shall mean any street, road or highway or any other way designed or intended for public use for the passage of vehicles and pedestrians, owned by the Authority or other public agency and maintained at public expenses and is accessible to Fire Department vehicles and equipment.
- (f) "Road Reservation" shall mean an area determined by Council that is reserved for a street, a future street or future street improvements and shall be a minimum of 20.12 metres (66 feet) in total and 10.06 metres (33 feet) measured from the centreline.
- (g) "Town" shall mean the Town of St. Alban's.

**3. SNOW CLEARING PERIOD**

- (a) The period between the first day of December in each year and the last day of April in the year following and any other period when unusual snow and/or ice conditions prevail, shall be known as the "Snow Clearing Period".
- (b) The "Snow Clearing Period" shall include the first day of December and the last day of April.

**4. PARKING**

- (a) No person shall park an unattended vehicle on any street, road reservation or municipal parking areas in such a way as to interfere with; hinder or obstruct snow clearing operations.
- (b) No person shall park an unattended vehicle on any street or road reservation within the Town:
  - (i) between the hours of 12:00 midnight and 10:00 a.m. during the Snow Clearing Period regardless of weather conditions; or
  - (ii) during a snowstorm; or
  - (iii) during the 24 hours immediately following a snow storm; or
  - (iv) during such other period as may be declared by Council to enable clean-up after a severe storm or snowfall.

**5. DEPOSITING OF SNOW**

No person shall deposit or cause or permit to be deposited any snow and/or ice from driveways, sidewalks, parking lots or any other property under their ownership or control, onto any street or road reservation within the Town.

**6. LIABILITY FOR DAMAGES**

Claims against the Town for damage to mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, ledges, rock walls and lawns on private property will be accepted by the Town when they occur, as a result of being struck by equipment operated by employees of the Town or by Town contractors during the periods of time they are engaged in work on behalf of the Town and where they occur at a distance not less than 10.06 metres (33 feet) from the centreline of the street.

**7. DISCLAIM OF DAMAGES**

No claims for damages to property will be accepted by the Town where:

- (a) the damages occurred on or to property located within 10.06 metres (33 feet) from the centerline of the street; or
- (b) the damages occurred as a result of the weight of the snow and/or ice deposited on mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns; or
- (c) lawns become brown or decayed as a result of the deposit of snow and/or ice; or
- (d) a claim for damages is received by the Town after May 31 of the year in which the snow clearing period ends.

**8. PENALTIES**

- (a) Any unattended vehicle parked in contravention of these Regulations within the Town may be removed by or on behalf of the Town and impounded, and the total cost of removal and impounding may be recovered from the owner of the vehicle as a civil debt.
- (b) Every person who violates or fails to comply with any provisions of these Regulations is guilty of an offence and shall be liable on summary conviction to a fine as prescribed in the Town of St. Alban's Traffic Regulations.
- (c) Any person who violates or fails to comply with any provision of these Regulations is guilty of an offence and on summary conviction is liable to a fine not exceeding one thousand dollars (\$1,000.00) or, in default, to a period of imprisonment not exceeding ninety (90) days, or to both such fine and period of imprisonment.
- (d) The conviction of a person under sub-section (c) does not operate as a bar to further prosecution for the continued failure on the part of a person to comply with these Regulations.

**9. PROSECUTION**

Prosecution under these Regulations may be taken summarily by a Municipal Enforcement Office, Police Constable or by person authorized by Council.

**10. PREVIOUS REGULATIONS**

All previous Town of St. Alban's Snow Clearing Regulations and amendments are repealed.

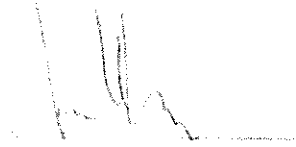
**11. COMPLIANCE WITH OTHER ACTS AND REGULATIONS**

Nothing in these Regulations served to exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulations of the Town or any statute or regulation of the Province of Newfoundland and Labrador, and in such cases where more than one regulation or statute applies the more restrictive regulation or statute shall apply.

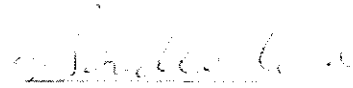
**12. EFFECTIVE DATE**

These Regulations shall come into force the 10<sup>th</sup> day of November, 2014.

In witness whereof, the Seal of the Town of St. Alban's has been affixed herewith and the Mayor and Town Clerk/Manager have signed these Regulations on behalf of the Town Council of St. Alban's this 10<sup>th</sup> day of November, 2014.



Mayor



Town Clerk/Manager