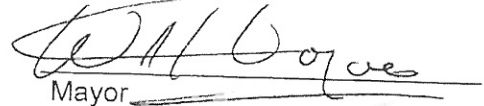


PUBLISHED BY AUTHORITY

Pursuant to authority delegated by the Minister of Service NL and the Minister of Transportation and Works under the *Highway Traffic Act*, R.S.N.L. 1990, c. H – 3, as amended, and pursuant to the authority delegated in accordance with the *Municipalities Act, 1999*, S.N.L. 1999, c. M-24, as amended, the Town of Placentia has made the following Regulations on the 18 day of June, 2013.

Notice of Motion to adopt amendments to the Regulations was given at the Town's regular public Council meeting held on the 18 day of June, 2013. MOTION # 13-150.


Mayor


Town Clerk

SNOW CLEARING REGULATIONS

1. These regulations shall be known and cited as the *Town of Placentia Snow Clearing Regulations*.
2. In these regulations, unless the context otherwise requires:
 - (a) “**Act**” means the *Highway Traffic Act*, R.S.N.L. 1990, c. H – 3, as amended;
 - (b) “**Council**” means the Town Council of the Town of Placentia;
 - (c) “**Highway**” means a highway as defined in the Act and, for the purposes of these Regulations, includes a highway reservation as that term is used in the *Municipalities Act, 1999*, S.N.L. 1999, c. M-24, as amended (the “*Municipalities Act*”);
 - (d) “**Motor Vehicle**” means a motor vehicle as defined in the Act;
 - (e) “**Municipal Enforcement Officer**” means an Officer appointed by Council pursuant to Section 179 of the *Municipalities Act*;
 - (f) “**Municipality**” means the area in which the Council may exercise the jurisdiction conferred upon it pursuant to the *Municipalities Act*;
 - (g) “**Person**” includes any individual, corporation, partnership, association, organization, trustee, or society; and,
 - (h) “**Town**” means The Town of Placentia.
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.

4. No person shall deposit or cause or permit to be deposited any snow from a driveway, sidewalk, parking lot or any other property onto any highway or highway reservation within the Town.
5. The period from the 1st day of November in each year to the 31st day of March in the succeeding year, inclusive, shall be known as the "Snow Clearing Period".
6. No person shall leave an unattended motor vehicle, regardless of weather conditions, upon any highway within the Town where it may interfere with, hinder or otherwise obstruct or delay snow clearing operations.
7. No person shall leave an unattended motor vehicle upon any highway within the Town:
 - (a) Between the hours of 12:00 a.m. and 8:00 a.m. during the Snow Clearing Period;
 - (b) During a period of snowfall that may reasonably be characterized as a snow storm; and/or,
 - (c) During the 24 hour period following a snowfall in which 5 centimeters or more of snow accumulated as measured by Environment Canada at the weather station situated nearest to the Town or following a snowfall event that may be reasonably characterized as a snow storm.
8. The Town may impound or cause to be impounded any unattended motor vehicle found on a highway within Town that is parked in contravention of these Regulations.
9. Any person who has a motor vehicle impounded pursuant to these Regulations shall be liable for all costs associated with the impoundment, which such costs may be recovered by the Town as a civil debt. Neither Council nor its authorized agents are responsible for damages caused to any vehicle as a result of the enforcement of these Regulations.
10. Council may dispose of any impounded motor vehicle by public sale if it is not claimed and all impoundment costs paid by its owner within ninety (90) days of the date of impoundment.
11.
 - (a) The Town shall not be liable for any damages to property as a result of snow clearing operations by the Town or an agent or contractor thereof where:
 - (i) the damages occurred on the highway or within the highway reservation or within 6.1 metres from the centre line of the highway, whichever may be greater;
 - (ii) the damages occurred as a result of the weight of snow and/or ice that was deposited on any real or personal property, including, but not limited to: garbage containers, motor vehicles, sheds, outbuildings, fences, trees, shrubs, hedges, walls and lawns; or,
 - (iii) the damages occurred as a result of the debris content, chemical content or physical force(s) relating to the process of the clearing of snow and/or ice that was deposited on any real or personal property, including, but not

limited to: garbage containers, motor vehicles, sheds, outbuildings, fences, trees, shrubs, hedges, walls and lawns.

- (b) Claims for damage to real or personal property as a result of snow clearing operations by the Town must be made in writing to the Town no later than close of business on the 45th day following the end of the Snow Clearing Period.
 - (i) The following information must be included in your Claim submission:
 - (ii) Date and time that the damage occurred;
 - (iii) The type of equipment that caused the damage;
 - (iv) Description of the damage and the approximate valuation of damage; and,
 - (v) When possible, pictures of the property both before and after the damage occurred.
- 12. These regulations may be enforced by a Municipal Enforcement Officer, Royal Newfoundland Constabulary, Royal Canadian Mounted Police, a Peace Officer or any other Person appointed by Council.
- 13. It shall be the duty of the person enforcing these Regulations:
 - (a) To report the name and address of any person observed or reliably reported to have violated any of the provisions of these Regulations.
 - (b) To report the time and nature of the violation of the Regulations and any circumstances being relevant to the violation.
 - (c) To serve upon the person violating any provision of these Regulations a serially numbered notice that the person concerned has violated a provision of the Regulations and instructing such person to carry out any order in regard to such violation within a stated period of time.
 - (d) To furnish the Town Clerk a duplicate of each serially numbered notice of violation.
- 14. Every person who acts in contravention of or fails to comply with any provision of these Regulations, or neglects or refuses to do so:
 - (a) shall be liable to penalties as stipulated under the schedule of fines and penalties in these Regulations in accordance with section 414(2)(q) of the Act;
 - (b) where a violation notice has been issued pursuant to Section 421.1 of the Act, be liable to penalties as stipulated under the schedule of fines and penalties in these Regulations in accordance with Sections 421.2, 421.3 and 421.4 of said Act; or,

Schedule of Fines and Penalties

Snow Clearing Regulations

Penalty
A fine of not more than the dollar amounts specified below shall be levied per breach of Section(s) of the herein regulations:
1 st Violation Notice: \$50
2 nd Violation Notice: \$75
3 rd Violation Notice: \$100