


PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the City of Mount Pearl Act, RSNL 1990, Chapter C-16, Sections 202 and 203, and pursuant to the authority delegated by the Minister of Transportation and Works under sections 189 and 190 of the Highway Traffic Act, 1990 Chapter H-3 RSNL 1990 and amendments thereto, the following regulations have been made by the City Council of the City of Mount Pearl and were adopted on the 22nd day of March, 2016, A.D.

In accordance with Section 39 of the City of Mount Pearl Act, RSNL 1990, Chapter C-16, a Notice of Motion to adopt the amendments to the regulations was given at the City's regular Public Council meeting held on the 8th day of March, 2016, A.D.


Randy Simms
Mayor


Michele Peach
Chief Administrative Officer

SNOW CLEARING REGULATIONS

Short Title

1. These regulations may be cited as the City of Mount Pearl Snow Clearing Regulations.

Interpretation

2. In these regulations, unless context otherwise requires:
 - a) "Act" means the City of Mount Pearl Act, Chapter C-16, RSNL 1990 as amended;
 - b) "City" means the City of Mount Pearl as defined by the Act;
 - c) "Council" means the Council as defined by the Act;
 - d) "highway" means a highway as defined by the Highway Traffic Act RSNL 1990 as amended and which for the purposes of these regulations is under the jurisdiction of the Council;
 - e) "vehicle" means a vehicle as defined by the Highway Traffic Act RSNL 1990 as amended.

Parking Ban

3. During the period from the first day of December in each year to the thirty-first of March in the succeeding year, both days inclusive, no person shall park an unattended vehicle upon any highway within the City between the hours of 1:00 AM and 8:00 AM.
4. No person shall park an unattended vehicle upon any highway within the City at any time during a storm (snow or ice) requiring City equipment to operate; and for 12 hours thereafter.

Impounding

5. (a) Any unattended vehicle parked upon a highway within the City in contravention of these regulations may be removed and impounded by the Council and the cost of such removal and impounding shall be recovered from the owner as a civil debt.
(b) In addition to subsection (a), any person whose vehicle is impounded shall be liable for an impounding fee, an amount set by a Motion of Council.
6. The Council may dispose of any vehicle impounded under section 5 by public sale, or by means of a salvage or scrap yard, if the vehicle is not claimed by its owner with ninety days of the impounding.
7. Neither the Council nor any person authorized by the Council shall be liable for damages caused to any vehicle in the enforcement of these regulations.

Clearing Snow

8. No person shall shovel, plow or blow any snow from a driveway or parking lot onto a highway, carriage way or sidewalk within the municipal boundaries of the City.

Penalty

9. Every person who is guilty of an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so,
 - (a) Shall be liable to penalties as stipulated under regulations made in accordance with sections 280.1, 280.2, 280.3 and 280.4 of the City of Mount Pearl Act, C-16 and amendments thereto; OR,
 - (b) Shall be liable to penalties on summary conviction to a fine in accordance with Schedule A of the regulations.

**Schedule A
Fines and Penalties**

SECTION	OFFENCE	FINE AMOUNT
3	Parked on a street between 1:00 am & 8:00 am	\$75
4	during a storm (snow or ice) requiring City equipment to operate; and for 12 hours thereafter.	\$75
5	Vehicle impounding	Cost recovery of tow bill and \$5 + HST daily impound fee
8	Shovelling, plowing or blowing residual snow into city street	-Violation Notice \$50-\$75 -Municipal Ticket \$100
8	Motorized vehicle plowing residual snow into city street	-Summary Conviction \$75

Enforcement

10. (a) Enforcement under these regulations may be taken summarily by a peace officer appointed by Council pursuant to the Highway Traffic Act, Section 189 (4).
- (b) The regulations may be enforced by the RNC, RCMP, Municipal Enforcement Officer, Peace Officer or any person appointed by Council.

Coming into Effect

11. These regulations shall come into effect on the 8th day of April 2016.

Publication and Copy to Minister

12. These regulations were published in The Telegram on the 9th day of April 2016 and gazetted on the 8th day of April 2016.
13. A copy of these regulations was sent to the Minister of Municipal and Intergovernmental Affairs on the 5th day of April 2016.

Repeal of Previous Regulations and Amendments

14. All previous City of Mount Pearl Snow Clearing Regulations and amendments are repealed.