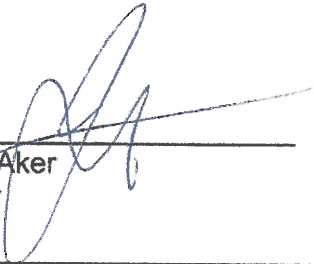


PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the *City of Mount Pearl Act*, RSNL 1990, c. C-16, Sections 202 and 203, and pursuant to the authority delegated by the Minister of Transportation and Infrastructure under sections 189 and 190 of the *Highway Traffic Act*, 1990 c. 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 20th day of October, 2020, A.D.

In accordance with Section 39 of the *City of Mount Pearl Act*, RSNL 1990, c. 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 20th day of October, 2020, A.D.

Dave Aker
Mayor



Mona Lewis
Chief Administrative Officer (acting)



SNOW CLEARING REGULATIONS

Short Title

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

Definitions

2. In these regulations, unless context otherwise requires:
 - a) "Act" means *the City of Mount Pearl Act*, RSNL 1990, c. C-16, as amended;
 - b) "City" means the City of Mount Pearl as defined by the Act;
 - c) "Contracted Snowclearer" means any individual, partnership or corporation who has been engaged by another entity to move, remove, or clear accumulated snowfall for compensation."
 - d) "Council" means the Council as defined by the Act;
 - e) "highway" means a highway as defined by the *Highway Traffic Act*, RSNL 1990, c. H-3, as amended but only those under the jurisdiction of the Council;
 - f) "vehicle" means a vehicle as defined by the *Highway Traffic Act*, RSNL 1990, c. H-3, 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, street, or City-owned land between the hours of 1:00 AM and 8:00 AM.
4. No person shall park an unattended vehicle upon any highway, street, or City-owned land at any time during any weather event which requires City equipment to operate; and for 12 hours following the cessation of such an event.

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 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, or Contracted Snowclearer, shall shovel, plow, or blow any snow from a driveway or parking lot onto a highway, street, sidewalk, or City-owned land, including Open Space, within the municipal boundaries of the City.
9. Where winter conditions result in reduction of traffic sight lines, snow shall not be stored in a way that unreasonably blocks sight-lines or otherwise creates a hazard.

Penalty

10. Every person, or Contracted Snowclearer, 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*, RSNL 1990, c. C-16 and amendments thereto;
 - (b) shall be liable to penalties on summary conviction to a fine in accordance with Schedule A of the regulations; and

- (c) shall be liable for the cost of snow removal and/or remediation of resulting damages.

Enforcement

- 11. (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

- 12. These regulations shall come into effect on the day of publication of the Notice of Amendment in the Newfoundland and Labrador Gazette.

Publication and Copy to Minister

- 13. These regulations were published in The Pearl on the 29th day of October, 2020 and in the Newfoundland and Labrador Gazette on the 30th day of October, 2020.
- 14. A copy of these regulations was sent to the Minister of Environment, Climate Control, and Municipalities on the 28th day of October, 2020.

Repeal of Previous Regulations and Amendments

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

**Schedule A
Fines and Penalties**

SECTION	OFFENCE	FINE AMOUNT
3	Parked on any highway, street or City-owned land within the municipal boundaries of the City between 1:00 am & 8:00 am	\$75
4	Parked on any highway, street, or City-owned land within the municipal boundaries of the City at any time during any weather event which requires City equipment to operate; and for 12 hours following the cessation of such an event.	\$75
5	Vehicle impounding	Cost recovery of tow bill and \$5 + HST daily impound fee
8 and/or 9	Person violating Sections 8 and/or 9	-Violation Notice \$50-\$75 -Municipal Ticket \$100
8 and/or 9	Person or Contracted Snowclearer, violating Sections 8 and/or 9	-Summary Conviction \$75