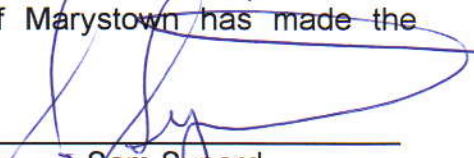


TOWN OF MARYSTOWN

Pursuant to the authority conferred by Section 414 of The Municipalities Act, Chapter M-24, RSN 1999, the Town Council of Marystown has made the following Regulations:



Sam Synard
Mayor



Dennis Kelly, CMC
Town Clerk/Manager

TOWN OF MARYSTOWN SNOWCLEARING REGULATIONS

1. These regulations may be cited as the Town of Marystown (Snow-clearing) Regulations, 2005.
2. Interpretations: In these regulations unless the Context otherwise requires:
 - (a) "Council" means the Town Council of Marystown
 - (b) "Municipality" means the Town Council of Marystown
 - (c) "Highway" means highway as defined by the Highway Traffic Act and for the purposes of these regulations means a highway under the jurisdiction of Council.
 - (d) "Street Reservation" means the land reserved by Council for a highway, street, lane or sidewalk.
 - (e) "Vehicle" means a device in or upon which a person or property be transported or drawn upon a highway.

3. SNOW CLEARING PERIOD

During the period between the first day of December in each year and the last day of April, in the year following both days inclusive, and any other period when unusual snow and/or ice conditions prevail, shall be known as the "Snow Clearing Period".

4. PARKING

No person shall park an unattended vehicle upon any street or street reservation within the Municipality:

- (a) between the hours of 12:00 midnight and 8:00 a.m., during the snow clearing period or
- (b) during or for the twelve hours immediately following a snow storm or

- (c) for such other period as may be declared by Council, to enable clean-up, after a particularly severe storm or snowfall.

5. DISPOSITION 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 street reserve, within the Municipality.

6. LIABILITY FOR DAMAGES

Claims, against the Municipality for damage to mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns on private property will be accepted by the municipality when they occur, as a result of being struck by equipment, operated by employees of the Municipality, or by contractors, during the periods of time they are engaged in work on behalf of the Municipality, and where they occur outside the street reservation of the Town Street the distance of same from the centre line being dependent on the street reservation of the street where the damage occurred, or where the mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns had been indicated by clearly visible markers.

7. DISCLAIM OF DAMAGES

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

- (a) the damages occurred to property located within the street reservations of the town, unless indicated by clearly visible markers or
- (b) the damages occurred as a result of snowclearing on Roads where there is insufficient space to operate town's equipment and where roads are not up to town standards, or
- (c) the damages occurred, as a result of the weight of snow and/or ice deposited on mobile or portable articles, garbage boxes, buildings, fences trees, shrubs, hedges, rockwalls and lawns or
- (d) lawns become brown or decayed, as a result of the deposit of snow and/or ice, or
- (e) a claim for damages is received by the Council, after May 31st of the year, in which, the snow clearing period ends.

8. PENALTIES

- (a) Any unattended vehicle, parked in contravention of these regulations, within the Municipality, may be removed by, or on behalf of the Council 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 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 days or to both such fine and period of imprisonment.

- (c) The conviction of a person under subsection (b) 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 an Enforcement Officer, Police Constable or by any person authorized by Council.

These regulations were adopted by resolution of Council at a meeting held on the 1st day of March, 2005, and come into effect on the 1st day of March, 2005.

All previously adopted (Snow-Clearing) regulations for the Municipality are hereby repealed.



Dennis Kelly, CMC
Town Clerk/Manager

Adopted by Council
March 01, 2005