



Town of New-Wes-Valley

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PUBLISHED BY AUTHORITY

Pursuant to the authority confirmed by the Municipalities Act 1979 c33 and subsequent amendment. The Town of New-Wes-Valley has made the following regulations by resolution of Council dated this _____ of _____, 1995.

Mayor

Clerk

Incorporating the communities of:

Valleyfield, Badger's Quay, Pool's Island, Brookfield, Wesleyville, Pound Cove, Templeman and Newtown

REGULATIONS

1. These regulations may be cited as the Town of New-Wes-Valley snow clearing and use of secondary road regulations under council jurisdiction and in accordance the municipalities Act 1979 Chapter 33 and subsequent amendments.

INTERPRETATION: In these regulations unless the context otherwise requires:

- (a) “**ACT**” means the Municipalities Act 1970 and subsequent amendments.
- (b) “**COUNCIL**” means the Town of New-Wes-Valley
- (c) “**MUNICIPALITY**” means the Town of New-Wes-Valley
- (d) “**VEHICLE**” means any form of vehicle for the provision of transportation of people, goods or services over a public road
- (e) “**LICENSED**” means any form of vehicle for the provision of transportation of people, goods or services over a public road. Licensed by the Provincial Department of Works, Service and Transportation.

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- (f) **“UNLICENSED”** means any form of vehicle for which the Department of Works, Service and Transportation has not provided a “license” to be used on a public road.
- (g) **“PUBLIC ROAD”** means any street, roadway, lane, avenue, cul de sac, or road which the Town of New-Wes-Valley has identified as its responsibility and as measured by the Department of Works, Services and Transportation as secondary roads within the municipalities boundaries.

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ROAD REGULATIONS

The Town of New-Wes-Valley has control over all public roads, sidewalks and bridges in the Town, except highways classified and designated by the Department of Works, Services and Transportation, and these roads and right of ways are vested in the Town.

1. (a) The Council may construct public roads, sidewalks and bridges and improve, realign, alter the level of, and repair existing public roads, sidewalks and bridges.
- (b) The Council May order the closing of any public road, sidewalk or bridge either temporarily, in order to effect repairs or prevent damage thereto or permanently, if the Council considers it necessary to do so.
- (c) No person shall break up the surface of any public road, sidewalk or bridge or erect or place a structure or erection in on or under either of them without the prior written approval of the Council and in accordance with any conditions and specifications imposed by the Council in its approval, if any.
- (d) The Council may, by resolution, establish street reservations, road improvement lines, road lines and building line to existing and proposed roads and sidewalks.
- (e) The Council shall restrict use of its road to all-terrain vehicles such as tracked or rubber tired recreational vehicles.

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- (f) The Council may name and mark all roads within the town and may provide for the numbering of all buildings therein.

- (g) The Council, when a vehicle is standing upon a public road, sidewalk or bridge in such a position that may:
 - I. Interfere with pedestrian or vehicular traffic
 - II. Constitute an hindrance to the maintenance, repair, or improvement thereof
 - III. Hinder or impede the ploughing of or removal of snow or ice therefrom, or
 - IV. Hinder or impede the carrying out of any undertaking of the Council or,
 - V. Has been apparently abandoned upon a public road, sidewalk, or bridge, for longer than 24 hours

... authorize the Town Manager or designate to remove the vehicle to a space selected by the person so authorized.

2. **PENALTY FOR OFFENSE**

Prior to the return of the vehicle to its owner, the owner shall pay the costs of its removal and storage as determined by the Council and where costs are not paid by the owner, the council may sell the vehicle on public auction to satisfy such costs upon notice to the owner.

(a) **TITLE TO VEHICLE**

In accordance with Section 178 (3) a sale under the aforesaid section of the Municipalities Act vests clear title to the purchaser free from all encumbrances and any residual amounts received over and above the costs of its removal, storage, and sale, shall be paid over to the owner or to any person who satisfies the Council that he has a prior encumbrance.

(b) **REGULATION OF VEHICLES**

No structure, object or vehicle other than a vehicle licensed under **The Highway Traffic Act** shall move over a public road or bridge without the consent, in writing, of Council. Notwithstanding NO vehicle that is propelled over tracks or other device, other than tires, shall move over a public road or bridge without the consent, in writing, of Council.

(c) The Council may set out conditions with respect to permits issued under this section and may establish a scale of fees for such permits.

3. **RIGHT OF WAY**

The Council shall maintain a 33 feet right of way measuring from the center of the road for purpose of snow-clearing and maintenance of roads, ditches, and drainage systems.

4. **PLACING OF CULVERTS OF DRAINAGE SYSTEMS**

The Council shall NOT be responsible for the maintenance of, or provision of, culverts of drainage pipes for private driveways or property construction.

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5. FENCING, LAWNS ON PROTRUSTIONS IN AREA OF COUNCIL RIGHT-OF-WAY

The Council shall NOT be held liable for any damage to property such as fences, lawns or buildings which protrude into Council Right-of-Way, nor shall it be held liable for the cost of removal or repair or relocation of these protrusions.

6. PROHIBITING AND CONTROLLING

Other means of transportation and movement of pedestrian and vehicular traffic.

(a) The Council may by resolution from time to time prohibit or control...

(i) Coasting, skating, or sliding, on snow or ice on the public roads, bridges or the sidewalks,

(ii) The riding of bicycles on sidewalks,

(iii) The riding or driving of children's wagon, push carts, skateboards, tricycles and other similar objects on public roads or sidewalks, and

(iv) The operation of recreational and other vehicles not licensed under The Highway Traffic Act on public roads, bridges or sidewalks

... and regulate any such vehicles as contained in article 2.

(b) of these regulations.

7. Pursuant to Section 448 of the Municipalities Act, Chapter 33, 1970 and subsequent amendments, a person who contravenes or fails to comply with any provision of these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars (\$1000) or in default of payment to a period of imprisonment not exceeding ninety days (90) or to both such fine and imprisonment.

These regulations were adopted by Council at a meeting held on the ____ of _____, 1995 and will come into effect on ____ of _____, 1995.

8. All previously adopted Snow-clearing and use of Secondary Road Regulations for the Town of New-Wes-Valley as of the ____ of _____, 1995 are hereby rescinded.

Clerk

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