



TOWN OF MASSEY DRIVE

SNOW CLEARING BY-LAW

SNOW CLEARING

Pursuant to the authority delegated by the Minister of Transportation and Infrastructure under section 189 of the Highway Traffic Act, and pursuant to the authority conferred by section 8(1)(g, h, i, j) of the Towns and Local Service Districts Act (LTSDA), the Town of Massey Drive enacts the Snow Clearing By-Law adopted by resolution by the Town Council on February 11, 2025.

The Massey Drive Snow Clearing By-Law is aimed at delivering proactive and efficient winter control services that proactively address winter challenges and ensure the safety and accessibility of the town. This will be achieved by:

- monitoring ongoing and forecasted weather conditions;
- anti-icing and de-icing measures to prevent or address ice build up on roads and sidewalks;
- clearing snow on roads and sidewalks on a priority basis with the main road taking precedence and the remaining streets for an initial pass once the main road has been plowed both ways at least once. The Town also recognizes that priorities are also influenced by local environmental conditions;
- clearing fire hydrants by Town staff as soon as road snow clearing priorities are met. Residents are strongly encouraged to clear hydrants for emergency response efficiency;
- undertake snow removal and road widening as conditions permit.

The Town of Massey Drive's Town Councillor's Code of Conduct, Conflict of Interest and Workplace Harassment policies and procedures shall apply to all members of Council, staff and the general public.

1.0 DELEGATION

- 1.1 The Council will delegate the day-to-day administration and supervision of snow clearing for the Town of Massey Drive to the Town Manager/Clerk.

2.0 INTERPRETATIONS

In the Snow Clearing By-Law interpretations mean:

- 2.1 "Highway" as defined by the Highway Traffic Act equating to a highway under the jurisdiction of the Town of Massey Drive;
- 2.2 "Road Reservation" refers to an area determined by the Town Council that is reserved for existing or future; improvements, highways, streets, roads, lanes, sidewalks, or any other infrastructure deemed necessary by council. These areas shall be a minimum width of 15 meters and are owned by the Town.
- 2.3 "Vehicle" means a device in or upon which a person or property may be transported or drawn upon a highway.

3.0 SNOW CLEARING PERIOD

- 3.1. The period from and including the first day of November in each year to and including the thirtieth day of April in the succeeding year shall define the Town of Massey Drive's snow clearing period.

4.0 SNOW CLEARING BY RESIDENTS OR BUSINESSES

- 4.1 No person shall intentionally throw or deposit in any way snow or ice onto any road, street, sidewalk, parking lot or any other Town property within the Town of Massey Drive.
- 4.2 No person engaged in removing snow or ice from a property shall do so in a manner that obstructs traffic or pedestrians
- 4.3 No person shall throw or deposit in any way snow onto, in front of or within 2 (two) meters either side of any fire hydrant in the town.

5.0 PARKING AND SNOW CLEARING

- 5.1 During the snow clearing period, no person shall park an unattended vehicle upon any Town road reservation within the Town in such a way to interfere with, hinder or obstruct snow clearing operations:
 - 5.1.1 between the hours of 3:00am and 10:00am
 - 5.1.2 during a snowstorm and for 12 hours thereafter
 - 5.1.3 at anytime weather conditions or snow accumulations is such that the use of snow clearing equipment is necessary
 - 5.1.4 during such other period as may be declared by Council to enable clean-up after a severe storm or snowfall.
- 5.2 Any unattended vehicle parked on any road reservation within the Town of Massey Drive in contravention of this By-Law may be removed and impounded by the Council and the cost of such removal and impounding may be recovered from the owner as a civil debt.

6.0 VIOLATIONS OF SNOW CLEARING BY-LAWS

- 6.1 Any person who violates any of the provisions of these by-laws is guilty of an offense and liable on summary conviction to a penalty of not less than \$100.00.

6.2 Prosecution under these by-laws may be taken summarily by Council, any Town employee or agent specifically authorized by Council, by any RNC officer or police constable.

7. LIABILITY FOR DAMAGES

7.1 Claims against the Town for damage to mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, ledges, rock walls and lawns on private property will be accepted by the Town when they occur:

7.1.1 As a result of being struck by equipment operated by employees of the Town or by Town contractors during the periods of time they are engaged in work on behalf of the Town, and

7.1.2 When they occur outside the road reservation or at a distance not less than 6.1 meters from the center line of the road.

7.1.3 Where the mobile or portable articles, garbage boxes, buildings, fences, tress, shrub, hedges, rock walls and lawns had been indicated by clear visible markers.

8.0 DISCLAIMER OF DAMAGES

8.1 No claims for damages to property will be accepted by the Town where:

8.1.1 The damages occurred on or to property located within the road reservations of the Town (6.1 meters (20ft) from the center line of the street), unless indicated by clearly visible markers; or

8.1.2 The damages occurred as a result of the weight of snow and/or ice deposited on the mobile or portable articles, garbage boxes, or buildings, fences, trees, shrubs, hedges, rock walls and lawns; or

8.1.3 Lawns become brown or decayed as a results of the deposit of snow and/or ice; or,

8.1.4 A claim for damages is received by the Town after May 31 of the year in which the snow clearing period ends.

9.0 PENALTIES

9.1 Any unattended vehicle, parked in contravention of these By-Laws within the Town, may be removed by or on behalf of the Town and impounded, and the total cost of removal and impounding may be recovered from the owner of the vehicle as a civil debt.

9.2 Every person who violates or fails to comply with any provisions of these By-Laws is guilty of an offence and shall be liable on summary conviction to a fine as prescribed in the Town of Massey Drive Traffic By-Laws.

10. PROSECUTION

10.1 Prosecution under these By-Laws may be taken summarily by an Enforcement Officer, Police Constable or by any person authorized by Council.

10.2 Pursuant to section 289 of the Towns and Local Service Districts Act, any person who is guilty of an offence against the By-Law or who acts in contravention of or fails to comply with any provision thereof or neglects or refuses to do so shall be liable on summary conviction.

10.1.1 For a first-time offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one(1) month or to both the fine and imprisonment.

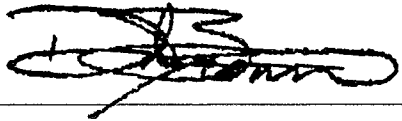
10.1.2 For a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than three(3) months or to both the fine and imprisonment.

11.0 PREVIOUS BY-LAWS

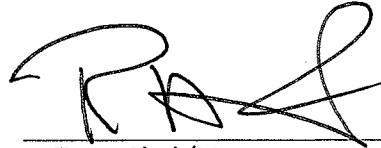
All previous adopted Snow Clearing regulations of the municipality are hereby repealed.

12.0 COMPLIANCE WITH OTHER ACTS AND BY-LAWS

Nothing in these By-Laws served to exempt any person from obtaining any license, permission, permit, authority or approval required by any other regulations or By-Laws of the Town or any statute or regulation of the Province of Newfoundland and Labrador, and in such cases where more than one regulation or statute applies the more restrictive regulation or statute shall apply.



Mayor



Town Clerk/Manager

February 11, 2025

Date

February 11, 2025

Date