

PUBLISHED BY AUTHORITY

Pursuant to the powers conferred by Chapter T-6.2, Section 8 (1) (c) of the Towns and Local Service Districts Act, the Town of Fortune has made the following By-Law.


Mayor Rita Piercey

1.0 **Title**

These regulations shall be known as the “Town of Fortune Snow Clearing By-Law”

2.0 **Definitions**

In these Regulations:

- a) “By- Law’ shall mean the Town of Fortune Snow Clearing By-Law.
- b) “Council” shall mean the Town Council of the Town of Fortune.
- c) “Street” shall mean any street, road, highway or any other way designed or intended for public use for the passage of vehicles and pedestrians, owned by the Authority or other public agency and maintained at public expense and is accessible to Fire Department vehicles and equipment.
- d) “Vehicle” means a device in or upon which a person or property can be transportation or drawn upon a highway.
- e) “Town” means the Town of Fortune.

3.0 **Snow Clearing Period**

- a) The period between the first (1st) day of December in each year and the last day of April in any succeeding year and any other period when unusual snow and/or ice conditions prevail, shall be known as the ‘Snow Clearing Period’.
- b) The “Snow Clearing Period” shall include the first day of December and the last day of April.

4.0 **Parking**

- a) No person shall park an unattended vehicle on any street, road reservation or municipal parking areas in such a way as to interfere with, hinder or obstruct snow clearing operations.

- b) No person shall park an unattended vehicle on any street or road reservation within the Municipality:
 - (i) between the hours of 12:00 midnight and 8:00 a.m. during the Snow Clearing Period regardless of weather conditions; or
 - (ii) during a snow storm; or
 - (iii) during the twelve (12) hours immediately following a snow storm; or
 - (iv) during such other period as may be declared by Council to enable clean-up after a severe storm or snowfall.
- c) Any motor vehicle parked contrary to Regulation 4 (a) or (b) may be towed away by the Council or their representatives, at the owner's risk and expense, to a place selected by the Council or person so authorized.

5.0 **Depositing of Snow**

- a) No person shall shovel, plow, cause to be shoveled or plowed, any snow and/or ice onto a street or sidewalk within the Town of Fortune.
- b) No person engaged in removing snow or ice from a property shall do so in a manner that obstructs traffic on a Town street.
- c) No person shall remove snow from a property and place it against or around a fire hydrant.

6.0 **Liability for Damages**

- a) The Town will accept liability for damages to fences, hedges, rock walls, lawns etc. that are on private property, provided that:
 - (i) the damage was the result of being struck by equipment being operated by a Town employee.
 - (ii) the damage didn't occur outside the individuals property line and
 - (iii) the damaged property is the required distance from the road and/or curb.

7.0 **Disclaim of Damages**

- a) The Town will not accept responsibility for damages resulting from:
 - (i) weight of the snow; or
 - (ii) lawn browning.
- b) The Town will not be responsible for damages that occur within its right-of-ways.
- c) The Town of Fortune is not responsible for any damage caused within three (3) meters of the front property lines. This includes damage to fences, garbage boxes, trees, etc.

- d) The Town of Fortune is not responsible for damages caused to trees on private property. It is advised that trees are properly marked and protected (i.e. painted pole markers; minimum height of four feet).
- e) All claims for damage caused by the Town of Fortune snow clearing operations must be submitted on the “Snow Clearing Damage Claim Form” to the Town Office (claim cannot be accepted verbally.) To be considered by the Town, claims must be submitted before May 15th in the same snow clearing season that the damage occurred.

8.0 **Penalties**

Every person who is guilty of an offence under this By-Law 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 in accordance with section 290 of the *Towns and Local Service Districts Act*; or
 - (i) Shall be subject to an order under section 285(1) of the *Towns and Local Service Districts Act*; or
 - (ii) Shall it be subject to a violation notice issued under section 287 (1) of the *Towns and Local Service Districts Act*; or
 - (iii) A ticket shall be issued under the Provincial Offences Act in accordance with section 288 of the *Towns and Local Service Districts Act*.

9.0 **Prosecution**

Prosecution under this By-Law may be carried out by an Enforcement Officer, Police Constable or by any person authorized by the Council.

10. **Previous Regulations or By- Laws**

All previous Town of Fortune Snow Clearing Regulations or By- Laws and amendments are repealed.

11. **Compliance with Other Acts and By- Laws**

Nothing in this By-Law serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other 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 By-Law or statute applies the more restrictive By-Law or statute shall apply.

12. **Effective Date**

This By- Law shall come in force on March 4, 2026.

Official By-Law Information	
Date of Council Approval:	March 4, 2026
Resolution Number:	2026-03-04-12
I certify that the By-Law approved by Council and published as indicated above.	
Town Mayor:	<i>Rita Piercey</i>
Chief Administrative Officer:	<i>Linda Collier</i>
Date:	<i>March 4, 2026</i>

In witness whereof the Seal of the Town of Fortune has been affixed hereto and this By-Law has been signed by the Mayor and the Chief Administrative Officer on behalf of Council on this March 4, 2026.

Rita Piercey
 Rita Piercey
 Mayor

Linda Collier
 Linda Collier
 Chief Administrative Officer

