

Pursuant to the authority delegated by the Minister of Transportation and Works by Order dated October 19, 2020, under Sections 189 and 190 of the *Highway Traffic Act*, RSNL 1990, Chapter H-3 and amendments thereto, the Town of Paradise has made the following Regulations.

Mayor

Town Clerk

Town of Paradise Traffic Regulations, 2021

1.0 Title

These Regulations shall be cited as the *Town of Paradise Traffic Regulations, 2021*.

2.0 Definitions

- a. **"All-Terrain Vehicle"** means a wheeled or tracked motorized vehicle, excluding a 2 wheeled vehicle, designed or adapted for off-road use, and includes a:
 - (i) quad
 - (ii) trike
 - (iii) utility task vehicle
 - (iv) utility terrain vehicle, and
 - (v) amphibious extreme terrain motor vehicle.

- b. **"Bus"** means a motor vehicle, designed, or used for the transportation of passengers with a seating capacity of 10 or more in addition to the driver but excluding those motor vehicles when used for personal transportation by the owner or with the owner's permission.

- c. **"Commercial Vehicle"** as per the Town of Paradise Commercial Vehicle Regulations.

- d. **"Council"** means the Town Council of the Town of Paradise.

- e. **"Emergency Vehicle"** means:
 - (i) a motor vehicle driven by a peace officer or by a member of the police branch of one of the Crown's Armed Forces where there is an emergency justifying a rate of speed more than a maximum rate of speed provided for in these Regulations and includes a vehicle so operate by a chief of a volunteer fire department.
 - (ii) a motor vehicle carrying firefighting equipment in responding to an alarm of fire, and
 - (iii) an ambulance responding to a call or transporting a patient where there is an emergency justifying a rate of speed more than a maximum rate of speed provided for in these Regulations.

- f. **"Highway"** means the entire width between the boundary lines of a highway, road, route, street, way, avenue, thoroughfare, right-of-way, parkway, driveway, lane, alley, square, place, bridge, culvert, viaduct, trestle or causeway, whether it is publicly or privately owned and whether or not it is designed or intended for use by the public, if the whole or any part of it is used by the public for the passage of motor vehicles and includes a trail on a frozen lake, river or other body of water or watercourse when that trail is maintained or kept open at the expense of the province or municipality.

- g. **"Motorcycle"** means a motor vehicle that;
 - (i) has steering handlebars completely constrained from rotating in relation to the axle of 1 wheel in contact with the ground,
 - (ii) is designed to travel on not more than 3 wheels in contact with the ground, and
 - (iii) in the case of a 3-wheel motor vehicle that

- a. does not have as an integral part of the motor vehicle an enclosure around the occupant, and
 - b. requires the operator to sit astride the motor vehicle,
- but does not include a competition motorcycle, mini bicycle, moped, motor driven bicycle, a passenger car, a truck, or a multi-purpose motor vehicle.
- h. "**Motor vehicle**" means a device in, upon or by which a person or thing may be transported or drawn upon a Highway, including a Motorcycle.
 - i. "**Municipal Enforcement Officer**" means any person appointed by Council who is responsible for carrying out the provisions of this Regulation and shall be deemed a peace officer for the purpose of carrying out this Regulation.
 - j. "**Off-Road Motor vehicle**" means all vehicles designed and constructed for travel on or immediately over land, water, snow, ice, marsh, swampland, and other natural terrain, including four-wheel drive low-pressure-tire powered motor vehicles, low-pressure-tire motorcycles and related two-wheel motor vehicles, snowmobiles, amphibious machines, ground effect or air-cushioned motor vehicles, but does not include a motor vehicle.
 - k. "**Park**" means to permit a vehicle, whether occupied or not, to stand otherwise than temporarily for the immediate purpose of and while engaged in loading or unloading goods, or taking up or setting down passengers, or making emergency vehicle repairs, or to comply with traffic regulations or traffic signs or the directions of a traffic officer.
 - l. "**Persons**" means any person, firm, partnership, association, corporation, company, co-operator, club, society, or any other corporate body or organization or any kind.
 - m. "**Public Service Vehicle**" means a bus or passenger van used to transport eight (8) or more people, a vehicle used to transport persons with mobility impairments, or a vehicle owned or leased by the Town, which is marked with the Town's insignia and used for carrying out municipal services.
 - n. "**Recreational Vehicle**" shall mean a vehicle designed to provide temporary living, sleeping or eating accommodation for travel, vacation, seasonal camping or recreational use and designed to be driven, towed, transported or relocated from time to time whether or not the vehicle is jacked up or its running gear is removed, and with a size as defined by the Canadian Standards Association (CSA), and which shall not be used as the principal place of residence of the occupant.
 - o. "**Trailer**" means a mobile structure having wheels but no motive power of its own and may or may not be attached to a truck, truck tractor, or other motor vehicle but does not include,
 - (i) an implement of husbandry temporarily attached to another motor vehicle,
 - (ii) a side car attached to a motorcycle,
 - (iii) or a tow dolly designed to be used to tow another motor vehicle where one or more axles of the towed motor vehicle rest on the tow dolly.
 - p. "**Town**" shall mean the Town of Paradise, as defined by Order-in-Council the 13th of July 1971, including all lands within the municipal boundary.

3.0 Rules of the Road

- a) Council may designate Highways and may erect signs on these Highways to prohibit parking and the signs shall have the words "NO PARKING" inscribed thereon or words inscribed on the signs describing the area to which the prohibition of the sign is applicable by name or other description or by reference to another sign erected on or near the Highway, and the driver of a Motor Vehicle shall not park the Motor Vehicle in the area to which the sign applies, or between the hours during the time, if any, specified on the sign.

- b) When a fire is in progress in any area within the Town, no driver of a Motor Vehicle shall park within one hundred and eighty-five (185) metres of the fire or in such place as to obstruct in any way the uninhibited mobility of a fire truck.
 - (i) Subsection 3(cc) does not apply to an Emergency Vehicle or motor vehicles normally accessing emergency scenes including fire trucks, police motor vehicles, motor vehicles of medical doctors or nurses, ambulances, or helicopters.
- c) No person shall deface, remove or in any manner interfere with any traffic sign or traffic control device lawfully placed on a Highway within the limits of the Town.
- d) No person shall place any object or structure on a Highway, including an object or structure used for sports. Any object or structure so placed may be removed by a person authorized by Council, at the expense of the person or persons responsible for placement of the object or structure.
- e) No person shall park or store a Trailer or Recreational Vehicle on a Highway within the Town to interfere or obstruct traffic flow.

4.0 Council Authority

- (a) Council may cause or permit traffic lights or signs to be placed on or near any Highway within the limits of the Town, including,
 - (i) Signs indicating only for use of Public Service vehicles carrying out public works and services.

5.0 Parking Offences

- (a) No person shall stop, stand, or park a Motor Vehicle on a Highway at any time so that the Motor Vehicle or any part of it is:
 - (i) on a sidewalk or any area generally used or intended for use by pedestrians,
 - (ii) in front of a public or private driveway or in front of an authorized loading door designated as such,
 - (iii) within an intersection or within six (6) metres of an intersection,
 - (iv) within (1) metre of any fire hydrant,
 - (v) within a crosswalk,
 - (vi) within five (5) metres of the approach to a flashing beacon, stop sign, or traffic control signal located on any side of a roadway,
 - (vii) in a place in contravention of a traffic-control device that gives notice that stopping, standing, or parking is there prohibited or restricted,
 - (viii) in such a way as to interfere with, hinder, or obstruct the normal flow of traffic,
 - (ix) in a place designated as a "Bus Stop",
 - (x) in a place designated as a "Fire Lane",
 - (xi) within seven (7) metres of a driveway entrance to a fire station, or on the side of a street opposite the entrance to a fire station within 100 metres of the entrance when properly marked with signs,
 - (xii) alongside or opposite a street excavation or obstruction when stopping, standing, or parking obstructs traffic,
 - (xiii) on the roadway side of a motor vehicle stopped or parked at the edge or curb of a roadway; or,
 - (xiv) upon a bridge or other elevated structure upon a Highway, or within a Highway tunnel.
- (b) No person shall park a Motor Vehicle used as a taxi on a Highway for the purpose of soliciting business, except in a place designated by the Council for such purposes.

- (c) Except where a traffic authority otherwise permits and on two-way streets, a driver shall not stop, stand, or park a Motor Vehicle on a Highway other than on the right side of the Highway parallel to that side in the direction of traffic flow, or
 - (i) where there is a curb, with the wheels within 30 centimetres of a curb, or
- (d) On the day of Regular Garbage Collection, as indicated in the Town of Paradise's *Garbage Collection Schedule*, no person shall park an unattended Motor Vehicle on any street or road reservation that is scheduled for Automated Garbage Collection between the hours of 8:00 am and 5:00 pm.
- (e) Except as authorized by Council, no person shall, park, or leave unattended, a motor vehicle on any public property.
- (f) No person shall park a Motor Vehicle in an area identified as "Permit Parking Only" unless the motor vehicle displays the applicable Parking Permit that has been obtained from Council.
- (g) No person shall park a Motor Vehicle in a "Designated Impaired Mobility" parking space without having "Designated Impaired Mobility" signage posted in plain sight in the Motor Vehicle.
- (h) No person shall park a Motor Vehicle in a "Public Service" vehicle parking space without having "Public Service" signage posted in plain sight on the Motor Vehicle.
- (i) No person shall park a Motor Vehicle in the opposite direction to "One Way" signage on a one-way designated street.
- (j) No person shall park or store a Trailer or Off-Road Motor Vehicle on any Highway in the Town.
- (k) No person shall park a Motor vehicle, Trailer, or Off-Road Motor Vehicle, in any space identified with "No Parking" signage.

6.0 Commercial Vehicles

- a) Nothing in these Regulations shall prohibit,
 - i. the operation of an Emergency Vehicle upon any street in the Town,
 - ii. the operation of a Commercial Vehicle owned or operated by the Town, a public utility, or contractors while engaged in the repair, maintenance, or construction of streets, street improvements, and street utilities, or the delivery of materials within the Town.
- b) No person shall park a Commercial Vehicle in any residential use zone, as described in the Town's *Development Regulations*, unless a permit has been issued by Council.
- c) An application for a permit to park a Commercial Vehicle in a Residential Zone shall be made to Council, and every applicant for a permit shall furnish with the application, such information as Council may require.
- d) Council shall attach to the parking permit such conditions as Council deems fit for the parking of a Commercial Vehicle in a Residential Zone and may permit parking for such limited time as Council deems fit.

7.0 Offence

- (a) Any person who is guilty of an offence under these Regulations, or who acts in contravention of or fails to comply with any provisions thereof, or neglects or refuses to do so, shall be liable on summary conviction to the penalty as prescribed in the *Highway Traffic Act, 1990*, and Amendments thereto.

8.0 Enforcement

Enforcement under these Regulations may be taken summarily by a Council employee specifically authorized by the Council or by any Peace Officer.

9.0 Coming Into Effect

These Regulations shall come into effect on the _____ day of _____ A.D., 2021.

10.0 Publication

A notice of these Regulations was published in The Shoreline on the _____ day of _____ 2021 A.D. and in the Newfoundland and Labrador Gazette on the _____ day of _____, 2021 A.D.

11.0 Copy to Minister

A copy of these Regulations was sent to the Minister of Municipal Affairs and Environment on the _____ day of _____, 2021 A.D.

12.0 Repeal of Previous Regulations and Amendments

All previous Town of Paradise Traffic Regulations and amendments are repealed.

SCHEDULE OF PENALTIES

Section	Violation	Fine
3.b)	Parking within 185 meters of a fire	\$75.00
3.c)	Defacing a traffic sign or control device	\$75.00
3.e)	Parking trailer or recreational vehicle on highway	\$75.00
5.a)i	Parking on sidewalk	\$75.00
5.a)ii	Parking in front of public/private driveway or loading door	\$75.00
5.a)iii	Parking in or within 6 meters of an intersection	\$75.00
5.a)iv	Parking within 1 metre of fire hydrant	\$75.00
5.a)v	Parking on / within a cross walk	\$75.00
5.a)vi	Parking within 5 metres of a flashing beacon, stop sign, or signal	\$75.00
5.a)vii	Parking in contravention of a traffic control device	\$75.00
5.a) viii	Parking - Obstructing traffic	\$75.00
5.a)ix	Parking in a "Bus Stop"	\$75.00
5.a)x	Parking in a "Fire Lane"	\$75.00
5.a)xi	Parking in vicinity of Fire station	\$75.00
5.a)xii	Parking to Increase street obstruction	\$75.00
5.a)xiii	Stopping or Standing in Traffic Lane	\$75.00
5.a)xiv	Stopping or Standing: Bridges and Tunnels	\$75.00
5.b)	Parking while soliciting business	\$75.00
5.c)	Parking on wrong side of highway	\$75.00
5.c)i	Parking more than 30cm from curb	\$75.00
5.d)	Parking during garbage collection	\$75.00
5.e)	Parking on Public Property	\$75.00
5.f)	Parking in Permit Parking Only	\$75.00
5.g)	Parking in Designated Impaired Mobility space	\$400.00

Section	Violation	Fine
5.h)	Parking in Public Service vehicle space	\$75.00
5.i)	Wrong way Parking on one way street	\$75.00
5.j)	Parking Trailer or Off-Road vehicle on street	\$75.00
5.k)	Parking in a marked "No Parking" space	\$75.00
6.b)	Parking commercial vehicle without a permit	\$75.00