

PUBLISHED BY AUTHORITY

Pursuant to authority delegated by the Minister of Works Services and Transportation under Section 188 of the Highway Traffic Act, 1988, the Town Council of Labrador City has made the following Regulations:


Town Clerk, Joyce Narduzzi


Mayor, Darrell Brenton

TRAFFIC REGULATIONS

Interpretations

In these Regulations, unless the context otherwise requires:

- (a) "Act" means The Municipalities Act, 1979 as amended.
- (b) "Bus" means a vehicle designed or used for carrying passengers for gain or reward, but does not include a motor vehicle designed to carry less than seven passengers in addition to the driver;
- (c) "Commercial Motor Vehicle" means a vehicle designated to carry goods, or to carry more than six passengers in addition to the driver, and also means a truck, delivery wagon, hearse, fire engine, traction engine, and any other motor vehicle designed for commercial, agricultural or industrial use, but does not include buses, school buses or camper type vehicles designed or adapted exclusively for pleasure or recreational purposes.
- (d) "Construction Equipment" shall include all snowclearing equipment, loaders, graders, crawler

tractors, cement trucks, and any other motor vehicles designed for commercial, agricultural, industrial or constructional use.

(e) "Council" means the Town Council of Labrador City.

(f) "Crosswalk" means any part of a roadway at an intersection or elsewhere distinctively indicated for pedestrian crossing by signs or by lines or other markings on the surface, or the part of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalk on the opposite sides of a highway, measured from the curbs or, in the absence of curbs, from the edges of the roadway.

(g) "Curb Mass" means the actual mass of a motor vehicle when unladen but including the body, battery, loose tools, spare wheels, and other usual equipment and a full supply of water and fuel used for the purpose of propulsion;

(h) "Driver" means a person who drives or is in actual physical control of a vehicle.

(i) "Driveway" means a clearly defined private road, way, drive, path or passage or a like opening or space which is wide enough, but not wider than is necessary for the passage of a motor vehicle, whereby the owner, occupier or user of property has vehicular access from a roadway to a point within the property.

(j) "Emergency Vehicle" means a motor vehicle driven by a peace officer, constable or by a member of the

police branch of any of her Majesty's Armed Forces where there is an urgent emergency, or a motor vehicle carrying firefighting equipment in responding to an alarm of fire, or an ambulance responding to a call or transporting a patient where there is an urgent emergency, justifying a rate of speed in excess of any maximum rate of speed provided for in these Regulations.

(k) "Highway" means the entire width between the boundary lines of a highway, road, street, 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 for the passage of vehicles and includes a trail on a frozen lake, river or other body of water or watercourse when the trail is maintained or kept open at the expense of the province or municipality.

(l) "Intersection" means the area enclosed within the prolongation or connection of the lateral boundary lines of two or more highways that join one another at an angle, whether or not one highway crosses the other.

(m) "Maximum Gross Mass" or "M.G.M." means, in reference to a commercial motor vehicle motor vehicle, the curb mass together with the load, including the mass of the driver and of any other persons carried, and, in reference to a bus or school bus, the curb mass together with the mass of the driver and of number of passengers for which

the vehicle is licensed, and for the purposes of a regulation unless otherwise provided therein, the mass of a person shall be taken as seventy kilograms.

- (n) "Motor Vehicle" means a vehicle propelled, driven or controlled otherwise than by muscular power, other than a trailer or a vehicle running upon fixed rails.
- (o) "Municipal Enforcement Officer" means for the purpose of these Regulations a peace officer with the powers as outlined in The Municipalities Act, S.N., 1979, c.33, s.185 and amendments.
- (p) "Operator" means a person driving a motor vehicle on a highway or who has the care or control of the motor vehicle on a highway whether in motion or not.
- (q) "Owner" means the registered owner of a motor vehicle.
- (r) "Park" means to allow a motor vehicle, whether occupied or not, to stand otherwise than temporarily for the immediate purpose of and while actually engaged in loading or unloading goods or taking up setting down passengers or in obedience to traffic regulations or traffic signs or the directions of traffic officer.
- (s) "Pedestrian" means a person on foot, an invalid in a wheelchair or a child in a carriage or on a sleigh.

- (t) "Residential Zone" means any area designated as such under the Town of Labrador City Municipal Plan 1983 or any amendments thereto made.
- (u) "Regulations" means regulations made under the authority of Section 188 of The Highway Traffic Act, 1988, and The Municipalities Act, S.N., 1979, Chapter 33, Sections 174 (1) (a) (i), (ii), (iii), (iv); 176(c), (d), (e), 183(b), 226(b), 248 and amendments.
- (v) "School Bus" means a bus operated for the transportation of children to or from school and to or from places other than school for the purposes of school related activities;
- (w) "Sidewalk" means that portion of a highway lying between the curb lines or the lateral lines of a roadway and the adjacent property lines set apart or marked as being for the exclusive use of pedestrians and is deemed to include any area of a highway lying between the curb lines or the lateral lines of a roadway and that portion of a highway set apart for the use of pedestrians.
- (x) (i) "Stop" means the complete cessation of movement.
- (ii) "Stop" or "Stand" when prohibited means any stopping or standing of a motor vehicle whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the direction of a traffic officer or traffic control device or signal.
- (y) "Taxi" means a motor vehicle other than a bus used to transport passengers for gain or reward.

(z) "Traction Engine" means a mechanically-propelled vehicle running on wheels or caterpillar tracks and designed primarily for traction purposes and not constructed itself to carry a load other than equipment used for the purpose of propulsion, loose tools and equipment, and includes snow ploughs, road conditioning machines and the like;

(aa) "Trailer" means a vehicle which has no motive power of its own and which is attached to a truck, tractor or other motor vehicle at anytime upon a highway but does not include an implement of husbandry temporarily attached to another vehicle or a sidecar attached to a motorcycle.

(bb) "Town" means the Town Council of Labrador City as defined in the Order-in-Council dated the 27th day of June, 1961, and any Amendments thereto, according to the Municipalities Act.

(cc) "Traffic Officer" means any person appointed by Council to enforce these Regulations.

(dd) "Vehicle" means a device in, upon or by which a person or property may be transported or drawn upon a highway, but does not include devices used exclusively on rails.

2. The Council may cause or permit traffic signs to be placed on or near any highway within the limits of the Town.

3. Traffic signs erected or authorized under section 2 of

these Regulations may be signs for any of the following purposes:

- (a) to regulate the movement of traffic;
- (b) to indicate the route to be followed by traffic;
- (c) to restrict or prohibit the use of any part of any highway other than a main highway designed as such by the Minister of Transportation within the limits of the Town;
- (d) to indicate maximum speed limits in any area or on any part of any highway within the limits of the Town, so that vehicles driven in excess of such speed shall be taken to have failed to conform to the indication given by the sign;
- (e) to restrict or prohibit the parking of vehicles in any area or on any part of any highway within the limits of the Town;
- (f) to restrict or prohibit temporarily the use of any highway other than a main highway designated as such by the Minister of Transportation, or any part of any highway within the limits of the Town, whenever owing to the likelihood of danger to the public or serious damage to the highway, it appears to the Council to be necessary and to limit the loads of vehicles owing to condition of any highway, if the Council deems it necessary, provided that the sign shall not apply to any person granted a permit in writing by the Council to use the highway in case of emergency;

(g) to warn users of the highway of the need for special caution;

(h) to convey information to users of the highway within the limits of the town.

4. Any person who fails to comply with the direction or prohibitions given by any traffic signs shall be guilty of an offence.

5. No person shall place, maintain, or display upon or in the view of any highway, any unauthorized sign, signal, marking, or device which purposed to be or is an imitation of, or resembles an official traffic control device or sign, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic control device or sign.

6. No person shall without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control device or sign.

7. Where traffic control signals are not in place or not in operation when a pedestrian is crossing the roadway within a crosswalk, a driver shall yield the right of way to the pedestrian.

8. Whenever a traffic officer engaged in control of traffic gives direction as to parking and movement of traffic, the directions shall be followed irrespective of any traffic sign or signal or any parking signs that may be so placed in that area.

9. When a red light alone is shown at a place other than an intersection by a traffic-control signal:

the driver of a vehicle approaching the light shall stop the vehicle at a clearly marked stop line or, if none, then immediately before entering the crosswalk or the near side of the light or, if there is no crosswalk, then immediately before reaching the light and shall not proceed until a traffic control signal permitting the driver to pass the light or signal is shown.

10. When a red light alone or "stop" signal is shown at an intersection by a traffic control signal:

(a) The driver of a vehicle approaching the intersection and facing the light or signal shall stop the vehicle at a clearly marked stop line, or, if none, then immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection, and, subject to paragraph (b), shall not proceed until a traffic-control signal permitting the movement of the vehicle in the intersection is shown, and

(b) the driver of a vehicle approaching the intersection and facing the light or signal and intending to turn right at the intersection may, unless a traffic control device prohibits a right turn to be made on a red light to "stop" signal, with caution, proceed and turn right at the intersection, but only after stopping in accordance with paragraph (a) and after yielding the right-of-way to any vehicle or pedestrian proceeding in the intersection.

11. When a sign which has the word "STOP" inscribed thereon is erected at or near the intersection of two highways and facing the stream of traffic on one highway the driver of a vehicle on the highway shall stop his vehicle before entering but as near as practicable to the driving surface of the other highway and shall then proceed with special care and give way to traffic on the other highway, but if there is a crosswalk at or in the vicinity of the sign, the driver of the vehicle shall stop the vehicle before entering the crosswalk and may then proceed with caution, giving way to pedestrians in the crosswalk.

12. Except when a traffic officer directs otherwise, where there is a yield sign at an intersection, the driver of a vehicle approaching the sign shall:

(a) slow down to a speed reasonable for the existing conditions or, if necessary for safety, stop at a clearly marked stop line or, if there is none, then immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection; and

(b) shall yield the right-of-way to a pedestrian crossing the roadway on which the driver is driving and to traffic in the intersection or approaching on the intersecting highway so closely that it constitutes a hazard, and having yielded, the driver may proceed with caution.

13. Where a sign which has the words "NO PARKING" or a symbol for inscribed on it is erected on a highway and the part of the highway to which the sign is applicable is clearly indicated by painted red

or white lines or words or markers on the highway or by additional 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 same highway, the driver of a vehicle shall not park the vehicle in the area to which the sign applies or between the hours or during the time, if any, specified on the sign.

14. The prohibition in Section 13 does not apply, unless stated on the sign to the stopping of a vehicle for the immediate taking up or discharging of passengers or for the time that may be actually necessary for the loading or unloading of goods.

15. No person other than the holder of a permit or a person accompanying a permit holder shall park a motor vehicle or motorcycle in a disabled parking space. For the purpose of this section, disabled parking space means: a parking space set aside for disabled person to park a motor vehicle and so designated by a sign bearing the international wheelchair and logo.

16. No person shall:

- (a) drive any motor vehicle at a speed in excess of 40 km. per hour within the limits of the Town, unless otherwise posted.
- (b) Drive a motor vehicle in the wrong direction upon any one-way street within the Town.
- (c) Drive or park any vehicle in or upon any property classified as an easement or upon any parks, play areas, open space areas, playgrounds or recreation

grounds owned by the Town or within the boundaries of the Town of Labrador City.

The Provisions of Regulation (16)(c) shall not apply to:

- (i) (a) municipal vehicles engaged in municipal work;
- (b) a vehicle responding to an emergency;
- (c) motor vehicles when given express permission by the Town or by a caretaker or attendant employed in the park, play area, open space area, playground or recreation ground.

(ii) Any vehicle violating Regulation 16(c) may be removed from the park, play area, open space area, playground or recreation ground by a member of the Royal Newfoundland Constabulary, Municipal Enforcement Officer, or any other person empowered to remove any such vehicle.

(iii) For the purpose of Section 16(c) only, Vehicle includes automobile, motorcycle, motorskooter, dirt bike, tricycle, all terrain vehicle, motorbus, grader, motortruck, loader, or tractor, and does not include motorized snowvehicle or snowmobile.

- (d) drive a motor vehicle upon a sidewalk or footpath except for the purpose of directly crossing the sidewalk or footpath;
- (e) park a motor vehicle used as a taxi on a highway within the Town for the purpose of soliciting business except in a place or places designated by Council for the purpose;

- (f) park a motor vehicle so as to obstruct the entrance to any driveway, road, parking lot or street within the limits of the Town;
- (g) park a motor vehicle on the highway at any time in such a way as to interfere with, hinder or obstruct the normal flow of traffic;
- (h) park a motor vehicle within fifteen feet of any fire hydrant within the limits of the Town;
- (i) except where otherwise provided by a sign, no person shall leave a motor vehicle unattended within a distance of 6.0 m circumscribed from an intersection or within an intersection;
- (j) operate, within the boundaries of the Town, any vehicle having any object or thing projecting or extending therefrom in a lateral direction for a distance of more than 300 millimetres; neither shall any vehicle have any object or thing protruding rearwards for a distance of more than 2 meters without the displaying of a red flag at the extreme rear of the object or thing;
- (k) sound the horn of a motor vehicle except for the purpose of giving warning of the vehicle's approach and every driver of a motor vehicle shall refrain from excessive or unnecessary sounding of the horn;
- (l) squeal the tires or brakes of a motor vehicle by reason of unnecessarily rapid braking, turning or setting in motion of such motor vehicle;

17.

(a) No person shall park a commercial motor vehicle, construction equipment, bus, school bus, or trailer greater than the maximum gross mass of 5000 kilograms in any residential zone or on any street within the boundaries of the Town for any period of time except while engaged in loading or unloading freight or materials or while engaged in the picking up or discharging of passengers.

(b) Any person requiring a special permit from the Town authorizing the parking of a commercial motor vehicle, construction equipment, bus, school bus, or trailer greater than the maximum gross mass of 5000 kilograms in any residential zone or on any street within the boundaries of the Town shall apply in writing to the Town Clerk. The Town reserves the right to limit or exclude the parking rights of such vehicles referred to in this section as it sees fit from time to time.

(c) Any person who is issued a special permit under this Section shall be given a form outlining his parking rights and shall keep such form prominently displayed in the appropriate vehicle. Failure to display such a form shall be prima facie evidence that no special permit has been issued.

18. The driver of a commercial motor vehicle loading or unloading freight within the Town shall, if possible, pull such motor vehicle off the highway into some private parking space. Where this is not possible, the driver shall, when loading or unloading freight, pull in as near as possible to the curb and load or unload as quickly as possible, but in no case shall a driver place a commercial motor vehicle in such a position as to hinder or obstruct the normal flow

of traffic.

19. When a commercial motor vehicle has to cross the sidewalk or highway to load or unload freight, the driver of such vehicle shall, before crossing, stop and give fair warning to pedestrians either by hand or by sounding the horn that he is going to cross, and after such sign is given he shall proceed to cross such sidewalk very slowly.

20. Under no circumstances shall a driver of a commercial motor vehicle park, while loading or unloading, do so in such a manner as to block a sidewalk or an area generally used by pedestrians.

21. Upon the immediate approach of an emergency vehicle giving an audible signal by a bell, siren or exhaust whistle and showing a visible flashing red light, except when otherwise directed by a traffic officer, the driver of vehicle shall:

- (a) yield the right-of-way;
- (b) drive immediately to a position parallel to and as close as practicable to the right-hand curb or edge of the roadway, clear of an intersection;
- (c) at night dim the lights of his vehicle;
- (d) stop and remain in that position until the emergency vehicle has passed.

22. When a fire is in progress in any area within the Town, no driver of any vehicle shall drive or place any such vehicle within

50 hundred yards of any such fire in a place as to obstruct in any way the free working of the fire apparatus; provided, however, that this Regulation shall not apply to fire fighting apparatus, vehicles of police, medical doctors or nurses, or to ambulances.

23. A person shall not stop, stand or park a motor vehicle on a highway so that the motor vehicle or any part of it is:

- (a) on a sidewalk, walkway or an area generally used or intended for the use of pedestrians;
- (b) within a crosswalk;
- (c) within 6.0 m of the approach side of a crosswalk;
- (d) within 10.0 m upon the approach to any flashing beacon, stop sign, or other traffic control sign or signal located at the edge of the roadway;
- (e) within 7.0 m of a driveway entrance to a fire station;
- (f) alongside or opposite a street excavation or obstruction, when such stopping, standing or parking obstructs traffic;
- (g) on the left side of the street in the direction it is heading;
- (h) in any area at the side of a highway or sidewalk when such area is seeded or maintained by Council;
- (i) in any area designated as a school bus stop, except school buses actually engaged in the process of

pickup and discharge of students.

24. No motor vehicle shall make a "U" turn on any street within the limits of the Town.

25. No vehicle shall be parked on any highway within the limits of the Town for a continuous period in excess of two days.

26. The Council may cause the removal at the expense and risk of the owner of any vehicle parked in contravention of Section 25 or of any vehicle left standing upon a public road in such a position that it is interfering with the normal flow of traffic.

27. A person shall not throw or deposit or cause to be thrown, deposited or left on a highway, glass, nails, tacks, scraps of metal or other material which may injure tires of vehicles, or rubbish, refuse or litter of any description.

28. No person shall deposit, throw, sweep, or place any accumulation of snow or ice on any street on any public parking lot within the limits of the Town, providing that this Regulation shall not apply to employees or contractors of the Council while engaged in snowclearing operations.

29. During the period from October 15th in each year to the 30th day of April in the succeeding year, both days inclusive, no person shall park an unattended vehicle, regardless of weather conditions, upon any highway/street within the limits of the Town.

30. No person shall park any motor vehicle on any street in such a way as to interfere with, hinder, or obstruct snow clearing operations.

31. Any vehicle which is left standing upon a public road, sidewalk or bridge in such a position that it may hinder or impede the ploughing of or removal of snow or ice therefrom, shall be removed to a place designated by Council and impounded therein by a person so authorized at the owner's expense and risk.

32. Regulations 26, 29 and 31 do not apply to ambulances or fire fighting apparatus nor to motor vehicles operated by medical doctors, nurses, clergy, police or members of the fire brigade when at the scene of an emergency.

33. The owner of a vehicle removed under the provisions of Section 26 and 31 shall not be permitted to claim the vehicle and remove it from the place of impoundment until all towing and administration charges as prescribed by Council have been paid.

34. If the owner of a motor vehicle under Section 33 does not within three (3) months after the date of removal pay the cost for removal, the Council may dispose of the vehicle at the Council's discretion.

35. No action or legal proceedings may be brought against any Municipal Enforcement Officer, or an employee, servant, agent, or representative of the Council, or against the Mayor, and/or councillors, or any person authorized by them under Section 26 and 1 in respect of anything done under these Regulations where the

action or proceedings is not based on malfeasance or misfeasance.

36. The driver of a motor vehicle upon meeting or overtaking from either direction a school bus that has stopped on any part of the highway for the purpose of receiving or discharging school children shall;

- (a) when there is in operation on the bus, red flashing lights, or a visual signal is displayed, stop the motor vehicle before reaching the bus; and
- (b) not proceed until the school bus resumes motion or is signalled by the driver of the bus to proceed or the visual signal or flashing lights are no longer actuated.

37. (a) A vehicle licence shall be kept in the vehicle in respect of which it is issued and the driver of the vehicle shall produce the licence whenever a traffic officer or peace officer so requests.

(b) Subject to Subsection (c), the holder of a driver's licence shall when he/she is driving a motor vehicle produce the licence when a traffic officer requests him/her to do so.

(c) The production of a driver's licence within forty-eight (48) hours after a request is made under Subsection (b) is deemed to be sufficient production of the licence for the purpose of that Subsection.

38. If a driver refuses to give his/her name and address or gives a false name or address to any person having reasonable grounds for requiring the same or if any other driver refuses to give his/her name or address to a traffic officer or a peace officer who asks for his/her name or address is guilty of an offence against these Regulations.

39. Subject to the Act, and these Regulations, a person shall not operate a motor vehicle on a highway or any other place within the Town limits unless:

(a) the motor vehicle is registered;

(b) any trailer drawn by the motor vehicle is registered.

40. Prosecution under these Regulations may be taken summarily by any police constable, municipal enforcement officer or other peace officer authorized from time to time by Council.

41. Any person who violates any of the provisions of these Regulations shall be guilty of an offence and shall be liable to a fine of not more than the maximum and not less than the minimum amount prescribed for the offence in the schedule A, attached hereto, or in default of such penalty, to imprisonment as prescribed in the schedule.

42. Every person who is guilty of an offence under these Regulations for which a penalty has not been prescribed shall be liable on summary conviction:

(a) where the offence is a first offence, to a fine not exceeding one hundred dollars (\$100.00) and in default of payment of the fine to imprisonment for a period not exceeding three (3) months; and

(b) where the offence is a second or subsequent offence to a fine not exceeding two hundred dollars (\$200.00) and in default of payment of the fine to imprisonment for a period not exceeding six (6) months.

43. (a) The owner of a motor vehicle shall incur the penalties provided for a violation of the regulations, but the owner shall not incur the penalties for a violation of the regulations involving a motor vehicle that was in motion or had just ceased to be in motion unless the owner was the driver of the motor vehicle.

(b) Where an owner can prove that at the time of the violation, the motor vehicle was in the possession of some person other than the owner without the owner's consent, the owner shall not incur the penalties provided for that violation.

(c) The owner of a motor vehicle, who incurs a penalty under subsection 43 (a), is not liable to imprisonment, unless he/she is the driver of the vehicle.

(d) The registration of a vehicle in the name of a person is for the purposes of the regulations prima

facie evidence that that person is the owner of the vehicle.

44. All previous Traffic Regulations for the Town of Labrador City are hereby rescinded.

45. These Regulations were passed and adopted by Council on the 10th day of September, 1991, and will come into effect on the 17th day of January, 1992, and may be cited as the Town of Labrador City Traffic Regulations, 1992.