



TOWN OF HOLYROOD

Snow Clearing Regulations:

Pursuant to authority delegated by the Minister of Works, Services and Transportation under the Highway Traffic Act, R.S.N., 1990, Chapter H-3, and Amendments and pursuant to the authority delegated in accordance with the Municipalities Act, Chapter M-24, S.N., 1999 and Amendments, the Town of Holyrood has made the following Regulations.

Definitions/Interpretations:

In these Regulations, unless the context otherwise requires, words defined in the Highway Traffic Act, R.S.N., 1990 and the Municipalities Act, Chapter M-24, S.N., 1999 as amended or any regulations made thereunder shall have the meaning assigned by the said Act or Regulations, and the following words shall have the following meanings:

Council:

The Town Council for the Town of Holyrood;

Municipality:

The Town of Holyrood as defined by order in Council dated March 3, 1969;

Highway Traffic Act:

The Highway Traffic Act, R.S.N., 1990 as amended and any regulations made thereunder;

Street/Highway:

Any way to which the public has access, and bridges over which a highway passes, and including every place to which the public has access as a parking place for motor vehicles;

Vehicle:

A device in, upon, or by which a person or property may be transported or drawn upon a street;

Driveway:

A clearly defined private road, way, drive, path or passage or a like opening which is wide enough, but not wider than is necessary for the passage of a motor vehicle whereby the owner, occupier or user of a property has vehicular access from a roadway to a point within the property; and

Parking Lot:

A clearly defined area of land provided by the owner, occupier or user of a business premises for the use of the general public for the parking of motor vehicles;

Regulations:

Snow Clearing Period:

During the period between the first day of December in each year and the last day of April in the year following, both days inclusive, and any other period when unusual snow and or ice conditions prevail, shall be known as the Snow Clearing Period.

Parking:

No persons shall park an unattended vehicle upon any street or street reservation within the Municipality as follows: “during or for the 24 hour period immediately following a snow storm or for such other period as may be declared by Council to enable clean up after a particularly severe storm or snowfall.”

Depositing of Snow:

No person shall deposit or cause or permit to be deposited any snow and/or ice from driveways sidewalks, parking lots or any other property under their ownership or control onto any street reserve within the Municipality.

Identification of Property:

All mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, ledges, rock walls and lawns must be clearly marked with a reflective marker and must be visible to the snow equipment operator at all times.

Liability for Damages:

Claims against the Municipality for damage to mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, ledges, rock walls and lawns or private property will be reviewed by the Municipality when they occur as a result of being struck by equipment operated by employees of the Town during the period of time they are engaged in snow clearing work and when they occur at a distance greater than 20 feet from the centre line of the street and the object damaged was not clearly marked as outlined above.

Disclaim of Damages:

No claims for damages to property will be reviewed by the Municipality where:

- the damage occurred to property located within 20 feet from the centre line of the street;
- the damages occurred as a result of the weight of snow and/or ice deposited on mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns;
- lawns become brown or decayed as a result of the deposit of snow and/or ice; and
- a claim for damages is received by the Council after May 31 of the year in which the snow clearing period ends.
- the damage occurred to an item which was not clearly marked as outline above.

Council's Adoptions:

These Regulations will come into effect on January 23, 2007 and may be cited as the Town of Holyrood's Snow Clearing Regulations.

Dated this ____ day of _____, 2008.

Curtis Buckle
Mayor

Cynthia Layden-Barron
Chief Administrative Officer/Town Clerk