

COMMERCIAL MOTOR VEHICLE REGULATIONS

PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 414(2) (t) of the Municipalities Act, Chapter M-24, S.N. 1999, the Town of Conception Bay South hereby enacts the following Regulations.



WOODROW FRENCH
MAYOR

1. TITLE

These Regulations shall be known and cited as the "Town of Conception Bay South Commercial Motor Vehicle Regulations".

2. INTERPRETATION

For the purposes of this By-Law, unless the context otherwise requires:

- a) "Regulation" means the Town of Conception Bay South Commercial Motor Vehicle Regulations.
- b) "Bus" means a motor vehicle designed or used for the transportation 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 Motor Vehicle" means any vehicle designed, maintained, or used primarily for the transportation of property and persons, and includes a truck, (excluding vehicles 1 1/4 tonne and under), a bus, delivery van or wagon, tractor, truck tractor and/or trailer, heavy equipment, construction equipment, but does not include a taxi cab, jitney bus, or recreational vehicle. For the purposes of these regulations, all vehicles one and one quarter (1 1/4) tonne in weight and under are exempt from these Regulations.
- d) "Council" means the Town Council of the Town of Conception Bay South.

- e) "Park" means to permit a 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 or setting down passengers.
- f) "Persons" means any person, firm, partnership, association, corporation, or organization of any kind.
- g) "Representative" means the Town's Enforcement Officer or another employee of Council designated by Council to enforce the provisions of the By-Law.
- h) "Residential Zone" means residential use zones as defined under the Town of Conception Bay South Land Use Zoning, Subdivision and Advertisement Regulations.
- i) "Town" shall mean the Town of Conception Bay South, Newfoundland and Labrador.

3. APPLICATION

These Regulations apply within the boundaries of the Town.

4. CONFORMITY WITH REGULATIONS

No person shall park a Commercial Motor Vehicle in the Town except in conformity with these Regulations.

5. EXCEPTIONS

This Regulation shall not prohibit:

- a) The operation of emergency vehicles upon any street in the Town.
- b) The operation of Commercial Motor Vehicles owned or operated by the Town, public utilities, any contractor and/or any other person while engaged in the repair, delivery of materials, maintenance or construction of streets, street improvements or street utilities within the Town of Conception Bay South.

6. PERMIT

- a) No persons shall park any Commercial Motor Vehicle in any residential zone in the Town unless a permit for the parking has been issued by Council.
- b) An application for a permit to park any Commercial Motor Vehicle in any residential zone shall be made to the Council and every applicant for a permit shall furnish with the application such information as Council may require.
- c) Upon review of an application, at the discretion of Council, a permit may be issued to park a Commercial Vehicle on a residential property under the following provisions:
 - i) The issuance of a permit does not contravene Section 6 and 7 of these Regulations;
 - ii) The Council shall attach to the permit such conditions as it deems fit for the parking of any Commercial Motor Vehicle in a residential zone and may permit parking for such limited time as it deems fit.
 - iii) Where Council issues a Commercial Vehicle Parking Permit, the permit is valid for one year and will be renewed automatically provided no objections or complaints are received in relation to the parking of the said vehicle. Should any complaint be received during the term of the permit, Council will determine the validity of such a complaint and may refuse to renew the permit.

7. LOT SIZE

Council will not issue a permit to park a Commercial Vehicle on any residential property where the residential lot has less than 18 metres frontage and an area of less than 1000 square metres.

8. LIMIT

The number of Commercial Motor Vehicles that may be permitted to park on any residential property shall be limited to one (1).

9. SCHOOL BUS

School buses are exempt from the provisions of Section 6 and 7 of these Regulations provided no objections or complaints are received. Should any objection or complaint be received, Council will determine the validity of the complaint and may require that a permit be obtained.

10. ENTRY

A Representative may enter upon any public or private land and may at all reasonable times make an inspection for the purpose of obtaining information relative to the parking of any Commercial Motor Vehicle or whatever works whatsoever which the Town is empowered to regulate, and may require the owner of an illegally parked commercial vehicle on the property on which such a vehicle is situated removed, or may arrange that such a vehicle be impounded at the owner's expense.

11. PENALTIES

Every person who is guilty of an offence under these Regulations 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 420 of the *Municipalities Act, 1999*; or
- b) Shall be issued a ticket under section 10 of the Town of Conception Bay South Traffic Regulations made under section 189 of the *Highway Traffic Act* and section 414 (2) (pp) of the *Municipalities Act, 1999*.

12. COMPLIANCE WITH OTHER ACTS

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other Regulation 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.

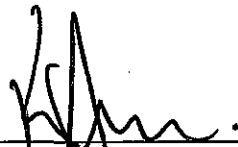
13. EFFECTIVE DATE

These Regulations shall come into force on the 16th day of February 2011.

In witness whereof the Seal of the Town of Conception Bay South has been affixed hereto and these regulations have been signed by the Mayor and the Chief Administrative Officer on behalf of Council on this 16th day of February, 2011.



Woodrow French
Mayor



Keith Arns
Chief Administrative Officer