

## **REGULAR MEETING #05 March 17, 2015**

A Regular Meeting of Council convened in the Council Chambers at 7:04 p.m. in the presence of Mayor Ken McDonald, Councillors, Acting Chief Administrative Officer, Gail Pomroy, Senior Accountant/Office Manager, Liz Davis, Director of Engineering and Public Works, Jennifer Manuel, Director of Recreation and Leisure Services, Dave Tibbo, Economic Development Coordinator, Jennifer Lake and Executive Secretary, Jody Fifield.

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### **1. ADOPTION OF AGENDA AND MINUTES**

#### **a. Adoption of meeting agenda of March 17, 2015**

##### **Resolution #15-090**

##### **Councillor Rowe/Deputy Mayor Tessier**

Be it so resolved that the agenda of the meeting of March 17, 2015 be adopted as presented.

- carried unanimously

#### **b. Adoption of minutes of meeting of March 3, 2015**

##### **Resolution #15-091**

##### **Councillor Tilley /Councillor Connors**

Be it so resolved that the minutes of the meeting of March 3, 2015 be adopted as presented.

- carried unanimously

### **2. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

### 3. VISITORS, PRESENTATIONS AND PETITIONS

#### a. Winterfest Hockey Donations

Mayor McDonald presented the following with the proceeds from the Annie Parsons Shield and the Fred Squires Shield:

- Darlene Moulton – LRC Teacher, Villanova Junior High School
- Christine Rowe –Teacher and Hockey Team Manager, Frank Roberts Junior High School
- David Locke – Principal, Holy Spirit High School
- Gavin McCarthy – Athletic Director, Queen Elizabeth Regional High School

#### b. Proclamation – National Nutrition Month

Mayor McDonald proclaimed March 2015 as Nutrition Month in the Town of Conception Bay South.

#### c. Proclamation – Canadian Postmasters and Assistants Association

**Whereas** the elimination of hours of operation to the community of Topsail could ultimately affect your standard of postal service;

**Whereas** the services offered by the Canada Post Corporation are an integral part to the ongoing support and development of our community;

**Whereas** to be efficient and meet the needs of our citizens it is necessary to maintain the current levels of service;

**Be it resolved that** the Town Council of Conception Bay South is opposed to any reduction of services proposed by the Canada Post Corporation to the community of Topsail.

**4. RECOMMENDATIONS OF PLANNING & DEVELOPMENT COMMITTEE  
(Chair, Councillor Beverley Rowe)**

Presentation of recommendations of meeting held March 9, 2015

**1. Variance – 26 Buckingham Drive, Chamberlains**

**Recommendation:**

Be it so resolved that approval be given to vary the minimum flanking street setback on the east side of 26 Buckingham Drive, Chamberlains to facilitate the development of a new residential street to accommodate a proposed subdivision subject to compliance with Town regulations.

- DEFERRED

**2. Residential Development – 1-3 Browns Lane, Chamberlains**

**Resolution #15-092**

**Councillor Rowe/ Councillor Murphy**

Be it so resolved that approval be given to vary the minimum building line and rear yard setbacks to facilitate the development of a residential dwelling at 1-3 Browns Lane, Chamberlains from 10 metres to 9 metres subject to the following conditions:

- That the developer be responsible for widening the shoulder of the road along Browns Lane;
- That the developer convey to the Town any property within 6 metres of the centerline of Browns Lane and Chamberlains Road;
- That the developer maintain maximum separation between the driveways and the intersection on both Chamberlains Road and Browns Lane; and
- That the developer fully comply with all other Town regulations.

- 8 yeas  
- 1 abstention (Tilley)  
- motion carried

Councillor Tilley declared a conflict of interest with this item he vacated at 7:13 p.m. and returned at 7:16 p.m.

**3. Traffic Regulations**

**Resolution #15-093**  
**Councillor Rowe/ Deputy Mayor Tessier**

Be it so resolved that the Traffic Regulations be adopted as presented.

- carried unanimously

**TRAFFIC REGULATIONS**

**1. TITLE**

These Regulations shall be known and cited as "The Town of Conception Bay South Traffic Regulations."

**2. DEFINITIIONS**

In these Regulations, the following words, unless the context otherwise requires, shall have the following meanings:

- (a) "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.
- (b) "Commercial Motor Vehicle" means a vehicle designated to carry goods and persons and includes a bus, a school bus, a truck (excluding vehicles 1 ¼ tones and under), a truck trailer and other motor vehicles designed for commercial use but does not include camper type vehicles designed or adopted exclusively for recreational purposes.
- (c) "Council" means the Town Council of Conception Bay South.
- (d) "Crosswalk" means:
  - (i) Any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface; or

- (ii) The part of a roadway at an intersection that is included within the connection of the lateral lines of the sidewalks of the opposite sides of a highway, measured from the curbs, or in the absence of curbs, from the edge of the roadway.
- (e) "Driveway" means a clearly defined private roadway, 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 the roadway to a point within the property.
- (f) "Emergency Vehicle" means:
  - (i) A motor vehicle driven by a constable or by a member of the police branch of any of Her Majesty's Armed Forces or a peace officer being a member of the Royal Newfoundland Constabulary or the Royal Canadian Mounted Police where there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in these Regulations;
  - (ii) A motor vehicle carrying firefighting equipment in responding to an alarm of fire;
  - (iii) 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; or
  - (iv) A motor vehicle where there is an urgent emergency.
- (g) "Highway" means a place or way, including a structure forming part of the place or way, designed and intended for, or used by the public for the passage of traffic and includes all the space between the boundary lines of the place or way.
- (h) "Intersection" means the area enclosed within the prolongation or connection of the lateral curb lines or if there are no curb lines, the lateral boundary lines of two or more highways that join one another at an angle, whether or not one of the highways cross the other.

- (i) "Motor Vehicle" means a vehicle propelled, driven or controlled otherwise than by muscular power, other than a trailer or a vehicle running on fixed rails.
- (j) "Municipal Enforcement Officer" means for the purpose of these Regulations a peace officer with the powers as outlined in the Municipalities Act, M-24, RSN 1999 and amendments and as outlined in the Highway Traffic Act, RSN 1990 Chapter H-3 and amendments.
- (k) "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.
- (l) "Owner" means:
  - (i) The person who holds the legal title to a vehicle; or
  - (ii) In the case of a vehicle that is registered, the person in whose name it is registered.
- (m) "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 or in obedience to traffic Regulations or traffic signs or the direction of a traffic officer.
- (n) "Pedestrian" means a person on foot, a handicapped person in a wheelchair, or a child in a carriage or on a sleigh being pushed or pulled.
- (o) "Persons" means any persons, firm, partnership, association, corporation, or any organization of any kind.
- (p) "Regulations" means Conception Bay South Traffic Regulations made under the authority of the Highway Traffic Act and amendments and the Municipalities Act and amendments.
- (q) "Roadway" means a portion of a highway that is improved, designed, or ordinarily used for vehicular traffic, but does not include the shoulder unless the shoulder is paved, and where a highway includes two or more separate roadways, the term

"roadway" refers to any one roadway separately and not to all of the roadways collectively.

- (r) "School bus" means a motor vehicle:
  - (i) Designed or used to carry 7 or more passengers, in addition to the driver;
  - (ii) Owned, operated by or contracted to a school board or agent of a school board; and
  - (iii) Used to transport children to or from school or to and from places other than school for the purpose of school related activities.
- (s) "Sidewalk" means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjacent property lines set apart for the use of pedestrians and includes any part of a highway set apart or marked as being for the exclusive or intended use of pedestrians and is considered to include an 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.
- (t) "Stop" when required means the complete cessation of movement.
- (u) "Stop" or "Stand" when prohibited means any stopping or standing of a 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.
- (v) "Town" means the Town of Conception Bay South.
- (w) "Traffic" includes vehicles, pedestrians and animals while using a highway for the purpose of travel.
- (x) "Traffic Officer" means any person appointed by Council to enforce these Regulations, including a Municipal Enforcement Officer.
- (y) "Traffic Sign" includes all traffic control signals, warning sign posts, direction posts, signs, lines, marks or other devices for the guidance or persons using highways.

- (z) "Vehicle" means a device in, upon or by which a person or property may be transported or driven upon a highway.

### **3. COUNCIL AUTHORITY**

- (a) The Council may cause or permit traffic lights or signs to be placed on or near any highway within the limits of the Town.
- (b) Traffic lights or signs erected or authorized under subsection (1) of these Regulations may be signs for any of the following purposes;
  - (i) To regulate the movement of traffic;
  - (ii) To indicate the route to be followed by traffic;
  - (iii) 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 and Works, within the limits of the Town;
  - (iv) 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;
  - (v) To restrict or prohibit the parking of vehicles in any area or on any part of any highway within the limits of the Town;
  - (vi) To restrict or prohibit temporarily the use of any highway, other than a main highway designated as such by the Minister of Transportation and Works, 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 the condition of the highway if the Council deems it necessary, provided that the traffic lights or signs shall not apply to any person granted a permit in writing by the Council to use the highway in case of an emergency;



- (vii) To warn users of the highway of the need for special caution;
  - (viii) To convey information to users of the highway within the limits of the Town;
  - (ix) To set out proper pedestrian crossing on any highway within the limits of the town; and
  - (x) To restrict or reserve specific parking spaces for the sole use of disabled person.
- (c) Any person who fails to comply with the directions, restrictions, prohibitions, or warnings given by traffic lights or signs erected in accordance with these Regulations shall be guilty of an offence against these Regulations.

#### **4. PARKING OFFENCES**

- (a) No person shall stop, stand or park a vehicle on a highway so that the vehicle or any part of it is:
- (i) On a sidewalk or an area generally used by 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 6 metres of an intersection;
  - (iv) Within 5 metres from any fire hydrant;
  - (v) Within a crosswalk;
  - (vi) Within 6 metres of the approach side of a crosswalk;
  - (vii) Within 8 metres upon the approach to any flashing beacon, stop sign, or traffic-control sign or signal located at any side of a roadway;
  - (viii) Within 6 metres either side of the entrance to or exit from a hotel, church, school, public meeting place, theatre, dance hall or playground;

- (ix) Within a distance of 20 metres from a bus stop erected under these Regulations, except where otherwise provided by a sign erected under these Regulations;
- (x) Within 6 metres of a driveway entrance to a fire station;
- (xi) Alongside or opposite a street excavation or obstruction when stopping, standing or parking obstructs traffic;
- (xii) In a place in contravention of a traffic control device that gives notice that stopping, standing or parking is there prohibited or restricted;
- (xiii) Parked on the left side of the highway in the direction it is heading, excepting where such parking is designated by proper signs erected by Council;
- (xiv) Within 150 metres of any site where a fire is in progress unless permission has been obtained from a police constable, excepting a fire engine, ambulance, clergy car, police car, medical doctor's car or nurse's car;
- (xv) Parked in such a manner as to interfere with, hinder or obstruct the normal flow of traffic;
- (xvi) Parked on highway property between the curb or edge or the roadway and the boundary line of the highway;
- (xvii) On any property classified as an easement or upon which Council grants a permit;
- (xviii) For the purpose of displaying the vehicle for sale;
- (xix) For the purpose of washing, greasing or repairing the vehicle, except for such repairs as have been necessitated by an emergency;
- (xx) Parked in an area designated as a parking space for disabled persons only.

- (b) No person shall double park any motor vehicle on any highway within the limits of the Town.
- (c) No person shall park or stop any vehicle on any roadway unless on the right hand side of the roadway having regard to the direction in which the vehicle was proceeding with the right front and rear wheels parallel to and not more than thirty (30) centimeters from the curb where there is a raised curb, or where there is no curb or a rolled curb, with the right front and rear wheels parallel to and as near the right hand limit of the roadway as is practical without stopping or parking over a sidewalk or footpath or over any part of the road where grass is grown or which is not intended for the use of vehicles.
- (d) No person shall stand, stop or park or drive a vehicle upon any highway or public area within the Town in contravention to any signs that may be posted by Council.

## **5. COMMERCIAL VEHICLES OFFENCES**

- (a) The Council is hereby authorized to determine and designate these streets in the Town, which shall be used by commercial motor vehicles.
- (b) These Regulations shall not prohibit:
  - (i) The operation of commercial motor vehicles upon any street where necessary to the conduct of business at a destination point, provided that streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point;
  - (ii) The operation of an emergency vehicle upon any street in the Town;
  - (iii) The operation of commercial motor vehicle owned or operated by the Town, Public Utilities or any contractor engaged in the repair, delivery of materials, maintenance or construction of streets, street improvements, or street utilities within the Town of Conception Bay South; or

- (iv) The operation of commercial motor vehicles upon any officially established detour in the Town of Conception Bay South.
- (c) No person shall park any commercial motor vehicle in any residential zone in the Town of Conception Bay South, unless a permit for the parking has been issued by the Council in conformity with the Conception Bay South Commercial Motor Vehicle Regulations.
- (d) An application for a permit to park any commercial motor vehicle in any residential zone shall be made to the Council in such form as prescribed by the Council and every applicant for a permit shall furnish with the application such information as Council may require.
- (e) 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.
- (f) The driver of a commercial vehicle loading or unloading freight within the Town shall, if possible, place such vehicle off the highway into some private parking space; where no alternative loading or unloading point exists, place such vehicles as near as possible to the curb or side of the highway and load or unload as quickly as possible, but in no case shall a driver place a commercial vehicle in such a position as to excessively hinder or obstruct the normal flow of traffic either vehicular or pedestrian.

## **6. SNOW CLEARING**

- (a) No person shall park any unattended motor vehicle on any highway or municipal parking area in such a way as to interfere with, hinder or obstruct snowclearing operations.
- (b) During the period from the first day of December in each year to the last day of April in the succeeding year, both days inclusive, no person shall park an unattended vehicle(s), regardless of weather conditions, upon any highway within the Town of Conception Bay South between the hours of 12 midnight and 10:00 a.m.

- (c) Any motor vehicle parked contrary to Regulation 6 (a) or (b) may be towed away by Council or their representatives, at the owner's risk and expense, to a place selected by the Council or person so authorized.
- (d) 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 or road reservation within the Town.

## **7. OTHER LIMITATIONS**

- (a) No structure, object or vehicle, other than a vehicle licensed under the Highway Traffic Act, shall move over a highway or bridge, within the Town except with the written approval of Council.
- (b) Notwithstanding subsection (1), no vehicle that is propelled over tracks or other device, other than tires, shall move over a highway or bridge, within the Town except with the written approval of Council.

## **8. ABANDONED VEHICLES**

- (a) When a vehicle:
  - (i) Is standing, stopped or parked upon a highway within the Town limits or bridge in such a position that it may;
    - (1) Interfere with the pedestrian or vehicular traffic;
    - (2) Constitute a hindrance to the maintenance, repair or improvement thereof;
    - (3) Hinder or impede the ploughing of or removal of snow or ice therefrom; or
    - (4) Hinder or impede the carrying out of any undertaking of the Council; or

- (ii) Has been apparently abandoned upon a highway within the Town limits, sidewalk or bridge for longer than twenty-four (24) hours; or
- (iii) Has been left unattended upon any highway within the Town limits, sidewalk or bridge in contravention of these Regulations,

the Council or any person authorized for the purpose by the Council may remove that vehicle, at the owner's risk and expense, to a place selected by the Council or person so authorized.

- (b) The Council may dispose of any vehicle removed and stored under these Regulations, by Public Sale or Auction, if the vehicle is not claimed within ninety (90) days of removal and storage.
- (c) Prior to the return of the vehicle to its owner, the owner shall pay the costs of its removal and storage as determined by the Council and where such costs are not paid by the owner, the council may sell the vehicle on Public Sale or Auction to satisfy such costs upon notice to the owner, including the costs, if any, of or incidental to the Public Sale or Auction.

## **9. ANTI LITTER OFFENCES**

- (a) 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, rubbish, refuse or waste which may injure tires of vehicles.
- (b) A person who removes a wrecked or damaged vehicle from a highway shall remove glass or any injurious substance or thing dropped upon the highway from the vehicle.
- (c) No person shall place any object or structure (including objects or structures used for street sports), on any street which interferes with the flow of traffic. Any object or structure so placed may be removed by any person authorized by Council, at the owner's expense.

**10. OFFENCE**

Notwithstanding the Summary Proceedings Act, any person who violates any of the provisions of these Regulations, shall be guilty of an offence and shall be liable on summary conviction to a fine of not more than the maximum and not less than the minimum amount as prescribed for the offence in Schedule "A" to these Regulations and appearing in that Schedule opposite the number or letter or both of the Regulations, subsection or paragraph.

**11. REPEAL OF PREVIOUS REGULATIONS AND AMENDMENTS**

All previous Town of Conception Bay South Traffic Regulations and amendments are repealed.

**12. COMPLIANCE WITH OTHER ACTS AND REGULATIONS**

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 18 day of March, 2015

**SCHEDULE A  
Town of Conception Bay South  
Schedule of Fines**

section	subsection		offence	fine
4	(a)	(i)	Parking on sidewalk	\$50.00
		(ii)	Parking in front of public or private driveway	\$50.00
		(iii)	Parking within 6 metres of intersection	\$50.00
		(iv)	Parking within 5 metres of fire hydrant	\$50.00

		(v)	Parking within a crosswalk	\$100.00
		(vi)	Parking within 6 metres of a crosswalk	\$50.00
		(vii)	Parking within 8 metres of a traffic control device	\$50.00
		(viii)	Parking within 6 metres of an entrance or exit to hotel, church, school, public meeting place, theatre, dance hall or playground	\$50.00
		(ix)	Parking within 20 metres of a bus stop	\$50.00
		(x)	Parking within 6 metres of a fire station	\$50.00
		(xi)	Parking opposite or beside a street excavation	\$50.00
		(xii)	Parking contrary to signs	\$100.00
		(xiii)	Parking on left side of highway	\$50.00
		(xiv)	Parking within 150 metres of the site of a fire	\$50.00
		(xv)	Parking as to obstruct traffic	\$50.00
		(xvi)	Parking on highway property outside curb	\$50.00
		(xvii)	Parking on property classified as easement	\$50.00
		(xviii)	Parking on highway to display vehicle for sale	\$50.00
		(xix)	Parking on highway for repairs	\$50.00
		(xx)	Parking in area for disabled persons	\$400.00
	(b)		Double Parking	\$50.00
	(c)		Parking away from the curb	\$50.00
	(d)		Stop stand or park in area prohibited by signs	\$30.00
5	(c)		Commercial motor vehicles parking in residential zones without a permit	\$100.00
6	(a)		Parking so as to obstruct snow clearing	\$50.00
	(b)		Parking on a highway or municipal parking area between 12 midnight and 10:00 am	\$50.00
	(d)		Depositing snow on a street or road reservation	\$50.00



7	(a)		Movement of structure, object or vehicle not licensed under the Highway Traffic Act without Council approval.	\$50.00
	(b)		Movement of vehicle not on tires without approval of Council	\$50.00
9	(a)		Throwing injurious materials or rubbish on highway	\$50.00
	(b)		Failure to remove glass injurious substance dropped upon the highway from a wrecked vehicle	\$50.00
	(c)		Placing object or structure on a street	\$50.00

**4. Snow Clearing Regulations**

**Resolution #15-094**  
**Councillor Rowe /Councillor George**

Be it so revolved that the Snow Clearing Regulations be adopted as presented.

- carried unanimously

**SNOW CLEARING REGULATIONS**

**1. TITLE**

These Regulations shall be known as the “Town of Conception Bay South Snow Clearing Regulations”.

**2. DEFINITIONS**

- (a) “Regulation” shall mean the Town of Conception Bay South Snow Clearing Regulations.
- (b) “Council” shall mean the Town Council of the Town of Conception Bay South.
- (c) “Enforcement Officer” shall mean a person designated under section 172 of the *Municipalities Act, 1999*.

- (d) "Person" shall mean and include a person, a firm, partnership, corporation or company.
- (e) "Street" shall mean any street, road or 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 expenses and is accessible to Fire Department vehicles and equipment.
- (f) "Road Reservation" shall mean an area determined by Council that is reserved for a street, a future street or future street improvements and shall be a minimum of 12.2 metres (40 feet) in total width and 6.1 metres (20 feet) measured from the centreline.
- (g) "Town" shall mean the Town of Conception Bay South.

### **3. SNOW CLEARING PERIOD**

- (a) The period between the first day of December in each year and the last day of April in the year following 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. 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 Town:
  - (i) between the hours of 12:00 midnight and 10:00 a.m. during the Snow Clearing Period regardless of weather conditions; or
  - (ii) during a snow storm; or

- (iii) during the 24 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.

**5. LIABILITY FOR DAMAGES**

Claims against the Town for damage to mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, ledges, rock walls and lawns on private property will be accepted by the Town when they occur, as a result of being struck by equipment operated by employees of the Town or by Town contractors during the periods of time they are engaged in work on behalf of the Town and where they occur at a distance not less than 6.1 metres (20 feet) from the center line of the street.

**6. DISCLAIMER OF DAMAGES**

No claims for damages to property will be accepted by the Town where:

- (a) the damages occurred on or to property located within 6.1 metres (20 feet) from the center line of the street; or
- (b) 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; or
- (c) lawns become brown or decayed as a result of the deposit of snow and/or ice; or
- (d) a claim for damages is received by the Town after May 31 of the year in which the snow clearing period ends.

**7. PENALTIES**

- (a) Any unattended vehicle parked in contravention of these Regulations within the Town may be removed by or on behalf of the Town and impounded, and the total cost of removal and impounding may be recovered from the owner of the vehicle as a civil debt.
- (b) Every person who violates or fails to comply with any provisions of these Regulations is guilty of an offence and shall be liable on summary conviction to a fine as prescribed in the Town of Conception Bay South Traffic Regulations.
- (c) Any person who violates or fails to comply with any provision of these Regulations is guilty of an offence and on summary conviction is liable to a fine not exceeding one thousand dollars (\$1000.00) or, in default, to a period of imprisonment not exceeding ninety (90) days, or to both such fine and period of imprisonment.
- (d) The conviction of a person under sub-section (c) does not operate as a bar to further prosecution for the continued failure on the part of a person to comply with these Regulations.

**8. PROSECUTION**

Prosecution under these Regulations may be taken summarily by an Enforcement Officer, Police Constable or by any person authorized by Council.

**9. PREVIOUS REGULATIONS**

All previous Town of Conception Bay South Snow Clearing Regulations and amendments are repealed.

**10. COMPLIANCE WITH OTHER ACTS AND REGULATIONS**

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

**11. EFFECTIVE DATE**

These Regulations shall come into force on the 18<sup>th</sup> day of March, 2015.

**5. Municipal Plan Amendment No. 6, 2014 and Development Regulations Amendment No. 10, 2014 – Emerald Creek Estates Subdivision**

**Resolution #15-095**  
**Councillor Rowe/Deputy Mayor Tessier**

Be it so resolved that Municipal Plan Amendment No. 6, 2014 and Development Regulations Amendment No. 10, 2014 to redesignate and rezone land on the west side of Emerald Creek Drive, Foxtrap, from Open Space Conservation (OSC) to Residential Medium Density (R-2) be adopted, as presented, and submitted to the Department of Municipal and Intergovernmental Affairs for registration.

- carried unanimously

**6. Development Regulations Amendment – Industrial Building, Hops Street**

**Resolution #15-096**  
**Councillor Rowe/Councillor Bent**

Be it so resolved that an amendment to the Development Regulations be prepared to allow consideration of wall signs that exceed standards based on the particular characteristics and location of the commercial or industrial building.

- carried unanimously

**7. Planning and Development Committee Meeting Report**

**Resolution #15-097**  
**Councillor Rowe/Councillor Connors**

Be it so resolved that the recommendations/decisions made at the Planning and Development Committee Meeting of March 9, 2015, be accepted as presented.

- carried unanimously

**The Planning and Development Committee Meeting Report of March 9, 2015, contains the following recommendations:**

**1. Residential Development - 26-50 Laurel Road, Chamberlains**

**Recommendation:**

Be it so resolved that the Town accept the agreement negotiated with property owner of 26-50 Laurel Road subject to the paving of the proposed temporary turning area.

**2. Crown Land Application – 1526 Conception Bay Highway, Seal Cove**

**Recommendation:**

Be it so resolved that the Town indicate no objection to the acquisition of approximately 975 square metres of land located at the rear of 1526 Conception Bay Highway, Seal Cove to improve the design of a proposed fully serviced subdivision.

**3. Crown Land Application – 33 Perrins Road, Long Pond**

**Recommendation:**

Be it so resolved that the Town indicate no objection to the acquisition of land opposite 33 Perrins Road, Long Pond to accommodate the development of a floating wharf, subject to a permit to occupy being granted for this purpose.

**5. RECOMMENDATIONS OF ENGINEERING & PUBLIC WORKS COMMITTEE  
(Chair, Councillor Ken George)**

Presentation of recommendations of meeting held March 10, 2015

**1. Award of Tender 15-03 Purchase Of Two (2) New 2015 Wheel Loaders  
With Blade and Wing Attachments**

**Resolution #15-098  
Councillor George/Councillor Tilley**

Be it so resolved that approval be given to award Tender 15-03 Purchase of Two (2) New 2015 Wheel Loaders with Blade and Wing Attachments to Madsen Construction Equipment Ltd. for the quoted price of \$650,202.00 including HST. Funds to be taken from account #01-301-5000-8025.

- carried unanimously

**2. Traffic Lights – Bishops Road**

**Resolution #15-099  
Councillor George/Deputy Mayor Tessier**

Be it so resolved that approval be given to call tender for Bishops Road traffic light system upgrades.

- carried unanimously

**3. Engineering and Public Works Committee Meeting**

**Resolution #15-100**  
**Councillor George/ Councillor Youden**

Be it so resolved that the recommendations/decisions made at the Engineering and Public Works Committee Meeting of March 10, 2015, be accepted as presented.

- carried unanimously

**6. RECOMMENDATIONS OF RECREATION & LEISURE SERVICES COMMITTEE (Chair, Councillor Paul Connors)**

Presentation of recommendations of meeting held March 10, 2015

**1. Conception Bay South Recreation Complex Pool Maintenance Agreement**

**Resolution #15-101**  
**Councillor Connors/Councillor Murphy**

Be it so resolved that approval be given to award Tender 15-04 for the Fully Inclusive Service Agreement on the Mechanical Equipment for Conception Bay South Recreation Complex (Pool) to Carmichael Engineering Ltd Mechanical at a cost of \$30,874.00 plus HST, for a 3 year period, totaling \$10,291.33 plus HST per year. Funds are available in account 01-603-1000-7015.

- carried unanimously

**2. Exclusive Provision of Non-Alcoholic Beverage Products – Town of Conception Bay South**

**Resolution #15-102**  
**Councillor Connors/Councillor Tilley**

Be it so resolved that the Town of Conception Bay South accept the proposal from Coca-Cola Ltd. for a 7 year contract for the exclusive provision of non-alcoholic beverage products for the Town of Conception Bay South. This contract will come into effect June 1, 2015.

- carried unanimously



**3. Tender 15-07 Purchase and Installation of One (1) New Protective Ice Surface Cover**

**Resolution #15-103**

**Councillor Connors/Councillor Murphy**

Be it so resolved that approval be given to award Tender 15-07 Purchase and Installation of One (1) New Protective Ice Surface Cover to Covermaster Inc. of Ontario, Canada at a cost of \$256,850.00 plus HST. This amount is cost shared between the Atlantic Canada Opportunities Agency, the Department of Business, Tourism, Culture and Recreation Department and the Town of Conception Bay South. The cost to the Town is \$97,346.15 plus HST (37.9%) and funds are available in the Arena Project funding.

- carried unanimously

**4. Recreation and Leisure Services Committee**

**Resolution #15-104**

**Councillor Connors/Councillor George**

Be it so resolved that the recommendations/decisions made at the Recreation and Leisure Services Meeting of March 10, 2015 be accepted as presented.

- carried unanimously

**7. RECOMMENDATIONS OF FINANCIAL & ADMINISTRATIVE SERVICES COMMITTEE (Chair, Deputy Mayor Steve Tessier)**

Transferred from Privileged Meeting #5

**1. Donation Request – Holy Spirit High School**

**Resolution #15-105**  
**Deputy Mayor Tessier/ Councillor Rowe**

Be it so resolved that approval be given for a donation in the amount of \$320 to the Holy Spirit High School in support of their 14<sup>th</sup> Annual Fundraiser Dinner Cabaret/Auction to be held on March 28 - 29, 2015. Funds are available in account 01-101-1000-7705.

- carried unanimously

Presentation of recommendations of meeting held March 9, 2015

**1. Accounts Payable Cheque Register**

**Resolution #15-106**  
**Deputy Mayor Tessier/Councillor Tilley**

Be it so resolved that approval be given to pay cheques totaling \$357,390.12 as per the attached Accounts Payable Cheque Register Report.

- carried unanimously

**2. Ratification of Manual Cheques Previously Released**

**Resolution #15-107**  
**Deputy Mayor Tessier/Councillor Connors**

Be it so resolved that approval be given to ratify the payment of manual cheques previously released totaling \$2,191,009.74 as per the attached report.

- carried unanimously

**3. Ratification of Direct Payments Previously Released**

**Resolution #15-108**  
**Deputy Mayor Tessier /Councillor Connors**

Be it so resolved that approval be given to ratify direct payments previously released totaling \$157,249.59 as per the attached report.

- carried unanimously

**4. Capital Invoices**

**Resolution #15-109**  
**Deputy Mayor Tessier/Councillor Tilley**

Be it so resolved that approval be given to pay capital cheques totaling \$119,384.91 as listed in the Financial Services Minutes of March 9, 2015.

- carried unanimously

**5. Tax and Other Receivables Adjustments**

**Resolution #15-110**  
**Deputy Mayor Tessier/Councillor Connors**

Be it so resolved that approval be given to adjust tax and other receivables accounts as follows:

RIVER003	\$17,877.76
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- carried unanimously

**6. Tender 15-02 Fire Department Uniform Clothing**

**Resolution #15-111**  
**Deputy Mayor Tessier/Councillor George**

Be it so resolved that approval be given to award Tender 15-02, Fire Department Uniform Clothing, to the following companies:

Martin & Levesque - \$33,716.10  
Chandler - \$897.50  
Wm. L. Chafe & Sons - \$9,268.40  
Mic Mac Fire & Safety Source - \$3,640.00

Funds are available in account #01-205-1000-4110 and #01-205-1000-4115.

- carried unanimously

**7. 2014 – 2017 Multi Year Capital Works Program**  
**2015 Traffic Lights**

**Resolution #15-112**  
**Deputy Mayor Tessier/Councillor Youden**

Be it so resolved that approval be given for the Town of Conception Bay South to enter into a Client/Engineer Agreement with Bae Newplan Group Ltd. for the 2015 Traffic Lights project, funded through the 2014 – 2017 Multi Year Capital Works Program.

- carried unanimously

**8. Financial and Administrative Services Committee Report**

**Resolution #15-113**  
**Deputy Mayor Tessier/Councillor Connors**

Be it so resolved that the recommendations/decisions made at the Financial and Administrative Services Committee Meeting of March 9, 2015 be accepted as presented.

- carried unanimously

**The Financial and Administrative Services Committee Minutes of March 9, 2015 contained the following recommendations:**

**1. Request for Proposals for Moving Services**

**Recommendation:**

Be it so resolved that approval be given to request Proposals for Moving Services.

**8. RECOMMENDATIONS OF ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE (Chair, Councillor Gerard Tilley)**

Presentation of recommendations of meeting held March 9, 2015

**1. Invest Canada Community Initiatives – 2015**

**Resolution #15-114  
Councillor Tilley/Councillor Rowe**

Be it so resolved that approval be given to enter into the Contribution Agreement with Foreign Affairs, Trade and Development Canada for funding totaling \$9,262.50 to be used for professional development and enhancing the linkage between the Town's interactive map and business directory. Matched funding is available in account numbers 01-502-1000-7050 and 01-502-1018-7706.

- carried unanimously

**2. Economic Development and Tourism Committee Report**

**Resolution #15-115  
Councillor Tilley/Councillor Rowe**

Be it so resolved that the recommendations/decisions made at the Economic Development and Tourism Committee Meeting of March 9, 2015 be accepted as presented.

- carried unanimously

**The Economic Development and Tourism Committee Meeting of March 9, 2015 includes the following recommendations:**

**1. Youth Tax Incentive Program - Makeover Your Mess**

**Recommendation:**

Be it so resolved that approval be given to include Makeover Your Mess into the Town's Business Tax Incentive Program for Youth Entrepreneurs.

**2. Tax Incentive Program – Bluewater Group**

**Recommendation:**

Be it so resolved that approval be given to include Bluewater Group into the Town's Business Tax Incentive Program.

**3. Atlantic Business Magazine Advertising**

**Recommendation:**

Be it so resolved that an ad be placed in the May issue of Atlantic Business Magazine at a cost of \$2,600 plus hst. Funds available in account number 01-502-1000-7005.

**9. OTHER COMMITTEE REPORTS**

**10. NEW BUSINESS**

**Deputy Mayor Tessier**

provided an update on the first meeting of the Mainstreet Business Improvement Association (BIA). He stated that resident safety is the number one concern of the business community in the Mainstreet area and they are working with the Town on safety initiatives. He also advised that Ms. Christine Hand was named chair of the Association.

**Councillor Youden**

would like to be provided with the statistical information on the traffic light malfunction at Legion Road and Conception Bay Highway and requested that the light be fixed or replaced.

would also like to be provided with an update on the completion and line painting at the clover leaf of Legion Road and the CBS Bypass road.

**Councillor Murphy**

provided notification of the revitalization of the Seal Cove Concerned Citizens Group. He stated they have recently been made aware that Nalcor have redesigned the Dowdens Point project with most of the work proceeding underground. He stated that the Group have asked him to sit on this committee as the Town representative.

**Councillor Bent**

stated that he has concerns with the snow clearing of Route 60 in the area of Topsail Elementary. He stated that parents were walking their children on the roadway as the sides had yet to be cleared. He asked that the Director of Engineering once again contact the Department of Works Services and Transportation and request that the snow clearing include the sides of the road in the school zone and that this be completed as part of their regular snow clearing effort.

**Councillor Tilley**

stated that the Economic Development Coordinator met with the CBS Traffic Safety Group recently and will be putting out some driver education tips and information. There will be tips in the Scoop as well as a full page ad in the upcoming Activity Guide.

**Mayor McDonald**

advised he played in the Heart & Stroke Foundation Bowling Tournament on Sunday.

Inquired if all access roads in school zones have the school zone signage. He would like to have the Director of Engineering research and bring forward to the next Engineering and Public Works Committee meeting.

**11. ADJOURNMENT**

The meeting adjourned at 7:47 p.m.

**Resolution #15-116**  
**Councillor Rowe/Councillor Youden**

Be it so resolved that the meeting adjourn.

- carried unanimously

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Ken McDonald  
Mayor

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Gail Pomroy  
Acting Chief Administrative Officer