

PUBLISHED BY AUTHORITY

The following regulations have been made by the Town Council of the Town of Carbonear under the provisions of the Section 414(2)(t) of the Municipalities Act, 1999 as amended.

Amended and adopted by the Town Council of the Town of Carbonear on the 7th day of December, 2009.

Mayor

Town Clerk

Parking of Commercial Vehicle Regulations

1. These regulations may be cited as the Town of Carbonear Parking of Commercial Vehicle Regulations.
2. In these regulations, unless the context otherwise requires:
 - (a) "Act" means *Municipalities Act, 1999*, as amended;
 - (b) "Council" means the Town Council of Carbonear;
 - (c) "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 or not it is publicly or privately owned and whether or not it is designated 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;
 - (d) "Town" means the Town of Carbonear as defined in the *Town of Carbonear Order O.C.96-170*.
 - (e) "Town Property" means any property, real or personal, owned by the Town;
 - (f) "Commercial Vehicle" means any vehicle that is used or designed for business use or is used in conjunction with a business, trade or profession and includes a bus, truck, delivery van or wagon, tractor, truck tractor, and trailer whether attached to a truck or not, heavy equipment, construction equipment, but does not include a passenger car, light truck, or van rated

to carry less than 1.5 tonnes or recreational vehicle.

- (g) "Park" means a vehicle that remains standing on a highway, street, or private property while not in use.
 - (h) "Traffic" – includes vehicles, pedestrian and animals while using a highway for purpose of travel.
3. No person shall park any commercial vehicle carrying hazardous, contaminated or dangerous substances or materials, waste, garbage, or which harbor vermin or pestilence, or which emit noxious or noisome odours within 100 metres of a residential dwelling unit.
 4. No person shall transfer hazardous, contaminated or dangerous substances or materials from one commercial vehicle to another within the Town of Carbonear except where written permit is provided by Council and in accordance with approvals from applicable government departments and agencies.
 5. No person shall park a commercial vehicle operating refrigeration equipment within 100 metres of a residential dwelling unit.
 6. Commercial vehicles shall not be parked or left standing on any highway within the Town where that commercial vehicle is in violation of snow clearing regulations, or obstructs traffic, or obstructs the view from residential accesses or driveways, as may be necessary to determine presence of any oncoming traffic.
 7. No regulation herein shall be deemed to prohibit the operation of emergency vehicles, commercial motor vehicles owned or operated by the Town, Public Utilities, any contractor or material person while engaged in the repair, delivery of materials, maintenance or construction of streets, street improvements or street utilities upon any highway in the Town of Carbonear.
 8. Every person who fails to comply with or otherwise contravenes any of the provisions of these regulations is guilty of an offence and is liable on summary conviction to the penalty as set out in the Section 419 of the Act.
 9. All previous Parking of Commercial Vehicle Regulations are hereby repealed.
 10. These regulations were adopted by resolution of Council at a meeting on the 7th day of December, 2009 and shall come into effect on the 8th day of December, 2009.