

By-law No. PS-005: RESPECTING REGULATION OF TRAFFIC AND PARKING

WHEREAS the Local Governance Act, SNB 2017, c.18 authorizes the Town to make by-laws for municipal purposes and

NOW THEREFORE the Council of the Town of Grand Bay-Westfield, in the Province of New Brunswick, under authority vested in it by Sections 113(1), 116(1), 142(1), 142(2), 143(1) of the Motor Vehicle Act, RSNB 1973, c.M-17 thereto enacts as follows:

1. Citation

This By-law may be cited as the Traffic By-law.

2. Definitions

"Town" means The Town of Grand Bay-Westfield;

"CAO" means the Chief Administrative Officer of the Town of Grand Bay-Westfield appointed by Council under section 71 of the Local Governance Act;

"Council" means Grand Bay-Westfield Town Council;

"Highway" means the area within the boundary lines of every street, road, lane, alley, park, parking lot or way located within the Town limits, when any part thereof is used by the general public for the passage of vehicles, and includes Town owned or controlled land, or other means of road communication used by the public, whether accepted by the Town or not, including Provincial Highways: Route 7, being a controlled access highway between Oromocto and Saint John; Route 102, being a semi-controlled access highway between Route 7 and Campbell Road; and Route 177, being an uncontrolled access Highway, also known as Nerepis Road and River Valley Drive;

"Traffic Control Device" means traffic control device as defined in the Motor Vehicle Act such as signage and traffic control signals.

Words used in this By-Law and not defined herein which are defined in the Motor Vehicle Act shall have the meaning as therein defined.

3. Traffic Control Devices

3.(1) The CAO, or their delegate, successor or designate, is authorized to cause Traffic Control Devices following Transportation Association of Canada (TAC), Uniform Traffic Control Device standards, to be placed, erected, maintained or removed in conformity with this By-Law, on or by Highways for the purposes of:

- (a) regulating traffic,
- (b) designating Highways or portions thereof as Through Highways,
- (c) designating particular Highways as one-way Highways,
- (d) regulating the use of Highways by commercial vehicles,

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- (e) prohibiting the turning of a vehicle so as to proceed in the opposite direction and making U-turns,
 - (f) regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections.
- 3.(2)** The CAO, or their delegate, successor or designate, shall keep an inventory of the location of all Traffic Control Devices placed and erected by the Municipality and that inventory shall be open to public inspection at the Town Office during normal business hours.
- 3.(3)** The CAO is authorized to further delegate, and to authorize further delegation of, any matter delegated to the CAO by Council under this By-Law, to any employee of the Town.
- 3.(4)** Except where otherwise directed by a peace officer, a police officer, a By-law enforcement officer, a member of the Fire Department, or any person authorized to direct traffic pursuant to the provisions of the Motor Vehicle Act, any person must obey all directions, prohibitions and conditions contained in or appearing on any Traffic Control Device.
- 4. NO PARKING**
- 4.(1)** No person shall park a vehicle on any highway, including the entire unpaved right-of-way, in the Town at any time, except as may be permitted by specific authorization of the Town Chief Administrative Officer, saving and excepting:
- (a) vehicles involved in town maintenance or municipal work,
 - (b) vehicles involved in contracted services,
 - (c) vehicles loading or unloading deliveries of goods, wares, or merchandise,
 - (d) vehicles temporarily stopped for durations up to 60 minutes.
- 5. Traffic Control Devices: Unauthorized or Damaged**
- 5.(1)** Except where otherwise directed by a peace officer, a police officer, a By-law enforcement officer, a member of the Fire Department, or any person authorized to direct traffic pursuant to the provisions of the Motor Vehicle Act, any person must obey all directions, prohibitions and conditions contained in or appearing on any Traffic Control Device.
- 5.(2)** The CAO or their delegate, successor or designate may remove, without notice, any such unauthorized and prohibited device referred to in subsection 5(1).
- 5.(3)** No person shall mark or imprint on, or deface, damage or interfere with any Traffic Control Device or Parking Control Device erected or placed pursuant to this By-Law.

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6. Processions, Parades or Assemblages

- 6.(1)** Every person wishing to hold a parade or marathon shall submit an application to the CAO, or their delegate, successor or designate, in accordance with Street Event Application as set out in Schedule “A”.
- 6.(2)** Upon receipt of a complete Application and authorization by Resolution of Council for a Street Event, the CAO, or their delegate, successor or designate shall issue a permit to hold or carry on the event.

7. Snow Removal

- 7.(1)** No person shall stop, stand or park a motor vehicle:
- (a) on any Highway or portion thereof between the hours of midnight and 7:00 a.m. from December 1 to April 15; or
 - (b) on any Highway or portion thereof when the CAO has authorized its closure for snow removal and ice control operations.
- 7.(2)** Despite any other provision of this By-Law, where a motor vehicle is parked or left standing on any Highway or portion thereof, contrary to the provisions of this section, and in such manner that it interferes with or obstructs snow removal or ice control operations, a peace officer or a By-law Enforcement Officer may cause such motor vehicle to be moved or towed at the owner's expense.
- 7.(3)** The provisions of this section are enacted for the purpose of snow removal.

8. Repeal

- 8.(1)** By-law No. 80, a By-law of the Town of Grand Bay-Westfield Traffic By-law enacted on 14 January 2002, and all amendments thereto, is hereby repealed.

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READ A FIRST TIME by summary this 10th day of July, 2023.

READ A SECOND TIME by title this 10th day of July, 2023.

Approval by the Registrar of Motor Vehicles has been received following 2nd Reading of the By-law on this _____th day of _____, 2023,

READ A THIRD TIME by title and **ENACTED** on this ____ day of _____, 2023.

This By-law comes into force on the date of final passing thereof.

SIGNED AND APPROVED this _____ day of _____, 2023.

John Enns-Wind
CAO / Clerk
Seal

Brittany Merrifield
Mayor

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SCHEDULE “A” Processions and Assemblies on Public Streets

A. Scope

This regulation applies whenever a request is received to facilitate an Event occurring wholly or in part within the street right-of-way in the Town of Grand Bay-Westfield. (Street Event).

This regulation does not affect the public status of the street where events are sought to be held.

This regulation does not apply to permanent closure of streets, temporary closure for road construction, winter restrictions, or closures made under the authority of the Fire Department, or Police Officer in emergency situations or under the authority of the Works Commissioner.

B. Purpose

Every year street events are proposed throughout the Town. These events are often organized by community groups and volunteers, which greatly enrich our cultural life and supports Council’s Strategic Goal of Community Vitality.

C. Definitions

“Street Events” are temporary processions or assemblages (paragraph 113 (1) (c) *Motor Vehicle Act*) and include, but not limited to parades, marathons, triathlons, road races, public processions, and street markets.

“Reasonable Vehicular Access” means vehicular, pedestrian or wheelchair access to and from the properties affected by the streets event by owners, residents and guests of the said properties within 30 minutes of their request for access, or in the case of imminent threat to health or property, immediately.

D. Applications

1. A person or group requesting the temporary rerouting of traffic to facilitate a street event is encouraged to submit an application at least 90 days before the event, in order to process the request to provide adequate feedback from Provincial DTI (Department of Transformation and Infrastructure) and the RCMP.

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The application shall include:

- the reason for the proposed traffic re-routing and a brief explanation of the event;
- detailed schedule beginning (prep time) and finish (clean-up time);
- site plan of gathering;
- detailed event route;
- list of marshals who will direct participants along the route (minimum 1 per 25 participants)
- list of volunteers and their responsibilities
- list of security personnel;
- Involvement of RCMP/AMBULANCE/FIRE in the event
- fencing or barricades
- evacuation plan to provide access to emergency vehicles if required
- list of tents or other structures / location of water stations
- process of notification to community and neighbouring businesses
- expected volume of noise created by the event
- plans for clean-up of recyclables / organics / garbage
- Contact information for event organizer
- Details of any liability insurance carried by the event organizer

2. Conditions

The following conditions must be met prior to approval of a Street Event:

- events to be community based, either within specific neighbourhoods or the community as a whole
- re-routing of traffic for a street event must maintain a minimum 3 m wide access for emergency vehicles
- if a street event requires enclosing the site with fencing or barricades, a person must be designated to stay at the entrance at all times and be prepared to move the barricades or other equipment quickly to allow vehicles through when necessary
- street event organizers shall comply with all Federal, Provincial legislation, and Municipal by-laws, including food vendors licenses

3. Permits

Permits for Street events shall be issued by Motion of Council.

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**Processions and Assemblies on Public Streets
Application Form**

Please complete all sections of the Application Form and return to:

Administration
PO BOX 3001
Grand Bay-Westfield, NB
E5K 4V3

Or by email:
administration@towngbw.ca

1. Date of Application: _____ Date received: _____
2. Name of Street Event: _____
3. Date and time of event: _____
4. Specify nature of organization (Commercial, Community): _____
5. Name of Main Contact for event: _____
Address: _____
Phone no.: _____
Email: _____
6. Name of street effected by traffic re-routing: _____
7. Number of Volunteers, Marshals, security personnel: _____
8. Estimated number of attendees: _____
9. Food service vendors (licensed) (where required): _____
10. RCMP confirmation (where required): _____
11. DTI confirmation (where required): _____
12. Ambulance NB confirmation (where required): _____
13. Grand Bay-Westfield Volunteer Fire-Rescue Department confirmation (where required): _____
14. NB Southern (where required) : _____
15. Details of liability insurance coverage carried by the event organizer (if any).