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October 14, 2015  
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# VILLAGE OF GAGETOWN

## PARKING BY-LAW BY-LAW NO. 40

I certify that this instrument  
is registered or filed in the  
Queens  
County Registry Office,  
New Brunswick

J'atteste que cet instrument est  
enregistré ou déposé au bureau  
de l'enregistrement du comté de  
\_\_\_\_\_  
Nouveau-Brunswick

Oct 14, 2015 10:28 35339374  
date/date time/heure number/numéro  
Wiana K Tucker  
Dep Registrar-Conservateur

The Council of the Village of Gagetown enacts as follows:

## **SECTION 1: TITLE & INTERPRETATION**

1.1 This By-Law may be cited as the "Village of Gagetown Parking By-Law No. 40" and it hereby repeals and replaces the former "Winter Parking By-Law No. 17" and all amendments thereto.

1.2 The provisions of the By-Law are severable. If for, any reason, a provision is held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this by-law.

## **SECTION 2: DEFINITIONS**

2.1 In this By-Law:

**"By-Law Enforcement Officer"** means any person authorized by Council to enforce provisions of this By-Law of the Village;

**"Clerk"** means the Clerk of the Village of Gagetown;

**"Retail Vehicle"** means a motor vehicle with or without an attached or permanently attached delivery body that are engaged in the sale of commodities or goods to individual consumers, such as canteen trucks.

**"Council"** means the Council of the Village of Gagetown;

**"Mayor"** means the Mayor of the Village of Gagetown;

**"Municipality"** means the Village of Gagetown;

**"RCMP"** means the Royal Canadian Mounted Police;

**"Sign"** means any identification, description, illustration or information device, illuminated or non-illuminated, which provides information as to product, place, activity, person, institution or business or any other matter;

**"Traffic Control Device"** means a device, signal, or sign for the regulation, warning, or guidance of traffic;

**"Treasurer"** means the Treasurer of the Village of Gagetown;

**"Vehicle"** means a device in, upon or by which any person or property may be transported or drawn upon a highway; and

**"Village"** when hereinafter used, shall mean and include all the area within the boundary limits of the Village of Gagetown.

### **SECTION 3: STOPPING, STANDING, AND PARKING**

- 3.1 No person shall stop, stand or park a vehicle which is attended or unattended:
- (a) within 10 metres (32 feet) of a crosswalk or an intersection;
  - (b) within 10 metres (32 feet) upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway; and
  - (c) on areas of high risk where conventionally indicated by street markings, traffic control devices, or other signs that may be placed by Council's designate.
- 3.2 No parking is permitted anywhere in such a location or in such a manner that in the opinion of Council's designate, the safety of pedestrians, vehicles or drivers is compromised or adversely affected.
- 3.3 No person shall obstruct any sidewalk by transferring merchandise to or from a vehicle across such sidewalk for a period exceeding ten minutes except when authorized to do so by Council's designate.
- 3.4 No parade or procession, which would cause a disruption in the flow of traffic shall be held in the Village without obtaining the approval of the Council or Council's designate.

### **SECTION 4: WINTER PARKING**

- 4.1 No person shall stop, stand or park a motor vehicle on any street or portion of a street or any public parking lot owned or maintained by the Village of Gagetown or portion thereof during the following times:
- (a) commencing at 12:01 a.m. on the first day of November in any year and ending at 12:01 a.m. of the first day of April in the following year between the hours of 1:00 a.m. and 6:00 a.m. on each day, or
  - (b) at any other time so as to interfere with snow plowing or snow removal operations conducted by the officers, employees, agents or independent contractors of the Village of Gagetown.
- 4.2 Notwithstanding section 4.1, the clerk may grant permission for a person to park within the time period indicated in 4.1(a) if the person provides at least 24 hours notice and provides the location and duration of the request. The clerk will take into account the current and forecast weather conditions when making his/her decision.

### **SECTION 5: ERECTION OF TRAFFIC CONTROL DEVICES**

- 5.1 Traffic control devices for the purpose of guiding, directing and regulating traffic or for the prohibition of parking in designated areas shall be erected as authorized by the Council. The placement of traffic control devices during major events, such as the Queens County Fair, is of particular importance for the proper management of traffic and parking.
- 5.2 No person shall place or exhibit any unauthorized device, sign, standard or other marking upon any street attempting or purporting to guide, direct or regulate traffic or the parking of vehicles on a street.

5.3 No unauthorized person shall give any signal or direction attempting or purporting to direct traffic unless in an emergency to direct traffic around the scene of an accident, or obstacle, excavation, debris, glass or other hazard.

#### **SECTION 6: NO PARKING ZONE – EMERGENCY VEHICLE ROUTE**

6.1 The following roads/routes are hereby designated as No Parking at any time and are designated an emergency vehicle route:

- (a) Babbit Street from the junction at Mill Road to Court House Road
- (b) Court House Road from the junction at Knorr Road to Tilley Road
- (c) Knorr Road from the junction at Court House Road to Mill Road
- (d) Mill Road from the junction at Knorr Road to Babbit Street

6.2 The following road/route is hereby designated as No Parking on the Odd Numbered side of the road only:

- (a) Tilley Road in its entirety

6.3 Any vehicles found parked on the above designated areas may be removed and impounded under direction of the Village Clerk.

#### **SECTION 7: ENFORCEMENT**

7.1 An RCMP officer or the By-law Enforcement Officer may order removal and impound any vehicle, which is found illegally parked or causing obstruction to traffic, on any highway.

7.2 In addition to any other penalty herein provided, any person whose vehicle has been moved shall pay to the Village or the towing company, the amount of all towing, moving and storage charges before such vehicle is returned to him or her.

7.3 The Village of Gagetown, RCMP, or the Village of Gagetown By-Law Enforcement Officer assumes no liability for any damages to a vehicle moved or impounded.

#### **SECTION 8: FINES**

8.1 Any person who violates any provision of this by-law is guilty of an offence and upon conviction is liable to a minimum fine of \$25 upon first offence, escalating by \$25 increments upon subsequent offences to a maximum fine of \$100. Each day such offence continues shall be deemed to constitute a separate offence.

8.2 The Council hereby designates the Village Treasurer or his / her designate to accept from the person alleged to have been guilty of such violation, the payment of a sum prescribed for such violation as outlined in subsection 8.1 of this By-Law.

- (a) In person at the Village Office, 66 Babbit Street, Gagetown, New Brunswick, E5M 1C8, in cash or by cheque or money order made payable to the Village of Gagetown; or

(b) By mail to : Village Office, 68 Babbit Street, Gagetown, New Brunswick, E5M 1C8, Attention Village Clerk, by cheque or money order, payable to the Village of Gagetown.

**SECTION 9: ENACTMENT**

This is to certify that By-Law No. 40, "Village of Gagetown Parking By-Law" has been enacted by the Village Council of the Village of Gagetown and that the said by-law received:

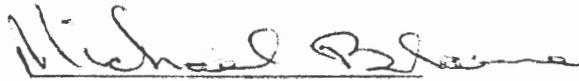
First Reading: September 15, 2014

Second Reading: September 15, 2014

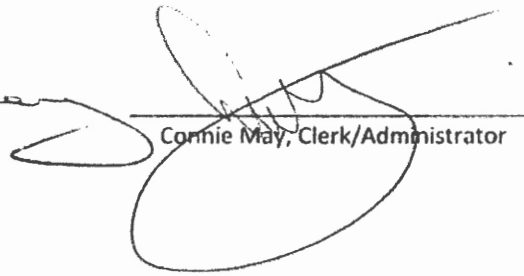
Third Reading: November 17, 2014

This By-Law shall come into full force and take effect and be binding on all persons as of and from the date filed at the Registry Office.

GIVEN under the hands of the Mayor and the Council and under corporate seal of the Village of Gagetown this 17<sup>th</sup> day of November, A. D. 2014.



Michael Blaney, Mayor



Connie May, Clerk/Administrator