

Town of Bishop's Falls

Regulations Manual

Updated March 20, 2024

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Record of Adoption, Amendments, and Evaluation

Notes	Adoption	Amendment	Evaluation/Review
<i>Water and Sewer Service Connection Regulations Amendment (May 2014)</i>		107/2014 (PM 1345)	
<i>Public Roads Snow Clearing Regulations Adoption (May 2014)</i>	118/2014 (PM 1345)		
<i>Bishop's Falls Waste Collection and Disposal Regulations Amendment (July 2014)</i>		160/2014 (PM 1348)	
<i>Bishop's Falls Building Construction Regulations 2014 adopted</i>	PM 1351		
<i>Public Roads Snow Clearing Regulations Amendment (Oct 2014)</i>		235/2014 (PM 1354)	
<i>Public Roads Snow Clearing Regulations Amendment (Nov 2014)</i>		253/2014 (PM 1355)	
<i>Waste Collection and Disposal Regulations Amendment (Feb 2015)</i>		37/2015 (PM 1358)	
<i>Animal Control Regulations, 2010 Amendment (Mar 2015)</i>		50/2015 (PM 1359)	
<i>Waste Collection and Disposal Regulations Amendment (Mar 2015)</i>		62/2015 (PM 1359)	
<i>Mobile Canteen and Vendor Regulations 2015</i>	PM 1370 (206/2015)		
<i>Bishop's Falls Fence Regulations Amendment (Dec 2016)</i>		248/2016 (PM 1385)	
<i>Dog and Cat Regulations Amendment (Sept 2017)</i>		106/2017 (PM 1397)	
<i>Anti-Litter Regulations, 2010 Amendments (August 20, 2019)</i>		135/2019 (PM 1426)	
<i>Anti-Litter Regulations, 2020 Amendments (January 21, 2020)</i>		9/2020 (PM 1432)	
<i>Snow Removal Regulations Amendment (January 21, 2020)</i>		10/2020 (PM 1432)	
<i>Bishop's Falls Fence Regulations Amendment (September 15, 2020)</i>		163/2020 (PM 1443)	
<i>Water and Sewer Service Connection Regulations Amendment (Mar 2021)</i>		53/2021 (PM 1452)	
<i>Mobile Canteen and Vendor Regulations 2015</i>		75/2021 (PM 1453)	
<i>Public Roads Snow Clearing Regulations</i>		91/2021 (PM 1454)	
<i>Mobile Canteen and Vendor Regulations 2015</i>		88/2023 (PM 1483)	
<i>Mobile Canteen and Vendor Regulations 2015</i>		115/2023 (PM 1484)	
<i>Waste Collection and Disposal Regulations</i>		67/2024 (PM 1497)	

Animal Control Regulations

Pursuant to the powers conferred under section 414 (2) (g) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on May 18, 2010, hereby passed and enacted the following Animal Control Regulations.

Regulations

1. These regulations may be known as the *Animal Control Regulations, 2010*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls

Definitions

3. In these regulations the following words shall have the corresponding meanings unless the context requires otherwise:
 - (a) "Act" means the *Municipalities Act, 1999*.
 - (b) "Animal" means any such living thing other than a human being.
 - (c) "Council" means the Town Council of the Town of Bishop's Falls.
 - (d) "Municipal Enforcement Officer" means a peace officer with powers granted under Section 179 of the Act.
 - (e) "Injured" and "Injury" include, but are not limited to, injuries caused by wounding, worrying, or pursuing.
 - (f) "Owner" means a person who owns, harbours, has custody of or has possession of an animal or a person who has charge of a house or premises or part of a premises where an animal is kept or permitted to live or remain.
 - (g) "Premises" means any property within the town.
 - (h) "Town" means the Town of Bishop's Falls.
 - (i) "Town Manager and/or Town Clerk" means the Town Manager and/or Town Clerk of the Town of Bishop's Falls.
 - (j) "Running at Large" means;
 - I. in a public place; and
 - II. on premises not owned by or in the possession of the owner of the animal.

Nuisance Animals

4. If an animal while not in the company of its owner, or a member of its owners household, is found in any public place or any private property without the consent of the property owner, occupant or person having control of such property, the owner of such animals, as well as the person who caused the animal to be in such a place, shall be deemed to have committed an offence in terms of the Regulations.
5. If any animal shall disturb the peace or cause an annoyance to a resident, such animal shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offence in terms of these Regulations.
6. If an animal shall cause injury to any person other than its owner, or a member of its owner's household and while not in the owner's premises, such animal shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offence in terms of these Regulations.

Animals Kept Securely

7. No person shall keep an animal in the Town, unless the animal is safely tethered or penned up at all times or kept securely on a leash by a person capable of restraining its movements.
8. An animal which is tethered or penned up pursuant to these regulations shall be tethered or penned up in manner which may not be regarded as imposing under hardship or cruelty to the animal.
9. Any persons who interferes with or attempts to interfere with a Municipal Enforcement officer or Animal Control officer or SPCA representative in the exercise of their duties, shall be deemed to have committed an offence in terms of these regulations.
10. Every person requested by a Municipal Enforcement officer or Animal Control officer or SPCA representative, shall forthwith give his or her proper name and address.
11. In accordance with section 420 of the Act, a person who commits an offence under these regulations is liable on summary conviction;
 - (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.
12. Prosecution under these regulations may be taken summarily by any Police Officer, including a Municipal Enforcement officer.
 - 12.1 (a) Where a person fails to comply with these Regulations or commits an offence under these Regulations the Town Clerk shall, on authority of section 404 (1) (j) of the Act, issue an Order to comply with these Regulations on that person. An Order issued under this section shall prescribe;
 - (i) the section of these Regulations that the person is contravening;

- (ii) what the person must do to ensure compliance with these Regulations. This may involve, among other things, ordering the animal's removal from the municipal boundaries where the animal is deemed a nuisance; and
- (iii) a date and time that the person must become in compliance with these Regulations.

(B) A person who fails to comply with an Order issued under these Regulations is liable on summary conviction for a penalty and/or another remedy as permitted under the Act.

Commencement

- 13. These Regulations shall come into force on May 18, 2010.

Anti-Litter Regulations

Pursuant to the powers conferred under section 414 (2) (pp) (iii) of the *Municipalities Act, 1999* SNL 1999 Chapter M-24, the Bishop's Falls Town Council, during a public meeting convened on July 20, 2010 and on August 20, 2019, hereby passed, enacted, and amended the following Anti-Litter Regulations.

Regulations

1. These regulations may be known as the *Anti-Litter Regulations, 2010*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls

Definitions

3. In these regulations unless the context otherwise requires:
 - a. "Act" means the *Municipalities Act, 1999*.
 - b. "Town Manager/Clerk" means the Town Manager and/or Town Clerk of the Town of Bishop's Falls.
 - c. "Council" means the Town Council of the Town of Bishop's Falls.
 - d. "Litter" shall include;
 - i. any obnoxious substance, debris, waste or unsanitary matter, refuse, garbage, rubbish, ashes, street clearings, dead animals, leaves, wood, bedding, crockery, glass in any form, bags of all descriptions, printed or written matter, circular samples, leaflets or paper, scrap metal, or any other matter or thing that if thrown or deposited may adversely affect the amenities or property within the municipality, or may create a danger to health, welfare, or public safety.
 - ii. wrecked, discarded, dismantled, inoperative, unused and/or apparently abandoned vehicles, trailers and other vehicle trailers and other machinery or any parts thereof.
 - e. "Scrap Metal" includes appliances, barrels, drums, machines, tanks, vehicles or any part thereof.
 - f. "Municipality" means the Town of Bishop's Falls.
 - g. "Person" shall mean any corporation, association, syndicate, joint stock company, partnership, club, society or individual.

Litter Prohibited

4. (a) No person shall throw, deposit, or leave litter in or upon any public or private property.

(b) No person shall cause litter to be thrown, deposited or left in or upon any public or private property.
5. (a) No person shall throw, deposit, or leave litter on any private property within the Municipality, whether the property is owned by such persons or not, except where the person in control of private property has made arrangements for the proper disposal of the litter, at his/her expense, in accordance with these Regulations.

(b) No person shall cause litter to be thrown, deposited, or left on any private property within the Municipality, whether the property is owned by such persons or not, except where the person in control of private property has made arrangements for the proper disposal of the litter, at his/her expense, in accordance with these Regulations.
6. No person shall sweep into or deposit into any gutter, or other place within the Municipality, litter from any building or lot, or from any public or private sidewalk or driveway.
7. (a) No person while in a vehicle shall throw, deposit, or leave litter upon any street or other public place or upon private property within the Municipality.

(b) No person while in a vehicle shall cause litter to be thrown, deposited, or left upon any street or other public place or upon private property within the Municipality.
8. No person shall drive or move any vehicle within the Municipality, unless such vehicle is so constructed or loaded as to prevent any load or part thereof from being blown or deposited upon any public place or private property.
9. (a) No person shall throw, deposit or leave litter in any park or playground within the Municipality except as in a manner that may be prescribed by the Municipality.

(b) No person shall cause litter to be thrown, deposited or left in any park or playground within the Municipality except as in a manner that may be prescribed by the Municipality.
10. (a) No person shall throw, deposit, or leave litter in any ditch, pond or stream or any other body of water, either above or below the surface, within the Municipality.

(b) No person shall cause litter to be thrown, deposited or left in any ditch, pond or stream or any other body of water, either above or below the surface, within the Municipality.
11. No person shall permit land under their ownership or control to be encumbered with litter.

Posting Notices Prohibited

12. No person shall post or affix, or cause to be posted or affixed, any notice, sign, poster, or other matter of devise to any lamp post, utility pole, tree, or upon any structure or building, except as may be authorized by the Council or required under law.

Scrapping of Vehicles

13. No person shall demolish, repair, or scrap any vehicle on private or public property within the Town without first having obtained a permit, in writing, from the Council for that purpose.
14. The cost of a permit referred to in section 13 shall be \$20 per vehicle and shall be valid for a period of ten (10) days from the date of issuance.
15. Where a person, who has been issued a permit in accordance with these regulations, demolishes, repairs, or scraps a vehicle within the timeframe specified in section 14, that person shall be entitled to a refund of \$20.

Orders

16. Where a person fails to comply with these Regulations, the Council or the Town Manager/Clerk may issue an order to comply with these Regulations on that person. An order issued under this section shall prescribe;
 - (a) the section of these Regulations that the person is contravening;
 - (b) what the person must do to ensure compliance with these Regulations; and
 - (c) a date and time that the person must become in compliance with these Regulations.
- 16A A person ordered to comply with these Regulations under section 16 shall be served with that order and shall comply with that order at that person's own expense.
- 16B Where a person to whom an order is directed does not comply with the order or a part of an order made under section 16 of the Regulations, the Council may take the action that it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by the Council in carrying out the terms of the order are recoverable from the person against whom the order was made as a debt owed to the Council.

Appeals

- 16D A person aggrieved by an order made under section 16 of the Regulations shall have the right to appeal as per section 408 of the *Act*.

Offences

- 17A A person on whom an order has been served under section 16 of the Regulations who refuses or fails to comply with the order within the time specified by the Council or the Town Manager/Clerk, as the case may be, commits an offence, as per section 419(2) of the *Act*.
- 17B Each day upon which the same offence is committed or continued is a separate offence, as per section 419(2) of the *Act*.

Penalty

17. A person who commits an offense under these Regulations is liable on summary conviction;
 - (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment

Prosecutions

- 18A Prosecutions for offences under these Regulations may be carried out by legal counsel appointed by the Council for the purpose of pursuing the prosecution.

Repeal and Commencement

18. The *Town of Bishop's Falls Anti-Litter Regulations* and any amendments thereto are hereby repealed.
19. These Regulations shall come into force on July 20, 2010, and the amendments shall come into force on August 20, 2019

TOWN OF BISHOP'S FALLS

Building Construction Regulations 2014

Pursuant to the powers conferred under subsection 414 (1) (d) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on September 16, 2014, hereby passes and enacts the following Building Construction Regulations 2014.

By-law

1. This by-law may be cited as the *Bishop's Falls Building Construction Regulations 2014*.
2. This by-law shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In this By-Law,
 - (a) "National Building Code" means the National Building Code of Canada as published by the National Research Council of Canada and amended from time to time.
 - (b) "Clerk" means the Town Clerk of the Town of Bishop's Falls appointed in accordance with the *Municipalities Act, 1999*.
 - (c) "Building" means a structure built for residential or commercial purposes.
 - (d) "Town" means the Town of Bishop's Falls and the Council for the Town of Bishop's Falls as established and defined by the *Municipalities Act, 1999*.
 - (e) "Regular Hours of Operation" means the hours of operation for the Town Hall established and amended from time to time.
 - (f) "Employee" means a person employed by the Town in any capacity.
 - (g) "Applicant" means a person who has or intends to apply for a building/construction permit from the Town.

Regulations

4. All buildings shall be constructed in accordance with the National Building Code.
5. The Clerk shall ensure the National Building Code is available for inspection by members of the public during the Town's Regular Hours of Operation.
6. The Town shall not hire, engage, or appoint an Inspector for the purpose of inspecting buildings to ensure compliance with this by-law and the National Building Code. Persons constructing buildings are solely responsible to ensure compliance with this by-law and the National Building Code.

7. No employee shall be empowered, as part of his/her employment, to inspect or approve buildings and ensure compliance with the National Building Code.
8. The Clerk shall advise all applicants to retain their own Inspector for the purpose of ensuring compliance with the National Building Code.
9. This by-law shall become effective upon its adoption by the Town during a duly convened public meeting of the Bishop's Falls Town Council.

Adopted by Council during public meeting 1351 on September 16, 2014.

Dog and Cat Regulations

Pursuant to the powers conferred under sections 414 (2) (g) to 414 (2) (m) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on April, 20 2010, hereby passed and enacted the following regulations governing dogs and cats.

Regulations

1. These regulations may be known as the *Dog and Cat Regulations, 2010*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls

Definitions

3. In these regulations the following words shall have the corresponding meanings unless the context requires otherwise:
 - a. "Act" means the *Municipalities Act, 1999*.
 - b. "Pound" means a facility operated by or on behalf of the Town for keeping and disposition of animals.
 - c. "Animal(s)" means a dog and/or cat.
 - d. "Cat(s)" means a member of any breed of domesticated feline or crossbreed of domesticated feline whether spayed or neutered.
 - e. "Council" means the Town Council of the Town of Bishop's Falls.
 - f. "Dog(s)" means a dog, male or female, and includes an animal which is a cross between a dog and a wolf.
 - g. "Municipal Enforcement Officer" means a peace officer with powers granted under Section 179 of the Act.
 - h. "Impounder" means a person authorized by the Council to impound animals that are without an owner, are not in the control of an owner, or animals of which the owner has violated any provisions of these regulations.
 - i. "Injured" and "Injury" include, but are not limited to, injuries caused by wounding, worrying, or pursuing.
 - j. "Kennel" means an establishment for keeping, breeding, boarding, treating, or training of animals.
 - k. "Live Trap" means a cage like device, approved by the proper authority, used in the capture of animals without injury to the animals.

- l. "Owner" means a person who owns, harbours, has custody of or has possession of animals or a person who has charge of a house or premises or part of a premises where animals are kept or permitted to live or remain.
- m. "Premises" means any property within the town.
- n. "Town" means the Town of Bishop's Falls.
- o. "Town Manager and/or Town Clerk" means the Town Manager and/or Town Clerk of the Town of Bishop's Falls.
- p. "At Large" means;
 - I. in a public place; and
 - II. on premises not owned by or in the possession of the owner of the animals.
- q. "Nuisance" as applied to animals means an animal which has
 - i. been shown to have trespassed upon land enclosed by a fence by breaking, going under or jumping over the fence;
 - ii. caused excessive noise by barking;
 - iii. caused damage to private and public lawns;
 - iv. bites a person other than its owner or a member of its owner's household; or
 - v. caused a hazard to people, other animals, livestock operations, property or to the safe operation of motor vehicles.

Licence Required and Fees Prescribed

- 5. No person being an owner of a dog shall keep a dog within the Town limits unless a licence, in the form of a numbered tag or plate, has been issued by Council.
- 6. A dog licenced under section four (4) shall bear a numbered tag or plate indicating that such licence is valid.
- 7. No person shall operate a Kennel without permission for such operation granted by Council.
- 8. Every licence issued by Council shall have no expiry date and shall be non-transferable.
- 9. A licence issued under these regulations may be revoked by Council when, in the opinion of Council, the continued issuance of the licence would compromise public health and safety.
- 10. The fee for a licence shall be:
 - a. \$10.00 for a neutered or spayed dog.
 - b. \$30.00 for an unneutered or an unsprayed dog.

- c. \$50.00 for a licence to operate a Kennel.
- d. \$5.00 for the replacement of a tag.

Nuisance Animals

- 11. An animal found at large in the Town contrary to these regulations may be humanely destroyed by the Impounder at the expiration of at least two (2) business days after the time of impounding where the following is the case:
 - 1. An owner has not come forth to claim the animal; or
 - 2. the owner has come forth to claim the animal but he/she has not paid the appropriate impounding fee as prescribed by section 21.
- 12. Where an animal causes a nuisance the owner thereof shall be deemed to have committed an offence.
- 13. Deleted. R 106/2017 (PM 1397).
- 14. A court of summary jurisdiction may take cognizance of a complaint that an animal is dangerous and not kept under proper control or has bitten or attempted to bite any person and if it appears to the court that the animal is dangerous or have done any of the things referred to herein, the court may order the owner of the animal to destroy it.
- 15. A person authorized to destroy an animal under these regulations may destroy it or the person may petition a Provincial Court Judge who, upon verification of the authorization, may make an order directing the owner of the animal to destroy it.
- 16. The owner of an animal who fails to comply with an order issued under section 14 or section 15 shall be deemed to have committed an offence.

Animals Kept Securely and Impounding

- 17. Whenever an animal is found on any premises contrary to these regulations the impounder shall and any person may cause the animal to be impounded.
- 18. No person shall keep an animal in the Town unless the animal is safely secured all times or kept securely on a leash by a person capable of restraining its movements.
- 19. An animal secured pursuant to these regulations shall be secured in a manner that shall not cause undue hardship or cruelty to the animal.
- 20. When a dog that bears a numbered tag or plate, as required by these regulations, has been impounded, the impounder shall, if possible, give notice thereof to the licensee or owner of the dog if the name and address of such persons are known to him/her, and if the dog has not been redeemed by or on behalf of the licensee or owner within two (2) business days after the dispatch of such notice, or where no notice has been given, after the time of impounding, the impounder may cause the dog to be disposed of or humanely destroyed.
- 21. The fee which shall be paid to the Town for the redemption of an impounded animal shall be;

- a. \$50 for the first impoundment.
 - b. \$100 for the second impoundment
 - c. \$200 for the third and subsequent impoundments.
22. When an animal which does not bear a numbered tag or plate, as required by these regulations, has been impounded, the impounder shall cause the animal to be disposed of or humanely destroyed at the expiration of two (2) business days after the time of impounding.
 23. Where, in the sole discretion of the impounder, the animal liable to be impounded appears to be vicious, dangerous, diseased or otherwise unfit for impounding, the impounder may cause the animal to be disposed of or humanely destroyed forthwith.
 24. Upon payment of the impounding fee and the licence fee described, where a dog is not licenced, the impounder may release the dog which fails to be disposed of or destroyed to any person requesting the dog and the ownership of the dog shall then vest in the person to whom the dog is released and the former owner shall have no right or claim to the dog.
 25. When an animal for which Council refuses to issue a licence is found to be kept within the Town, the owner of the animal is deemed to have committed an offence and the impounder shall impound the animal.
 26. If an animal for which the Council refuses to issue a licence or permit to be kept in the Town is found at large, it shall be the duty of the impounder to seize and impound such animal and to enter any premises for the purpose of recapturing such animal which may escape from his control.
 27. If an animal for which the Council refuses to issue a licence or permit to be kept in the Town is impounded, the following fees shall be paid by the owners of the animal:
 - a. \$100 for seizing or impounding of the animal;
 - b. \$20 for each day during which an animal is impounded; and
 - c. all other expenses pertaining to the impounding.
 28. No person except an authorized representative of the Town, with such authorization being granted by the Town Manager and the SPCA, may enter a Pound.
 29. Any person found to tease an animal caught in a trap or throwing or poking any object into the trap when an animal is caught therein is deemed to have committed an offence.
 30. Any person who removes an animal from a Pound without having first paid the fees required by these regulations commits an offence.
 31. Any persons who interferes with or attempts to interfere with a Municipal Enforcement Officer, an Animal Control Officer or a SPCA representative in the exercise of their respective duties individually or collectively shall be deemed to have committed an offence.
 32. Any person who, without the approval of a Municipal Enforcement Officer, an Animal Control Officer or a SPCA representative, releases an animal which has been impounded, shall be deemed to have committed an offence.

33. Every person requested by a Municipal Enforcement Officer, an Animal Control Officer, or a SPCA representative shall forthwith give his or her proper name and address
34. In accordance with section 420 of the Act, a person who commits an offence under these regulations is liable on summary conviction;
 - (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.
35. Prosecution under these regulations may be taken summarily by any Police Officer including a Municipal Enforcement Officer.

Repeal and Commencement

36. The *Town of Bishop's Falls Animal Control Regulations* and any amendments thereto are hereby repealed.
37. These regulations shall come into force on April 20, 2010.

Fence Regulations

Pursuant to the powers conferred under section 414 (2) (hh) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on July 2, 2009 hereby passes and enacts the following Fence Regulations governing fences in the municipal boundaries of Bishop's Falls.

By-law

1. This by-law may be cited as the *Bishop's Falls Fence Regulations*.
2. This by-law shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In this By-Law,
 - (a) "Fence" means a vertical physical barrier constructed out of typical fencing materials and includes hedges, shrubs and landscaping features use for the purpose of creating a physical barrier and that portion of a retaining wall that projects above the surface of the ground that it supports.
 - (b) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999*, and amendments thereto and includes the Council as defined by the Act.
 - (c) "Municipal Enforcement Officer" means the Town Manager, Town Clerk, or the Public Works Supervisor.

Affect on Traffic

4. No person shall erect a fence in a location that obstructs the view of traffic.

Affect on Egress

- 4.A Notwithstanding any other section in these Regulations, no person shall erect a fence that obstructs a neighbouring property's egress.

Height Restrictions

5. The maximum height of a fence from the street line to the building line shall not exceed 1.22 meter.
6. The maximum height of a fence from the building line to the rear property line shall not exceed 2.5 meters.
7. Notwithstanding sections 5 and 6, Council may, in such circumstances that Council deems necessary, allow a fence to exceed the height restrictions outlined in sections 5 and 6.

Electrical and Barbed Wire Fences

8. No person shall erect an electrical fence or barbed wire fence on any real property without the approval of Council by way of a permit.

Maintenance and Appearance

9. A person shall at all times;
 - (a) maintain the structural soundness of a fence on that person's real property; and
 - (b) ensure the appearance of the fence conforms to the standards stipulated in the person's Fence Construction Permit.

Permit required

10. A person shall obtain a Fence Construction Permit from Council before erecting a fence by submitting an application in accordance with the *Permits and Licences Processing Regulations*.

Orders and Consequences

11. Where a person fails to comply with these Regulations a Municipal Enforcement Officer shall, on authority of section 404 (1) (j) of the *Municipalities Act, 1999*, issue an Order to comply with these Regulations on that person. An Order issued under this section shall prescribe;
 - (a) the section of these Regulations that the person is contravening;
 - (b) what the person must do to ensure compliance with these Regulations; and
 - (c) a date and time that the person must become in compliance with these Regulations.
12. A person who fails to comply with an Order issued under these Regulations is liable on summary conviction;
 - (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

Economic Development Tax Incentive Regulations

Pursuant to the powers conferred under section 414 (2) (gg) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on June 21, 2011, hereby passes and enacts the following Economic Development Tax Incentive Regulations governing tax incentives available to businesses established in Bishop's Falls.

By-law

1. These regulations may be cited as the *Economic Development Tax Incentive Regulations 2011*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In these regulations unless the context otherwise requires;
 - (a) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999*, and amendments thereto, and includes the Council as defined by the Act.
 - (b) "Town Clerk/Manager" means the Town Clerk/Manager for the Town.
 - (c) "Business" means a legally constituted organization in federal, provincial, and municipal jurisdictions designed to provide goods, services, or both to consumers that is not in direct competition with similar businesses in the municipality.
 - (d) "Expansion/Expands" means an investment in an existing business for the purpose of accessing new markets, accommodating consumers, creating jobs, or for some other purpose that results in business growth and development.

New Business Regulations

4. A business that becomes established in Town for the first time shall, upon application, be entitled to a property tax and business tax incentive provided all conditions prescribed in these regulations are satisfied.
5. An application under section 4 shall take the form as prescribed by the Town Clerk/Manager and shall, among other things, include;
 - (a) confirmation that the business is legally constituted as per section 3 (c);
 - (b) a statement describing the nature of the business (i.e. products, services, etc.); and
 - (c) confirmation from a recognized auditing firm of the investment(s) made to establish the business (i.e. capital, labour, etc.).

6. Where the Town is satisfied that a newly established business meets the conditions of these regulations, the business shall be deemed qualified for the property tax and business tax incentive under these regulations.
7. A qualifying business under section 6 shall receive a property tax and business tax incentive, contingent on the investment made by the business, for a period of time as per the following schedule:

Business Investment Amount	Property Tax and Business Tax Incentive
\$10,000 to \$75,000	1 year remission
\$75,001 to \$150,000	2 year remission
\$150,001 to \$225,000	3 year remission
Above \$225,001	4 year remission

Business Expansions Regulations

8. A business that expands may, upon application, be entitled to a property tax and business tax incentive provided all conditions prescribed in these regulations are satisfied.
9. An application under section 8 shall take the form as prescribed by the Town Clerk/Manager and shall, among other things, include;
 - (a) Confirmation from the Municipal Assessment Agency of the value added to the business as a result of the expansion;
 - (b) confirmation that the business is legally constituted as per section 3 (c); and
 - (c) A statement describing the nature of the expansion.
10. Where the Town is satisfied that the business expansion meets the conditions of these regulations, the business shall be deemed qualified for the property tax and business tax incentive under these regulations.
11. A qualifying business under section 10 shall receive a property tax and business tax incentive, contingent on the value added to the business, for a period of time as per the following schedule:

Value Added	Property Tax and Business Tax Incentive
\$10,000 to \$75,000	25% remission of the value added for 1 year
\$75,001 to \$150,000	25% remission of the value added for 2 years
\$150,001 to \$225,000	25% remission of the value added for 3 years
Above \$225,001	25% remission of the value added for 4 years

General Regulations

12. A business that changes its name and/or ownership shall not be entitled to a property tax or business tax incentive.

13. A business that ceases operations during the tax remission period shall not, effective on the date the business ceases operations, be entitled to the property tax and business tax incentive.
14. A business shall have up to five (5) years from the date of the Town issued business permit or, in the case of an expansion, from the date of the expansion, to apply for a property tax and business tax incentive under these regulations. Tax incentives, where applicable, shall begin from the date of the Town issued business permit or, in the case of an expansion, from the date of expansion, and shall not be retroactive.

Repeal and Commencement

15. The *Town of Bishop's Falls Economic Development Municipal Tax Incentive Regulations* and any amendments thereto are hereby repealed.
16. These regulations shall come into force on June 21, 2011.

Home Based Business Regulations

Definitions

Home Occupation: A development consisting of the use of an approved residential dwelling for purposes of conducting business activity.

Home-Based Business: A for-profit enterprise that is owned and/or operated by a self-employed entrepreneur and/or corporate entity operating from a residential property or out-building on the residence property who may or may not employ additional family and/or outside staff.

Carrying on a Business: That which occupies the time, attention and labor of an individual or party of individuals for the purpose of primary and/or secondary income and involves the incurring of liabilities to their parties for the purpose of the primary and/or secondary income. If a person is engaged in a “hobby” and is deriving income from the sale of goods or services, they are deemed to be “Home-Based Business” for the purposes of these Regulations and shall be considered same.

Employee: Anyone who engages in the Home-Based Business for the purpose of livelihood or profit.

Regulatory Requirements

1. Home Occupations are Discretionary Uses in Residential Zoning Designations: For all residential zones, Home Occupations shall include Office, Medical, Professional Services, and Personal Services. Office uses shall be limited to small business services and professional services.

An application for establishment of all Home Based businesses must be submitted for approval of the municipal authority. In consideration of applications, Council will ensure that all regulatory/municipal/zoning requirements are met and that business activity does not pose a hazard to neighboring properties or cause noticeable noise, odor, dust, fumes, traffic congestion or inconvenience to the residential neighborhood.

2. Home Occupations Shall Comply with the Following Regulations:
 - a. On-site advertisements shall be non-illuminated with a maximum sign face area of 0.2 square meters and shall meet the requirements of the Authority in terms of shape and material construction of the advertisement having regard to the safety and convenience of users of adjacent streets and sidewalks and the general amenities of the surrounding area. Signs shall not be erected on the property beyond the front line of the residence, and may be attached to the front of the dwelling.
 - b. There shall be no mechanical or electrical equipment which creates external noise and/ or audio interference with home electronics equipment in an adjacent dwelling or within the neighborhood. All provisions of “Municipal Noise and Nuisance Regulations” shall apply.
 - c. The Home Based Business shall employ no more than one person on site in addition to a residential owner of the dwelling. The resident shall be the principal operator of the business.

- d. There shall be no outdoor business activity or storage of materials or equipment associated with the business. Materials/equipment requiring storage related to the business activity shall not be allowed either in the residential property or accessory building.
 - e. A Home Based Business shall not change the principal character or external appearance of the dwelling involved, and must not detract from the overall appearance of the neighborhood. The business use must be secondary to the residential use of the building with business activity not being visible from the outside of the property with the exception of signage as approved in these Regulations.
3. In addition to the information requirements under this by-law, each application for a permit shall include a description of the business to be undertaken in the selling, a projection of the anticipated number of patron visits per week, details relative to parking, information of the storage of business materials/equipment. All business applications considered for approval by the town will be subject to the approval of the Government Service Centre. A Municipal Permit will not be issued until a letter of approval and/or exemption is received from the G.S.C.
 4. Permit fees will be in accordance with the adopted tax rate schedule implement by Council in conjunction with the approval of each annual budget. A Business Establishment Permit for the 2005 fiscal period is \$50.00.
 5. Home based businesses shall be taxed at the minimum annual business tax rate in effect for each fiscal period. The annual 2005 levy for this purpose has been confirmed at \$300.00. An invoice will be forwarded to all existing home based businesses for the annual period unless the Assessment Service Department upon inspection of the residential property utilized for business activity determines that adequate space can be assessed for the purposes of business activity. In this event the rate of taxation will be applied at the current Mil Rate on the assessed value of the portion of the residential property utilized for business purposes.
 6. Repairs to vehicles or heavy equipment shall not be a permitted Home Based Business use.
 7. Not more than 25% of the total floor area of the dwelling, up to a maximum of 45 square meters, shall be devoted to business use.
 8. No change will be made in the type, class or extent of service outlined to the town during the application and approval stage. Variations to the original approval must be approved by the Town.
 9. No product display, wholesale activity or storage of goods shall be carried out within a residential property except in accordance with approved uses under these regulations.
 10. Home-Based Businesses shall be subject to a review process prior to being issued their annual permit to continue business activity under these regulations. This process will include review of any complaints laid against the business, compliance with regulations, any changes in the nature of the business, and any other aspects deemed necessary by the Town. Applications which do not fit the parameters of these Regulations shall be considered by Council on an individual basis.

11. The Town of Bishop's Falls may publish a list of approved Home-Based Businesses as of March 31st annually. The Municipal Authority will not retain the services of or solicit quotations from any business not included in the listing and contributing to the municipal tax base. This listing will also be provided to any individual/corporation/service group, etc. in response to inquiries for purposes of retaining the services of businesses to undertake a contract associated with the needs of such individuals/corporations/service groups. Every effort will be made by the Town to support and promote companies listed.
12. Violation to any provisions of these Regulations will result in prosecution pursuant to the Town of Bishop's Falls Development Regulations enacted under the authority of the Urban & Rural Planning Act and the Municipalities Act.

Mobile Canteen and Vendor Regulations 2015

Pursuant to the powers conferred under section 414 (2) (c) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on November 17, 2015, passed and enacted the following Mobile Canteen and Vendor Regulations.

Short Title

1. These Regulations may be cited as the *Mobile Canteen and Vendor Regulations 2015*.

Definitions

2. For the purpose of these Regulations unless the context otherwise requires:
 - (a) "Council" means the Town Council of the Town of Bishop's Falls.
 - (b) "Designate" means the Town Manager/Clerk or the Assistant Town Manager who have been designated with authority under these regulations by Council and are empowered to enforce these regulations
 - (c) "Mobile Canteen" means any vehicle or trailer, whether self-moving or drawn by another vehicle or person, from which goods, foods or services are sold. Garage sales operated by homeowners on an occasional basis on private property are excluded from this definition.
 - (d) "Operator" means the operator of a mobile canteen, an approved vending site or a vending operation.
 - (e) "Permit" means a permit issued by the Town of Bishop's Falls.
 - (f) "Person" means any individual, corporation, company, partnership, club, society or association.
 - (g) "Approved Vending Site" means:
 - With the prior approval of the operator, the Fallsview Municipal Park (lower field, paved section);
 - Station Road east of the boat launch/slipway; and/or
 - another area that may be approved by Council or its Designate. Before approval can be granted in such cases, the vendor must obtain approval from the owner of the land/area in question.
 - (h) "Vendor" means a person who sells or offers for sale food, beverages or articles of all kinds, on town streets, private and public open places from a stand or mobile canteen.
 - (i) "Vending Operators" means the operations of all vendors in selling their articles and includes stands or devices used for the displaying, storing, transporting or selling of these articles.

(j) "Street" means any publicly owned road and includes alleys, boulevards, bridges, courts, walkways, highways, lanes, parks, public drives, sidewalks, squares, railroad tracks, and any part of them open to the public.

(k) "Town" means the Town of Bishop's Falls, Newfoundland and Labrador.

Regulations

3. No person shall, at any time, operate a mobile canteen, an approved vending site or a vending operation in the Town without a permit issued by Council or its Designate. Notwithstanding the latter, a person will be exempted from this Regulation and will not require a permit if;
 - (i) the person is selling newspapers door-to-door.
 - (ii) the person is 18 years of age or younger and is selling goods to raise funds for school activities, personal benefit, or for non-profit organizational activities.
 - (iii) the person is hosting or taking part in a trade or craft show that is being organized for a non-profit or charitable cause.
4. A person will be granted a permit at no cost under these Regulations if;
 - (i) the person is selling goods where 100% of the proceeds are used to support a benevolent, religious, charitable, philanthropic, educational or other non-profit organization.
 - (ii) the person is already paying business tax for another mobile canteen with the same business activity.
5. A permit placard issued to the operator of a mobile canteen, an approved vending site or vending operation must be displayed in full view to the public.
6. Council or its Designate shall not issue a permit for the operation of any mobile canteen, any approved vending site or any vending operation that it deems unsafe or unfit for the purposes for which it is intended or where the person has not obtained or fails to comply with the appropriate food establishment licences and standards.
7. Council or its Designate may prescribe and attach conditions to any permit issued under these regulations and the holder of such a permit, or an operator, employee agent or any person operating a mobile canteen, an approved vending site or a vending operation must adhere strictly to any and all conditions specified in such permit.
8. Council or its Designate may require an operator, or his/her employees or agents, to operate a mobile canteen, an approved vending site or a vending operation only in approved vending sites as defined in these Regulations and these areas will be clearly defined on any permit issued to the operation, or his/her employees or agents, and the operator, or his employees or agent, may not operate a mobile canteen, an approved vending site or vending operation outside of any such defined area.
9. Permits for mobile canteens, approved vending sites, or vending operations shall be issued to an owner or operator or agent of such mobile canteen, approved vending site or vending operation and shall not be transferable. Where the owner, operator, or agent fails to comply

with the permit or fails to comply with the appropriate food establishment licences and standards, the Council or its Designate may immediately void the permit. In such cases the owner, operator, or agent shall immediately cease operations and shall not resume operations until the permit is reinstated by Council or its Designate. Owners, operators or agents are required to advise the Town immediately of any violations relating to their food establishment licences and the associated health and safety standards/codes.

10. Council or its Designate may issue one of two types of permits for mobile canteens, approved vending sites, or vending operations as follows:

(a) Non-Renewing Permits shall be valid for a period not exceeding twelve (12) months, and Council or its Designate shall specify in such a permit the date of commencement and cessation.

(b) Renewing Permits shall be valid for a period exceeding twelve (12) months and shall remain valid until cancelled by;

- i. Council or its Designate in accordance with these Regulations; or
- j. the permittee upon serving written notice to Council or its Designate.

Renewing Permits can only be issued if the vendor owns the land upon which the mobile canteen, approved vending site, or vending operation is operating. A vendor possessing a Renewing Permit shall notify Council or its Designate of any changes to its operation within 30 days of becoming aware of the change.

11. All owners and operators of mobile canteens, approved vending sites or vending operations and their employees or agents shall keep their mobile canteens, approved vending sites or vending operations and the surrounding areas, clean and free of litter, garbage, cartons, wrappers, paper, rubbish, and other debris, and shall dispose of any such materials in an authorized garbage receptacle.

12. Where a mobile canteen, an approved vending site or a vending operation is being operated contrary to any or all of the conditions attached to the permit allowing its operation, Council or its Designate may cancel the permit and order the removal of a vehicle or stand.

13. The Designate may enter upon any public or private land and may at all reasonable times inspect any mobile canteen, approved vending site or vending operation for the purpose of obtaining information relative to the vending operations.

14. No person shall use a mobile canteen or a vending operation for the purpose of either temporary or permanent habitation, nor shall any person use a mobile canteen or vending operation for overnight accommodation.

15. All vendor operations under these Regulations shall be subject to the approval of all other required regulatory authorities. In the case of a vendor selling food, beverages or consumable items, the vendor's operation shall likewise be subject to the approval of all other required regulatory authorities but in no case will a permit be issued until the vendor has obtained a permit from the Department of Health.

16. Any person who contravenes any of the provisions of these Regulations is guilty of an offence and liable on summary conviction;
- (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
- (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.
17. Prosecution under these Regulations may be taken summarily by the R.C.M.P. or by the Town's Solicitor.
18. Council may prescribe a fee schedule from time to time for permits issued under these Regulations. The types and duration of the permits shall be as follows:
- Non-Renewing Permits (see Regulation 10 (a))
1. Daily (24 hour period)
 2. Seasonal (Not more than four (4) months)
 3. Annual (Not more than twelve (12) months)
- Renewing Permit (see Regulations 10 (b))
1. Greater than twelve (12) months
19. All previous Mobile Canteen/Vendors Regulations are hereby rescinded.
20. These regulations shall take effect on November 17, 2015.

Motorized Snowmobile and All-Terrain Vehicle Regulations

Pursuant to authority conferred under Section 414 {2}{ii}{iv} of the Municipalities Act, S.N.. 1999 Chapter M-24 of the Town Council of the Town of Bishop's Falls in the province of Newfoundland has adopted the following Regulations.

These Regulations may be cited as the *Town of Bishop's Falls Motorized Snowmobile and All-Terrain Vehicle Regulations*.

1. In these regulations unless the context otherwise requires:
 - (a) "Council" means the Town Council of the Town of Bishop's Falls.
 - (b) "Highway" means the entire width between the boundary lines of a highway, road, alley, square, place, bridge, culvert, street, avenue, thoroughfare, right-of-way, parkway,, driveway, trestle, whether privately or publicly owned and whether or not it is designed 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 and includes trails, frozen lakes/rivers or other bodies of water or water courses when a trail is maintained or kept open at the expense of the province or a municipality.
 - (c) "Motor Vehicle" means a vehicle required to be licensed for the highway as per the Highway Traffic Act.
 - (d) "Town" means the Town of Bishop's Falls as defined in paragraph 2 of the Order in Council dated the 8th day of January, A.D., 1962 and made under the Municipalities Act.
 - (e) "Constable" means a member of the Royal Canadian Mounted Police.
 - (f) "Enforcement Officer" means a person appointed by the Town of Bishop's Falls.
 - (g) "Vehicle" means all motorized vehicles designed and constructed for travel on or immediately y over land, water, snow , ice, marsh, swampland and other natural terrain, including four-wheel drive or low pressure tire powered vehicles, low pressure tired motorcycles and related two wheel vehicles, snowmobiles, amphibious machines, ground effect or air-cushioned vehicles, but don include a motor vehicle.
2. No person shall:
 - (a) drive, operate or otherwise move a vehicle upon a highway except in accordance with the provisions of these regulations.
 - (b) drive or operate a vehicle within residential commercial or municipal lands designated by the municipality for use as recreation and/or municipal parklands.

- (c) Subject to subsection {2} a person may operate a vehicle on a designated trail as per schedule 1 of these regulations and may take the most direct route to and from the trail providing all conditions of these regulations are met.
 - (d) Notwithstanding the provisions of Section 2 {b} of these regulations, entry and exit of All-Terrain Vehicles by Municipal Park Patrons to and from their respective camp sites and Salmon Fishermen to and from a designated area within the Municipal ark are permitted provided that the approved and posted path of entry is utilized.
3. No person shall drive, operate or otherwise move a vehicle at any time between sunset and sunrise unless the vehicle is equipped with and there is, in effective operation, adequate head and tail lamps.
4. A person shall not:
- (a) Drive, cause, allow or permit to be driven a vehicle unless that vehicle is registered according to this section and insurance requirements, as required by this Act and regulations, are complied with.
 - (b) Drive a vehicle unless there is affixed to and clearly exposed on either side of that vehicle in a conspicuous position at or toward the front of the vehicle the numbered plates and/or decals.
 - (c) This section does not apply to a vehicle owned by a person who does not live in the province if the vehicle is:
 - i. Registered in another jurisdiction and has attach to it valid number plates and/or decals issued b the proper authority in that jurisdiction and
 - ii. Is not kept in the province for more than thirty consecutive days.
5. Where the ownership of a vehicle, which is register under Section 4 passes from the owner to another owner, whether by act of the owner or by operation of law, notification of the change in ownership shall be made to the Registrar in the manner and within the time prescribed by the regulations.
6. When a vehicle is being driven:
- (a) The driver shall keep the set of number plates or decals on it free of mud, dust and other obstructing material, and the driver shall ensure that the view of the plates or decals shall not be obscured or obstructed by part of the vehicle or equipment or attachment on the vehicle or by the load carried on the vehicle.
 - (b) A person shall not:
 - i. Deface, mutilate or alter a number plate or decal issued under these regulations.
 - ii. Use or permit the use of a defaced, mutilated, or altered number plate or decal on a vehicle; or
 - iii. Knowingly use or permit the use of a number plate or decal upon a vehicle except as issued for the vehicle.

7. Except as permitted by these regulations a person shall not drive a vehicle upon a highway unless
 - (a) That person is the holder of a class of driver's licence issued under the Highway Traffic Act; and
 - (b) In the case of a person under 19 years of age, that person or the vehicle being driven is insured in the manner provided in the regulations.
8. The driver of a vehicle shall at all times yield the right of way to drivers of all classes of motor vehicles on a highway.
9. It shall be duty of an owner of a vehicle who drives a vehicle on a highway when under the age of 19 or knowingly permits a person under the age of 19 to drive a vehicle on a highway to acquire the insurance referred to in section 4 and upon the request of a constable to produce true and proper evidence that the driver of the vehicle is insured in the manner provided in the regulations.
10. No person shall drive, operate or otherwise move a vehicle unless such a vehicle is equipped with:
 - (a) An amber reflector affixed to the front of the vehicle or with one amber reflector affixed to each side of the vehicle, at or towards the front thereof
 - (b) At least one red reflector at the rear of the vehicle either separate from or incorporated within the tail lamp under Regulation 6
 - (c) An adequate and efficient operating braking system
11. When a sign which has the word "Stop" inscribed thereon is erected at or near the intersection of a highway and the designated trail, the driver of the vehicle on the designated trail, the driver of the vehicle on the designated trail shall stop the vehicle before crossing the highway and shall then proceed with special care and give away to traffic on the highway.
12. A person may drive, operate or move a vehicle across a highway only at such points where the operator has not less than one hundred yards visibility in both directions along the highway.
13. No person shall:
 - (a) under the age of 16 years shall operate an All-Terrain Vehicle.
 - (b) cause or permit a person under the age of 16 years to operate a vehicle unless such a person is accompanied and supervised by another person who is 19 years of age or older.
 - (c) under the age of 13 years shall drive a motorized snow vehicle
 - (d) cause or permit a person under the age of 13 years to drive a vehicle unless such a person is accompanied by another person who is 19 years of age or older.

- (e) For the purpose of subsections 13 (a, b, c, d) an operator is accompanied and supervised when the older person is riding on the same vehicle or has visual and voice communication with the operator.
14. The owner of a vehicle who drives or operates a vehicle on a highway when under the age of 19 years or knowingly permits a person under the age of 19 years to drive or operate a vehicle on a highway shall insure the vehicle with an insurance company licensed to do business in Newfoundland and Labrador against liability and property damage to a minimum amount of seventy-five thousand dollars.
 15. A person shall not operate or ride as a passenger on an ATV unless wearing a helmet that complies with the Highway Traffic Licensing and equipment regulations and that it is properly fastened.
 16. No person shall drive any motor vehicle at a speed in excess of 50 km per hour on designated trails within the limits of the town and must adhere to the speed limit signs indicating a reduced speed limit posted for safety reasons along the route.
 17. Notwithstanding any other provision of these regulations a person shall not drive a vehicle on the designated trails or in any other place within the limits of the town:
 - (a) At a speed which is greater than is reasonable and prudent under the condition having regard to actual potential hazards existing on the highway or other place
 - (b) Without due care and attention
 - (c) Without reasonable consideration for the other persons
 - (d) In a manner that is dangerous to the public
 - (e) If the person suffers from a disease or any disability which might cause driving of a vehicle to be a source of danger to another person(s).
 18. If a driver refuses to give his name and address or gives a false name or address to any person having reasonable grounds for requiring the same or if any other driver refuses to give his name and address to an officer or constable who asks for same that person is guilty of an offence under these regulations.
 19. Subject to these regulations, a person shall not operate a vehicle on a designated trail or any other place within the town limits unless the vehicle is registered.
 20. Every vehicle shall be equipped with a noise muffler or other noise-reducing equipment which shall be in good working condition and which shall prevent excessive or unusual noise, and a person shall equip a vehicle with a muffler cut-off, or other device which has the effect of by-passing or reducing the efficiency of such noise-reducing equipment.
 21. No person shall drive or operate a vehicle in such a manner as to constitute a danger or hazard to the operators or passengers of other vehicles being operated within the same area or where persons are engaged in any outdoor recreational activity so as to create a hazard to or endanger these persons or the property.

22. The Council or agency designated by the Council may cause to have erected warning, cautionary, directional, limiting, prohibiting or other signs respecting the operation of vehicles and the operator of any vehicle who fails to obey such signage is guilty of an offence under these regulations.
23. An Enforcement Officer or Emergency Response Unit may use or cause to be used a vehicle in a prohibited area where such intended use is to enforce these regulations and perform an emergency service.
24. Any vehicle used in contravention of these regulations within the municipality may be seized and impounded.
25. No person other than the operator shall ride on a vehicle unless:
 - (a) the vehicle is designated and equipped by the manufacturer to carry more than one person;
 - (b) the person other than the operator rides on a seat attached to the vehicle and designed to carry a passenger.
26. A person who operates a vehicle shall not permit another person to ride on it in violation of subsection 25 (a) (b).
27. A person shall not operate or ride as a passenger on a vehicle where the vehicle is not equipped with a windshield that is of a height to afford adequate protection to the eyes. The operator shall wear a face shield, safety glasses or goggles.
28. When requested to do so by an enforcement officer the owner or operator of a vehicle shall procure proof that a policy of insurance is in force with respect to the vehicle.
29. For the purpose of Section 28 the submission of an insurance policy must be made to the enforcement officer with forty-eight hours of the request of the officer.
30. Any person who fails to obey a signal or direction of a constable or officer given for the purpose of these regulations is guilty of an offence.
31. Council may issue a permit of the use of an ATV on a highway within the jurisdictional area of the municipality and may set a permit fee as deemed appropriate by the Council.
32. Subject to Section 31, the following provisions will apply:
 - (a) The individual/organization must apply in writing to the Council for a permit.
 - (b) The vehicle can only be used on the trail/parade route designated by Council.
 - (c) All conditions of these regulations must be met.
33. In accordance with Sections 420 and 421 of the Municipalities Act every person who fails to comply with or otherwise contravenes any of these regulations is guilty of an offence and is liable on summary conviction to:

- (a) For the first offence to a fine of not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or both the fine and imprisonment;
- (b) For a subsequent offence to a fine of not less than \$500.00 and more than \$1000.00 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment

Municipal Development Standards Regulations

Pursuant to the powers conferred under section 414 (2) (a) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on June 21, 2011, hereby passes and enacts the following Municipal Development Standards Regulations governing the development of underground water and sewer, sewage lift stations, municipal roads, curb, sidewalks, and storm sewer.

By-law

- 1 These regulations may be cited as the *Municipal Development Standards Regulations 2011*.
- 2 These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

- 3 In these regulations unless the context otherwise requires;
 - (a) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999*, and amendments thereto, and includes the Council as defined by the Act.
 - (b) "Municipal Standards" means the development standards and specifications contained in the *Municipal Water, Sewer, and Roads Specifications Book*, and any amendments thereto, as published by the Department of Municipal Affairs.

General Regulations

- 4 Underground water and sewer work, sewage lift stations, municipal roads, curb, sidewalks and storm sewers shall be developed in accordance with Municipal Standards.
- 5 A person intending to develop underground water and sewer, sewage lift stations, municipal roads, curb, sidewalks, and/or storm sewers must obtain a permit from Council, in accordance with the *Town of Bishop's Falls Development Regulations*, before undertaking such development.
- 6 A person developing underground water and sewer, sewage lift stations, municipal roads, curb, sidewalks, and/or storm sewers shall ensure, at the person's expense, the development is carried out in accordance with Municipal Standards.

General Regulations - Subdivision

- 7 In addition to other requirements under the *Town of Bishop's Falls Development Regulations*, a person applying to develop a subdivision must obtain approval to do so from the Department of Government Services and any other authority having jurisdiction over the development before a subdivision permit can be issued.
- 8 A person authorized to develop a subdivision in accordance with the *Town of Bishop's Falls Development Regulations* (hereinafter referred to as the 'developer') shall be responsible for the provision of all development materials.

- 9 A developer shall, no later than sixty (60) days after the subdivision is completed, submit to the Town all “as-built” drawings and maintenance documents. To ensure the work was completed in accordance with the subdivision permit and Municipal Standards, the Town shall engage, at the expense of the developer, a third party engineer to assess the development. Where deficiencies are noted, the developer shall be responsible for all cost associated with bringing the development into compliance with the subdivision permit and Municipal Standards.
- 10 For a period of twelve (12) months following the completion of the subdivision, the developer shall be responsible for all maintenance and repairs to the underground water and sewer work, sewage lift stations, municipal roads, curb, sidewalks and storm sewers.
- 11 All lands and building lots must be accessible.
- 12 The paving of subdivisions shall be completed after 50% of the lots are sold or one (1) year from the start of construction, whichever comes first. In the event the developer does not commence paving in accordance with this section, the Town shall undertake to have the road paved at the developer’s expense.
- 13 Curb, gutter and storm sewer shall be included in all subdivision developments. Where the subdivision is located on an existing street, the Town may require a cash deposit to be made in the amount recommended by the Town Engineer to adequately cover cost to develop curb, gutter and storm sewer. This deposit will be in lieu of completing the curb, gutter and storm sewer.
- 14 A Performance Bond in the amount of 50% of the value of the proposed works, and as verified by the Town Engineer, will be issued to the Town prior to the issuance of any permits.
- 15 Any engineering costs associated with the fulfilment of these regulations to the satisfaction of the Town shall be the responsibility of the developer.

Repeal and Commencement

- 16 *The Town of Bishop’s Falls Development Regulations*, enacted under section 414 (2) (a) of the *Municipalities Act, 1999*, and any amendments there to are hereby repealed.
- 17 These regulations shall come into force on June 21, 2011.

Noise/Nuisance Regulations

Pursuant to authority conferred under Section 414 {2} {ee} of the Municipalities Act, S.N. 1999 Chapter M-24, The Town Council of the Town of Bishop's Falls in the province of Newfoundland have adopted the following regulations.

1. These regulations may be cited as the *Town of Bishop's Falls Noise/Nuisance Regulations*.
2. In these regulations unless the context otherwise requires:
 - (a) "Act" means the Municipalities Act, S.N. 1999, Chapter 24.
 - (b) "Council" means the Town Council of Town of Bishop's Falls.
 - (c) "Municipality" means the Town of Bishop's Falls as defined by Paragraph 2 of Order-in-Council dated the 8th day of January A.D., 1962 and made under the Municipalities Act S.N., C33, as amended.
 - (d) "Constable" means a member of the Royal Canadian Mounted Police (RCMP).
 - (e) "Enforcement Officer" means a person appointed under Section 184 of the Act.
3. **INTENTION**
 - (a) No person shall create a noise within the Municipality, through the use of fire-arms, fireworks, or other similar noise-making devices except as may be approved by Council and subject to the approval of law enforcement and/or other regulatory agencies.
 - (b) No person shall create a noise within the municipality, through the use of shouting or noise-making devices, for the purpose of selling wares, soliciting business or attracting attention, except as may be approved by Council.
 - (c) No person shall create a noise with the municipality, through the use of motor vehicle horns, except as may be reasonable necessary for the safety and warning of traffic and d pedestrians.
 - (d) No person shall use, within the municipality, a lawnmower, chainsaw, snowmobile or other machinery or equipment which may disturb the peace and quiet of a neighbourhood between the hours of 10:00 PM of any day to 6:00 AM of the following day, except as may otherwise be approved by Council.
 - (e) No person shall create a noise with the municipality, through the use of a motor vehicle that has no muffler of a defective muffler, except as may be necessary, to move such motor vehicle to a location for associated repairs, subject to approval of law enforcement officials under the Highway Traffic Act.
 - (f) No person shall create a noise within a municipality, through the squealing of tires of a motor vehicle which is caused by unnecessary braking, turning or setting in motion of such motor vehicle.
 - (g) No person shall, in the Town, operate or cause or permit to be operated any public address system, gramophone, radio or other device or apparatus for reproducing or amplifying sound, the sounds of which are capable of being heard on any street or neighboring property in the Town, without having first received a licence therefore from the Council as hereinafter provided.
 - (h) Items (a) to (h) herein referred apply also to business premises, where applicable, and their agents/employees.

4. EXEMPTION

Nothing in these regulations shall be deemed to prohibit:

- (a) The sounding of any bell, horn, siren, warning device of any vehicle where the law requires or when responding to an emergency.
- (b) The ringing of church bells or chimes.
- (c) The sounding of motor vehicle horns in the wedding procession or in parades permitted by Council.

5. PENALTY

In accordance with Sections 420 and 421 of the Municipalities Act, every person who fails to comply with or otherwise contravenes any of these regulations is guilty of an offence and is liable on summary conviction to

- (a) For the first offence to a fine of not less than \$100.00 and more than \$500.00 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
- (b) For a subsequent offence to a fine of not less than \$500.00 and more than \$1000.00 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

These regulations shall come into effect immediately.

**CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION
1021/96**

Occupancy and Maintenance Regulations

under the
Urban and Rural Planning Act
(O.C. 96-201)

Under the authority of section 63 of the *Urban and Rural Planning Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

Short title

1. These regulations may be cited as the *Occupancy and Maintenance Regulations*.
CNR 1021/96 s1

Definitions

2. In these regulations
 - (a) "Act" means the *Urban and Rural Planning Act*;
 - (b) "building line" means a line established by the enforcement authority to set the horizontal distance between the closest point of a building and the street line;
 - (c) "composting" means the storage and controlled biochemical decomposition of vegetables, fruit or garden waste;
 - (d) "enforcement authority" means the authorized administrator or the municipal council having jurisdiction in the area designated by the minister; and
 - (e) "minister" means the minister appointed under the *Executive Council Act* to administer the Act.CNR 1021/96 s2

Application

3. These regulations shall apply to those municipalities or municipal planning areas listed in the Schedule.
CNR 1021/96 s3

Occupancy

4.
 - (1) A person shall not occupy for human habitation or otherwise, or be the owner of, permit to be occupied for human habitation or otherwise, a dwelling or structure which does not conform to the standards set out in these regulations.
 - (2) All new dwellings and structures, all existing vacant dwellings and structures and a dwelling or structure which becomes unoccupied and not maintained for a length of time, shall require an occupancy permit issued by the enforcement authority before the proposed occupancy occurs.
 - (3) Notwithstanding subsections (1) and (2), temporary departures from existing properties for annual vacation, work related purposes, education, health reasons, temporary duty elsewhere, or business trips, shall not be considered as vacancies under these regulations.
CNR 1021/96 s4

Maintenance

5. All properties in the areas listed in the Schedule including land, buildings, structures, dwellings, fences, sheds, garages, parking lots, driveways, landscaping and all appurtenances shall be maintained in a state of good condition and repair in accordance with the standards set out in these regulations and as otherwise ordered by the enforcement authority.

CNR 1021/96 s5

Structural soundness

6. Structural components of all buildings and dwellings shall be
- (a) free from deterioration, loose jointing, sagging, bulging and excessive deflection; and
 - (b) capable of sustaining safely the weight of the structure or dwelling and a load to which it may be normally subjected.

CNR 1021/96 s6

Property drainage

7. All occupied land shall be provided with adequate surface water drainage over the whole area of the property to prevent ponding and to prevent run-off to adjacent properties with suitable arrangements for the disposal of surface water without eroding or flooding.

CNR 1021/96 s7

Fire prevention

8. (1) All buildings and dwellings shall meet the requirements of those local, provincial and national fire regulations that may be applicable.
- (2) A building or dwelling shall not be permitted to be occupied if it is a potential fire hazard due to its location, construction, contents or another reason and all those structures or dwellings shall be made to conform to the appropriate codes and standards as adopted by the enforcement authority before occupancy is permitted.
- (3) An occupied structure that is considered a fire hazard may be ordered vacated by the enforcement authority until the applicable deficiencies have been corrected by the owner.
- (4) Smoke alarms conforming to the standards set out in the National Building Code shall be installed in every dwelling unit and in accordance with the requirements of the National Building Code, in all other buildings

CNR 1021/96 s8

Pest control

9. (1) Every structure and dwelling shall be kept free of rodents, vermin and insects and appropriate extermination measures shall be taken when ordered by the enforcement authority.
- (2) Extermination measures ordered under subsection (1) shall be at the owner's expense.

CNR 1021/96 s9

Dampness

10. The basement, attic space, floors, ceilings, crawl space and cellar of every building and dwelling unit shall be kept free from dampness, moisture, condensation and interior sweat so as to prevent rot and the development of mildew or other health hazard.

CNR 1021/96 s10

Basement habitable rooms

- 11.** A room in the basement of a building or dwelling shall not be used as a habitable room unless
- (a) the finished floor of that room is not more than an average depth of 1,143 millimetres below the finished grade of the property;
 - (b) the room is ventilated;
 - (c) all walls below grade are effectively damp-proof resulting in a dry interior condition; and
 - (d) the interior of the basement wall is properly insulated and finished.
- CNR 1021/96 s11

Exterior walls

- 12.** (1) Exterior walls and their components shall be adequate to support loads upon them and shall be maintained to prevent their deterioration from any cause.
- (2) Exterior cladding or covering must be reasonably durable and be maintained in accordance with the standards set out in these regulations and as otherwise determined by the enforcement authority.
- CNR 1021/96 s12

Exits

- 13.** (1) A single exit is permitted from the ground floor of a dwelling unit provided
- (a) the exit is to the exterior at or near ground level; and
 - (b) it provides a safe, continuous and unobstructed means of egress.
- (2) Dwelling units which do not meet the requirements of subsection (1) shall have 2 exits.
- (3) Buildings other than dwelling units shall comply with the building code with respect to exit provisions.
- CNR 1021/96 s13

Exterior doors

- 14.** (1) Existing doors and frames shall be in sound condition, well fitted and operate satisfactorily.
- (2) At least one entrance door in every unit shall be capable of being locked from both inside and outside.
- (3) All exterior doors shall be weather-stripped or have an appropriate combination of storm and screen door suitable for all year use.

Porches and stairs

- 15.** All porches, balconies, landings, stairs and handrails shall be well constructed and free from defects which may constitute a safety hazard.
- CNR 1021/96 s15

Roofs

- 16.** (1) All roof construction components shall provide adequate support for all probable loads and form a suitable base for the roof covering.
- (2) A roof including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling.
- CNR 1021/96 s16

Fireplaces

17. All fireplaces, fuel burning equipment and chimneys shall be maintained in a safe, efficient condition.

CNR 1021/96 s17

Floors

18. (1) All floors shall be constructed and maintained so as to adequately accept the applied loads without undue deflection and damage.
(2) Defective or excessively worn, deteriorated, cracked, or torn finishes shall not be permitted by the enforcement authority.

CNR 1021/96 s18

Interior walls and ceilings

19. (1) Every wall and ceiling finish shall be maintained free from holes, loose or deteriorated coverings or other defects which may increase the spread of fire.
(2) Where fire resistant walls exist between separate dwelling units, they shall be maintained in a condition which retains their fire resistant quality.

CNR 1021/96 s19

Heating and weatherproofing

20. (1) All buildings and dwelling units shall be weatherproof and insulated so as to be capable of being adequately heated with a reasonable consumption of fuel.
(2) Heating equipment in every building and dwelling shall be in good working order and in good repair, free from fuel leaks and other defects and shall be non-hazardous to the occupants, in the opinion of the enforcement authority.
(3) Fuel storage equipment, supports and piping shall meet the requirements of the applicable regulations.

CNR 1021/96 s20

Plumbing

21. (1) All plumbing, drain pipes, water pipes, water closets, sinks and other plumbing fixtures in a building or dwelling shall be maintained in good order and repair in accordance with the requirements of the enforcement authority.
(2) Where necessary due to the nature of the construction of the unit, all water pipes subject to the possibility of freezing shall be insulated, heated or otherwise protected.
(3) All plumbing fixtures shall have suitable traps installed and all plumbing systems shall be properly vented to the outdoors.

CNR 1021/96 s21

Electrical

22. (1) The electrical service, distribution equipment, wiring, equipment and appliances used in a building or dwelling unit shall be installed and maintained in accordance with the requirements of the Newfoundland and Labrador Hydro Corporation.
(2) Exposed, loose wiring, broken or damaged switches or outlet covers or damaged fixtures shall not be permitted by the enforcement authority.

CNR 1021/96 s22

Washroom facilities

- 23.** (1) Every dwelling unit shall be provided with at least one kitchen sink, washbasin, water closet and bathtub or shower which
- (a) is in good working order;
 - (b) is connected to a piped water supply; and
 - (c) has an acceptable means of sewage disposal.
- (2) Every dwelling unit shall have provisions for a constant supply of both hot and cold water.
- (3) Hot water tanks shall be insulated and equipped with automatic temperature control.
- (4) All plumbing fixtures shall operate properly and shall be free from leaks.

CNR 1021/96 s23

Kitchen facilities

- 24.** (1) Every dwelling unit shall contain a kitchen area equipped with a sink, served with hot and cold running water, storage facilities and a counter top work area.
- (2) Each kitchen or working area shall be provided with at least one operable window or skylight opening to the external air and having an area of not less than 10% of the net floor area of the room, or with a mechanical system of ventilation satisfactory to the enforcement authority.

CNR 1021/96 s24

Washrooms

- 25.** (1) All washrooms, including toilets and bathrooms, shall be
- (a) located within and shall be accessible from within the building; and
 - (b) fully enclosed and in the case of a public building, have a lockable door to provide privacy.
- (2) Every washroom, toilet and bathroom shall be provided with
- (a) at least one operable window or skylight opening to the external air and having an area of not less than 10% of the floor area of the room; or
 - (b) a mechanical system of ventilation satisfactory to the enforcement authority.

CNR 1021/96 s25

Lighting and ventilation of habitable rooms.

- 26.** (1) Every habitable room in a dwelling unit shall contain one or more operable windows.
- (2) Windows required under subsection (1) shall open directly to the outside air and the total area of window or windows in every habitable room shall not be less than 10% of the floor area of that room.
- (3) All window sashes shall be glazed and provided with suitable hardware.

CNR 1021/96 s26

Sleeping rooms

- 27.** (1) A room shall not be used for sleeping purposes unless it has a floor area of at least 6 square metres.
- (2) Where more than one individual at least 12 years of age uses a room for sleeping purposes, it shall have at least 12 cubic metres of air space and 5 square metres of floor space.
- (3) Where an individual less than 12 years of age uses a room for sleeping purposes, it shall have at least 6 cubic metres of air space and 3 square metres of floor space.

CNR 1021/96 s27

Cooking prohibited in sleeping rooms

28. Where more than 2 persons occupy a dwelling unit, food shall not be prepared in a room used for sleeping purposes.
CNR 1021/96 s28

Overcrowding

29. The number of persons in a building or part of a building shall not exceed the numbers permitted under the Fire and Life Safety Code or another code or standard adopted by the enforcement authority.
CNR 1021/96 s29

Storage space

30. Every dwelling unit shall have general storage and closet space as required by applicable housing regulations or as determined by the enforcement authority.
CNR 1021/96 s30

Enclosed space access

31. (1) An access opening of at least 600 millimetres by 750 millimetres shall be provided when required to attics, crawl spaces and other enclosed spaces.
(2) Where mechanical equipment is enclosed, the access opening shall be sufficiently large to permit the removal and replacement of the equipment.
(3) Enclosed attic, roof and crawl spaces shall be vented to the exterior of the structure.
CNR 1021/96 s31

Walkways, driveways

32. Steps, walks, driveways, parking spaces and similar areas of a yard shall be adequately lit and maintained to afford safe passage under normal use and weather conditions.
CNR 1021/96 s32

Fences

33. (1) A fence shall not extend in front of the building line where it would reduce the visibility of vehicles entering or exiting a street or intersection.
(2) Fences, barriers and retaining walls shall be kept in good repair and free from accident hazards.
(3) Subsection (1) does not apply to hedges, walls or ornamental fences not exceeding 750 millimetres in height.
CNR 1021/96 s33

On site storage

34. (1) The storage of materials or equipment on the site of a building or dwelling unit shall be at the rear of the lot.
(2) All items shall be neatly arranged and shall not cause inconvenience or imposition to adjoining properties.
(3) Storage space on corner lots shall be screened.
CNR 1021/96 s34

Debris prohibited

35. Land shall be free from debris including a vehicle, trailer or object which is in a wrecked, discarded or abandoned condition.
CNR 1021/96 s35

Landscaping

36. (1) Land shall be protected by suitable ground cover which prevents erosion of the soil.
(2) Plants and vegetation shall be kept trimmed so as not to be unsightly to neighbouring property.
CNR 1021/96 s36

Rubbish disposal

37. (1) All garbage, rubbish, waste and other debris from residential properties shall be
(a) promptly stored in regulation receptacles; and
(b) made available for removal in accordance with the standards approved by the enforcement authority.
(2) Subsection (1) does not apply to composting.
CNR 1021/96 s37

Composting container

38. All composting must be carried out in a suitably maintained container which
(a) may be commercially or owner constructed;
(b) must be rodent proof; and
(c) must be properly vented.
CNR 1021/96 s38

Manner of composting

39. All composting shall be carried out in a manner that neither attracts rodents, flies or animals nor causes an unpleasant odour and shall be maintained so as not to be a nuisance to neighbouring properties.
CNR 1021/96 s39

Container location

40. Composting containers shall be located in the rear yard no closer than one metre to a lot line.
CNR 1021/96 s40

Powers of enforcement authority

41. (1) The enforcement authority may direct the owner of a dwelling unit or building which does not conform to the standard
(a) to undertake work to make the dwelling unit or building conform to the standard;
(b) to demolish all or part of a building or dwelling or structure or erection forming a part of the building or dwelling; or
(c) to clean and paint as required to provide a satisfactory condition of appearance and cleanliness, within the time that the enforcement authority may specify.
(2) Every owner shall carry out the directions of the enforcement authority referred to in subsection (1).
CNR 1021/96 s41

Failure to comply

42. (1) If an owner does not comply with the directions of the enforcement authority, the enforcement authority may
(a) order the necessary work to be done to make the dwelling or building conform to the standards and recover the cost from the owner; or
(b) order the demolition of the building.

(2) The owner shall carry out the demolition referred to in paragraph (1)(b) but if the owner does not comply with the order, the enforcement authority may carry out the demolition through its officers, agents, employees or contractors and recover the cost of so doing as a civil debt from the owner.

CNR 1021/96 s42

Conflict

43. Where a provision of this regulation conflicts with a provision of another Act or regulation in force in the planning area concerned, the provisions that established the higher standard to protect the health, safety and welfare of the general public shall prevail.

CNR 1021/96 s43

Penalty

44. A person who contravenes a provision of this regulation shall, upon conviction, be liable to the penalties imposed by section 106 of the *Urban and Rural Planning Act, 2000*.

2008 c47 s13

Appeal

45. (1) A person or corporation aggrieved by a decision made under these regulations may appeal to the appropriate appeal board within 30 days of the date of the decision appealed.

(2) The enforcement authority shall provide the aggrieved with a written statement of the exact procedures to be followed.

CNR 1021/96 s45

Repeal

46. The following regulations are repealed:

- (a) Town of Arnold 's Cove Occupancy and Maintenance Regulations, 1993, Newfoundland Regulation 210/93;
- (b) Town of Avondale Occupancy and Maintenance Regulations, 1988, Newfoundland Regulation 46/88;
- (c) Community of Berry Head Occupancy and Maintenance Regulations, 1979, Newfoundland Regulation 155/80;
- (d) Bishop's Falls Occupancy and Maintenance Regulations, 1978, Newfoundland Regulation 41/78;
- (e) Town of Bonavista Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 181/84;
- (f) Burin Occupancy and Maintenance Regulations, 1983, Newfoundland Regulation 201/83;
- (g) Town of Carbonear Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 66/84;
- (h) Town of Channel - Port aux Basques Occupancy and Maintenance Regulations, 1986, Newfoundland Regulation 189/86;
- (i) Town of Conception Bay South Occupancy and Maintenance Regulations, 1985, Newfoundland Regulation 202/85;
- (j) City of Corner Brook Occupancy and Maintenance Regulations, 1986, Newfoundland Regulation 247/86;
- (k) Deer Lake Occupancy and Maintenance Regulations, 1983, Newfoundland Regulation 125/83;
- (l) Town of Dover Occupancy and Maintenance Regulations, 1985, Newfoundland Regulation 116/85;

- (m) Gambo Occupancy and Maintenance regulations, 1982, Newfoundland Regulation 247/82;
- (n) Gander Occupancy and Maintenance Regulations, 1979, Newfoundland Regulation 163/79;
- (o) Town of Happy Valley - Goose Bay Occupancy and Maintenance Regulations, 1977, Newfoundland Regulation 1030/78;
- (p) Town of Harbour Grace Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 272/84;
- (q) Town of Harbour Main - Chapel's Cove - Lakeview Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 102/84;
- (r) Town of Holyrood Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 94/84;
- (s) Local Improvement District of Kippens Occupancy and Maintenance Regulations, 1979, Newfoundland Regulation 1/80;
- (t) Labrador City Occupancy and Maintenance Regulations, 1982, Newfoundland Regulation 245/82;
- (u) Town of Logy Bay - Middle Cove - Outer Cove Occupancy and Maintenance Regulations, 1989, Newfoundland Regulation 142/89;
- (v) City of Mount Pearl Occupancy and Maintenance Regulations, 1994, Newfoundland Regulation 45/94;
- (w) Town of Northern Arm Occupancy and Maintenance Regulations, 1989, Newfoundland Regulation 167/89;
- (x) Town of Paradise Occupancy and Maintenance Regulations, 1986, Newfoundland Regulation 49/86;
- (y) Town of Pasadena Occupancy and Maintenance Regulations, 1978, Newfoundland Regulation 1074/78;
- (z) Town of Pouch Cove Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 42/84;
- (aa) Town of St. George's Occupancy and Maintenance Regulations, 1988, Newfoundland Regulation 250/88;
- (bb) Town of Stephenville Occupancy and Maintenance Regulations, 1976, Newfoundland Regulation 1116/78;
- (cc) Trepassey Occupancy and Maintenance Regulations, 1985, being Newfoundland Regulation 239/85; and
- (dd) Town of Wabush Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 273/84.

Schedule

Town of Arnold 's Cove
Town of Avondale
Town of Bay Roberts
Town of Bishop 's Falls
Town of Bonavista
Town of Burin
Town of Carbonear
Town of Channel - Port aux Basques
Town of Clarenville
Town of Conception Bay South
City of Corner Brook
Town of Deer Lake
Town of Dover
Town of Gambo
Town of Gander
Town of Glovertown
Town of Grand Falls - Windsor
Town of Happy Valley - Goose Bay
Town of Harbour Grace
Town of Harbour Main - Chapel's Cove - Lakeview
Town of Holyrood
Town of Kippens
Town of Labrador City
Town of Logy Bay - Middle Cove - Outer Cove
Town of Marystown
City of Mount Pearl
Town of Norman 's Cove - Long Cove
Town of North River
Town of Northern Arm
Town of Paradise
Town of Pasadena
Town of Peterview
Town of Placentia
Community of Port au Port East
Town of Portugal Cove-St. Philips
Town of Pouch Cove
Town of St. George's
Town of Stephenville
Town of Sunnyside
Town of Torbay
Town of Trepassey
Town of Wabush

CNR 1021/96 Sch; 29/98 s1; 62/01 s1; 2/04 s1; 36/04 s1; 78/04 s1; 48/05 s1; 110/07 s1; 107/09 s1; 24/10 s1; 76/10 s1; 97/11 s1

Permits and Licences Processing Regulations

Pursuant to the powers conferred under section 414 (2) (tt) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on July 2, 2009 hereby passes and enacts the following *Permits and Licences Processing Regulations* governing permits and licences issued by the Town of Bishop's Falls.

By-law

1. This by-law may be cited as the *Permits and Licences Processing Regulations*.
2. This by-law shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In this By-Law,
 - (a) "Town Clerk" means the Town Clerk of the Town of Bishop's Falls.
 - (b) "Town Clerk Designate" means an employee of the Town of Bishop's Falls who has been designated by the Town Clerk to act in his/her place.
 - (c) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999*, and amendments thereto and includes the Council as defined by the Act.
 - (d) "Department" means the Town of Bishop's Falls' Public Works Department.
 - (e) "Development" means the same as 'Development' under the *Land Use Zoning, Subdivision, and Advertising Regulations*.
 - (f) "Application" means an application for a permit or licence in a form prescribed by the Town of Bishop's Falls.
 - (g) "Applicant" means a person who has submitted an application for a permit or licence.

Land Use Zoning, Subdivision, and Advertisement Regulations Development Permits

4. A person seeking a Development Permit under the *Land Use Zoning, Subdivision, and Advertisement Regulations* must;
 - (a) Prove that he/she is the owner of the land;
 - (b) Submit design plans/specifications of proposed building(s);
 - (c) Sketch the approximate location of the building in respect to adjoining properties, power lines, and other relevant landmarks on the application (plan view) and
 - (d) Submit a water drainage plan.

5. Buildings constructed within the Town must conform to the following standards:
 - (a) All buildings must be constructed in accordance with the National Building Code and all relevant municipal regulations including, but not limited to the *Land Use Zoning, Subdivision, and Advertisement Regulations*;
 - (b) At a minimum, foundations must be slab-on-grade or frost wall;
 - (c) For accessory buildings, an easement of five (5) feet from the property boundary and ten (10) feet from any existing building must be maintained;
 - (d) For new dwellings, an easement of ten (10) feet from all property boundaries must be maintained, resulting in a twenty (20) feet easement from the eaves of any residential building. Notwithstanding the latter, where a new dwelling is constructed in an area that has been developed in accordance with subsection 5 (e), the easements outlined in subsection 5 (e) shall apply;
 - (e) For existing dwellings, an extension easement of five (5) feet from all property boundaries must be maintained, resulting in a ten (10) feet easement from the eaves of any residential building;
 - (f) If applicable, Weeping Tile must not be connected to sanitary sewer;
 - (g) Backwater valves must be installed on sanitary sewer lines in accordance with the Canadian Plumbing Code and related revisions;
 - (h) Installation of water/sewer laterals must be undertaken by the permit holder and inspected by the Department;
 - (i) Shutoff valves must be accessible at all times. Where a shutoff valve must be relocated, the costs associated with the relocation shall be the responsibility of the property owner; and
 - (j) Multi-unit/complex buildings must be constructed in accordance with municipal regulations.

6. Where;
 - (a) the Town Clerk and Department are satisfied that the application meets the standards outlined in section 5 and other municipal regulations; and
 - (b) Newfoundland Power has formally notified the Town that the applicant's plans do not encroach on power line easements;

the Town Clerk or the Town Clerk Designate may issue the applicant a Development Permit.

7. Notwithstanding section 6, where the Town Clerk or Department believes a Development Permit application does not conform to the standards listed in section 5 and other municipal regulations, the Town Clerk or Department shall refer the application to Council.

8. Notwithstanding sections 6 and 7, Development permit applications involving Council's discretionary power as prescribed under the *Land Use Zoning, Subdivision, and Advertisement Regulations* shall be referred to Council.

9. The Town Clerk shall, on a monthly basis, provide the Public Works Standing Committee and Council with a listing of all Development Permits issued in accordance with section 6.

Land Use Zoning, Subdivision, and Advertisement Regulations Advertising Permits

10. Where the Town Clerk is satisfied that the applicant's advertising sign is in compliance with Part III of the *Land Use Zoning, Subdivision, and Advertisement Regulations*, the Town Clerk may issue the applicant an Advertising Permit.
11. The Town Clerk shall, on a monthly basis, provide the Public Work Standing Committee and Council with a listing of Advertising Permits issued in accordance with section 10.

Land Use Zoning, Subdivision, and Advertisement Regulations Subdivision Permits

12. Persons seeking a Subdivision Permit under the *Land Use Zoning, Subdivision, and Advertisement Regulations* must, in addition to completing an application, submit a proposal to Council that addresses the requirements of Part IV of the *Land Use Zoning, Subdivision, and Advertisement Regulations* and the *Town's Development Regulations*.
13. A Subdivision Permit shall not be issued by the Town Clerk until it has been approved by Council.

Fence Regulations Permit

14. A person seeking a Fence Construction Permit under the *Bishop's Falls Fence Regulations* must indicate the planned height, location, and appearance of the fence in an application.
15. Where the Town Clerk and Department are satisfied that the applicant's plans conform to the *Bishop's Falls Fence Regulations*, the Town Clerk or the Town Clerk Designate may issue the applicant a Fence Construction Permit.
16. The Town Clerk shall, on a monthly basis, provide the Public Work Standing Committee and Council with a listing of Fence Construction Permits issued in accordance with section 15.

Business Licences

17. A person seeking a General Business Licence must submit the following information by way of an application:
 - (a) A detailed explanation of the business activities;
 - (b) The number of employees that will be hired;
 - (c) The location of the business;
 - (d) A letter from the Department of Government Services indicating the business has been exempt/approved as it concerns Fire/Life Safety and Building Accessibility; and
 - (e) Other information that may be requested by the Town Clerk and/or Council.
18. Where the Town Clerk is satisfied that the business conforms to municipal regulations, the Town Clerk may issue the applicant a General Business Licence.

19. A person seeking a Home Based Business Licence must submit the necessary information as outlined in the Town's *Home Based Business Regulations*. This includes, but is not limited to the following:
- (a) The primary business activity;
 - (b) Location;
 - (c) Number of employees that will be hired;
 - (d) Advertising strategy (signs, billboards, etc);
 - (e) Storage facilities;
 - (f) Anticipated number of customers/clients per week;
 - (g) Customer parking requirements; and
 - (h) Percentage of total floor area that will be devoted to the business.
20. Where the Town Clerk is satisfied that the business conforms to the *Home Based Business Regulations*, the Town Clerk may issue the applicant a Home Based Business Licence.

Noise/Nuisance Regulations Licences

21. A person seeking a Licence under section 3 of the *Noise/Nuisance Regulations* must submit the following information by way of an application:
- (a) The details (i.e. purpose, location, dates, times, etc) of the event(s);
 - (b) The equipment that will be used during the event(s).
22. Where the Town Clerk is satisfied that the applicant's plans conform to the requirements of the *Noise/Nuisance Regulations*, the Town Clerk or the Town Clerk Designate may issue the applicant a Licence under section 3 of the *Noise/Nuisance Regulations*.
23. A licence under the *Noise/Nuisance Regulations* may be issued for a period up to five (5) years.

Permit and Licence Fees

24. Fees imposed for the issuance of permits and licences shall be defined in the annual budget tax schedule and policy.

Referral Authority

25. Notwithstanding any other section, the Town Clerk or the Town Clerk Designate may direct any application to Council.

Public Roads Snow Clearing Regulations

Pursuant to the powers conferred under subsection 414 (2) (nn) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on May 20, 2014, hereby passes and enacts the following Public Roads Snow Clearing Regulations.

By-law

1. This by-law may be cited as the *Public Roads Snow Clearing Regulations*.
2. This by-law shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In this By-Law,
 - (a) "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 or the parking of vehicles and includes all the spaces between the boundary lines of the place or way, but does not include a driveway as defined in subsection 3 (b).
 - (b) "Driveway" means a clearly defined private road, way, drive, path or passage or a similar opening or space which is wide enough, but not wider than is necessary, for the passage of a motor vehicle, which the owner, occupier or user of property has vehicular access from a roadway to a point within the property, but does not include a public driveway as defined in subsection 3 (c).
 - (c) "Public Driveway" means a driveway that
 - a. has three (3) or more dwellings accessing the driveway;
 - b. provides access to fire protection infrastructure;
 - c. provides access to recreation facilities that are maintained by the Town; or
 - d. provides access to water or sewer infrastructure that must, in the Town's judgement, receive winter maintenance in order to prevent potential damage to surrounding properties
 - (d) "Town" means the Town of Bishop's Falls and the Council for the Town of Bishop's Falls as established and defined by the *Municipalities Act, 1999*.
 - (e) "Dwelling" means a residential structure that is occupied.
 - (f) "Winter maintenance" includes the removal of snow and ice control.

Regulations

4. Effective October 1, 2014 the Town shall provide winter maintenance to highways and public driveways only. Under no circumstance shall winter maintenance be provided to driveways.
5. The Town shall establish winter maintenance routes based on the available equipment. The winter maintenance routes shall include highways and public driveways only.

6. Notwithstanding any other section in these regulations, the Town shall only provide winter maintenance to public driveways that exist on or before June 1, 2021. No additional public driveways shall be added to the winter maintenance routes or receive winter maintenance after this date.
7. Effective June 1, 2021, the Town shall only add highways to its winter maintenance routes and provide winter maintenance where the highway;
 - a) is developed by the Town; or
 - b) is transferred to the Town in accordance with the Town of Bishop's Falls Development Regulations (2015-2025), as amended from time to time.

Snow Removal Regulations

Pursuant to the powers conferred under section 414 (2) (nn) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on April 14, 2009, hereby passes and enacts the following Snow Removal Regulations governing the removal of snow and ice from sidewalks, gutters, houses, yards and parking lots in the Municipality of Bishop's Falls.

By-law

1. This by-law may be cited as the *Bishop's Falls Snow Removal Regulations*.
2. This by-law shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In this By-Law,
 - (a) "Person" includes any owner or renter of residential and/or commercial property that abuts a Municipal Street within the municipal boundaries of the Town of Bishop's Falls.
 - (b) "Property" includes land, buildings, houses, gutters, yards, parking lots, structures, vehicles, and any other object that is owned or rented by a person, corporation, business or any other business entity living or operating in the municipal boundaries of the Town of Bishop's.
 - (c) "Municipal Street" means any road, alley, square, place, bridge, culvert, avenue, parkway, parking lot, trestle, walkway or pathway, paved or otherwise, that is maintained by the Town of Bishop's Falls for public use or any other road, alley, square, place, bridge, culvert, street, avenue, parkway, parking lot, trestle, walkway or pathway that is privately or public owned and is generally used by the public.
 - (d) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999*, and amendments thereto and includes the Council as defined by the Act.
 - (e) "Vehicle" means a device in, upon or by which a person or thing may be transported or drawn upon a Municipal Street.
 - (f) "Municipal Enforcement Officer" means the Chief Administrative Officer, Town Clerk, or the Public Works Supervisor.
 - (g) "Driveway" means the same as defined in the Public Roads Snow Clearing Regulations in subsection 3 (b).
4.
 - (a) No person shall deposit, place or leave snow or ice from a Driveway onto a Municipal Street whether by mechanical or non-mechanical means.
 - (b) No person shall deposit, place or leave snow or ice from a Driveway to the side of a Municipal Street whether by mechanical or non-mechanical means except where the side of the

Municipal Street is undeveloped and does not contain municipal stormwater infrastructure and/or fire hydrants.

5. No person engaged in removing snow or ice from property shall do so in a manner that obstructs traffic on a Municipal Street.
6. From November 1 in one year to April 30 in the following year, no person shall park or leave a vehicle unattended on or to the side of a Municipal Street.
7. Where a person fails to comply with these Regulations a Municipal Enforcement Officer shall, on authority of section 404 (1) (j) of the *Municipalities Act, 1999*, issue an Order to comply with these Regulations on that person. An Order issued under this section shall prescribe;
 - (a) the section of these Regulations that the person is contravening;
 - (b) what the person must do to ensure compliance with these Regulations; and
 - (c) a date and time that the person must become in compliance with these Regulations.
8. Where a person fails to comply with sections 4, 5 and 6 of these Regulations the Town shall impose a minimum service charge of \$50 on that person to recover the additional costs of removing snow or ice from that Municipal Street. Notwithstanding the latter, the Town may impose a service charge exceeding \$50.00 to recover the actual cost of removing the snow or ice or, where the person contravenes section 6, the cost of having the vehicle removed and/or impounded.
9. A person who fails to comply with an Order issued under these Regulations is liable on summary conviction;
 - (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.
10. The Policy relating to Snow Clearing passed and adopted by Council in January 1999 and all amendments thereto are hereby repealed

Waste Collection and Disposal Regulations

Pursuant to the powers conferred under section 414 (2) (pp) (i) of the *Municipalities Act, 1999* and all other powers it enabling, the Bishop's Falls Town Council, during a public meeting convened on July 20, 2010, hereby passes and enacts the following Waste Collection and Disposal Regulations governing the disposal and collection of waste in the Municipality of Bishop's Falls.

Regulations

1. These regulations may be known as the *Bishop's Falls Waste Collection and Disposal Regulations*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In these regulations unless the context otherwise requires:
 - (a) "Act" means the Municipalities Act, S.N. 1999 Chapter
 - (b) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999* and amendments thereto and includes the Council as defined by the Act.
 - (c) "Sanitary Inspector" means the Public Works Supervisor, Town Manager, or Town Clerk.
 - (d) "Garbage" includes all kitchen/table waste resulting from the preparation of food.
 - (e) "Garden Waste" includes waste material from a garden that includes grass clippings, dead branches, bushes, weeds, plants, stones, and other small materials.
 - (f) "Bulk Items" includes heavy or bulky items such as but not limited to stoves, refrigerators, dishwashers, washers, dryers, furnaces, boilers, bed springs, furniture, fencing, boxes, and barrels.
 - (g) "Nuisance" means anything or any condition of things which is or may become injurious or dangerous or presents an obstruction to pedestrians, Town employees, or vehicular traffic or anything or any condition of things that, in the opinion of Council, has an unpleasant effect on the senses or adversely affects the amenities of the surrounding properties.
 - (h) "Garbage Bag(s)" means
 - i. A clear plastic bag of 1.5 gauge (1 1/2) thickness that is fastened at the top and is at max 30" x 38" in size and is no more than 40 lbs in weight. The clear plastic bag shall only be used for garbage and refuse but shall not include recyclable materials such as paper fibers and mixed containers.
 - ii. A transparent blue bag of 1.5 gauge (1 1/2) thickness that is fastened at the top and is at max 30" x 38" in size and is no more than 40 lbs in weight. The transparent

blue bag shall only be used for recyclable materials such as paper fibers and mixed containers.

- (i) "Refuse" means all other waster materials not specifically defined as garbage, garden waste, construction waste or bulk items but does not include cardboard or stove ashes.
- (j) "Construction Waste" means any materials discarded during or after construction.
- (k) "Garbage Can(s)" means a garbage can that is made of metal or plastic but excludes deep freezers, refrigerators or other similar appliance units.

Waste Collection and Disposal

- 4. Garbage and refuse shall be collected at least once per week on Tuesdays, Wednesdays, and Thursdays in accordance with the schedule established by the Town in consultation with the Central Newfoundland Waste Management (CNWA) authority.
- 5. When a public or statutory holiday falls on a Tuesday, Wednesday or Thursday, the collection schedule as defined in section 4 shall cease on the public or statutory holiday and shall resume on the next day that is not a public or statutory holiday.
- 6. Bulk items, construction waste, and garden waste shall not be disposed of or collected during the regular collection schedule as defined in section 4.
- 7. No person shall set out garbage and refuse for collection before 6:00 am on the day of collection during the months of April to October or before 7:00 am on the day of collection during the months of November to March.
- 8. Where waste material is not collected because it fails to comply with these regulations, the owner of the waste material shall remove the waste material from the street before 6:00 pm on the same day that the waste material was set out for collection.
- 9. No person shall set out garbage and refuse for collection except on the day designated for collection as per section 4.
- 10. No person or persons shall permit any animal owned by him/her or under his/her control to pick over, interfere, disturb, remove or scatter any material placed out for collection.
- 11. No household shall put out for collection more than (4) garbage bags on collection day. Notwithstanding the latter, where a household has more than four (4) garbage bags, that household must purchase a tag from the Town, at a cost of \$2 each, for every garbage bag that exceeds the limit prescribed herein in order for the Town or its contractor to collect the garbage bag on collection day. Tags must be placed on the garbage bag in a conspicuous place before they are set out for collection.
- 12. The Town shall not collect garbage and refuse resulting from commercial activity.
- 13. Every household and every operator of a business establishment shall, at their own expense, make adequate arrangements for:
 - (a) the storage of garbage and refuse in receptacles that are impervious to animals; and

- (b) the removal of refuse from their premises on a weekly basis.
14. No person shall leave construction waste and refuse on a street, road, lane, drain, public or private property outside of a building or buildings within the Town following the construction, alteration or repair of such building or buildings.
 15. A person may store garbage bags in a garbage can during the regular collection schedule and such garbage bags shall be removed from the garbage can by Town employees and collected in accordance with these Regulations.
 16. A person shall at all times maintain a waste receptacle and garbage can in a state of good repair and in a sanitary condition.
 17. Garbage and refuse must be disposed of in a garbage bag as defined in section 3 (h).
 18. No liquids shall be deposited or placed in a garbage bag.
 19. No person shall deposit, throw, sweep or place garbage and/or refuse upon any street, road, lane, drain, and public or private property unless it is enclosed in a garbage bag and set out for collection in accordance with these regulations so not to cause a nuisance or annoyance to others.
 20. Garbage bags shall be set out for collection at the end of the real property that meets the curb or street line.
 21. Notwithstanding any other section in these regulations, the Town shall not collect:
 - (a) liquid waste or other organic matter which has not been properly drained or wrapped;
 - (b) materials or substances that are regarded as biohazards;
 - (c) highly combustible materials such as, but not limited to, oil, gasoline, soaked rags, gas containers, ammunition, chemicals, acids or their residues, and derivatives or by-products;
 - (d) garden waste ;
 - (e) garbage or refuse, which has not been placed for collection in the manner provided by these regulations;
 - (f) sheet iron, scrap, metal, and car bodies;
 - (g) animal carcasses or innards;
 - (h) garbage or refuse left by any builder or contractor, or owner upon any street, lane, drain, public or private property;
 - (i) ashes; and
 - (j) nuisance materials.

Vehicles Carrying Garbage and Refuse

22. No person, firm or corporation shall transport garbage and/or refuse on any street within the Town unless such garbage or refuse is transported in an enclosed truck or garbage bag or is otherwise secured so that it shall not fall from the vehicle or other means of transportation upon the street.

Enforcement

23. Where a person fails or refuses to comply with these regulations, the Sanitary Inspector shall, on authority of section 404 (1) (j) of the *Municipalities Act, 1999*, issue an order to comply with these regulations on that person. An order issued under this section shall prescribe;
 - (a) the section of these regulations that the person is contravening;
 - (b) what the person must do to ensure compliance with these Regulations; and
 - (c) a date and time that the person must become in compliance with these Regulations.
24. Where a person fails or refuses to comply with these regulations, the Sanitary Inspector may impose a service charge on that person that shall not exceed the costs of remediating the infraction plus an administrative fee of \$100.
25. A person who fails or refuses to comply with an Order issued under these Regulations is liable on summary conviction;
 - (a) for a first offence to a fine of not less than \$100 and not more than \$500 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

Repeal and Commencement

26. The *Town of Bishop's Falls Garbage/Refuse Regulations* and any amendments thereto are repealed.
27. These regulations shall come into force on July 20, 2010

Water Conservation Regulations

Pursuant to the powers by Sections 41A of the Municipalities Act, Chapter M-24SN 1999, the Council of the Town of Bishop's Falls has made the following regulations:

- i. "Act" means the Municipalities Act, Chapter M-24, SN 1999 and subsequent amendments.
- ii. "Council" means the Council of the Town of Bishop's Falls.
- iii. "Commercial Car Washes" means car washes approved by the Town of Bishop's Falls for the purpose of washing vehicles.
- iv. "Free Flowing Car Washes" means car washes which utilize the unrestricted flow of water.
- v. "Residential Zones" means residential zones as designated under the town of Bishop's Falls Municipal Plan and its Development Regulations.
- vi. "The Exploits-Removal Services Board" is a voluntary Committee overseeing the provision of treated water disposal services to its member municipalities.
- vii. "Water" means water as supplied through the Town of Bishop's Falls piped water system for the use of residential, commercial establishments and such other, use as may be approved the Town of Bishop's Falls.

Water Conservation Regulations

The following Regulations shall apply:

- (a) For the purpose of water conservation and/or support of efforts by the Exploits Regional Services Board and municipalities served by this system the Town will restrict the watering of lawns, and gardens.
 - i. No person shall water lawns and gardens from 12:00 AM to 6:00 AM.
 - ii. No person shall water lawns or gardens while it is raining.
 - iii. Civic numbers ending in 1, 3, 5, 7, and 9 shall water lawns or gardens on Monday, Tuesday, Thursday, and Saturday.
 - iv. Civic numbers ending in 0, 2, 4, 6, and 8 shall water lawns on Monday, Wednesday, Friday, and Sunday.
- (b) New lawns, landscaping or major lawn repairs will be exempt from the lawn watering restrictions for a period of sixty (60) days following the installation and plantation of new lawn and landscaping, but only within the hours specified in Section (a).
- (c) Hand watering of trees, shrubs, flowers and vegetable gardens with a water can or hose with an automatic shut-off nozzle will be permitted at any time.
- (d) The domestic washing of cars within residential zones or on residential lots will be permitted with the use of a hose with an automatic shut-off nozzle.
- (e) Car washes for fund-raising that have been approved and a permit obtained from the Town of bishop's Falls will be permitted, subject to the use of an automatic shut-off nozzle.
- (f) Siding window washing will be permitted, subject to the use of an automatic shut-off nozzle.
- (g) Free flowing car washes, whether or not for the purposes of fundraising are permitted.

(h) The cleaning of parking lot sand driveways utilizing water is prohibited on all days other than those outlined with Section (a) Subsection (iii) (iv). The use of commercial sweeping equipment commercial parking lots is permitted.

Exemption

Commercial car washes and commercial high pressure water uses are exempt from these Regulations.

Enforcement

A member of the RCMP, a Town of Bishop’s Falls Municipal Enforcement Officer (MEO), inspector, or the Public Works Supervisor, or any other person designated by the Council may enforce these Regulations.

Orders

When the opinion of a member of the RCMP, a Bishop’s Falls MEO, an inspector, or any other person designated by Council to enforce these regulations, and individual is in contravention of these regulations, he/she will be issued an order in a form approved for sue use by the Town to comply with these regulations and refrain from any unauthorized use of water as specified in the regulations.

Water and Sewer Service Connection Regulations

Pursuant to the powers conferred under section 414 (2) (z) of the *Municipalities Act, 1999* SNL 1999 Chapter M-24, the Bishop's Falls Town Council during a public meeting convened on June 15, 2010, December 18, 2012, May 20, 2014, and on March 16, 2021, hereby passed, enacted, and amended the following *Water and Sewer Service Connection Regulations*.

By-law

1. These regulations may be cited as the *Water and Sewer Service Connection Regulations*.
2. These regulations shall apply within the municipal boundaries of the Town of Bishop's Falls.

Definitions

3. In these regulations unless the context otherwise requires:
 - (a) "Town" means the Town of Bishop's Falls as incorporated by the *Municipalities Act, 1999* and amendments thereto and includes the Council as defined by the Act.
 - (b) "Lateral service water line" means a device connected to and running from a main water line to real property or to a building or structure on real property for the purpose of providing access to the water supply system.
 - (c) "Lateral service sewer line" means a device connected to and running from a main sewer line to real property or to a building or structure on real property for the purpose of providing access to the sewage system.
 - (d) "Freeze-up(s)" means a condition where a lateral service water line and/or a lateral service sewer line is/are frozen.
 - (e) "Supervisor" means the Town's Public Works Supervisor or another Town employee appointed by the Council, by resolution, for the purpose of administering section 9 of these regulations.
 - (f) "Person" includes the owner of the property which may be an individual, a cooperation, or the legal representative of the owner (i.e., executor, administrator, trustee, guardian or agent appointed by the Court).

General Regulations

4. The Town shall not be responsible or incur any costs or liabilities for the installation of a lateral service water line or a lateral service sewer line.
5. The Town shall not be responsible for the maintenance or upkeep of that section of a lateral service water line or a lateral service sewer line that is located within the boundaries of the person's real property. Where the problem with the lateral service water line or the lateral service sewer line is found to be outside of the person's real property boundaries, the Town shall intervene to correct the problem(s) being encountered.

6. A lateral service water line and a lateral service sewer line shall be installed in accordance with the *Municipal Water, Sewer, and Roads Specifications Book* as published by the Department of Municipal Affairs and any amendments thereto and other standards that may be imposed by the Town and Province of Newfoundland and Labrador.
7. A person intending to install a lateral service water line and a lateral service sewer line shall obtain a permit from Council in accordance with the *Town of Bishop's Falls Development Regulations*.
8. There shall be only one (1) lateral service water line and only (1) lateral service sewer line per real property unless otherwise approved by the Town.
9.
 - (a) A person shall not bury a lateral service water line or a lateral service sewer line until it has been inspected by the Supervisor to ensure compliance with these regulations.
 - (b) Where a lateral service water line or a lateral service sewer line has been installed in accordance with these regulations, and it has been inspected by the Supervisor in accordance with section 9 (a), the Supervisor shall issue a certificate confirming compliance. The compliance certificate shall be issued to the person who obtained the permit to install the lateral service sewer line or the lateral service water line.
 - (c) The Supervisor shall retain a duplicate copy of compliance certificates issued under section 9 (b) and shall also provide a copy to the Town Clerk.
 - (d) Notwithstanding any other section in these regulations, including but not limited to section 5, the Town shall not be responsible for the maintenance or upkeep of any section or component of a lateral service water line or a lateral service sewer line where the person did not comply with section 9 of these regulations and obtain a certificate confirming compliance from the Supervisor.
 - (e) Lateral service water lines and lateral service sewer lines installed on or before March 31, 2021, are exempt from section 9 of these regulations.
10. A person installing a lateral service water line or a lateral service sewer line must ensure the lateral service water line or the lateral service sewer line is installed in accordance with the *Municipal Water, Sewer, and Roads Specifications Book* as published by the Department of Municipal Affairs and any amendments thereto and other standards that may be imposed by the Town and Province of Newfoundland and Labrador.
11. Where a person or contractor in the process of developing land, erecting a building, altering a building, installing service lines or for any reason whatsoever cuts, breaks or interferes with a hydrant, water main, sewer main, water pipe, curb, stop, valve box, shutoff valve or any part of the system with or without the permission of Council, the person or contractor shall be liable for the cost of repairs to the system.
12. Where a person fails to repair damage to his/her lateral service water line or a lateral service sewer line in a reasonable amount of time and the damage is compromising the integrity of the

water and/or sewer system, the Town may undertake to repair the damage to the lateral service water line or the lateral service sewer line at the person's expense.

13. Notwithstanding any other section in these regulations, under no circumstances shall the Town be responsible to repair freeze-ups.

Commencement

14. These regulations shall come into force on June 15, 2010.

Taxi Regulations

Pursuant to authority conferred under Section 414 {2} {i to vi inclusive} of the Municipalities Act, S.N. 1999 Chapter M-24, the Town Council of the Town of Bishop's Falls in the province of Newfoundland has adopted the following regulations:

1. These regulations may be cited as the Town of Bishop's Falls Taxi Regulations.

INTERPRETATION

2. For the purpose of these Regulations, unless the context otherwise required:
 - (a) "Act" shall mean the Municipalities Act, S.N. 1999, Chapter 24.
 - (b) "Applicant" shall mean a person as herein defined presenting to or filing with the Council, an application for a license pursuant to these Regulations or causing such application to be presented or filed on their behalf.
 - (c) "Council" shall mean the Town Council of the Town of Bishop's Falls.
 - (d) "Cruise" or "Cruising" shall mean the driving of a taxicab on, over or along the streets, highways or public places of the Town soliciting prospective passengers for transportation in a taxicab for compensation.
 - (e) "Driver" shall be held to include all persons holding a taxicab driving license in charge of the operation or driving of a taxicab as owner, agent, licensee, servant or employee of a owner.
 - (f) "Holder" shall mean an owner or driver who presently holds a license.
 - (g) "Hire" or "Compensation" shall mean and include any money, thing of value, payment, consideration, reward, tip, profit, donation or gratuity paid to, accepted or received by the owner or driver of any vehicle in exchange for transportation of a person or persons whether paid up on solicitation, demand or contract or voluntarily, or intended as a gratuity or donation.
 - (h) "Inspector" shall mean the person or persons appointed by the Council to supervise all vehicles and persons licensed under these Regulations and to enforce compliance with the provisions of these Regulations.
 - (i) "License" shall mean Taxicab Operating License or a Taxicab Driving License issued pursuant to these Regulations.
 - (j) "Owner" shall be held to include all persons holding a Taxicab Operating License such that such person has direction,, maintenance and benefit of the collection of revenue derived from the operation of any taxicab or taxicabs whether as owner, lessee, licensee or bailee or in possession under any conditional sale or hire purchase agreement.
 - (k) "Person" shall mean and include a person, a firm, partnership, corporation or company.
 - (l) "Suburban Taxicab" shall mean a taxicab used or employed in the transportation of passengers to or from a pint in the Town, to or from any place situated outside the limits of the Town.
 - (m) "Taxicab" shall mean a vehicle commonly described as a four door sedan used for conveying or for the conveyance or transportation of passengers for hire and designed to carry not more than six {6} seated adults or equivalent including the driver and shall include other vehicles operating to carry passengers in exchange for fare.
 - (n) "Taxicab Operating License" means a license issued by the Council to operate a taxicab which shall be in the form of Form A, hereto annexed, which Form A is to be taken as part

and parcel of these Regulations or in such other form as the Council may from time to time prescribe.

- (o) "Taximeter" or "Meter" shall mean and include a mechanical instrument or device attached to a taxicab by which the charge for hire of the Taxicab is mechanically calculated, either for distance traveled or for waiting or for both, and upon which such charge is plainly registered by means of figures indicating dollars and cents and having attached thereto a flag which will show if the Taxicab is or is not hired.
 - (p) "Transfer" shall mean any sale, assignment, transfer, mortgage or other charge of alienation whatsoever of any license.
 - (q) "Transferee" or "Meter" shall mean the person to whom any transfer of any Taxicab Operating License or a Taxicab Driving License is made or is proposed to be made.
 - (r) "Town Clerk" means the Town Clerk or the Manager/Clerk of the Town of Bishop's Falls.
 - (s) "Town" shall mean the Town of Bishop's Falls as defined in the Order-In-Council dated November, 1961, A.D., and continued as a Town under the said Act.
3. The provision of these Regulations shall apply to all Taxicabs for hire, used or operated within the Town and to owners and drivers of all such taxicabs.
 4. The Owner of any Taxicab shall not for hire therewith or use or operate the same or cause to allow the same to be used or operated within the Town with a Taxicab Operating License.
 5. Every application for a License or a Transfer shall be made in writing to the Council on Form "A" and shall
 - (a) comply with these Regulations in all respects;
 - (b) set forth the name, age and address of the applicant, or, if a corporation, its name, date and place of incorporation, address of its principal place of business and the names of its officers, together with their respective addresses, or if a partnership, association or unincorporated company, then the names of the partners comprising the partnership, association or company together with their respective ages and addresses, and also state the trade name or style, if any, under which the Applicant proposes to operate; full information pertaining to the extent, character, and qualify of the proposed operations and the manner in which such proposed operations are to be conducted, the type, model, capacity and condition of the Taxicab or Taxicabs proposed to be operated;
 - (c) contain such other information as the Council may require to enable it to form an opinion as to the fitness of the Applicant or Transferee for the License for which the applications is made or to ensure compliance with these Regulations;
 - (d) be accompanied by the fees prescribed by these Regulations for the License for which the application is made; and
 - (e) be verified under oath by a person having full knowledge of the facts therein set forth.
 6. Where such application does not contain sufficient information to enable Council to make a decision or fails to comply with these Regulations, the Council shall notify the Applicant or Transferees in writing of such defects, which may be corrected, and submitted to Council within ten days after notification; if such corrections are as deemed necessary have not be submitted within ten [10] days after notification, the application shall be refused.
 7. If any application is refused the Council shall return to the Applicant the fees forwarded therewith.

8. No Transfer of any License shall be made without the written consent of Council, which consent shall not be unreasonably withheld in the case of a person. Who, in the opinion of Council, is a fit and proper person to hold the License being transferred and otherwise complies with these Regulations.
9. Where a Holder abandons or discontinues the carrying on of the business of owning or operating or driving of a taxicab or all of them the License issued to him in respect of the business abandoned or discontinued shall forthwith lapse, be invalid and of no force or effect.
10. Every owner of more than one Taxicab required to be licensed under these Regulations shall take out a separate license for each Taxicab by making application on Form "B" 1990.
11. No License shall be granted to any Applicant who is not, in the opinion of the Council, a fit and proper Person to hold the License for which application is made and due enquiry as to the fitness of any Applicant shall be made by or on behalf of Council.
12. Any License is automatically canceled;
 - (a) upon suspension or cancellation of the license or certificate issued pursuant to the Highway Traffic Act or regulations thereunder.
 - (b) upon the Holder thereof being prohibited from driving a motor vehicle under and by virtue of the Criminal Code of Canada and amendments thereto.
13. No License shall be issued to any person unless the location of the public or private Taxicab stand from which the Taxicab in respect of which the license is applied for is to be operated is approved as a Taxicab stand by the council, and such stand shall be maintained within the Town.
14. Every application for a License shall specify in detail the location of the Taxicab stand from which the Taxicab in respect of which the License is applied for will be operated.
15. An owner operating a Taxicab business from an approved stand be permitted to operate Taxicabs whose licensed drivers are not solely occupied in the driving of a Taxicab (commonly referred to as part-time drivers)
16. No Taxicab Operating License shall be issued until there is deposited with the Town a duly certified copy of a policy of passenger liability insurance issued by a reputable Insurance Company insuring the applicant in a minimum amount of \$1,000,000.00 in respect of bodily injury to or the death of a passenger or passengers of the Taxicab in respect of which the Taxicab Operating License is to be issued.
17. No Taxicab Operating License shall be issued until there is deposit with the Town a duly certified copy of a policy of insurance issued by a reputable Insurance Company insuring the applicant in a minimum amount of \$75,000.00, against all public liability and property damage covering the operation of the Taxicab in respect of which the Taxicab Operating License is to be issued.

18. The council may from time to time fix and alter the total number of Taxicabs which may be licensed under the Regulation.
19. The prescribed fee to be issued under these Regulations shall be as follows:
 Annual Taxicab Operating License..... \$200.00
20. Every license issued shall run from the first day of January or date of issue of the License in one year and expire on the thirty-first day of December in the same year.
21. Notwithstanding anything to the contrary herein contained all Licenses issued under the Provision of these Regulations shall be canceled upon thirty [30] days written notice if the permits are not being utilized.

EQUIPMENT AND OPERATION

22. Every Taxicab shall at all times be equipped with an identify light attached to the top of such Taxicab which light shall be constructed in one unit consisting of an illuminated plate or cylinder upon which is printed the name of the taxi stand and/or telephone number of such taxi stand. The overall dimension of such identity light shall not exceed six inches in height by twenty inches in length.
23. Every Holder is responsible for the maintenance of this Taxicab such that the interior and exterior of said taxicab be thoroughly cleaned at least once every seven [7] days and to be clean, sanitary and dry and in good repair; where the owner or driver of said taxicab received notice signed by the Town Clerk, that the taxicab is not in a fit or proper condition for use, briefly stating said complains, then the owner shall, within the time provided in the notice, put the same in fit and proper condition;
24. Every Holder shall, when required, submit his Taxicab for examination by any authorized person of the Town, and shall not at any time, when such Taxicab is not employed, prevent entering his garage or other building for the purpose of inspecting the same.
25. No person shall employ any person other than a Driver who holds a license issued pursuant to the Highway Traffic Act as the Driver of his Taxicab or permit such Taxicab to be driven by or placed upon any stand in charge of a person who does not hold such license.
26. Every Holder shall be of the full age of nineteen years.
27. No Driver shall smoke while driving any passenger or passengers unless the passenger or passengers consent thereto.
28. All Holders shall at all times obey the orders of any member of the Royal Newfoundland Constabulary or any member of the R.C.M.P. or Municipal Enforcement Officer appointed by the Town.
29. No Holder shall seek compensation or apply for hire by driving the Taxicab upon any street in such a manner as to interfere with the normal flow of traffic or to interfere with the proper and orderly access to or from any place of public gathering, or to cruise in from of any place of

public gathering except where said holder is accepting passengers at the building or place of public gathering;

30. No Driver shall carry any person other than the passenger and his or her party first engaging his Taxicab, unless by consent of the first passenger.
31. No Driver shall take, consume or have in his possession any liquor while he **is** in charge of a Taxicab, nor shall the use of liquor by him be apparent while he is in charge of any Taxicab. Provided, however, that nothing herein contained shall prevent a driver from purchasing and delivering liquor during the hours that stores of the Newfoundland Liquor Corporation are open for business and one hour immediately following the closing of such stores, to a person 19 years of age or over or to his own residence.
32. Every driver, shall be properly dressed, neat and clean in person, any every driver shall be civil, courteous and well-behaved at all times when driving a Taxicab.
33. An Owner or Driver may refuse to provide or continue transportation to any persons who is in an intoxicated or unfit condition or who is conducting himself in a boisterous or disorderly manner or is using profane or obscene language, and if such person is then in the Taxicab the Driver may drive his Taxicab to the nearest police or at such police station, anything herein contained to the contrary notwithstanding.
34. Every Driver shall drive the Taxicab operated by him by the most direct traveled route to the point of destination, unless otherwise directed by the Passenger.
35. No Driver shall carry in any Taxicab a greater number of persons or occupants than the specified seating capacity.
36. Every Driver of a Taxicab shall have the right to demand payment of the regular fare in advance, and may refuse employment unless so paid, but no Driver of a Taxicab shall refuse or neglect to convey an orderly person or persons upon request anywhere in the Town unless previously engaged or unable to do so.
37. Where the Inspector issued a notice of violation of these regulations or some provision thereof, a copy of such notice shall be forwarded to the Taxicab stand, operator or manager who shall refuse further operation of a Taxicab by the offending holder until such time that the license is made to comply with the regulations herein and verification has been given by the Inspector that the holder has so complied.

STANDS

38. It shall be a violation of these Regulations for a person or persons operating a taxi stand to operate a greater number of Taxicabs than authorized by Council.
39. Every Owner operating a Taxicab shall maintain a fixed place of business or location approved by the Council and shall not stand or ply for hire or carry on his or its business from any other place.
40. Any Holder of a License issued under the provisions of these Regulations if he desires to continue the business of owning, operating, driving or using a Taxicab, shall, on or before the

expiry date of every existing License held by him or issued in respect of the Taxicab of which he is the owner, apply to the Council for a new License to operate or drive a Taxicab or to use a motor vehicle as a Taxicab in the manner and way as an original License is applied for in accordance with the provisions of Section 5 of these Regulations.

41. Suburban Taxicab – No person shall use or operate a suburban taxicab for the transportation of passengers on any trip which commences and terminates within the Town.

PENALTIES

42. The Town shall have the power to suspend any or all Licenses for cause or when it shall have determined that any of the provisions hereof have been violated or that any Holder shall have failed to comply with the terms of such License or the rules and regulations of the Council pertaining to the operation, driving or use and to the extent, character, and quality of the service or any of them of any Taxicab.
43. The Holder whose license has been suspended under this section shall be entitled to a hearing of the suspension before the Public Protection Committee of Council as soon as reasonably practicable after the date of the suspension and the Holder shall be notified of such hearing.
44. Upon the hearing of the matter by the Fire Department Public Safety Committee Public of Council, the committee may recommend to Council the reinstatement of the License, the continuation of the suspension of the License for such time as it deems fit, or the revocation of the License.
45. Notice of the hearing on such suspension shall be in writing and shall be served at least five days prior upon the Holder or his or its agent or manager, and such notice shall state the grounds of complaint against the place where, such hearing will be held. In the event the Holder cannot be found or service of such notice cannot be made upon him in the manner herein provided then a copy of such notice shall be mailed, postage fully prepaid.
46. After revocation, suspension or cancellation of any License, it shall be unlawful for any Person to drive, ply for hire with, use, operate, cause to be used or operated within the Town, a Taxicab, until such revocation, suspension or cancellation has been lifted.
47. In accordance with section 420 and 421 of the Municipalities Act, every person who fails to comply with or otherwise contravenes any of these regulations is guilty of an offence and is liable on summary conviction to:
 - (a) for the first offence to a fine of not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or to both the fine and imprisonment;
 - (b) for a subsequent offence to a fine of not less than \$ 500.00 and not more4 than \$1000.00 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment
48. Each section of these Regulations and each separate part of each section is hereby expressly declared to be separable and, if any section, sentence, portion or part of these Regulations shall be declared invalid, such invalidity shall affect only such section, sentence, portion or part so declared invalid.