



BY-LAW 700-11

A BY-LAW RELATING TO THE REGULATION OF TRAFFIC, PARKING AND THE USE OF STREETS IN THE TOWN OF RIVERVIEW

BE IT ENACTED by the Town Council of the Town of Riverview, under the authority vested in it by the Local Governance Act 2017, c 18; and the Motor Vehicle Act, RSNB 1973, c M-17 as follows:

I. INTERPRETATION

1. In this by-law, unless the context otherwise requires:

“By-Law Enforcement Officer” means a person appointed and designated as a by-law enforcement officer by Riverview Town Council.

“Civic Number” refers to the civic address of a lot fronting on a street and shall define the mid-front of the lot.

“Culvert” means a structure that allows water to flow under a road, trail or similar obstruction.

“Director of Engineering and Public Works” means the Director of Engineering and Public Works of the Town of Riverview or the Town’s authorized representative.

“Driveway” means every way or place not a highway used for vehicular traffic.

“Fire Lane” means a traffic lane in which parking or stopping is not permitted in order to allow access for emergency vehicles.

“Open Space” means land which is inappropriate for urban development which may include restricted areas such as watercourses and land periodically inundated with water (flood plains and marshes).

“Park”, when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

“Person” means and includes any individual, corporation, partnership, association or society.

“Stop” or “Stand” when prohibited means any stopping or standing of a vehicle, whether occupied or not except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control sign or signal.

“Street” means any highway, curb, gutter, boulevard, sidewalk, space between property lines, park, parkway, driveway, public square, bridge, viaduct, off-street public parking lot, avenue, road, roadway, alley, lane, path or other public place or open space located in the Town of Riverview.

“Utility” includes any person or corporation that provides water, electric power, telecommunications service, natural gas or other gas intended for use as fuel to the public.

Words used in this by-law and not defined herein which are defined in the Motor Vehicle Act, RSNB, 1973, c M-17 and amendments thereto, shall have the meaning as therein defined.

II. GENERAL

1. Notwithstanding anything in this by-law to the contrary, the Town Council or its appointed representative of the Town of Riverview, in the County of Albert, Province of New Brunswick, shall be appointed as the Local Traffic Authority in and for the Town of Riverview, with full power and authority to erect or to remove, or cause to be erected or removed, as may from time to time be necessary, such signs or other devices for the purpose of directing and regulating traffic on streets or portions of streets within the Town of Riverview.
2. Notwithstanding anything in this by-law to the contrary, a peace officer may direct traffic on any street, or pedestrians on any sidewalk, and the driver of any motor vehicle or any pedestrian on the sidewalk shall obey the directions of the peace officer.
3. Notwithstanding anything in this by-law to the contrary, any member of the Riverview Fire Department shall, while on duty, have full power and authority at the scene of any emergency, not limited to fires and/or motor accidents within the Town of Riverview to prevent persons and vehicles from passing through or across any street in the vicinity of any emergency scenes and to keep persons at a proper distance therefrom, and for such purpose to extend chains, ropes, or barricades along, through, or across any street.
4. No person shall refuse, fail or neglect to obey the directions or commands of a member of the Riverview Fire Department which may be given under section 3 above.
5. Notwithstanding other provisions of this by-law, the owner of a motor vehicle shall be guilty of a violation of this by-law committed by any person operating or in charge of such vehicle, unless he establishes that the vehicle was being operated by a person who had possession of the vehicle without the owner's consent, expressed or implied.
6. A peace officer or By-Law Enforcement Officer may issue a parking ticket to the registered owner, and/or remove and impound any vehicle which is:
 - a. parked illegally on any street, or
 - b. obstructing traffic on any street,and no person shall take possession of a vehicle removed and impounded under this section until all penalties, costs and charges for removal, care and storage of the vehicle have been paid.
7. No person shall:
 - a. put, place, throw or sweep upon any street, or cause to be put, placed, thrown or swept upon any street any dirt, or snow;
 - b. slack, riddle, mix or otherwise prepare lime, cement, concrete or other similar material on any street, except with the written permission from the Director of Engineering and Public Works;
 - c. carry on repairs of any kind to a motor vehicle or trailer on any street or sidewalk except for repairs of an emergency nature;
 - d. cause or permit water to flow over or onto any street so as to cause a public nuisance or to create a dangerous situation;
 - e. wash a motor vehicle on any street;
 - f. skate, ski, toboggan or slide on any street;
 - g. engage in any sport, game or recreation other than walking on any street;
 - h. throw any stone, snow, ice or other missile, or use any bow and arrow, sling or catapult, or discharge any firearm or air gun on the street;
 - i. use any street or sidewalk in such a manner that pedestrians are injured or jostled thereby;
 - j. make or cause to be made any unnecessary or unreasonable noise while driving on any street;
 - k. use any sidewalk other than for pedestrian use, except as otherwise provided in this or any other by-law of the Town of Riverview or the *Motor Vehicle Act*, RSNB, 1973, c M-17.
8. No person shall fill a ditch, nor do any act that may cause such ditch to be or become filled or build or alter a culvert, without first obtaining the written approval of the Director of Engineering & Public Works of the Town of Riverview.

III. PARKING

1. No person shall park, stop or stand a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a peace officer or traffic control device:
 - a. On any street or parts of streets
 - i. From the first day of December until the first day of April in any year between 12:00 am and 7:00 am on any day.
 - ii. At any time of any day so as to interfere with snow plowing operations or other street maintenance.
 - b. In a location designated as a fire lane.
 - c. On any Town owned parking lots without written permission in excess of 24 hours.
2. Notwithstanding any other provision of this by-law, where a vehicle is parked or left standing on any street, contrary to the provisions of subsection 1(a) herein, and in such manner that it interferes with or obstructs snow removal operations, a peace officer or by-law officer may cause such vehicle to be moved or towed at the owner's expense.
3. The provisions of sections 1(a) and 2 are enacted for the purpose of snow removal operations.
4. No person shall park on any street or parts of streets,
 - a. a trailer not attached to its towing vehicle.
 - b. a vehicle in a location reserved for parking by disabled persons by a traffic control device by the Town of Riverview or the owner of the land unless there is displayed on or in the vehicle a disabled person's identification plate, permit or placard issued by the Registrar of Motor Vehicles for the Province of New Brunswick or unless the vehicle is being used to transport a disabled person.
5. No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a peace officer or traffic control device, on any street or parts of streets set out in Schedule "A".

IV. PROTECTION OF STREETS

1. No person shall place, or cause to be placed, or be moved over any street, any building or like structure, or any heavy machinery or similar object, or any other object or material, which may in the course of placement or movement either interfere with normal traffic or cause damage to the street, unless
 - a. application in writing is made to the Director of Engineering and Public Works for permission to move the said object, and
 - b. permission in writing from the Director of Engineering and Public Works is obtained.
2. When any street and/or utility has been damaged as a consequence of the illegal use of any vehicles, equipment or machinery of any kind, the Director of Engineering and Public Works may serve notice in writing upon the accused person requiring repair of the damage to the street, curb, gutter, sidewalk or utility and, if the repairs are not made as directed, the Director of Engineering and Public Works may cause the repairs to be made at the expense of the accused person, and the cost of repairs shall be recoverable by the Town of Riverview by action in any court of competent jurisdiction.
3. No person shall allow any trees, hedges, bushes or other shrubbery owned by such person to encroach onto any street or sidewalk so as to interfere with or obstruct pedestrian or vehicular traffic or to interfere with or obstruct the sight lines of any person travelling or entering onto any street or to visibly obstruct street signs.
4. Where the Director of Engineering and Public Works is satisfied that conditions described in subsection (3) exist, the By-Law Enforcement Officer may issue an order requiring the owner to trim the said trees, hedges, bushes or shrubbery within a time specified in the order, and where the owner fails to comply with such notice then the By-Law Officer may cause the same to be done and to recover the cost thereof in an action of debt against the owner thereof.

V. WEIGHT RESTRICTIONS

1. No person shall operate a vehicle on any street in the Town of Riverview having a gross axle weight exceeding eighty percent (80%) of the maximum axle weight for which such vehicle may be registered in the Province of New Brunswick.
2. Vehicles found to have an axle, axle group or gross weight exceeding that prescribed in these restrictions, shall not proceed until all axle weights of the vehicle are within the limits prescribed above, either by redistribution of load or by off-loading onto another vehicle.
3. There shall be no restrictions on trucks equipped for snow removal, fire trucks, buses and garbage collection trucks.
4. The prohibitions and restrictions contained in Section 1 shall come into force each year concurrent with the weight restrictions instituted by the Minister of Transportation and Infrastructure and shall remain in force until further notice is given. Notwithstanding Section 1, the maximum axle weight permitted by the Town of Riverview shall at all times be subject to and not lesser than the limits established by the Minister of Transportation and Infrastructure under Section 36 of the *Highway Act*, RSNB 1973, c H-5.
5. Any street may be subject to closure as deemed necessary by the Director of Engineering and Public Works.

VI. EXCAVATIONS AND OPENING IN STREETS

1. No person shall make any opening in any street or sidewalk, or excavation be made, or trench dug therein without first having obtained a permit from the Director of Engineering and Public Works and all work in connection with such opening or excavation shall be done under the supervision of the Director of Engineering and Public Works.
2. Any person making any opening or excavation in any street shall immediately restore the street to as good condition as it was before such work was commenced.
3. Unless approved by the Director of Engineering and Public Works, any required digging, trenching, or excavating under any asphalt, curb and gutter, or concrete sidewalk, or other sidewalk of a permanent nature, shall be made by using trenchless technology under the sidewalk in such manner as not to break or injure the sidewalk.

VII. SIGNS RELATING TO TRAFFIC

No person shall;

1. erect a sign in such a manner as to obstruct pedestrian or vehicular traffic or to create a hazard to such traffic or obstruct storm drainage.
2. erect a sign in such a manner as to obstruct pedestrian or vehicular traffic or to create a hazard to such traffic or obstruct storm drainage.

VIII. PEDESTRIAN SAFETY

1. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along or upon an adjacent roadway.
2. No person shall;
 - a. stand in any street for the purpose of soliciting a ride from the driver of any vehicle;
 - b. hold, direct or take part in any procession or assemblage upon any street in the Town of Riverview, except in accordance with a permit in writing from the Director of Engineering and Public Works or authorized representative, which permit shall set out the date, the hour and the route or location of such procession or assemblage;

- c. board any vehicle for the purpose of stealing a ride or hitch, attach or fasten any bicycle, ski, toboggan, sled or other object to a motor vehicle for the purpose of towing the same on any street;
- d. sell, offer for sale or carry on the business of selling or disposing, or exhibiting, or leasing any vehicles, wares, merchandise of any kind on a street;
- e. drive a vehicle on any street so as to splash water, mud or snow on any pedestrian;
- f. drive a vehicle, bicycle or motorcycle upon any sidewalk or over or across any curb or sidewalk where an entrance has not been provided except authorized Town of Riverview employees while carrying out their duties and responsibilities;
- g. drive a vehicle, motorcycle, or snowmobile in, across or upon any public park or public playground, except authorized Town of Riverview employees while carrying out their duties and responsibilities;
- h. operate a bicycle in, across or upon any public park or playground unless designated by the Town and indicated by posted signage.

IX. SCHOOL ZONES

- 1. No person shall drive a vehicle at a speed exceeding a maximum of thirty (30) kilometers per hour while driving in a school zone, as marked or indicated by signs, when school is in session as indicated.
- 2. No person shall park, stop and stand a vehicle in school zones as indicated.

X. ENFORCEMENT

- 1. Any peace officer or By-Law Enforcement Officer is hereby authorized to take such action or issue such tickets as they may deem to be necessary to enforce any provisions of this by-law.
- 2. Any person who violates sections II(7)(b), III, V, VII, IX of this by-law is guilty of an offence and liable on conviction to a fine of not less than fifty dollars (\$50.00) and not more than one hundred twenty five dollars (\$125.00).
- 3. Any person who violates section II(8) of this by-law is guilty of an offence and liable on conviction to a fine not less than two hundred forty dollars (\$240.00) and not more than two thousand one hundred dollars (\$2,100.00).
- 4. Any person who violates any other provision of this by-law is guilty of an offence and liable on conviction to a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00).
- 5. Any person who violates any other provision of this by-law for a second time within a twelve-month period from the time of the conviction relating to the prior offence is guilty of an offence and liable on conviction to a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1000.00).
- 6. Any person who violates any other provision of this By-Law for a third time within a twelve month period from the time of the first offence is guilty of an offence and liable on conviction to a fine of not less than two hundred fifty dollars (\$250.00) and not more than two thousand one hundred dollars (\$2,100.00)..
- 7. All fines under this by-law shall be enforceable under the *Provincial Offences Procedures Act*, SNB 1987, c P-22.1.

XI. SEVERABILITY

- 1. Where a Court of competent jurisdiction declares any section or part of this by-law invalid, the remainder of this by-law shall continue in force unless the Court makes an order to the contrary.

XII. REPEAL

A By-Law of the Town, By-Law 700-10-3 and all amendments thereto, respecting The Regulation of Traffic, Parking and the Use of Streets in the Town of Riverview is hereby repealed.

Mayor

Town Clerk

First Reading:

Second Reading:

Third Reading:

Schedule “A”
NO PARKING

Audrey Road	north side
Bayley Road	north side from Blythwood Avenue to Cleveland Avenue
Beaconhill Terrace	south side
Biggs Drive	both sides
Birkdale Drive	north side
Blair Street	west side from Hillsborough Road to Old Coach Road
Bloor Drive	west side
Blythwood Avenue	both sides from Coverdale Road to Philip Road
Bradford Road	south side
Brian Street	north side
Brunswick Street	north side from Wentworth Avenue to Ogden Drive
Buckingham Avenue	both sides from Coverdale Road to Bradford Street and west side from Bradford Street to Sussex Avenue
Chambers Road	east side
Chambers Road	west side 15 meters north and south of northern school entrance
Cosburn Drive	east side
Court Street	west side from Hillsborough Road to Old Coach Road
Coverdale Road	both sides
Cromwell Street	west and north sides
Darwin Drive	north side
Devere Road	north side from Pine Glen Road to Montgomery Avenue Dobson Road both sides
Elmore Court	west side
Emery Street	west side
Fairfax Road	south side
Findlay Boulevard	both sides from Whitepine Road to Gunningsville Boulevard
Florence Street	south side
Fundy Road	both sides
Garland Drive	west side
Gaskin Boulevard	both sides from Audrey Road to Lowell Road
Grenville Road	south side from Blythwood Avenue to Cleveland Avenue
Gunningsville Boulevard	both sides
Havelock Road	south side
Hebron Street	north side
Hillsborough Road	both sides
Hillsdale Avenue	north side from 31 Hillsdale Avenue to Runneymeade Road
Hillview Avenue	west side
Hiltz Avenue	east side
Hopewell Avenue	west side
Howard Avenue	west side
Inwood Court	north/west sides
Lakeside Drive	both sides from Biggs Drive to 30 metres west of Biggs Drive
Landon Road	north side
Lawson Avenue	both sides from 105 Lawson Avenue to Dayton Court
Leonard Street	west side from Hillsborough Road to Karolie Road
Lowell Road	both sides from Gaskin Boulevard to Court Street
Lyndale Lane	east side
Manning Road	west side
McAllister Road	north/east side from civic 380 to Berkley Drive
McAllister Road	odd numbered side from Civic 429 to Civic 441 and from Civic 465 to Civic 477
McDowell Avenue	both sides from Whitepine Road to Carnation Crescent on school days from 7:30 am to 4:00 pm

Munroe Street	south side
Nowlan Drive	north side
Olive Street	both sides
Philip Road	south side
Pine Glen Road	both sides
Pinegrove Drive	east side
Pinewood Road	both sides from Findlay Boulevard to Pine Glen Road
Ranch Road	both sides
Redwater Drive	west/north side from civic 74 to 90
Rivercrest Avenue	west side
St. Stephen Avenue	both sides
Sanford Street	east side from Hillsborough Road to Civic 133-134
Sherwood Avenue	north side
Suffolk Street	north side
Torwood Court	south/west sides
Toth Street	west side
Trider Court	north side from 25 meters west of park entrance to park entrance and east side from park entrance to 40 meters south of park entrance
Trites Road	both sides from Coverdale Road to Callowhill Road
Trunk Road	north side
Vernon Avenue	north side
Wedgewood Avenue	both sides from Coverdale Road to civic 122 and 125
Weir Drive	south side
Westminster Avenue	west side from Cromwell Street to Windsor Street
Westview Terrace	north/west side
Whitepine Road	both sides from Buckingham Avenue to Cleveland Avenue
Wilson Road	west side from 117 Wilson Road to Waterfall Avenue
Windsor Street	north side
Winston Street	west side
Woodstock Avenue	north side

NO STOPPING

Buckingham Avenue	west side from Sussex Avenue to Whitepine Road
Cleveland Avenue	both sides from Devere Road to Landon Road on school days from 7:30 am to 4:00 pm
Whitepine Road	south side from Trites Road to 15 meters west of McDowell Avenue on school days from 7:30 am to 4:00 pm and north side Trites Road to 15 metres east of Goldsboro Avenue on school days between 7:30 am and 12:00 pm.