

**BY-LAW 502**  
**A BY-LAW RELATING TO TRAFFIC**  
**IN THE TOWN OF OROMOCTO**

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

J'atteste que cet instrument est  
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de l'enregistrement du comté de  
Nouveau-Brunswick

11/02/2014 14:46 23799264  
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Registrar-Conservateur  
**PURPOSE AND INTENT**

The Council of the Town of Oromocto,  
under the authority vested in it by  
*Section 186 of the Municipalities Act*  
and *Section 113 of the Motor Vehicle  
Act*, enacts as follows:

1. To provide for the control of traffic and the supply, regulation and control of parking in the Town of Oromocto.

**DEFINITIONS**

2. In this By-Law:

- (1) Words which are defined in *Section 1 of the Motor Vehicle Act, R.S.N.B. 1973, c. M-17*, and amendments thereto, have the meaning as so defined.
- (2) "Chief of Police" means the officer in charge of the Town of Oromocto Detachment of the Royal Canadian Mounted Police.
- (3) "Motorized Recreational Vehicle" means any self-propelled wheeled and/or tracked vehicle; inclusive of but not limited to a snowmobile or an all terrain vehicle (ATV) or a motorized cycle.
- (4) "Parking Lot" includes any public parking place or other public places or areas set aside, designated or intended for the parking and standing of vehicles.
- (5) "Town Engineer" means the person in charge of the Town's Engineering and Public Works Department or his delegate.
- (6) "Sidewalk" means the area adjacent to a street, and roughly parallel therewith, designed and improved by concrete, asphalt or other surfacing, and includes any public footpath or trail not adjacent to a street for the passage of persons.
- (7) "Street" means the entire width between the Right-of-Way boundary lines of every highway, road, lane, alley, park, trail, parking lot or schoolyard and includes bridges, or overpasses thereon.
- (8) "Town" means the Town of Oromocto;
- (9) "Truck" means every commercial vehicle of 4500 kg or greater vehicle weight designed, used or maintained primarily for the transportation of property; and
- (10) "U-turn" means the turning of a motor vehicle within a street so as to proceed in the opposite direction.

**GENERAL**

3. (1) Any Peace Officer of the Town may remove and impound any vehicle which is found illegally parked or causing obstruction to traffic on a street in the Town, and all costs and charges for removal, care and storage of such vehicle shall be paid by the owner thereof before such Peace Officer releases such vehicle.
- (2) A Police Officer may direct traffic on any street in the Town.
- (3) Any member of the Oromocto Fire Department, who has responded to an emergency, shall have the authority to prevent persons and motor vehicles from passing through, across or on any street and to extend or erect chains, ropes or barricades for that purpose;

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- (4) No person shall refuse, fail or neglect to obey the directions or orders of a member of the Oromocto Fire Department, which may be given under subsection (3);
- (5) Every driver of a vehicle conveying a load of wood, metal salvage, waste, refuse, garbage, paper or other material along a street in the Town shall keep such load sufficiently fastened and protected to prevent any part thereof from falling upon the street while in transit, and where waste, refuse, or garbage is being conveyed on a street it shall be covered with a suitable covering to prevent its falling upon the street.
- (6) No person shall make any unnecessary noise while driving on any street in the Town.

**TRAFFIC CONTROL - ROUTE 2**

4. Traffic control devices and signs on Route 2, the entrances thereto and exits therefrom, shall be the responsibility of the Department of Transportation and Infrastructure, Province of New Brunswick.

**TEMPORARY SIGNAGE**

5. Subject to *Section 116 (2)* of the *Motor Vehicle Act*, the Town may, from time to time, or for special purposes, cause to be erected signs or other devices for the purpose of directing and/or regulating traffic and may remove such signs or devices.

**STOP SIGNS AND YIELD SIGNS**

6. Stop signs and yield signs shall be erected at the locations as determined by the Town Engineer.

**ONE-WAY STREETS**

7. The streets and portions of streets set out in Schedule "A" to this By-Law are designated one-way streets and all motor vehicles travelling thereon shall proceed in the direction indicated therein.

**DESIGNATED TRUCKING ROUTES**

8. (1) Council may designate streets or portions of streets as "Trucking Routes", as set out in Schedule "B" to this By-Law. The driver of a motor vehicle having a registered mass in excess of 4500 kilograms shall not use any street within the Town except a designated trucking route.
- (2) For the purpose of delivering or taking delivery of a load at a point in the Town which is not immediately accessible to a trucking route, truck operators in direct service of a business or household must proceed to and from that destination via the most direct route to the closest designated trucking route.
- (3) Subsections (1) and (2) do not apply to motor vehicles owned by the Town, or to Her Majesty the Queen in Right of the Province of New Brunswick, their contractors or agents involved in the performance of their duties for the Town or the Province of New Brunswick.

**TRAFFIC CONTROL SIGNALS**

9. Traffic control signals shall be erected at the locations set out in Schedule "C" to this By-Law.

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**PROHIBITED TURNS**

10. (1) Except in an intersection, no driver of a vehicle shall make or attempt to make a U- turn on a street, or make or attempt to make any turn as to obstruct or interfere with the traffic moving on any street.
- (2) Notwithstanding anything contained in subsection (1) above, no driver of a vehicle shall make or attempt to make a U-turn at an intersection where traffic control signals are installed.

**PARADES AND PROCESSIONS**

11. (1) No person shall hold or conduct an event or parade upon any street within the Town unless notice has been given to the Town Engineer.
- (2) Subsection (1) does not apply to a funeral procession.
- (3) Any person wishing to hold a parade or marathon shall submit a request to the Office of the Town Clerk or their designate.
- (4) Upon receipt of a request which indicates to the satisfaction of the Chief of Police and the Town Engineer that proper measures will be taken for the safe passage of the event or parade and for the safety of bystanders, the Office of the Town Clerk or their designate shall grant permission to hold or carry on the event or parade.
- (5) Where an event or parade is being held, no person shall walk or drive into or through the said event or parade.

**SPEED ZONES**

12. No person shall drive a vehicle at a speed in excess of fifty (50) kilometres per hour unless otherwise posted by a traffic control device therein.

**SCHOOL ZONES**

13. A school zone means a portion of street in the vicinity of a school building, the limits of which are marked by standard approved school-zone signs, and the speed limit in any such zone situated on a municipal street (excluding Provincial highways) is thirty (30) kilometres per hour.

**RECREATION**

14. (1) A motorized recreational vehicle is not permitted to be driven upon Town highways, streets, trails, sidewalks, parking lots and public spaces; excepting:
  - a) cycles licensed for public highway access;
  - b) members of the Royal Canadian Mounted Police (RCMP) and employees of the Town, in the performance of their duties;
  - c) on private property, with the permission of the owner, tenant or occupant;
  - d) snowmobiles during the 15 November to 15 April period annually on the designated and signed trails as depicted in the attached Schedule "D" diagram, all subject to the Oromocto River Valley Snowmobile Club and/or the New Brunswick Federation of Snowmobile Clubs accepting responsibility for:
    - (i) clearances and agreements with respective land owners for transit across properties in the corridor/trail alignment,
    - (ii) all costs relative to the signing, maintenance and operation of the trail,

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- (iii) maintaining an insurance policy in an amount of not less than \$2,000,000 (two million dollars) for any claim resulting from trail usage and that the Town be named an additional insured party to that policy, and
  - (iv) signing a waiver holding the Town of Oromocto, its employees and or agents harmless in any action or claim for liability by users of the trail.
- (2) The withdrawal or restriction of the exemption under article 1(d) is at the sole and unrestricted discretion of the Council of the Town of Oromocto or its designated officer.
- (3) No person, group or organization shall conduct a motorized event, rally or race within the Town limits without the written consent of the Town. Before giving such consent Council shall be satisfied that:
- a) proper measures will be taken to ensure the safety of the public;
  - b) there will be no damage to any property;
  - c) proper safeguards will be taken to ensure the safety of any participants and spectators; and
  - d) no undue disturbance will be caused.
- (4) No person shall engage in skating, skateboarding, skiing, tobogganing or sliding on any street.

**PARKING**

15. (1) No person shall park a vehicle on any street, including the entire unpaved right-of-way, in the Town at any time, except as may be permitted by specific authorization of the Office of the Town Clerk, saving and excepting:
- a) Town maintenance vehicles, or
  - b) in the street locations where designated parking is directly accessible from the traveling lanes as identified under Schedule "E", and only in the following circumstances:
    - (i) The duration is no longer than 15 minutes.
    - (ii) The driver of the vehicle is actually engaged in the loading or unloading of merchandise.
    - (iii) The driver of the vehicle is making deliveries of good, wares or merchandise.
    - (iv) The driver of the vehicle is assisting or allowing passengers to enter or exit therefrom.
- (2) No person shall stop, stand or park a vehicle on any street designated as a parking space for disabled persons by a traffic control device, erected by the Town or by the owner of the land, unless the vehicle is being used to transport a disabled person and a disabled person's identification plate, permit or sticker issued by the Province of New Brunswick is displayed in a prominent place on the windshield or rear window of the vehicle.
- (3) No person shall stop, stand or park a vehicle on any street designated as a fire lane by a traffic control device, erected by the Town or by the owner of the land.
- (4) No person shall stop, stand or park any trailer not attached to its towing vehicle on any street in the Town.
- (5) No person shall park a vehicle, with a registered mass in excess of 4,500 kilograms, except for the purpose of and while loading or unloading goods or merchandise, on any street, including the entire unpaved right-of-way.

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- (6) No person shall park a vehicle in a parking space in such a manner that it obstructs the parking or flow of traffic of another motor vehicle.

**ENFORCEMENT**

16. (1) When a peace officer finds a vehicle or trailer parked in violation of this By-Law, he may attach to the vehicle or trailer a notice to the owner or operator thereof that the vehicle or trailer is parked in violation of this By-Law.
- (2) Where a peace officer has reasonable and probable grounds to believe and does believe that a vehicle was parked in violation of this By-Law, he may issue a notice to the owner of vehicle that the vehicle was parked in violation of this By-Law. A notice issued herein shall be served personally to the registered owner of the said vehicle or to an adult member of the household.
- (3) Any peace officer is hereby authorized to take such action or issue tickets as they may deem necessary to enforce any provisions of this By-Law.

**PENALTIES**

17. Any person who fails to comply with any provision of this By-Law, unless otherwise provided in the By-Law, is guilty of an offence and is voluntarily liable to, or upon summary conviction is liable to, a fine as specified either in the *Motor Vehicle Act*, where that Act is contravened, or as specified below.
18. Every person charged with an offence, other than an offence pursuant to Section 8, Designated Trucking Routes:
- (1) may on or before the date a charge pertaining to the offence has been laid in Provincial Court, make a voluntary payment of eighty dollars (\$80) to the Town of Oromocto:
- (a) in person at the Service Centre Counter, Oromocto Municipal Building, 4 Doyle Drive, Oromocto, NB; or
- (b) by mail to: Town of Oromocto, 4 Doyle Drive, Oromocto, NB, E2V 2V3, "Attention Service Centre Counter", by cheque or money order only, payable to the Town of Oromocto;

at which time the ticket or ticket number shall be surrendered to the Town of Oromocto and such payment shall be deemed payment in full; or

- (2) if the voluntary payment set out in subsection (1) has not been received on or before the date a charge pertaining to the offence has been laid in Provincial Court, the person charged with the offence may make a voluntary payment of \$100.00 (one hundred dollars):
- (a) in person at the Burton Court House, 23 Route 102 Highway, Burton, NB, by cash or certified cheque or money order payable to the Minister of Finance; or
- (b) by mail to: Burton Court House, PO Box 94, Oromocto, NB, E2V 2G4, "Attention Provincial Court", by certified cheque or money order only, payable to the Minister of Finance;

at which time the ticket or ticket number shall be surrendered to the Provincial Court and such payment shall be deemed payment in full; or

- (3) if the voluntary payments set out in subsections (1) and (2) above have not been received on or before the hearing scheduled for entering of a plea before the Provincial Court, the person is liable on summary conviction to a fine punishable under Part II of the *Provincial Offences Procedure Act* as a Category "B" offence.

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19. Every person charged with an offence under Section 8, Designated Trucking Routes, of this by-law:

- (1) may on or before the date a charge pertaining to the offence has been laid in Provincial Court, make a voluntary payment of one hundred and fifty dollars (\$150) to the Town of Oromocto:
  - (a) in person at the Service Centre Counter, Oromocto Municipal Building, 4 Doyle Drive, Oromocto, NB; or
  - (b) by mail to: Town of Oromocto, 4 Doyle Drive, Oromocto, NB, E2V 2V3, "Attention Service Centre Counter", by cheque or money order only, payable to the Town of Oromocto;

at which time the ticket or ticket number shall be surrendered to the Town of Oromocto and such payment shall be deemed payment in full; or

- (2) if the voluntary payment set out in subsection (2) has not been received on or before the date a charge pertaining to the offence has been laid in Provincial Court, the person charged with the offence may make a voluntary payment of \$200.00 (two hundred dollars):
  - (a) in person at the Burton Court House, 23 Route 102 Highway, Burton, NB, by cash or certified cheque or money order payable to the Minister of Finance; or
  - (b) by mail to: Burton Court House, PO Box 94, Oromocto, NB, E2V 2G4, "Attention Provincial Court", by certified cheque or money order only, payable to the Minister of Finance;

at which time the ticket or ticket number shall be surrendered to the Provincial Court and such payment shall be deemed payment in full; or


- (3) if the voluntary payments set out in subsections (1) and (2) above have not been received on or before the hearing scheduled for entering of a plea before the Provincial Court, the person charged with the offence is liable on summary conviction to a minimum fine of \$250 (two hundred and fifty dollars), and not more than the maximum fine that may be imposed for commission of an offence punishable under Part II of the *Provincial Offences Procedure Act* as a Category "C" offence.



20. By-Law #309 and amendments thereto is hereby repealed.

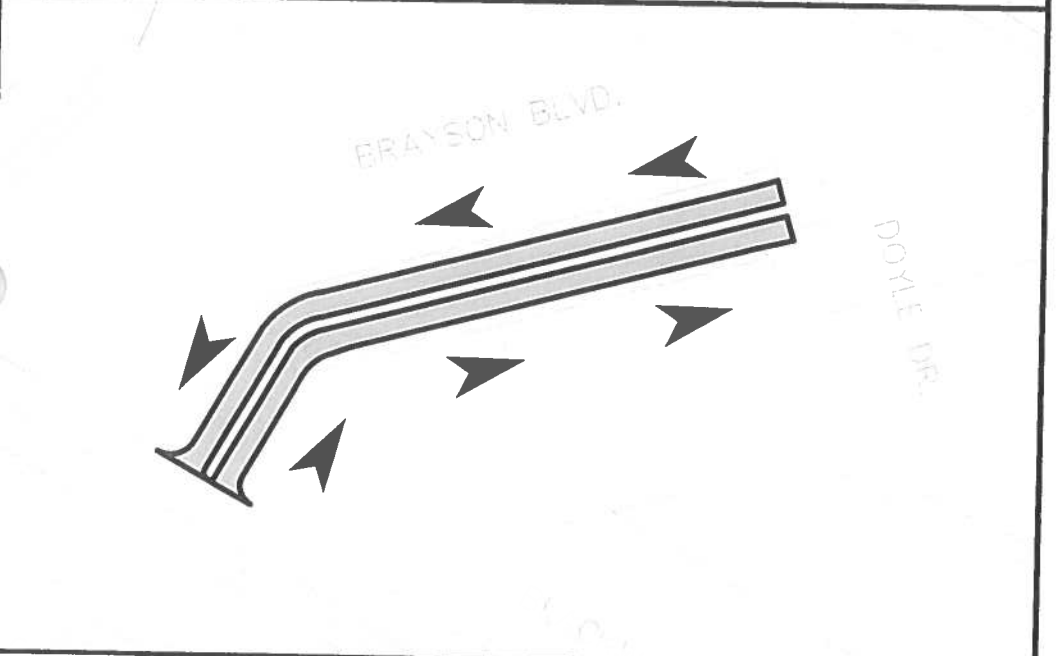
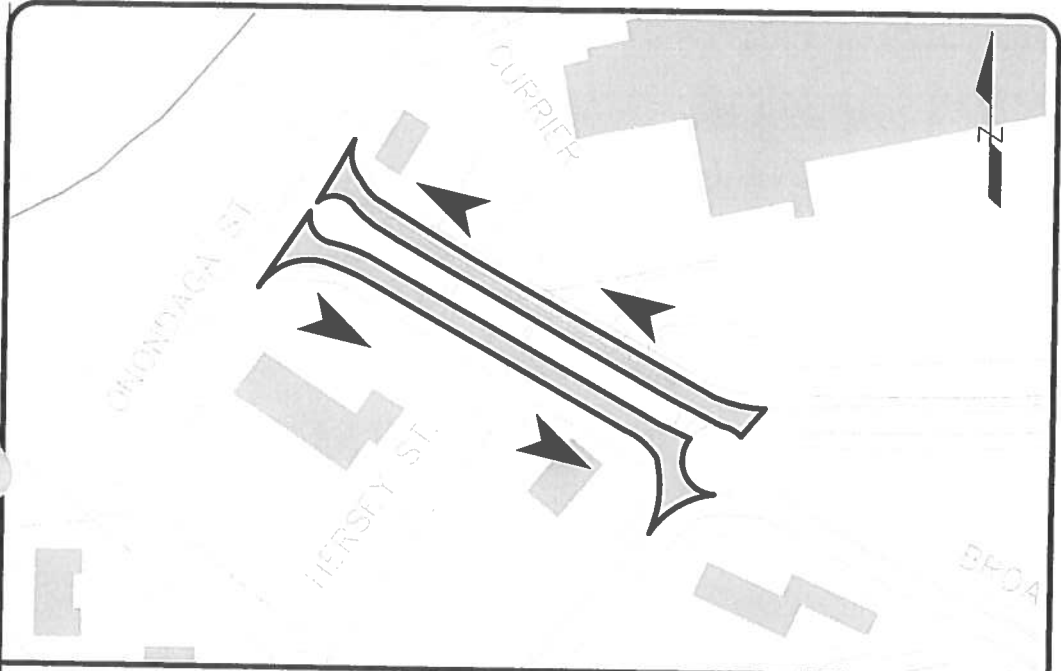
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**READ SECOND TIME IN ITS ENTIRETY: 22 MAY 2014**

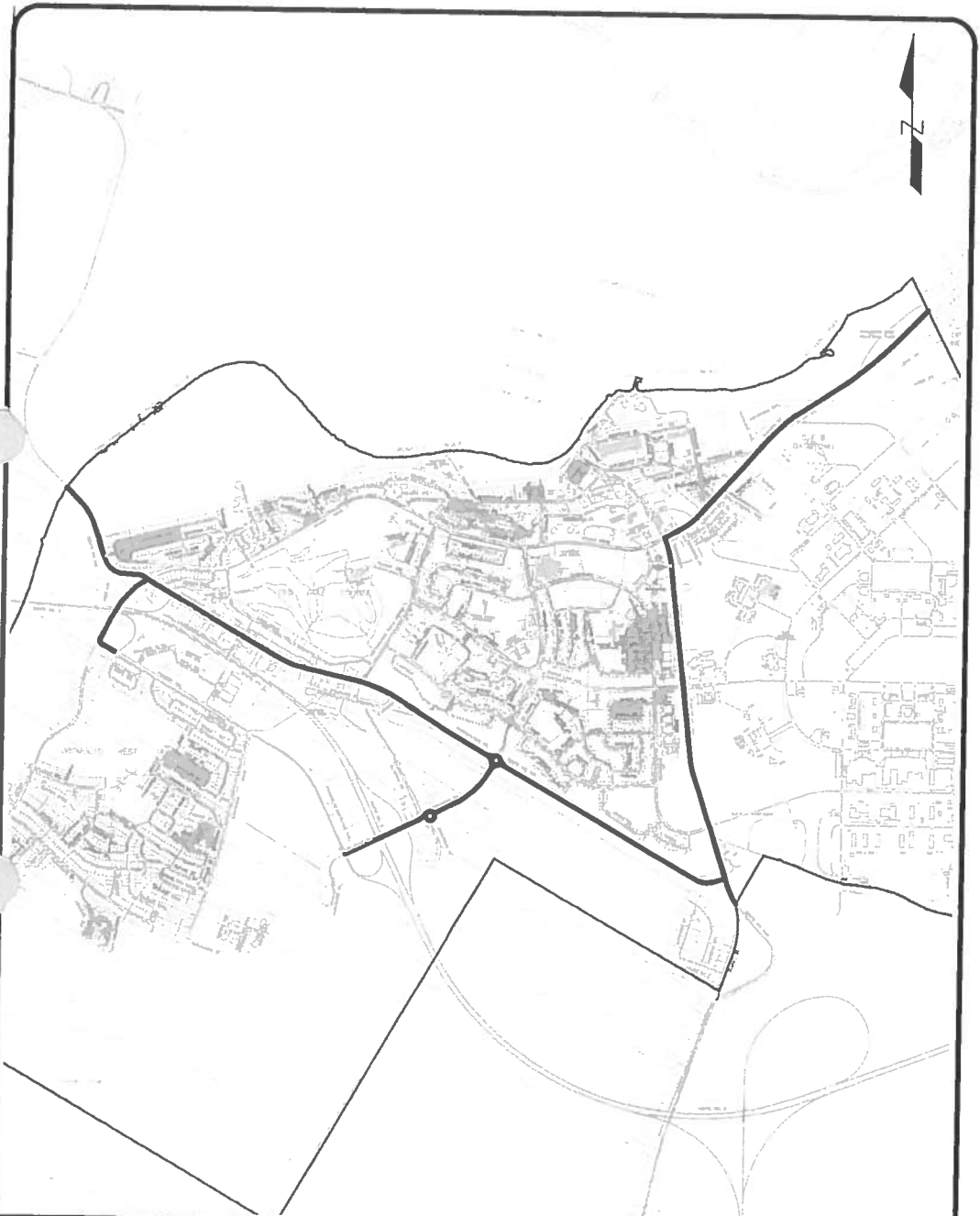
**READ THIRD TIME BY TITLE ONLY FOR ENACTMENT: 22 MAY 2014**

  
Richard E. Isabelle  
Chief Administrative Officer/Clerk

  
  
Robert E. Powell  
Mayor



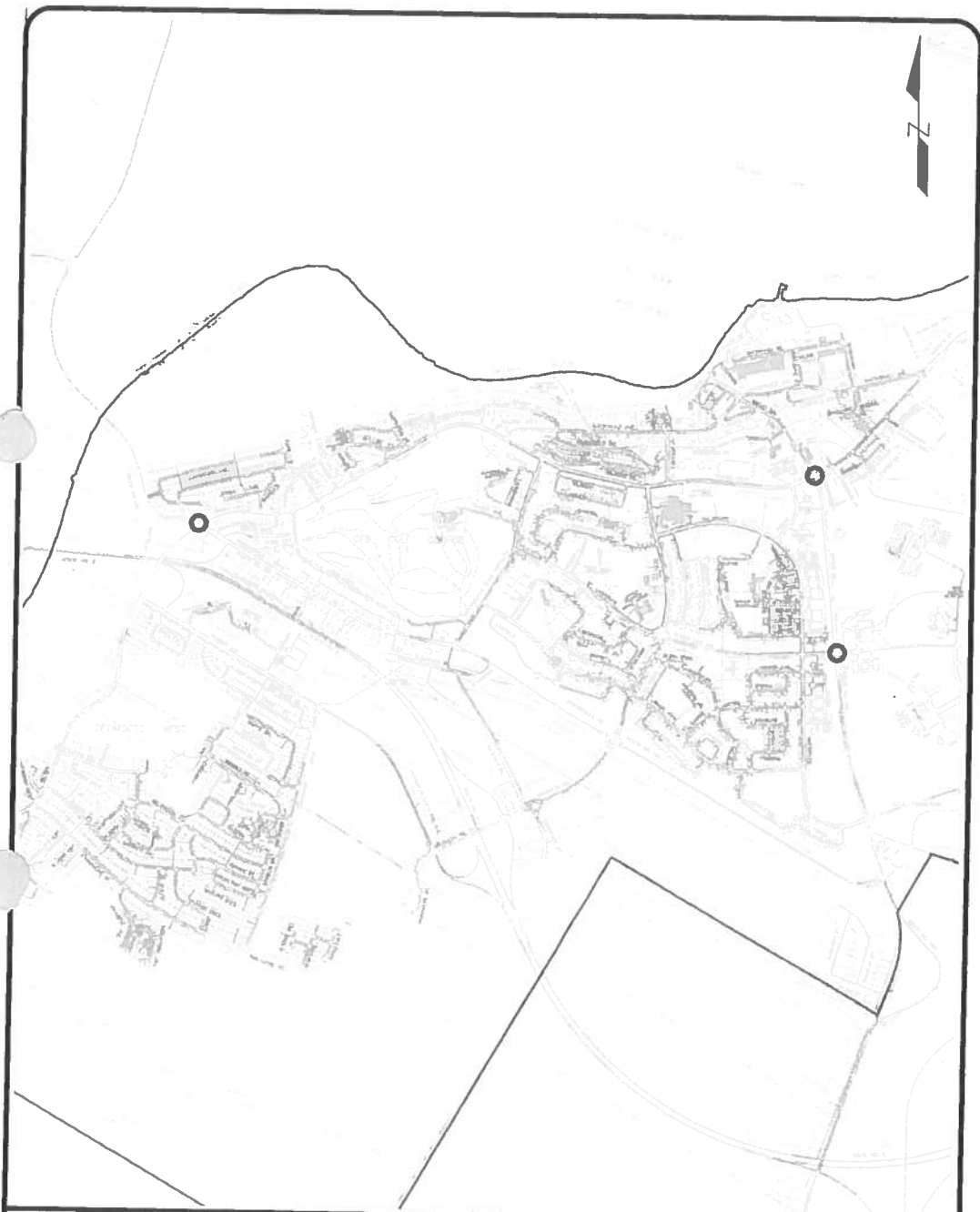
Canada's <i>Model Town</i> <b>OROMOCTO</b> ENGINEERING & PUBLIC WORKS	Dwg Title: BY-LAW 502 A BY-LAW RELATING TO TRAFFIC IN THE TOWN OF OROMOCTO SCHEDULE "A" : ONE-WAY STREETS				
	Drawn: DJG	Chkd:	Scale: 1:2000	Date: 12 MAY 2014	Rev No: 00



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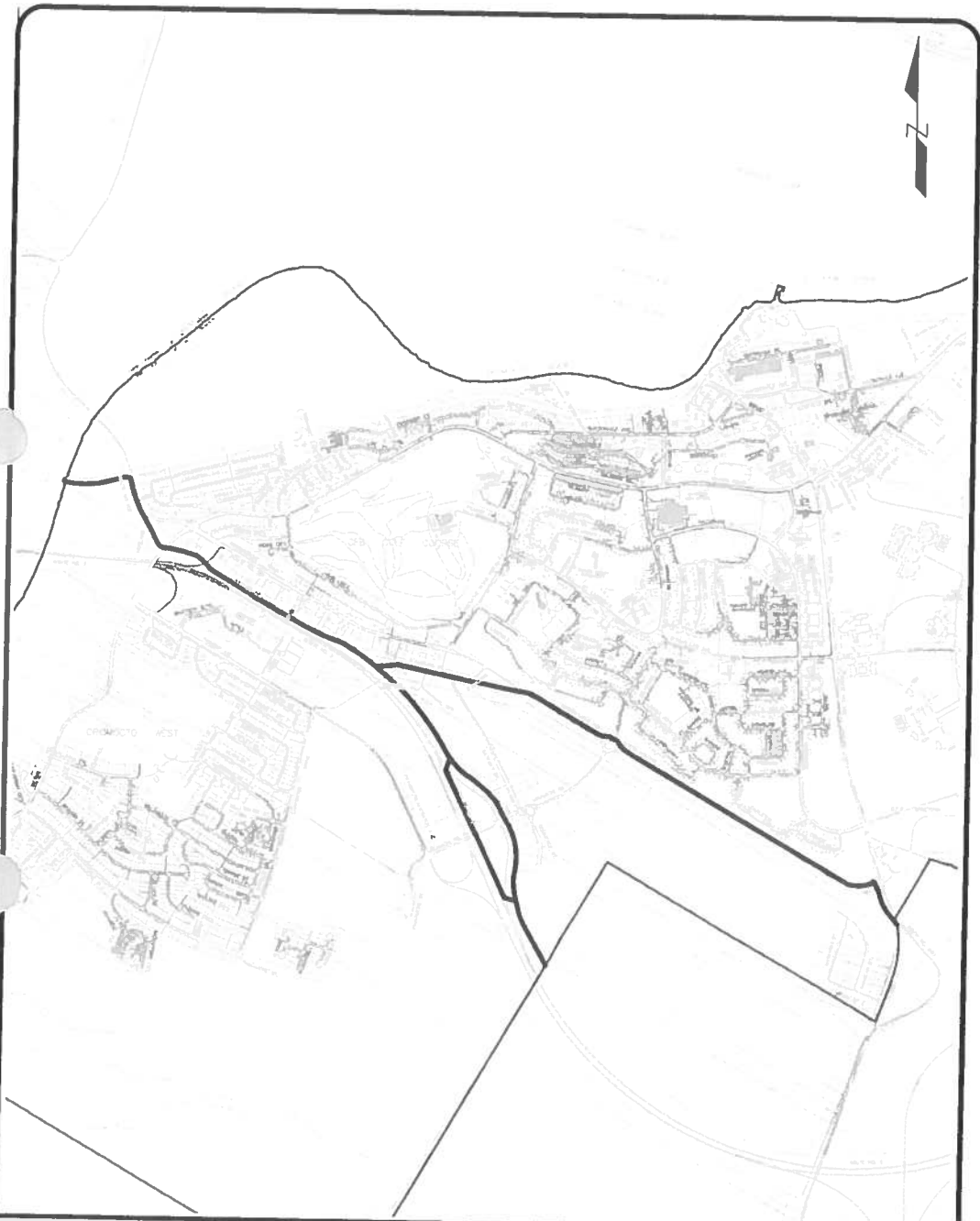
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Drawn	Chkd	Scale	Date	Rev. No.	Dwg No.
DJG		1:30,000	12 MAY 2014	00	<b>B</b>





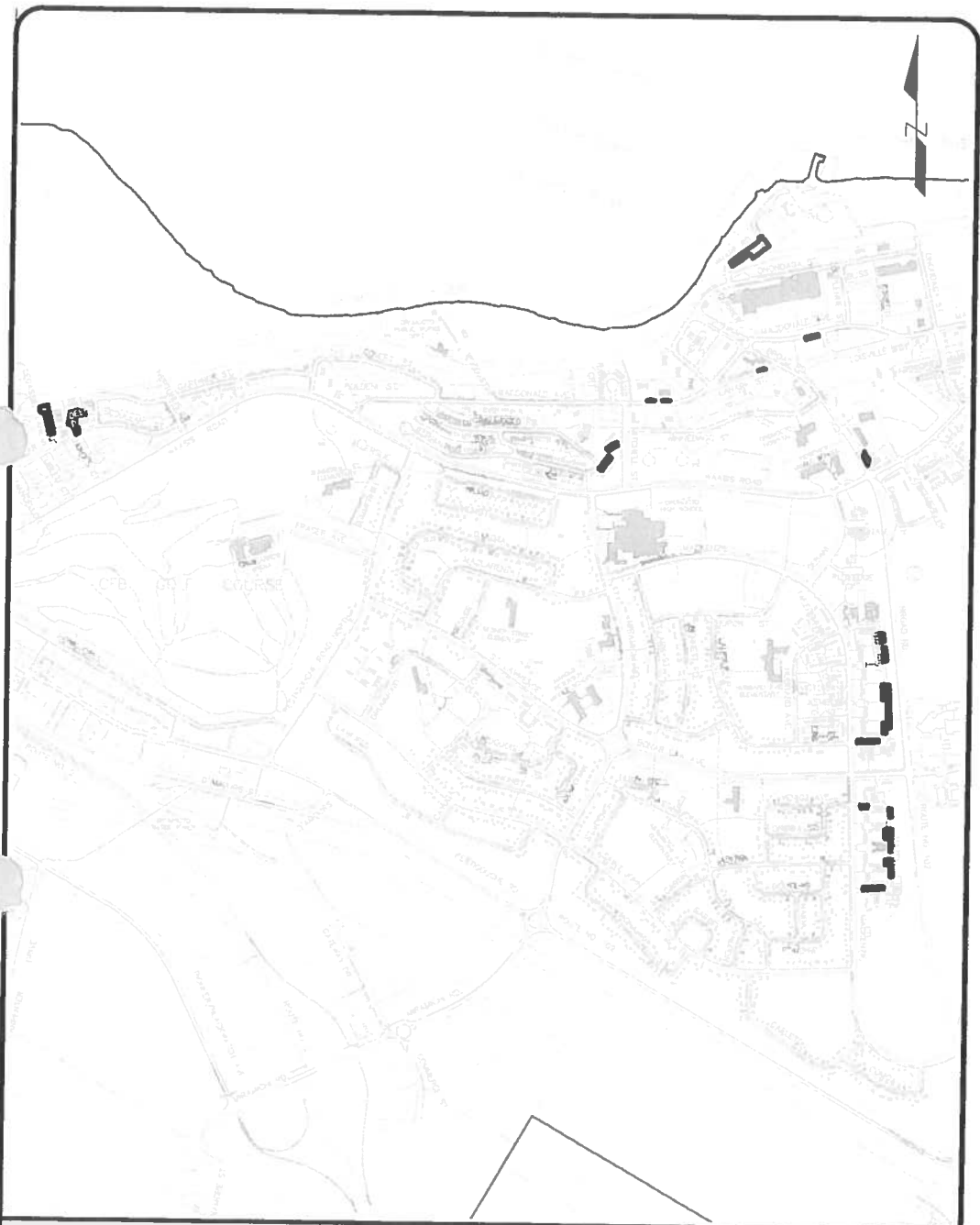
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Dwg Title		BY-LAW 502 A BY-LAW RELATING TO TRAFFIC IN THE TOWN OF OROMOCTO SCHEDULE "C" : TRAFFIC CONTROL SIGNALS			
Drawn:	Chkd:	Scale:	Date:	Rev No:	Dwg No:
DJG		1:25,000	12 MAY 2014	00	<b>C</b>



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Dwg. Title		BY-LAW 502 A BY-LAW RELATING TO TRAFFIC IN THE TOWN OF OROMOCTO SCHEDULE "D" : DESIGNATED TRAILS FOR SNOWMOBILES			
Drawn	Chkd	Scale	Date	Rev No	Dwg. No
DJG		1:25,000	12 MAY 2014	00	<b>D</b>



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Dwg. Title:		BY-LAW 502 A BY-LAW RELATING TO TRAFFIC IN THE TOWN OF OROMOCTO			
SCHEDULE "E" : DESIGNATED PARKING SPACES WITHIN THE TOWN					
Drawn	Chkd	Scale	Date	Rev. No	Dwg. No
DJG		1:15,000	12 MAY 2014	00	<b>E</b>