



**BY-LAW NO. 23-D**  
**A BYLAW RESPECTING THE STREETS & TRAFFIC**  
**IN THE TOWN OF ST. GEORGE**

BE IT ENACTED by the Council of the Town of St. George under the authority vested in it by the Local Governance Act, R.S.N.B. 2017, c. 18, and under the authority of the Motor Vehicle Act, R.S.N.B. 2018, M-17 and the Highway Act, R.S.N.B. 2018, H-5, as follows:

**DEFINITIONS**

1. In this By-Law, unless context otherwise requires, in addition to the words defined in Section 1 of the Motor Vehicle Act, R.S.N.B. 2018, Chapter M-17, and amendments thereto, and the Highway Act, R.S.N.B. 2018, H-5, and amendments thereto, when used in this By-Law shall have the same meaning as in the said Act.

"**bus stop**" means a street or portion of a street set aside for the exclusive parking of buses for the purpose of allowing passengers to enter and alight therefrom;

"**CAO**" mean Chief Administrative Officer, or Town Manager. The senior most staff member of the municipality;

"**curb**" means and includes any lateral limit of the portion of a street used or intended to be used for vehicles whether marked by curbing or not;

"**loading zone**" means a street or portion of a street set aside for the parking of official vehicles for the purpose of loading and unloading merchandise;

"**official parking**" means and includes that portion of a street set aside for the parking of official vehicles, municipal and provincial, and marked as such by a sign or any other appropriate means;

"**one-way street**" means a street in which vehicular traffic is limited to movement in one direction;

"**police force**" means the officers engaged or appointed by the Town Council for the purpose of keeping the peace;

"**private road**" means a road that is not owned by the Town of St. George or the Province of New Brunswick;

**"school zone"** means the area or space within roadway which is so marked or indicated by signs as a "school zone";

**"sidewalk"** means that portion of the highway or street between the curblines or the lateral lines of roadway and the adjacent property lines set apart for the use of pedestrians, and includes any part of a highway set apart or marked for the exclusive use of pedestrians;

**"street"** means and includes any highway as defined in the Motor Vehicle Act which is as follows: "Highway" means the entire width between the boundary lines of every street, road lane, alley, park, parking lot, drive-in theatre, school yard, picnic site, beach, winter road across ice or place when any part thereof is used by the general public for the passage or parking of vehicles, and includes the bridges thereon;

**"structure"** means a building or other object constructed from several parts, usually a permanent fixed object;

**"Town"** means the Town of St. George and shall include its officers, employees, servants, and agents;

**"through street"** means and includes a through highway as defined by the Motor Vehicle Act;

**"Town Council"** means the Mayor and Town Council of the Town of St. George;

**"traffic control device"** includes "official traffic control device", "traffic control signal", "sign" and means a sign or device for the regulation, warning or guidance of traffic, or for indicating the provisions of this By-Law and the provisions of the Motor Vehicle Act and regulations thereunder;

**"u-turn"** means and includes a through highway as defined by the Motor Vehicle Act;

**"vehicle"** means every device in, upon or by which any person or property is or may be transported or drawn upon a highway excepting devices moved by human power or used exclusively upon stationary rails or tracks;

**"no heavy vehicles"** means any vehicle of more than one axle and licensed heavier than 4,500 kg are not allowed to travel such a posted street except for local deliveries and emergency vehicles;

**"R.C.M.P."** Royal Canadian Mounted Police, St. George detachment assigned to the Town of St. George;

**"Right of Way"** is a type of Easement (right of) over a specified area outside of boundary of a street, and as defined in the Highway Act;

**"NCOIC"** means Non-Commissioned Officer In Charge of Local R.C.M.P. Detachment.

## **AUTHORITY OF POLICE**

2. The direction of vehicular and pedestrian traffic in the Town is under the control of the NCOIC.

3. It shall be the duty of all members of the R.C.M.P. assigned to the Town of St. George to enforce all traffic By-Laws of the Town and the Motor Vehicle Act of the Province of New Brunswick.

4. The NCOIC, or any member of the R.C.M.P., is hereby designated to lay, and shall lay, information for violations of the said Traffic By-Law and the Motor Vehicle Act.

5. The NCOIC, or anyone acting on his behalf and authorized by him, is authorized in connection with any emergency or parade to re-route traffic and to prohibit the movement of traffic on any street in the Town of St. George.

6. No parades shall be held in the Town of St. George without first obtaining the permission of the NCOIC.

7. For the purpose of Section (5), the NCOIC may from time to time cause to be erected and removed traffic control devices for the purpose of directing traffic.

8. Prior to the erection or removal of any traffic control devices by the NCOIC on any street which are designated as Provincial highways, permission must be obtained from the Minister of Transportation for the Province of New Brunswick.

9. Where such signs or devices are erected and clearly visible, every driver of a vehicle shall obey the direction showing thereon.

10. Notwithstanding any provisions of this By-Law, every person shall promptly obey all signals or directions given by a Peace Officer.

11. A member of the R.C.M.P., or anyone designated by the NCOIC to act on behalf of the R.C.M.P., may either before or after the institution of proceedings against a person who is alleged to have committed a violation of this By-Law, accept from such person the payment of a sum of money as prescribed by Section 45 (5) of this By-Law as a penalty for the violation of this By-Law.

## **AUTHORITY TO MOVE VEHICLES**

12. It shall be lawful for any member of the R.C.M.P., the Town's CAO and/or Town's Public Works Foreman/Supervisor, to move or cause to be moved any vehicle found stopped or parked in violation of the provisions of this By-Law on any street in the Town of St. George.

13. A vehicle so moved under this By-Law shall be stored in such places as the NCOIC may direct, and the registered owner of such vehicle at the time shall be liable for costs and charges of the storage and moving thereof.

14. When any R.C.M.P. Officer finds a motor vehicle impeding traffic in violation of the provisions of Section 16 through Section 21 of this By-Law such officer,
- a. May move such vehicle, or
  - b. Require the driver to move the vehicle to a position off the main-travelled part of such street.

15. There shall be no liability attached to an R.C.M.P. Officer for any damages to a vehicle taken into his custody under this Section.

### **STOPPING, STANDING AND PARKING**

16. No person shall stop, stand or park a vehicle on any street within the Town of St. George, except in accordance with this By-Law.

17. Where angle parking is permitted on a street, whether it be at an angle of forty-five (45) degrees or ninety (90) degrees with the curb or boundary of the street, a vehicle shall be parked in accordance with and within the limits of the markings in effect.

18. No person shall stop, stand or park a vehicle:
- a. in such a position as to obstruct traffic on a street or pedestrian crosswalk, except in case of emergency or under the direction of a Peace Officer;
  - b. at any place where a traffic control device prohibits stopping, standing or parking;
  - c. on any street or portion thereof set aside for the exclusive parking of buses for the purpose of allowing passengers to enter or alight therefrom;
  - d. on any street or portion thereof which is designated as a loading or unloading zone, except for a period not exceeding thirty (30) minutes for the purpose of and while actively engaged in loading or unloading merchandise;
  - e. on any street so as to prevent or obstruct the passing of other vehicles;
  - f. on any street or portion or entrance thereof designated as an area for "official Parking";
  - g. on any street within six (6) meters of an intersection unless otherwise designated.

19. No person authorized to park in an official parking space shall park in a space other than the one assigned to him/her.

20. Except where parking is prohibited, a vehicle may be parked on a one-way street with the right hand wheels adjacent to and within fifty (50) centimeters of the right curb of the street or highway.

21. In addition to the regulation of vehicular traffic by the schedule attached hereto, the council may from time to time designate by resolution:
- a. the time and mode of parking on any street,
  - b. the direction of traffic on One-Way streets,
  - c. the loading and unloading zones,
  - d. the prohibition of parking on any street, or portion thereof, and
  - e. order the placing and maintain of traffic control devices, as deemed necessary to regulate, warn or guide traffic, subject to obtaining the sanction of the Lieutenant-Governor in Council when the resolution relates to a portion of a provincial highway.

22. Before passing any resolution under Section 2 of this By-Law, the Council shall review all matters with the NCOIC.

### **FUNERAL CORTEGE**

23. No person shall intersect a funeral cortege or any properly authorized procession while it is in motion, except under the direction of the R.C.M.P.

### **RESTRICTED PARKING**

24. No person shall park a vehicle for more than one (1) hour on the North side and South side of Main Street between the limits designated in Schedule A attached hereto.

### **NO PARKING ANYTIME**

25. No person shall park a vehicle at the side of the streets or portions of streets between the limits designated in Schedule B to this By-Law.

### **ONE WAY STREETS**

26. The streets set out in Schedule C of this By-Law are designated as one-way streets and the driver of a vehicle driving on any of the said street shall only proceed in the direction specified for the particular street by the said By-Law.

### **NO ACCESS**

27. No driver of a vehicle shall proceed onto Main Street from the driveways or lanes designated in Schedule D.

### **THROUGH STREETS**

28. (1) Subject to the existence of through highways within the said Town, designated from time to time by the Minister of Transportation under authority vested in him by the Motor Vehicle Act, the Council may in addition thereto by resolution designate streets, in addition to those streets set out in Schedule E to be through streets and shall cause Stop signs or Yield signs to be erected at specified entrances thereto.

(2) Evidence that a Stop sign or a Yield sign is erected at an entrance to the highway or street is prima facie proof of the designation of such highway or street as a through highway or street at that location.

(3) The driver of a vehicle approaching a through highway on street within the Town shall abide by the rules of the road as enacted under Sections 186 (3) and (4) of the Motor Vehicle Act and amendments thereto, and upon failure to do so may be subject to prosecution for having committed an offence under the said Act.

## PEDESTRIANS

29. Pedestrians are hereby prohibited from crossing any street in a business district except in marked crosswalks.

## SNOW REMOVAL

30. (1) During the period from the 15th day of November in any year to the 31st day of March of the following year, no person shall park any vehicle on any street between the hours of midnight and seven o'clock in the forenoon.

(2) Subsection (1) is enacted for the purpose of snow removed and is made pursuant to 113 subsection (5) of the Motor Vehicle Act.

31. The Town of St. George will be responsible for winter maintenance on roads owned by the Town as listed in Schedule F, and not those listed in Schedule J.

## SPEED LIMITS

31. No person shall drive a vehicle at a speed in excess of:
- a. 35 km per hour on the streets as designated in Schedule G.
  - b. 30 km per hour on the streets as designated in Schedule H.

## HEAVY VEHICLES RESTRICTED

32. No person shall drive a vehicle of more than one axle and licensed heavier than 13,500 kilos except for local deliveries or permission granted by Council, on streets designated in Schedule I.

## SNOW OR ICE ON STREETS

33. No person shall place snow or ice on any street, sidewalk or square in such manner that impedes or is likely to impede movement of traffic or pedestrians thereon.

## WINTER TIRES

34. In this section;
- a. "**Winter Traction Tires**" means:
    - (i) tires with treads designed specifically to provide more effective traction on streets during snow and ice conditions; or
    - (ii) tires equipped with tire chains made of iron or steel links or studs or other material designed to fit and fasten over motor vehicle tires providing effective traction on streets during snow and ice conditions.
  - b. "Winter Period" means the period between the fifteenth day of November in any year up to and including the thirty-first day of March in the following year.

35. No person shall drive a motor vehicle on any street in the Town of St. George while snow and ice is on the surface thereof during a winter period without winter traction tires

and in such manner as to interfere with the passage of other motor vehicles or persons thereon.

### **WASHING AND REPAIRING VEHICLES ON STREET**

36. No person shall wash a motor vehicle or trailer on any street in the Town of St. George.

37. No person shall overhaul or repair a motor vehicle or trailer on any street, except in case of temporary repairs in case of emergency.

### **BUILDING ON STREETS AND RIGHT-OF-WAY**

38. No person shall build, or erect, a structure on a designated street.

39. (1) No person shall build, or erect, a structure within the right-of-way of a designated street, unless written permission is received from the CAO or Development Officer.

(2) No person shall plant tree(s), or shrubbery, within a right-of-way of a designated street, unless written permission is received from the CAO or Development Officer.

### **FLOODED ROADS AND STREETS**

40. No person shall swim, or operate a boat, on a street that has been flooded, for the purpose of pleasure or recreation.

### **PRIVATE ROADS**

41. No private road shall receive maintenance by the Town, either directly from Public Works and its equipment or staff, or from hired contractors by the Town without the approval of Town Council by way of a passed motion.

42. Private roads shall be identified with the name of the street/road in white lettering on blue sign.

43. Private roads are listed in Schedule J.

### **DISABILITY PARKING**

44. No person shall park a vehicle on a street or in a location reserved for parking for disabled persons unless there is displayed on or in the vehicle a disabled persons identification plate, permit or placard issued by the Registrar of New Brunswick.

### **OFFENSES AND PENALTIES**

45. (1) Subject to subsections 2 and 3 of this section, any person who violates any of the provisions of this By-Law is guilty of an offence and is liable upon summary conviction to fine of not less than twenty-five dollars (\$50.00) and not more than eighty dollars (\$100.00).

(2) Any person who violates Section 33 of this By-Law is guilty of an offence and liable upon summary conviction to a fine of not less than twenty-five dollars (\$50.00) for a first offence and a penalty of not more than eighty dollars (\$100.00) for each subsequent offence committed in the same winter period as defined by Section 34 (b).

(3) Any person who violates Section 30 (1) is guilty of an offence and is liable upon summary conviction to a fine of not less than twenty-five (\$50.00) and not more than eighty (\$100.00), and will have their vehicle towed/removed from the area of occurrence to an approved impound lot at a cost to the vehicle owner.

(4) Notwithstanding this section, a member of the R.C.M.P. or anyone designated by the NCOIC to act on behalf of the R.C.M.P. may, either before or after the institution of proceedings against the person for any violation of the By-Law, accept from such person the payment of a sum of money.

- a. equal to the minimum fine prescribed for such violation for a first offence,
- b. equal to twice the minimum fine prescribed for such violation for a second offence, and
- c. equal to the maximum penalty prescribed for such violation for a third or subsequent offence.

(5) Subject to being liable for the assessment of points pursuant to the provisions of the Motor Vehicle act for a violation and conviction of any of the provisions of the By-Law, a payment made under subsection (4) shall constitute a full satisfaction, release and discharge of all penalties incurred by such person for such violation.

(6) The payment of any sum mentioned in subsection (4) shall have, for all purposes, the same effect as if a judge had duly convicted the person of the violation for which the amount was paid.

### REPEALS

A By-Law entitled "A BY-LAW RESPECTING TRAFFIC ON STREETS IN THE TOWN OF ST. GEORGE", being By-law # 23-C, ordained and passed on the 9th day of February, 1994, and all amendments thereto, is hereby repealed and shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal: nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, exiting or pending at the time of repeal.



IN WITNESS WHERE OF the Town of St. George has caused its corporate seal to be affixed to this By-Law, the 29th day of July 2019, and signed by,

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

SEAL

First Reading: July 8, 2019

Second Reading: July 8, 2019

Third and Final Reading and Enacted: July 29, 2019

**SCHEDULE "A"**

**RESTRICTED PARKING**

STREET	LIMIT	SIDE
Main Street	L'Etete Road to 40 Main Street	South Side
Main Street	Riverview Avenue to Portage Street	North Side
Main Street	Municipal Parking Lot	West Side
Wallace Street	Municipal Parking Lot	South Side
Portage Street	Portage Street Roy Jackson Street to South Street	West Side
Portage Street	Main Street to Carleton	East Side
Mount Pleasant Road	Corner of L'Etete to end of Town Limit	North Side

**SCHEDULE "B"**

**NO PARKING ANYTIME**

STREET	LIMIT	SIDE
Main Street	Between Portage Street and 40 Main & L'Etete Road intersection to Simpson Court	South Side
Main Street	Portion of 45 meters from corner of Riverview (westward) & portion of 15 meters from Riverview (eastward)	North Side
L'Etete Road	Entire Street	Both Sides
Roy Jackson	Entire Street	North Side
Fort Hill Road	Entire Street	Both Sides
Clinch Street	Entire Street	East Side & West Side portion from Main Street to 15 Clinch.
Gillmor Street	Entire Street	South Side & North Side portion, 12 meters from corner of Clinch
School Street	Entire Street	East Side
George Street	Entire Street	North Side
Brunswick Street	Entire Street	Both Sides
Carleton Street	Entire Street (West)	South Side
Carleton Street	Extension (East)	Both Sides
South Street	Entire Street	Both Sides
Pancake Hill	Entire Street	Both Sides
Campbell Hill Road	Entire Street	Both Sides
Marsh Lane	Entire Street	West Side
North Street	Entire Street	Both Sides
Wallace Street	Entire Street	Both Sides
Granite Street	Entire Street	Both Sides
Clark Street	Entire Street	Both Sides
William Street	Entire Street	Both Sides
Caithness/Mascarene Road	Corner of L'Etete to Town Limit	North Side
Magaguadavic Drive	Entire Street	North Side
Salar Court	Entire Street	North Side
Scammellville Road	Entire Street	North Side
Trynor Street	Entire Street	North Side
Simpson Court	Entire Street	North Side
South Street Extension	Entire Street	Both Sides
Kelly Road	Entire Street	Town Limit to Town Limit
Armstrong Crescent	Entire Street	East Side
Riverview Avenue	Entire Street	East Side
Prince William Street	Entire Street	Both Sides
Kennedy Court	Entire Street	Both Sides
Kent Street	Entire Street	Both Sides
Hillcrest Drive	Entire Street	Both Sides
Harvest Lane	Brunswick Street to first Home	Both Sides
Brookside Lane	Entire Street	East Side
Hillside Crescent	Entire Street	Both Sides

**SCHEDULE "C"**

**ONE-WAY STREETS**

STREET	LIMIT	DIRECTION
Brunswick Street	Roy Jackson Street	Southerly
William Street	Carleton Street to Granite Street	Southerly
Roy Jackson Street	Main Street to entrance to the Parking Lot at the rear of the Post Office	Westerly
Approach to Post Office Parking Lot	From Wallace Street to Parking Lot	Southerly
Mascarene/L'Etete Road	Intersection/North of traffic island (see Figure C.1)	Westerly



Figure C.1 - 23 Main Street, aerial view.

**SCHEDULE "D"**

**NO ACCESS ONTO MAIN STREET**

Roadway between 21 Main Street and west side of 23 Main Street (Country Market) -  
*See Figure D.1*

Roadway between Baptist Church and east side of 23 Main Street (Country Market) -  
*See Figure D.1*



Figure D.1 - 23 Main Street, aerial view.

**SCHEDULE "E"**

**THROUGH STREETS**

STREETS	LIMITS
Main Street	Portage Street to Easterly Town Boundary
Brunswick Street	Wallace Street to intersection of Manor Road Connector Road
Fundy Bay Drive	L'Etete Road to Southerly boundary of the Town of St. George
L'Etete Road	Main Street to Fundy Bay Drive.
Manor Road	No. 1 Highway to Northerly boundary of the Town of St. George
Portage Street	Main Street to Wallace Street
Wallace Street	Entire Street

CAUTION - OBEY TRAFFIC SIGNS

Schedule "E" has been prepared for the purposes of convenience in establishing a network of through streets within the boundaries of the Town of St. George and for accurate reference recourse should be had to Section 186, subsection (5) of the Motor Vehicle Act which states:

*"Evidence that a stop sign or yield right-of-way sign is erected at an entrance to a highway is prima facie proof of the designation of such highway as a through highway at that location."*

**SCHEDULE "F"**

**STREETS RECEIVING WINTER MAINTENANCE**

Adventure Lane  
Armstrong Crescent  
Birch Lane  
Brookside Lane  
Brunswick Street  
Campbell Hill  
Carleton Street  
Clark Avenue  
Clinch Street  
Fort Hill  
Fundy Bay Drive  
George Street  
Gillmor Street  
Granite Street  
Hatt Crescent (from Main Street to the former rail line trail only)  
Harbour View Heights  
Harvest Lane  
Hillcrest Drive  
Hillside Crescent  
J.O. Spinney Drive  
Kennedy Court  
Kent Street  
L'Etete Road  
Little Lane  
Magaguadavic Drive  
Main Street  
Manor Road  
Marsh Lane  
Meadow Lane (from Main Street to last pump house only)  
Mill Street  
Mount Pleasant Road  
North Street  
Pancake Hill  
Portage Street  
Prince William Street  
Riverview Avenue  
Roy Jackson Street  
Salar Court  
Scammelville Road  
School Street  
Simpson Court (from Main Street to entrance of Mini-Home Park only)  
South Street  
Trynor Street  
Wallace Street  
William Street  
Wellington Court

**SCHEDULE "G"**

**35 KM/H SPEED LIMITS**

STREET	LIMIT
Main Street	As Posted (Intersection of J.O. Spinney Drive to 89 Brunswick Street)
Armstrong Crescent	As Posted
Brunswick Street	As Posted
Hillcrest Drive	As Posted
Kent Street	As Posted
Magaguadavic Drive	As Posted
Mascarene Road	As Posted (Intersection of Fundy Bay Drive/Route 172 westerly, approx. 400 meters)
Mount Pleasant Road	As Posted
Prince William Street	As Posted
Salar Court	As Posted



**SCHEDULE "H"**

**30 KM/H SPEED LIMITS**

STREET	LIMIT
Birch Lane	As Posted
Campbell Hill Road	As Posted
Harvest Lane	As Posted
Kennedy Court	As Posted
Pancake Hill	As Posted
South Street	As Posted (Intersection of Campbell to Portage Street)

**SCHEDULE "I"**

**HEAVY VEHICLE RESTRICTED**

STREET	LIMITS
Armstrong Crescent	Entire Street
Carleton Street	Corner of Portage to L'Etete Road
Clinch Street	Corner of Gillmor to Carleton
Harbour View Heights	Entire Street
Hillcrest Drive	Entire Street
Kent Street	Entire Street
Prince William Street	Entire Street
South Street	Entire Street
South Street Extension	Intersection of Campbell Hill to westerly Town limits of St. George
Wellington Court	Entire Street

**SCHEDULE "J"**

**PRIVATE ROADS**

Barry Lane  
Bri-Dav Lane  
Henry Lane  
King Lane  
Lee Lane  
Memory Lane

(private lane serving PID # 01316439)