



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I
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Vol. 97

ST. JOHN'S, FRIDAY, JUNE 10, 2022

No. 23

MUNICIPALITIES ACT 1999 AND THE OFF-ROAD VEHICLES ACT

NOTICE

Town of Bay Roberts Recreational Vehicle Regulations 2022

Pursuant to the powers vested in it under section 15 *Off- Road Vehicles Act & Regulations*, and under section 414(2)(s) of the *Municipalities Act 1999* SNL 1999, c M-24, as amended, and all other powers it enabling, the Town Council of the Town of Bay Roberts, in a session convened on the 10th day of May 2022, hereby passes and enacts the following regulations to begin on 20 May 2022.

Title

1. These Regulations may be cited as *The Town of Bay Roberts Recreational Vehicle Regulations 2022*.

Definitions

2. For the purpose of these regulations:
 - (a) "Off Road Vehicles Act & Regulations" means the Provincial regulations coming into effect on 20 May 2022. These regulations will repeal the Motorized Snow Vehicles and All- Terrain Vehicles Act when coming into effect;
 - (b) "All-terrain vehicle" means a side by side and any other off-road vehicle that has
 - (i) four wheels,
 - (ii) a seat designed to be straddled by the operator of the off-road vehicle;
 - (iii) handlebars for steering the off-road vehicle;
 - (c) "ATV" means an All-Terrain Vehicle;
 - (d) "Council" means the Town Council of the Town of Bay Roberts;

- (e) “Designated Route” means any Highway or Public Pathway approved by Council for use by ATVs/ Side by Side’s as set out in Schedule “A” to these Regulations;
- (f) “Director” means the Director of Protective Services;
- (g) “Enforcement Officer” means a municipal enforcement officer as defined by the Municipalities Act 1999 SNL 1999, c M-24, as amended, or a peace officer as defined by the *Highway Traffic Act & Act Respecting Off Road Vehicles*;
- (h) “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 Motor Vehicles, and includes all the space between the boundary lines of the place or way;
- (i) “Highway Traffic Act” means the Newfoundland and Labrador *Highway Traffic Act* RSNL 1990 c. H-3, as amended;
- (j) “Motor Vehicle” means a motor vehicle registered under the *Highway Traffic Act*;
- (k) “Motorized Snow Vehicle” means a tracked vehicle, commonly known as a snowmobile, where the driver sits astride a seat and which is designed for operation over snow covered land and ice;
- (l) “Off-Road Motorcycle” means any two-wheeled motorized vehicle that is being used off-road or is not registered under the *Highway Traffic Act*, and specifically includes a trail bike.
- (m) “Off-road vehicle” means a wheeled or tracked motorized vehicle designed or adapted for cross-country travel on land, water, ice, snow, marsh, swamp land or other natural terrain including
 - (i) a motorized snow vehicle,
 - (ii) an all-terrain vehicle,
 - (iii) a mini-bike, dirt-bike and trail-bike,
 - (iv) a miniature vehicle such as a dune or sport buggy,
 - (v) an off-road maintenance machine, and
 - (vi) an amphibious vehicle,but not including agricultural equipment, infrastructure equipment or a garden lawnmower, lawn tractor or golf cart;
- (n) “Public Pathway” means any pathway or trail assumed under the ownership of the Town of Bay Roberts or maintained under the jurisdiction of the Town of Bay Roberts;
- (o) “Side by side” means an off-road vehicle, other than a dune buggy, that is designed by the manufacturer to have
 - (i) side by side seating for the operator and at least one passenger,
 - (ii) a steering wheel, and
 - (iii) 4 or more wheels;
- (p) “Town” means the Town of Bay Roberts.

Prohibited Vehicles

3. No Motorized Snow Vehicles or Off-Road Motorcycles are to be operated on any highway within the Town.

Rules of Operation

4. All ATVs & Side by Sides that are operated in the Town must be operated, registered and insured in accordance with *The Off Road Vehicles Act & Regulations* along with *The Highway Traffic Act*. In addition to the Provincial Regulations mentioned above, The Municipality has put the following regulations in place;
5. A person shall not operate a Off Road Vehicle:
 - (a) Outside of the designated routes found in Schedule A;
 - (b) On a sidewalk or designated walking and/or bicycling path;
 - (c) In any area where signs prohibit the use and operation of a Off Road Vehicle;

- (d) In such a manner as to constitute a nuisance or create annoyance to residents or other persons;
 - (e) With a modified exhaust system that is not of the original equipment manufacturer, is in working order. The exhaust shall not have been modified to increase sound, and is operated in a manner to prevent excessive or unusual noise;
 - (f) At any time in excess of 40 kilometers per hour;
 - (g) Equip with Tracks on the highway
6. Persons operating an ATV/ Side by Side;
- (a) Shall adhere to the “rules of the road”, as described in Part V of the *Highway Traffic Act*, or any similar successor legislation. This means that ATV/ Side by side Operators are to drive with traffic along the designated routes and not along the edges of the roadway.
 - (b) Shall only be permitted to travel along the Towns designated approved Highways while following the Times of Operation listed below in Schedule A.
 - (c) Shall follow The *Off Road Vehicles Act & Regulations* along with *The Town of Bay Roberts Recreational Vehicle Regulations 2022 & The Highway Traffic Act*. Failure to follow these regulations will result in summary conviction.

Times of Operation

7. ATV's & Side by Side's are only permitted to operate on selected highways listed in Schedule A between 0700 – 2200 hours daily

Signage

8. Council may erect warning, cautionary, directional, limiting or prohibiting signs as to the operation of Off-Road Vehicles, and the operator who fails to obey such signs is guilty of an offence under these Regulations.

Enforcement

9. Enforcement of these regulations may be taken summarily by a Municipal Enforcement Officer, Director of Protective Services, Town employee, Royal Canadian Mounted Police Officer and Royal Newfoundland Constabulary Constable specially authorized for such purpose and or by any other individual duly appointed as an agent representing the Town for such purpose.
- (a) Any offence under these regulations may be prosecuted by means of a summary offence issued under these regulations pursuant to the provisions of *The Act Respecting Off Road Vehicles, Highway Traffic Act* RSNL 1990 Ch. H-3 or any other Provincial Statutes or Regulations, is liable on summary conviction to a fine or to a period of imprisonment or both in accordance with Section 419 of the *Municipalities Act 1999* SNL, 1999 as amended.
10. A person who contravenes or fails to comply with these Regulations is upon summary conviction guilty of an offence and is liable:
- (a) A fine outlined in Schedule “B” of these Regulations, or a term of imprisonment of not more than one month or to both the fine and the imprisonment;

Exemption

11. These Regulations do not apply to vehicles owned and operated by Council or those operated by emergency or enforcement services, or any other persons who are exempt by the provisions of the *Off Road Vehicles Act & Regulations*.
12. These Regulations include the Schedules attached to them, and the Schedules are hereby declared to form part of these Regulations.
13. If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the Regulations and it is hereby declared that the remainder of the Regulations shall be valid and shall remain in force.
14. These regulations shall come into force as of the date enacted by Council.

**Schedule "A"
Designated Routes**

1. Crossroad, Water Street, Barracks Road, Bay Roberts Drive
2. Daily operation from 0700 - 2200 hours



**Schedule "B"
Schedule of Fines**

Regulation	Offence	Fine
3	Operation of non-permitted vehicle on the highway	\$250.00
5. (a)	Operating outside of the designated route not listed in Schedule A	\$100.00
5. (e)	Operating without a working exhaust system of the original equipment manufacturer	\$100.00
5. (g)	Operating at speeds which exceed 40 km/h	\$150.00
6. (a)	Failing to adhere to the "rules of the road" as described in Part V of the Newfoundland and Labrador Highway Traffic Act or any similar or successor legislation.	\$150.00
7	Operating before 0700 and/or after 2200	\$150.00
8	Disobeying signs which have been erected by Council	\$150.00

TOWN OF BAY ROBERTS
Christine Bradbury, Town Clerk

URBAN AND RURAL PLANNING ACT, 2000

**NOTICE OF REGISTRATION
TOWN OF PORTUGAL COVE-ST. PHILIP'S
MUNICIPAL PLAN AMENDMENT No. 11, 2021
DEVELOPMENT REGULATIONS
AMENDMENT No. 16, 2021
ST. JOHN'S URBAN REGION
REGIONAL PLAN AMENDMENT No. 5, 2020**

TAKE NOTICE that the TOWN OF PORTUGAL COVE-ST. PHILIP'S MUNICIPAL PLAN AMENDMENT NO. 11, 2021 AND DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2021, as adopted by Council on the 8th day of February, 2022 has been registered by the Minister of Municipal and Provincial Affairs.

FURTHER TAKE NOTICE that the Minister of Municipal and Provincial Affairs has adopted the ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT NO.5, 2020, on 19th day of January, 2022.

In general terms, MUNICIPAL PLAN AMENDMENT NO. 11, 2021, will re-designate lands from Agriculture to Residential; Agriculture to Mixed Use; Residential to Mixed Use; Agriculture to Protected Watershed, and; Protected Watershed to Agriculture between Old Broad Cove Road, Portugal Cove Road and Round Pond Road to address existing development and to update the Windsor Lake watershed boundary.

DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2021, will rezone the same lands from Agriculture to Residential Medium Density; Agriculture to Mixed Use; Residential Medium Density to Mixed Use; Protected Watershed to Agriculture, and; Agriculture to Protected Watershed between Old Broad Cove Road, Portugal Cove Road and Round Pond Road to address existing development and to update the Windsor Lake watershed boundary.

THE ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT NO. 5, 2020, in conjunction with the above-noted Amendments, will re-designate the same lands from Rural to Urban Development; Rural to Watershed Protection, and; Watershed Protection to Rural between Old Broad Cove Road, Portugal Cove Road and Round Pond Road to address existing development and to update the Windsor Lake watershed boundary.

THE TOWN OF PORTUGAL COVE-ST. PHILIP'S MUNICIPAL PLAN AMENDMENT NO. 11, 2021 AND DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2021 along with the ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT NO. 5, 2020, comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the TOWN OF PORTUGAL COVE-ST. PHILIP'S MUNICIPAL PLAN AMENDMENT NO. 11, 2021, DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2021 and THE ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT

NO. 5, 2020, may do so by contacting the Town Office at (709) 895-8000 or planning@pcsp.ca.

TOWN OF PORTUGAL COVE-ST. PHILIP'S
Claudine Murray, Town Clerk

ADDRESS FOR SERVICE:
1119 Thorburn Road
Portugal Cove-St. Philip's, NL A1M 1T6

June 10

LANDS ACT

**NOTICE OF INTENT, SECTION 7
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries, Forestry and Agriculture Branch, to acquire title, pursuant to section 7(2) (a) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Botwood Airstrip Area, for the purpose of a road to agriculture site.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <https://www.gov.nl.ca/ffa/lands/sec7notifications/>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries, Forestry and Agriculture website, Crown Lands, <https://www.gov.nl.ca/ffa/lands/>, to the Minister of Department of Fisheries, Forestry and Agriculture by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6
Email: easternlandsoffice@gov.nl.ca
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9
Email: centrallandsoffice@gov.nl.ca
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8
Email: westernregionlands@gov.nl.ca
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0
Email: labradorlandsoffice@gov.nl.ca

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

June 10

TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate of LORNE KEEPING,
Retired Steward, Late of the Town of Burnt Islands, Province
of Newfoundland and Labrador, Canada, Deceased.

ALL PERSONS claiming to be creditors of, or who have
any claims or demands either as beneficiaries or next-of-kin,
(by blood, legal adoption or marriage) upon or affecting the
Estate of LORNE KEEPING, retired steward, deceased, are
hereby requested to send particulars thereof in writing, duly
attested, to the undersigned solicitors for the Administrator
of the Estate of the said Deceased on or before the 13th day
of July, 2022, after which date the said Administrator will
proceed to distribute the said Estate having regard only to
the claims to which he shall then have had notice.

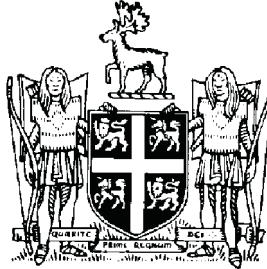
DATED at the Town of Channel-Port aux Basques, Province
of Newfoundland and Labrador, this 9th day of June, 2022.

MARKS & PARSONS
Solicitors for the Administrator
PER: M. Beverly L. Marks, Q.C.

ADDRESS FOR SERVICE:
P.O. Box 640
174 Caribou Road
Channel-Port aux Basques, NL
A0M 1C0

Tel: (709) 695-7338/7341
Fax: (709) 695-3944

June 10



THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II
SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

Vol. 97

ST. JOHN'S, FRIDAY, JUNE 10, 2022

No. 23

**NEWFOUNDLAND AND LABRADOR
REGULATION**

**NLR 35/22
NLR 36/22**



**NEWFOUNDLAND AND LABRADOR
REGULATION 35/22**

Milk Regulations, 1998 (Amendment)
under the
Milk Scheme, 1998
under the
Natural Products Marketing Act

(Filed June 9, 2022)

Under the authority of section 8 of the *Milk Scheme, 1998* and the *Natural Products Marketing Act*, the Dairy Farmers of Newfoundland and Labrador make the following regulations.

Dated at St. John's, June 8, 2022.

John Moores
General Manager
Dairy Farmers of Newfoundland and Labrador

REGULATIONS

Analysis

- | | |
|---------------------------------------|-----------------|
| 1. S.22 R&S
Minimum price for milk | 2. Commencement |
|---------------------------------------|-----------------|

NLR 69/98
as amended

1. Section 22 of the *Milk Regulations, 1998* is repealed and the following substituted:

Minimum price for
milk

22. The minimum price at which milk shall be bought, sold or offered for sale FOB registered processors premises in the province shall be \$135.94 per hectolitre of standard milk containing 3.6

kilograms of butterfat, and for every kilogram in excess of that butterfat content, the minimum price shall be adjusted by the amount of \$5.20 per hectolitre.

Commencement

2. These regulations come into force on July 1, 2022.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 36/22**

Highway Traffic Driver Regulations, 1999 (Amendment)
under the
Highway Traffic Act
(O.C. 2022-153)

(Filed June 9, 2022)

Under the authority of sections 55.1 and 186 of the *Highway Traffic Act*, the Minister of Digital Government and Service Newfoundland and Labrador and the Lieutenant-Governor in Council make the following regulations.

Dated at St. John's, June 9, 2022.

Sarah Stoodley
Minister of Digital Government and
Service Newfoundland and Labrador

Krista Quinlan
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|------------------------------------|-----------------------------------|
| 1. S.3 Amdt.
Classes of licence | 3. S.6 Amdt.
Level II, class 5 |
| 2. S.5 Amdt.
Level I, class 5 | 4. S.7 Amdt.
Level I, class 6 |

- | | |
|---|--|
| 5. S.8 Amdt.
Level II, class 6 | 13. S.25 Amdt.
Students occupying driver
education motor vehicle |
| 6. S.10 Amdt.
Suspension | 14. S.26 Amdt.
Upgrading driver |
| 7. S.13 Amdt.
Examination | 15. S.26.1 Amdt.
Ignition interlock application |
| 8. S.15 Amdt.
Other jurisdictions | 16. S.26.2 Amdt.
Extension of ignition
interlock restriction |
| 9. S.16 Amdt.
Applicant from another
jurisdiction | 17. S.26.4 Amdt.
Costs |
| 10. S.18 Amdt.
NATO forces | 18. S.26.5 Amdt.
Duties of licence holder |
| 11. S.23 Amdt.
Approved driver education
program | 19. S.28 Amdt.
Fines |
| 12. S.24 Amdt.
Authorized driving
instructor | |

NLR 110/98
as amended

1. (1) Subsection 3(4) of the *Highway Traffic Driver Regulations, 1999* is amended by

(a) deleting the words "he or she" and substituting the words "the person"; and

(b) deleting the words "him or her" and substituting the words "the person".

(2) Subsection 3(7) of the regulations is amended by deleting the words "he or she" and substituting the words "the registrar".

2. Subsection 5(2) of the regulations is amended by deleting the words "he or she" wherever they appear and substituting the words "the novice driver".

3. (1) Paragraph 6(1)(a) of the regulations is amended by deleting the words "he or she" and substituting the words "the novice driver".

(2) Subsection 6(3) of the regulations is amended by

(a) deleting the words "him or her" and substituting the words "the person"; and

(b) deleting the words "his or her" wherever they appear and substituting the words "the person's".

(3) Subsection 6(4) of the regulations is amended by

(a) deleting the words "his or her" and substituting the words "the novice driver's"; and

(b) deleting the words "he or she" and substituting the words "the novice driver".

4. Subsection 7(2) of the regulations is amended by deleting the words "he or she" and substituting the words "the novice driver".

5. (1) Subsection 8(1) of the regulations is amended by deleting the words "he or she" and substituting the words "the novice driver".

(2) Subsection 8(3) of the regulations is amended by

(a) deleting the words "him or her" and substituting the words "the person"; and

(b) deleting the words "his or her" wherever they appear and substituting the words "the person's".

(3) Subsection 8(4) of the regulations is amended by deleting the words "he or she" wherever they appear and substituting the words "the person".

6. Section 10 of the regulations is amended by deleting the words "his or her" wherever they appear and substituting the words "the novice driver's".

7. (1) Paragraph 13(2)(c) of the regulations is amended by deleting the words "his or her".

(2) Subsection 13(3) of the regulations is amended by deleting the words "he or she" and substituting the words "the registrar".

8. (1) Section 15 of the regulations is amended by deleting the words "him or her" wherever they appear and substituting the words "the registrar".

(2) Subsection 15(2) of the regulations is amended by deleting the words "he or she" and substituting the words "the registrar".

(3) Subsection 15(3) of the regulations is amended by deleting the words "his or her" and substituting the words "the driver's".

9. Paragraph 16(a) of the regulations is repealed and the following substituted:

- (a) with respect to a driver's licence issued in Canada, Germany, Ukraine or the United States, may waive all examination requirements;

10. Section 18 of the regulations is amended by deleting the words "he or she" and substituting the words "the person".

11. Section 23 of the regulations is amended by deleting the words "he or she" wherever they appear and substituting the words "the minister".

12. Subsection 24(2) of the regulations is amended by deleting the words "he or she" and substituting the words "the person".

13. Subsection 25(1) of the regulations is amended by deleting the words "with him or her".

14. Section 26 of the regulations is amended by

- (a) deleting the words "his or her" and substituting the words "the person's";
- (b) deleting the words "he or she" and substituting the words "the person"; and
- (c) deleting the words "him or her" and substituting the words "the person".

15. Subsection 26.1(1) of the regulations is amended by deleting the words "his or her" and substituting the words "the person's".

16. Paragraph 26.2(2)(b) of the regulations is amended by

(a) deleting the words "he or she" and substituting the words "the person"; and

(b) deleting the words "his or her" and substituting the words "the person's".

17. Subsection 26.4(2) of the regulations is amended by deleting the words "his or her" wherever they appear and substituting the words "the person's".

18. (1) Subsection 26.5(1) of the regulations is amended by deleting the words "he or she" and substituting the words "the person".

(2) Subsection 26.5(2) of the regulations is amended by deleting the words "his or her" wherever they appear and substituting the words "the person's".

19. Section 28 of the regulations is amended by deleting the words "he or she" and substituting the words "the novice driver".

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Index

PART I

Lands Act – Notice	191
Municipalities Act 1999 and the Off-Road Vehicles Act – Notice	187
Trustee Act – Notice	192
Urban and Rural Planning Act, 2000 – Notice	191

PART II

CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
Milk Scheme, 1998 and Natural Products Marketing Act			
Milk Regulations, 1998 (Amendment)	NLR 35/22	Amends NLR 69/98 S.22 R&S	June 10/22 p. 415
[In force July 1, 2022]			
Highway Traffic Act			
Highway Traffic Driver Regulations, 1999 (Amendment)	NLR 36/22	Amends NLR 110/98 S.3 Amdt. S.5 Amdt. S.6 Amdt. S.7 Amdt. S.8 Amdt. S.10 Amdt. S.13 Amdt. S.15 Amdt. S.16 Amdt. S.18 Amdt. S.23 Amdt. S.24 Amdt. S.25 Amdt. S.26 Amdt. S.26.1 Amdt. S.26.2 Amdt. S.26.4 Amdt. S.26.5 Amdt. S.28 Amdt.	June 10/22 p. 417

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Copy for publication must be received by **Friday, 4:30 p.m.**, seven days before publication date to ensure inclusion in next issue. Advertisements must be submitted in either PDF format or as a MSWord file. When this is not possible, advertisements must be either, typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

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Web Site: www.gov.nl.ca/snl/printer/gazette/weekly-issues

The Newfoundland and Labrador Gazette
Advertising Rates
Prices effective July 1, 2016

Notices	Rate	15%	HST Total
Lands Act - Notice of Intent - 1 week	\$31.13	\$4.67	\$35.80
Motor Carrier Act - Notice - 1 week	\$39.90	\$5.99	\$45.89
Trustee Act - Estate Notice - 1 week	\$34.65	\$5.20	\$39.85
Trustee Act - Estate Notice - 2 weeks	\$62.37	\$9.36	\$71.73
Trustee Act - Estate Notice - 3 weeks	\$91.25	\$13.69	\$104.94
Trustee Act - Estate Notice - 4 weeks	\$118.97	\$17.85	\$136.82

All other public notices required by law to be published in *The Newfoundland and Labrador Gazette*, eg., Corporations Act, Municipalities Act, Quieting of Titles Act, Urban and Rural Planning Act, etc., are priced according to size: for Single Column \$3.47 per cm or Double Column \$6.93 per cm, plus 15% HST.

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