



CITY OF CORNER BROOK

Dear Sir\Madam:

I have been directed by His Worship the Mayor to summon you to a Regular Meeting of the Corner Brook City Council, to be held on **June 13, 2022** at **7:00 p.m. Council Chambers, City Hall.**

CITY CLERK

Page

1 CALL MEETING TO ORDER

2 APPROVALS

2.1 Approval of Agenda

3 - 6 2.2 Approval of Minutes [Regular Meeting May 30, 2022]

3 BUSINESS ARISING FROM MINUTES

3.1 Business Arising From Minutes

4 TENDERS

7 - 9 4.1 Bell's Brook Culvert, Phase 1 - 2022-12

5 PLANNING AND DEVELOPMENT

11 - 13 5.1 Confirmation of Order 2022-02

15 - 16 5.2 Development and Planning Update - Pratt Street Subdivision

6 REGULATION/POLICY

17 - 26 6.1 Notice of Motion--Recreational Vehicles Regulation, 2022

27 - 35 6.2 City of Corner Brook Fireworks Regulation 2022

7 IN CAMERA SESSION (IF REQUIRED)

8 ADJOURNMENT

**MINUTES OF A REGULAR MEETING OF
THE COUNCIL OF THE CITY OF CORNER BROOK
COUNCIL CHAMBERS
MONDAY, 30 MAY, 2022 AT 7:00 PM**

PRESENT:

Mayor	J. Parsons	R. Cumby, City Manager
Deputy Mayor	L. Chaisson	D. Charters, Director Community Engineering Development and Planning
Councillors:	P. Gill	T. Flynn, Director of Protective Services
	V. Granter	M. Redmond, City Clerk
	P. Keeping	J. Baines Seargent-At-Arms
	C. Pender	Director of Finance and Administration - vacant

Absent with Regrets: Councillor B. Griffin and D. Burden, Director of Public Works, Water and Waste Water

CALL MEETING TO ORDER: The meeting was called to order at 7:00 p.m.

22-069 Approval of Agenda

On motion by Councillor v. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to approve the agenda as circulated. **MOTION CARRIED.**

22-070 Approval of Minutes (Public Council Meeting -9 May 2022)

On motion by Councillor P. Gill, seconded by Councillor P. Keeping, it is **RESOLVED** that the Minutes of the Regular Council Meeting of 9 May 2022 are approved with the following correction to Minute: 22-068: should include the following statement: "staff to prepare a list of signage permits issued and circulate to council." **MOTION CARRIED.**

22-071 Business Arising From Minutes

Councillor Chaisson inquired if staff can investigate Council members electronically participating in Council meetings for those times when they are unable to attend a meeting in-person. Mayor Parsons commented that this would not be standard practice and it is difficult to hold a combination of in-person and electronic participation in meetings. It was agreed to have staff investigate options.

Mayor Pender inquired if staff have had the opportunity to compile a list of sign permits that we have on the books. The City Manager stated staff is reviewing this matter but the list has not been finalized to date.

Councillor Gill inquired if staff have completed the cost analysis of hybrid vehicles versus non-hybrid vehicles. The Director of Protective Services commented the analysis has not been completed to date

22-072 Proclamations

Mayor Parsons announced the following proclamation recently recognized:

- JUNE 2022 is PRIDE MONTH in the City of Corner Brook
- MAY 30, 2022 - INTERNATIONAL DAY OF LA FRACOPHONIE
- MAY 29-JUNE 4, 2022 - EARLY CHILDHOOD EDUCATORS WEEK in the City of Corner Brook

22-073 Asphalt Inspection Consultant Fee Request 2022

On motion by Councillor P. Gill, seconded by Councillor V. Granter, it is **RESOLVED** to approve the Consultant Fee Proposal from All-Rock Consulting Ltd. in the amount of \$66,562.00 (HST Included), for consulting services related to Asphalt Paving Program 2022 Inspection Services. **MOTION CARRIED.**

22-074 Johnson's Avenue Storm Sewer Improvements 2022-02

On motion by Councillor V. Granter, seconded by Councillor C. Pender, it is **RESOLVED** to award the tender for the Johnson's Avenue Storm Sewer Improvements Contract No. 2022-02 to Marine Contractors Inc. in the amount of \$720,174.85 (HST Included). **MOTION CARRIED.**

22-075 Asphalt Paving Program 2022-15

On motion by Councillor P. Gill, seconded by Councillor V. Granter, it is **RESOLVED** to award the Asphalt Paving Program tender (2022-15) to Marine Contractors Inc. for the tender price of 3,111,831.00 (HST Included).

Councillor Pender requested that staff circulate the listing of streets slated to be paved once finalized.

22-076 Recreational Vehicle Purchase

On motion by Deputy Mayor L. Chaisson, seconded by Councillor P. Gill, it is **RESOLVED** to approve the purchase of a 2022 Kubota XG850 ATV at the price of \$29,382.50 (HST included) from Harvey & Company for use by the Protective Services Department. **MOTION CARRIED.**

22-077 Citadel Drive PRV Station Rehabilitation 2022-08

On motion by Councillor V. Granter, seconded by Councillor P. Gill, it is **RESOLVED** to award contract 2022-08 (Citadel Drive PRV Station Rehabilitation) to ECO Contracting Ltd. in the amount of \$560,000.00 HST included. **MOTION CARRIED.**

22-078 Delegation of Authority- Sponsorship Agreements- Jigs and Wheels

Councillor P. Keeping provided an update on sponsorship agreements executed by the Mayor and City Manager as follows:

- \$1000 sponsorship by Appalachian Chalet and RV;
- \$250 for sponsorship by Four Seasons Tours; and
- \$7380 radio and social media sponsorship by Bay of Islands Radio Inc.

22-079 Confirm/Rescind Order

Councillor V. Granter disclosed that he lives across the street from the development subject to the Stop Work Order and asked that Council make a determination if he is in a Conflict of Interest.

On motion by Councillor L. Chaisson, seconded by Councillor C. Pender it is RESOLVED that Councillor Granter is not in a Conflict of Interest on this agenda item. (Councillor Granter abstained from voting). MOTION CARRIED.

On motion by Deputy Mayor L. Chaisson, seconded by Councillor P. Gill, it is **RESOLVED** in accordance with Section 109(4) of the Urban and Rural Planning Act that Stop Work Order 2022-01 is confirmed and rescinded **MOTION CARRIED.**

22-080 Federation of Canadian Municipalities Board Seat

Mayor Parsons declared a Conflict of Interest on this agenda item and abstained from voting and participation in this agenda item. Deputy Mayor L. Chaisson chaired this portion of the meeting.

On motion by Councillor P. Gill, seconded by Councillor C. Pender, it is **RESOLVED** that the Council of the City of Corner Brook endorse **Mayor Jim Parsons** to stand for election on FCM's Board of Directors for the period starting in June 2022 and ending June 2023. It is **FURTHER RESOLVED** that Council assume all costs associated with Mayor Jim Parsons attending FCM Board Meetings. **MOTION CARRIED.**

22-081 Council and Standing Committee Meeting Schedule

On motion by Councillor P. Keeping, seconded by Councillor P. Gill, it is **RESOLVED** to approve the Council and Standing Committee Meeting Schedule as presented up to August 15, 2022; and to review the schedule again at the 15 August 2022 Public meetings. **MOTION CARRIED.**

22-082 Legal Opinion Disclosure

On motion by Councillor C. Pender, seconded by Councillor P. Gill, it is **RESOLVED** to waive Solicitor Client Privilege with respect to the following documents:

- the Legal Memorandum from the City Solicitor Re Protest signage on properties in RMD zone dated April 12, 2022 and
- the Memo from the City Manager to Council regarding Signs in Residential Medium Density (RMD) Zones dated April 20, 2022 with revisions and comments by the City Solicitor including attached documents

**(Mayor Parsons and Councillor P. Gill voted against the motion).
MOTION CARRIED.**

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

City Clerk

Mayor



Request for Decision (RFD)

Subject: Bell's Brook Culvert, Phase 1 - 2022-12

To: Darren Charters

Meeting: Regular Meeting - 13 Jun 2022

Department: Engineering

Staff Contact: Melody Roberts,

Topic Overview:

Attachments: [Marine Contractors Excel Spreadsheet - 17-MYCW-22-00036](#)

BACKGROUND INFORMATION:

This project includes rehabilitation of the deteriorated section of the culvert ceiling at Mt Bernard Ave, plus associated street repairs. Scope of work shall include but not be limited to the removal of the existing concrete catch basin, the removal, and replacement of the top portion of the existing concrete culvert, supply and install 1200mm catch basin plus associated works.

Tenders for the Bell's Brook Culvert Phase 1 closed on June 1, 2022, with 2 bids received as follows:

Marine Contractors Inc. \$117,236.75 (HST Included)

C. Barnes Excavating Inc. \$120,898.35 (HST Included)

PROPOSED RESOLUTION:

Be it resolved that the Council of the City of Corner Brook award the Tender to Marine Contractors Inc. in the amount of \$117,236.75 (HST Included) for the Bell's Brook Culvert , Phase 1 Contract No. 2022-12.

Director of Community, Engineering, Development & Planning Approved - 07 Jun 2022

Office Assistant 111 Approved - 08 Jun 2022

City Manager

City of Corner Brook, Bells Brook Culvert, Phase1, 17-MYCW-22-00036

Total Awarded Value \$ 0.00

Project 1**Mobilization & Demobilization (1010)**

Code	Description	UOM
1010	1. Mobilization & Demobilization (not greater than 5% if on the Island, or 10% if in Labrador, or 15% north of Cartwright, of Sub-Total Before HST)	Lump-Sum

Cash Allowance (1020)

Code	Description	UOM
1020	1. Pole Relocation/Shoring/Bracing	N/A

Environmental Requirements (1560)

Code	Description	UOM
1560	2. Water Control	Lump-Sum

Traffic Regulations (1570)

Code	Description	UOM
1570	1. Flagpersons Wages	Hour

Projects Signs & Signposts & Installation (1580)

Code	Description	UOM
1580	3. Project Sign (drawing 04010)	Lump-Sum

Reinstatement and Cleaning (1710)

Code	Description	UOM
1710	4. Removal and Reinstall Tree	Each

Sitework, Demolition & Removal of Structures (2070)

Code	Description	UOM
2070	3. Removal of Asphalt Covered Concrete Pavement	Square Meter
2070	4. Removal of Concrete Sidewalk	Square Meter
2070	5. Removal of Curb & Gutter	Meter
2070	6. Removal of Catch Basins, Maintenance Holes & Ditch Inlets	Each
2070	18. Removal and Reinstall Heritage Light Pole & Base (including any electrical disconnect/reconnect)	Lump-Sum

Landscaping, Seeding, Sodding & Tree Preservation (2104)

Code	Description	UOM
2104	5. Supply & Placing Topsoil	Square Meter
2104	8. Supply & Placement of Sods	Square Meter

Excavation, Trenching & Backfilling (2223)

Code	Description	UOM
2223	1. Class "A" Granular Base	Cubic Meter

MARINE CONTRACTORS INC**Project 1****Mobilization & Demobilization (1010)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1010	1	3500	3500	2	

Group Total : \$ 3500**Cash Allowance (1020)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1020		2000	2000	1	

Group Total : \$ 2000**Environmental Requirements (1560)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1560	1	5000	5000	1	

Group Total : \$ 5000**Traffic Regulations (1570)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1570	150	30	4500	2	

Group Total : \$ 4500**Projects Signs & Signposts & Installation (1580)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1580	1	950	950	1	

Group Total : \$ 950**Reinstatement and Cleaning (1710)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
1710	1	2000	2000	2	

Group Total : \$ 2000**Sitework, Demolition & Removal of Structures (2070)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2070	20	200	4000	2	
2070	8	300	2400	2	
2070	5	250	1250	2	
2070	1	2000	2000	2	
2070	1	7500	7500	2	

Group Total : \$ 17150**Landscaping, Seeding, Sodding & Tree Preservation (2104)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2104	10	24	240	2	
2104	10	28	280	2	

Group Total : \$ 520**Excavation, Trenching & Backfilling (2223)**

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2223	3	600	1800	2	

2223	2. Class "B" Granular Sub-Base	Cubic Meter
------	--------------------------------	-------------

Concrete Walk, Curb & Gutters (2528)

Code	Description	UOM
2528	1. Supply & Place Granular Base Material	Cubic Meter
2528	5. Curb & Gutter	Meter

Reshaping & Patching Asphalt Pavement (2574)

Code	Description	UOM
2574	2. Patching of Asphalt Pavement (Requires 2, 50mm lifts as per City of Corner Brook Specification)	Square Meter

Maintenance Holes, Catch Basins, Ditch Inlets & Valve Chambers (2601)

Code	Description	UOM
2601	3. Supply & Placement of Pre-Cast Maintenance Hole 1200mm Diameter \geq 2.5 m to 3.0 m (Cost to include preserving active services as per note 4 dwg LP1 as well as 250mm HDPE Pipe, connections and sealing to MH and existing Concrete Culvert ,asphalt removal and replacement , concrete pavers removal and replacement ,sodding , bedding , excavations , fencing or other safety requirements, etc and all other items associated as per drawing C1 details , notes and master specifications.)	Each

Cast-In-Place Concrete (3300)

Code	Description	UOM
3300	1. Cast-In-Place Concrete Top Section of Culvert (Cost to include perserving active services as per note 4 dwg LP1 as well as all form work ,false work , new rebar , excavations , concrete/rebar cleaning , cutting back , rebar exposure , concrete preparation, common backfill,fencing or other safety requirements etc associated with this and as per detail 4/C1/C1 and dwgng notes)	Cubic Meter

Harmonized Sales Tax (HST)

Code	Description	UOM
HST	Harmonized Sales Tax (HST)	Lump-Sum

2223	6	500	3000	2
------	---	-----	------	---

Group Total : \$ 4800

Concrete Walk, Curb & Gutters (2528)

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2528	1	1200	1200	2	
2528	5	185	925	1	

Group Total : \$ 2125

Reshaping & Patching Asphalt Pavement (2574)

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2574	20	120	2400	1	

Group Total : \$ 2400

Maintenance Holes, Catch Basins, Ditch Inlets & Valve Chambers (2601)

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
2601	1	22500	22500	2	

Group Total : \$ 22500

Cast-In-Place Concrete (3300)

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
3300	11.5	3000	34500	1	

Group Total : \$ 34500.0

Harmonized Sales Tax (HST)

Code	Quantity	Price	Total Cost	Bid Rank	Buyer Comment
HST	1	15291.75	15291.75	1	

Group Total : \$ 15291.75

Project Total : \$ 117236.75



Request for Decision (RFD)

Subject: Confirmation of Order 2022-02

To: Deon Rumbolt
Meeting: Regular Meeting - 13 Jun 2022
Department: Development and Planning
Staff Contact: James King,
Topic Overview:
Attachments: [Order - 118 A Station Road](#)

BACKGROUND INFORMATION:

Since the previous meeting of Council the following Order was issued by the Department of Community, Engineering, Development & Planning and therefore must be confirmed by Council pursuant to Section 109(4) of the Urban and Rural Planning Act:

Order #	Date of Issue	Civic Address/Location	Violation/Section	Order
2022-02	June 8, 2022	118 A Station Road	Section 5 of the Occupancy & Maintenance Regulations	Order

Section 109(4) of the Urban and Rural Planning Act 2000 requires that all orders issued by the Authority be confirmed by a majority of Council at the next meeting of the Council after the order is made. If the order is not confirmed by Council in this manner, it shall be considered to be cancelled.

PROPOSED RESOLUTION:

In accordance with Section 109(4) of the Urban and Rural Planning Act the following Order is hereby confirmed by Council, Order #2022-02.

GOVERNANCE IMPLICATIONS:

Bylaw/Regulations
 Other
 Occupancy & Maintenance Regulations
 5

RECOMMENDATION:

Staff is recommending that this Order be confirmed by the Council of the City of Corner Brook.

ALTERNATIVE IMPLICATIONS:

1. That the Council of the City of Corner Brook confirm Order #2022-02 pursuant to Section 109(4) of the Urban and Rural Planning Act.
2. That the Council of the City of Corner Brook not confirm Order #2022-02 pursuant to Section 109(4) of the Urban and Rural Planning Act.

3. That the Council of the City of Corner Brook give other direction to Staff.

	Approved - 08 Jun 2022
Director of Community, Engineering, Development & Planning	Approved - 09 Jun 2022
Office Assistant 111	Approved - 09 Jun 2022

City Manager

2022-02



ORDER

To:

WHEREAS you are identified as the owner of the property located at 118A Station Road, Corner Brook, NL; (hereinafter called “the Property”)

AND WHEREAS contrary to Section 5 of the Occupancy and Maintenance Regulations under the Urban and Rural Planning Act (hereinafter called “the Regulations”) which states that “*All properties in the areas listed in the Schedule (which includes the City of Corner Brook) 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.*”, **the building on “the property” has fallen into a dilapidated condition due to fire;**

YOU ARE HEREBY DIRECTED under Section 41(1) of “the Regulations” to **either** undertake work to make “the Property” conform to the standards of s. 5 of “the Regulations”, **or** demolish the building located on “the Property” and dispose of the remains to an approved waste disposal site on or before July 14, 2022. Please be advised that a building/development permit will be required to comply with the options for remediation set out in this order, failure to obtain a permit may result in further legal action from the City of Corner Brook.

An inspection of “the Property” will be carried out by the City of Corner Brook on July 15, 2022 to determine if you have complied with this order.

Under Section 106 of the Urban and Rural Planning Act, 2000 any person who contravenes an order made under the act is liable, upon summary conviction, to a fine of not less than \$500 and not more than \$1000 for the first offence and in default of payment to a period of imprisonment not exceeding three months, or to both the fine and imprisonment. In addition to the penalty, the court could order demolition of the building.

You have the right to appeal this Order within fourteen (14) days of its receipt by completing and submitting the attached appeal form, the appeal fee of \$230 (\$200+HST) and supporting documentation to:

West Newfoundland Regional Appeal Board
4th Floor (West Block)
Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

Dated at the City of Corner Brook, this 8th day of June, 2022 A.D.

City Clerk
City of Corner Brook



Information Report (IR)

Subject: Engineering, Development and Planning Updates

To: Rodney Cumby
Meeting: Regular Meeting - 13 Jun 2022
Department: Development and Planning
Staff Contact: Deon Rumbolt,
Topic Overview: Pratt Street Subdivision

BACKGROUND INFORMATION:

This information report has been compiled to add clarity to the residential subdivision approval process. Furthermore, this report addresses complaints received with respect to the ongoing subdivision construction on Pratt Street.

All subdivisions constructed within the City are designed by a licenced Engineer and shall conform to the City of Corner Brook subdivision design standards and specifications. Engineered drawings for Pratt Street Subdivision were submitted and approved by the City of Corner Brook in May 2022 and a subdivision permit was issued on May 31, 2022.

Multiple complaints have been received from residents about the condition of the roadway. Once these complaints were received the developer was contacted and informed of the concerns. The developer took immediate action to ensure the roadway was cleaned multiple times daily. It is important to note that the subdivision permit does outline that streets must be kept free of construction debris and material and cleaned at the end of each day. It also outlines that measures shall be put in place for dust control, some examples includes watering the roadway or placing liquid Calcium Chloride within the roadway.

The site was visited daily to ensure that the roadway was being cleaned on a regular basis. During these visits, equipment was observed onsite cleaning the roadway daily. The City understands the residents' concerns and the City took action to ensure the roadway in this area was cleaned regularly. The developer was very accommodating and took action to work with the City on clearing the roadway.

When a subdivision, or any other large capital project, is under construction there are times when the roadway is dirty and the site can be very dusty. Furthermore, street sweeping creates dust which may be a nuisance to the residents. Although this is unfortunate, it is common during any large scale construction. It is the City's opinion that the developer has done a good job of cleaning and sweeping the roadway to ensure that the effects on residents are minimized. Having said this, there is no way that a subdivision can be constructed without some disruption to the residents in the area.

The developer is intending to complete this project throughout the summer. The Developer has indicated that they have completed the majority of the heavy fill removal within the roadway. The next phase is Water and Sewer pipe installation that will begin soon. This work will not require as many daily trips in and out as compared to the roadway excavation work that has been observed over the past week. It is anticipated that this work will be completed sometime this summer but an exact date is unknown.

It has been suggested that the City of Corner Brook look at ways to keep residents informed when new subdivisions and capital works projects are about to begin. The City could distribute information packages to residents that will be impacted by large construction projects and that information can also be pushed out via our social media channels.

	Approved - 09 Jun 2022
Director of Community, Engineering, Development & Planning	Approved - 09 Jun 2022
Office Assistant 111	Approved - 09 Jun 2022

City Manager



Information Report (IR)

Subject: Notice of Motion--Recreational Vehicles Regulation, 2022

To: Rodney Cumby
Meeting: Regular Meeting - 13 Jun 2022
Department: Municipal Enforcement
Staff Contact: Todd Flynn, Director of Protective Services
Topic Overview: Notice of Motion--Recreational Vehicles Regulation, 2022
Attachments: [Notice to Public Recreational Vehicle Regulations 2022](#)
[Recreational Vehicle Regulations 2022-FINAL](#)

BACKGROUND INFORMATION:

In accordance with Section 39 of the City of Corner Brook Act, a notice of motion is required for the amendment, repeal and passing of bylaws/regulations of the City of Corner Brook.

Whereas sections 201 and 202 of the City of Corner Brook Act authorize Council to make regulations:

- Prohibiting or controlling the operation of recreational vehicles not licenced under the Highway Traffic Act on public roads and bridges;

And further, Section 15 of the Off-Road Vehicles Act, authorize Council to make regulations:

- Permitting the driving of vehicles or a class of vehicles along or across a highway or part of a highway in a municipality;

Notice is hereby given that at the Public Council Meeting on June 20th, 2022, the following motion will be brought forward for consideration:

Pursuant to the powers vested in it by virtue of Section 201 and 202 of the City of Corner Brook Act, 1990 and section 15 of the Off-Road Vehicles Act, and all other enabling powers, the Council of the City of Corner Brook hereby repeals the Recreational Vehicles Regulation 2021, by replacing with the Recreational Vehicles Regulation 2022.

Legal Review: Yes

LEGAL REVIEW:

Legislation has been reviewed by City legal dept.

Director of Protective Services
Office Assistant 111

Approved - 08 Jun 2022
Approved - 09 Jun 2022

City Manager

City of Corner Brook

Recreational Vehicle Regulations, 2022

Pursuant to the powers vested in it under Section 201 and 202 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended, and Section 15 of the Off-Road Vehicles Act as amended, and all other powers it enabling, the Corner Brook City Council repealed and replaced **City of Corner Brook Recreational Vehicle Regulations, 2021**. The new regulation may be cited as **City of Corner Brook Recreational Vehicle Regulations, 2022**.

Any person(s) who wishes to view a copy of the regulation may do so at the City Clerk's Office, Corner Brook City Hall during regular business hours or visit the City of Corner Brook website at www.cornerbrook.com/bylaws

These regulations will have effect from the date of publication in the Newfoundland and Labrador Gazette.

Marina Redmond
City Clerk

**CITY OF CORNER BROOK
RECREATIONAL VEHICLES REGULATION 2022**

Pursuant to the provisions of section 15 of the Off-Road Vehicles Act, R.S.N.L. 1990 c. M-20 and sections 44, 188, 201, 202, & 271 of the City of Corner Brook Act, R.S.N.L. 1990 c. C-15 and all other powers it enabling the Corner Brook City Council in a session convened on the 20th day of June, 2022, hereby passes and enacts the following regulations:

Title

1. These Regulations may be cited as the City of Corner Brook Recreational Vehicles Regulation 2022.

Definitions

2. In these Regulations:
 - a. "All-terrain vehicle" means a side by side and any other 3 or more wheeled motorized vehicle, designed or adapted for off-road use;
 - b. "City" means City of Corner Brook;
 - c. "Council" means Corner Brook City Council;
 - d. "Designated route" means any highway or public pathway approved by Council for all-terrain vehicle use and set out in Schedule A;
 - e. "Director" means the Director of Protective Services;
 - f. "Enforcement officer" means a municipal enforcement officer as defined by the *City of Corner Brook Act R.S.N.L. 1990 ch.C-15 as amended* or a peace officer as defined by the *Highway Traffic Act and the Off-Road Vehicles Act*;
 - g. "Highway" means any public highways, streets, roads or roadways, assumed and maintained under the ownership and jurisdiction of the City of Corner Brook;
 - h. "Highway Traffic Act" means the Newfoundland and Labrador Highway Traffic Act RSNL 1990 Chapter H-3 as amended;
 - i. "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; such a vehicle is not permitted to be operated on City highways;
 - j. "Off-Road Vehicles Act" means the Newfoundland and Labrador Off-Road Vehicles Act, RSNL 1990 Chapter M-20;

- k. “Public pathway” means any pathway or trail assumed under the ownership of the City of Corner Brook or maintained under the jurisdiction of the City of Corner Brook;
- l. “Trailhead” means the point where an All-Terrain trail begins.

Designated Routes

- 3. All-terrain vehicles, as defined by these regulations, are permitted to be used on any highway or pathway set out in Schedule A provided that they are operated in the manner as set forth in these Regulations.
- 4. Operation on provincial roadways within the City’s municipal boundaries shall be in the manner described by Section 14 of the Off-Road Vehicles Act and only to access the designated routes or trailheads as set forth in Schedule A.

Prohibited Routes

- 5. No person shall operate, use or permit to be used, an all-terrain vehicle on a highway or public pathway within the City that is not on a designated route prescribed in Schedule “A” unless they have a valid permit from the City issued in accordance with section 6 herein and the all-terrain vehicle is operated in compliance with all conditions, specifications, and restrictions prescribed by that permit or for a special event as defined in Section 7.

Permit to Deviate from the Designated Routes

- 6. Persons who otherwise qualify to operate an all-terrain vehicle in accordance with these Regulations and in accordance with all other laws applicable to operation of an all-terrain vehicle within the Province of Newfoundland and Labrador may make application to the City to obtain a permit:
 - a. to operate, use or permit to be used, an all-terrain vehicle on a highway or public pathway within the City that is not on a designated route prescribed in Schedule “A” for the sole purpose of travelling to or from a designated route or trailhead;
 - b. to operate a tour/s, as a registered tour operator, using all-terrain vehicle on a highway or public pathway within the City that is not on a designated route prescribed in Schedule “A” for the purpose of travelling to or from a designated route, a trailhead, a tourist site, or other City amenity for the purposes of tourism;
 - c. and such permit application shall be made only by the owner of the all-terrain vehicle and every application shall be in the form prescribed by the City and shall include such documents or other information as the City may require and shall be accompanied by the permit fee set forth by the City in Schedule “B”.

- d. and persons who receive such permit to deviate from a designated route must keep their permit posted on their all-terrain vehicle at all times ensuring it is clearly visible to an enforcement officer during operation on the non-designated route.
- e. and persons who are operating an all-terrain vehicle pursuant to a permit to operate on an undesignated route must abide by all conditions and restrictions set out in their permit, including but not limited to the following of the route prescribed in their permit.

Special Events

- 7. For a special event to be held within the city, Council may grant permission to allow all-terrain vehicles operate on all or specific highways temporarily to support the event and such permission shall not exceed four consecutive days. All other prescriptions of these regulations shall apply.

Snowmobiles

- 8. No person shall use or permit to be used a motorized snow vehicle on any highway within the City.

Rules of Operation

- 9. No person shall operate an all-terrain vehicle upon a City highway unless:
 - a. that person travels upon the designated route as outlined in Section 3 of these regulations or the route prescribed by a permit issued pursuant to Section 6 of these Regulations;
 - b. the vehicle and its driver operate in accordance to the *Off-Road Vehicles Act*;
 - c. that person is at least 16 years of age and the holder of a class of driver's licence issued under the *Highway Traffic Act*;
 - d. that person or the vehicle being driven carries a liability insurance policy and proof thereof can be readily produced when requested by an enforcement officer;
 - e. the all-terrain vehicle is equipped with an exhaust system that is of the original equipment manufacturer and has not been modified to increase sound. The exhaust system must be in working order and in constant operation to prevent excessive or unusual noise;

- f. the all-terrain vehicle must not ever exceed any posted speed limit and further shall be operated at a rate of speed not greater than 40 kilometres per hour on highways and not greater than 20 kilometres per hour on trails or pathways;
- g. the driver of an all-terrain vehicle at all times yields the right of way to drivers of all other classes of motor vehicles on a highway.

Rules of the Road

- 10. Unless otherwise stated in these regulations, the driver of an all-terrain vehicle shall adhere to the “rules of the road” as described in Part V of the Newfoundland *Highway Traffic Act* or any similar or successor legislation.

Times of Operation

- 11. No person shall operate an all-terrain vehicle on a Highway located within the City outside of the season prescribed annually by Council resolution for operation of All-Terrain vehicles within the City. In the event that Council does not resolve to prescribe a season under these Regulations in any given year, the season shall commence on the 15th day of May and end on the 15th day of November.
- 12. No person shall operate an all-terrain vehicle within the City and upon its highways earlier than 7 A.M. and no later 10 P.M.

Signage

- 13. Council may erect Warning, Cautionary, Directional, Limiting or Prohibiting signs as to the operation of all-terrain vehicles and any operator who fails to obey such signs is guilty of an offence under these regulations and or the Off-Road Vehicles Act.

Penalty

- 14. A person who contravenes or fails to comply with these regulations is guilty of an offence and where no penalty is otherwise prescribed for such offence in the *Off-Road Vehicles Act RSNL Ch.M-20 as amended*, the *Off-Road Vehicles Regulations NL 1163/96 as amended*, *Highway Traffic Act RSNL 1990 ch. H-3 as amended*, or any other Provincial Statutes or Regulations or similar or successor legislation, is liable on summary conviction to a fine or to a period of imprisonment or both in accordance with section 438 of the City of Corner Brook Act RSNL 1990 Ch. C-15, as amended.

Exemption

15. These regulations do not apply to vehicles owned and operated on behalf of the Council or those operated by Emergency and or Enforcement Services and other persons who are exempt by the provisions of the Off-Road Vehicles Act and Off-Road Vehicles Act.

Coming into Force and Repeal

16. These regulations shall come into force as of the date enacted by Council and the City of Corner Brook Recreational Vehicles Regulations 2021 are hereby repealed upon the coming into force of these Regulations.

IN WITNESS WHEREOF this Regulation is sealed with the Common Seal of The Corner Brook City Council and subscribed by and on behalf of Council by Jim Parsons, Mayor and Marina Redmond, City Clerk, at the City of Corner Brook, this 20th day of June, 2022.

Mayor

City Clerk

Published by The Western Star –

First Reading –

Second Reading –

Schedule "A"

Permitted All-Terrain Vehicle Routes

All-terrain vehicles are permitted to travel on or along the following highways:

- Riverside Drive, west from intersection of the Northshore Highway;
- Main Street;
- Herald Avenue;
- Broadway;
- Pier Road;
- Griffin Drive;
- Petries Street (from the intersection of Curling Street to the intersection of Hilliards Road);
- Hilliards Road;
- Confederation Drive;
- Massey Drive;
- Lundrigan Drive.

All-terrain vehicles are permitted to travel on or along the following public pathways:

- Trail between the end of Pier Road and Griffin Drive.

All-terrain vehicles can travel the designated one-kilometer zone/s on the provincially owned highways as follows:

- Lewin Parkway to access the designated route of Lundrigan Drive;
- O'Connell Drive extension to access the designated route of Hilliards Road;
- North Shore Highway (Route 440) to access the Hughes Brook trailhead.

Schedule "B"

Fees for Permit to Deviate from the Designated Routes

Permit Fee/s (proposed for 2023 budget):

All-Terrain Vehicle and up to 4 drivers \$25.00

Tour Operator per All-Terrain Vehicle \$10.00

Replacement of a lost permit \$15.00



Information Report (IR)

Subject: City of Corner Brook Fireworks Regulation 2022

To: Rodney Cumby
Meeting: Regular Meeting - 13 Jun 2022
Department: Protective Services
Staff Contact: Todd Flynn, Director of Protective Services
Topic Overview: City of Corner Brook Fireworks Regulation 2022
Attachments: [Discharging of Fireworks 2022 final \(002\)](#)
[Notice of Motion CCB-discharging of fireworks-regulations-2022](#)

BACKGROUND INFORMATION:

In accordance with Section 39 of the City of Corner Brook Act, a notice of motion is required for the amendment, repeal and passing of bylaws/regulations of the City of Corner Brook.

Whereas Sections 216 (1) and 278 of the City of Corner Brook Act authorize Council to make regulations:

- with respect to the fighting of fires and prevention of fire in the city;
- with respect to a noise or other type of nuisance, that in the opinion of council has an unpleasant effect on the senses.

Notice is hereby given that at the Public Council Meeting on June 20th, 2022, the following motion will be brought forward for consideration:

Pursuant to the powers vested in it by virtue of Section 201, 202, 216, and 278 of the City of Corner Brook Act, 1990 and all other enabling powers, the Council of the City of Corner Brook hereby enacts the Fireworks Regulation 2022.

Director of Protective Services
 Office Assistant 111

Approved - 08 Jun 2022
 Approved - 09 Jun 2022

 City Manager

CITY OF CORNER BROOK DISCHARGING OF FIREWORKS REGULATION 2022

Pursuant to the powers vested in it under the City of Corner Brook Act, Section 212, 216 (1), 222, 222.1, 223, 278, and 279, RSNL 1990, c C-17, as amended, Sections 6, 10, 11 and 12 of the Fire Protection Services Act, RSNL 2008 ch. F-11.01 and all other powers enabling it, the Corner Brook City Council in a session convened on the 20th day of June, 2022, hereby passes and enacts the following regulations:

Title

1. These Regulations may be cited as the City of Corner Brook Discharging of Fireworks Regulation 2022.

Definitions

2. In these Regulations:

- a. "City" means the City of Corner Brook;
- b. "Council" means the Corner Brook City Council;
- c. "Director" means the Director of Protective Services;
- d. "discharge" means firing, igniting, exploding, using, and setting off fireworks;
- e. "fireworks" means family fireworks, aerial fireworks, and pyrotechnics and:
 - i. "aerial fireworks" means high hazard fireworks as described in Class 7, Division 2, Subdivision 2 of the Explosives Regulations under the Explosives Act, RSC 1985, c E-17, as amended;
 - ii. "family fireworks" means low-hazard fireworks for recreation commonly referred to as consumer fireworks, and as described in Class 7, Division 2, Subdivision 1 of the Explosives Regulations under the Explosives Act, RSC 1985, c E-17, as amended;
 - iii. pyrotechnics means theatrical explosives as described in Class 7, Division 2, Subdivision 5 of the Explosives Regulations under the Explosives Act, RSC 1985, c E-17, as amended; and
- f. "Officer" means any person designated by Council to administer and enforce these Regulations and includes the Director, Municipal Enforcement Officers, Fire Department Officers, and members of the Royal Newfoundland Constabulary.

Application

3. This regulation is a supplement to the City's Fire Prevention Regulations and Noise Regulations, and where there is a conflict between these regulations and other of the City's bylaws regarding fire prevention, nuisance, and or noise, these regulations shall apply.

General

4. No person shall discharge fireworks within the boundaries of the City unless authorized under these Regulations.
5. With exception of New Years Eve and Victoria Day and the day immediately preceding and/or following each of these days, no person shall set off fireworks on any other day during the year, unless a permit has been issued by the City to do otherwise. A person to whom a permit is issued shall keep a copy on the site where the fireworks are being used.
6. Discharging fireworks are restricted to the hours between 6 pm and 9 pm, and 11 pm and 1 am, unless a permit has been issued by the City authorizing the discharge of fireworks at a different time. Discharge of fireworks at the times and days as per Section 4, or other date and time as depicted by a permit that is issued by the City, shall be exempt of the City's Noise Bylaw.
7. Unless by a permit is issued by the City, no person shall discharge any fireworks when a municipal or provincial fire ban is in effect, as per the City's Fire Prevention Bylaw. Such a City issued permit must include adequate mitigation measures to prevent a fire.
8. No person shall discharge or cause or allow to be discharged fireworks in such a manner as might create danger to any person or property, or do or cause or allow any unsafe act or omission in the discharging of any fireworks.
9. No person shall set off any firework(s) in or on or into any highway or public park as defined by this regulation or on or into any other private property for which permission has not been granted.
10. No person shall discharge fireworks when the surface wind speed at the time of the display exceeds 40 km/h (kilometers per hour).
11. No fireworks not including pyrotechnics shall be ignited inside of or closer than 8 metres to any building, tent, trailer, camp or shelter or motor vehicle.

12. No fireworks, not including pyrotechnics, shall be ignited within 300 metres of any place where explosives, gasoline or other highly flammable substances are manufactured, stored or displayed in large quantities.
13. No person shall ignite fireworks within 300 metres of a hospital, nursing home, health lodge, home for the aged, school, or place of worship unless the consent of the City and the owner or his agent has been obtained.
14. No person under the age of eighteen (18) shall discharge family fireworks.
15. Every person who discharges family fireworks shall have immediate access to a fire extinguisher and water ready for use at the site where the fireworks are discharged.
16. Every person who discharges family fireworks shall do so in accordance with the instructions printed on each item or package.

Aerial Fireworks or Pyrotechnics

17. No person shall discharge aerial fireworks or pyrotechnics within the boundaries of the City without first obtaining a permit from Council. Such a permit approval may impose conditions for approval as it considers necessary to ensure the safety of the public and governing regulations and procedures including:
 - a. keeping spectators at a safe distance;
 - b. protecting private and public property;
 - c. ensuring serviceable fire extinguishing equipment is available at all times;
 - d. strict adherence to Explosives Act and the Explosives Regulations (BL2015-098).
18. The person(s) responsible for the setting off of any fireworks or classes thereof must ensure that all unused fireworks and debris be removed and safely disposed of immediately following the event.
19. Only persons who hold a valid Fireworks Supervisor certificate or equivalent thereof, issued by the Explosives Regulatory Division of Natural Resources Canada are eligible to request approval to display or discharge Display Fireworks/Pyrotechnic Special Effects.
20. The handling and discharge of display fireworks shall conform with the Natural Resources Canada (NRCan), "Display Fireworks Manual" and Natural Resources Canada (NRCan), Pyrotechnic Special Effect Manual".

Civil Liability

21. The holder of a Fireworks Permit who causes, sets, lights or otherwise discharges fireworks and causes an Outdoor Fire shall take every reasonable and reasonably foreseeable precaution to prevent the fire from spreading and shall not leave the fire unattended until it is extinguished.
22. The possession of a Fireworks Permit does not discharge the person to whom it is issued from responsibility for damage resulting from an Outdoor Fire caused, set, lit or otherwise ignited by that person.
23. In the event of any person failing to do anything which under these Regulations he or she ought to do, the Fire Department may do that act and recover the expense thereof from the person so in default as a civil debt.

Enforcement

24. As this regulation is supplement of the City's Fire Prevention Regulations and Noise Regulations, for any contravention or failure to comply with these regulations, the Director, Deputy Chief and all Fire Department Officers and all Municipal Enforcement Officers are designated persons employed by Council who may:
 - a. Issue a Stop Order pursuant to section 279 of the City of Corner Brook Act;
 - b. Issue a Violation Notice pursuant to section 280.1 of the City of Corner Brook Act.
25. An Officer/s may at any time, enter onto land to determine whether these regulations are being complied with.
26. Every owner shall permit the Officer/s to inspect any land for the purpose of determining compliance with these regulations.
27. Entry to a dwelling house for the purposes of enforcing this regulation are limited to the conditions set forth in the Corner Brook Act, Sections 222, 222.1, and 223 and the Fire Protection Services Act, SNL 2008, c F-11.01 Section 10.
28. Nothing in these Regulations shall or shall be deemed to alter, amend, or abrogate in any way the requirements and responsibilities set out in the Fire Protection Services Act, SNL 2008, c F-11.01, as amended, and its Regulations, or the Explosives Act, RSC 1985, c E-17, as amended, and its Regulations.

Fire Ban

29. Notwithstanding the above sections, where a prohibition on the setting of fires in relation to forest lands within or adjacent to the boundary of the City of Corner Brook has been proclaimed under the Forestry Act, RSNL 1990 c F-23, as amended, and remains in effect, no person shall discharge fireworks within the boundaries of the City, unless a permit has been issued by the City to do so and where a permit has been issued, a person discharging fireworks during such prohibition must

take additional and adequate mitigation measures to prevent a fire.

Penalty

30. Any person who contravenes the provisions of these Regulations shall be guilty of an offence and liable upon summary conviction to a penalty as provided for in Section 438 of the City of Corner Brook Act.

Coming into Force

31. These regulations shall come into force as of the date enacted by Council as the and the City of Corner Brook Discharging of Fireworks Regulation 2022.

IN WITNESS WHEREOF this Regulation is sealed with the Common Seal of The Corner Brook City Council and subscribed by and on behalf of Council by Jim Parsons, Mayor and Marina Redmond, City Clerk, at the City of Corner Brook, this 20th day of June, 2022.

Mayor

City Clerk

Published by The Western Wire – _____

Published by The Gazette – _____

First Reading – _____

Second Reading – _____



CITY OF CORNER BROOK FIREWORKS PERMIT

APPLICANT DETAILS

Name	Date
Address	Telephone No.
	Email Address

PROPOSED FIREWORKS DISCHARGE DETAILS

Date	Time <input type="checkbox"/> 6 PM to 9 PM <input type="checkbox"/> 11 PM to 1 AM <input type="checkbox"/> Other (fill in Other Proposed Time)	Other Proposed Time
Location / Address		
Person Discharging the Fireworks		Telephone No.
ONSITE FIRE HAZARD SAFETY MEASURES <input type="checkbox"/> Fire extinguisher <input type="checkbox"/> Bucket of Water <input type="checkbox"/> Flowing Garden Hose		<input type="checkbox"/> Other Measures

APPROVAL DETAILS (office use only)

FURTHER FIRE MITIGATION MEASURES or SAFETY MEASURES	<input type="checkbox"/> Not Required / Initials of Assessor
Fire Officer Signature	Date

PROPOSED

Notice of Motion

Discharging of Fireworks Regulation 2022

In accordance with Section 39 of the City of Corner Brook Act, a notice of motion is required for the amendment, repeal and passing of bylaws/regulations of the City of Corner Brook.

Whereas Sections 216 (1) and 278 of the City of Corner Brook Act authorize Council to make regulations:

- with respect to the fighting of fires and prevention of fire in the city;
- with respect to a noise or other type of nuisance, that in the opinion of council has an unpleasant effect on the senses.

Notice is hereby given that at the Public Council Meeting on June 20th, 2022, the following motion will be brought forward for consideration:

Pursuant to the powers vested in it by virtue of Section 212, 216 (1), 222, 222.1, 223, 278, and 279, of the City of Corner Brook Act, 1990 and all other enabling powers, the Council of the City of Corner Brook hereby enacts the Discharging of Fireworks Regulation 2022.