

Town of Truro – Bylaws

Subject: Streets, Maintenance and Care of
Bylaw Number: B150-001
Approval Date: September 14, 1916
Departments: Engineering and Public Works

Streets, Maintenance and Care of

(In this bylaw, the expression “committee” means Committee on Streets).

1. Whenever any sidewalk has been broken or otherwise injured in consequence of the erection of any buildings, or any repairs to a building, the superintendent of streets may serve notice in writing upon the owner of the building requiring him to repair such injury within forty-eight hours from service of the notice; and if the owner fails to make such repairs within such time, the superintendent may cause the same to be done at the expense of the owner and the cost thereof may be received by the town by action.
2. No person shall dump, unload, deposit or move any coal or heavy article upon any concrete or asphalt sidewalk unless such sidewalk has been first protected by boards not less than one inch thick, and placed close together over the surface where such coal or heavy article is deposited.
3. Every occupier of any premises shall keep the sidewalk and gutter in front of the same free from dirty and nuisance of every description.
4. No person shall distribute any handbills or other papers by scattering the same on any street.
5. No person shall cart or transport in any way, on any street, any sand, earth, dirt, manure, hay, straw or rubbish, or any loose fluid or semi-fluid in such a manner that any portion of the same may be spilled or scattered on the street.
6. No person shall draw on any street any timber or other heavy article in such a way that the same, or any part thereof, drags on the street.
7. Every gate opening on any street shall be so constructed as not to swing outwards across such street.
8. No person shall use any barbed wire for a fence along any street.
9. No owner of any building or premises shall permit water to be discharged or to escape or percolate therefrom otherwise than by a properly constructed drain or conduit discharging into a public sewer or into the gutter of the street.

10. No person shall slake, riddle, mix with sand, or otherwise prepare lime on any street except by permission in writing from the superintendent of streets.
11. No person shall, on any street, raise or hoist any goods into any door or window of any upper storey, or lower or throw down any goods from such door or window.
12. No person shall throw any shingles, boards, slates, sand, gravel, tar or other material whatsoever from any roof or scaffolding upon any street, but the same shall be lowered in chutes, or by tackle, in such manner as not to affect the safety and convenience of the public.
13. No person shall on any street specified by the Council wash any window or sprinkle any sidewalk with water after eight o'clock in the morning, and no occupier of any house or building on such street shall permit the same to be done.
14. No person shall construct across any drain, gutter or water course on any street a bridge of any description without having first obtained a permit in writing therefore from the superintendent of streets, specifying the nature of the bridge and other terms and conditions on which the same may be constructed. A permit to construct any such bridge may be refused in any case in which a curb or gutter have been placed in front of the premises intended to be reach by the bridge, and any bridge at any time constructed may be directed by the superintendent to be removed when a curb and gutter have been so placed.
15. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to maintenance and care of streets shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

Sewers

16. (1) No person shall:
 - (a) injure or remove any portion of any catch pit, receiving basin, covering flag, man-hole, vent-shaft, grating or any other part of any sewer or drain, or;
 - (b) obstruct the flow of water in any sewer or drain, or permit any substance to flow into any sewer or drain which forms a deposit therein or has a tendency to obstruct the same, or discharge any steam into any sewer.
- (2) Every person who contravenes or fails to comply with this section shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

Openings in Streets

17. Every person to whom any permit is granted to make any opening or excavation in any street, shall first deposit with the clerk the sum of five dollars, the receipt for which shall be delivered to the chairman of the committee before the permit is issued. Such deposit shall be retained as a guarantee that the applicant will properly perform and complete the work for which the permit is granted and keep the surface of the street where such work is done in good condition, to the satisfaction of the superintendent of streets, for six months from the date of the permit. If the superintendent of streets is of the opinion that the work is not being properly performed, or the surface of the street not kept in good condition, he may, without notice to the applicant, perform such work in respect to the street as he considers necessary and the cost of any work so done by the superintendent of streets shall be deducted by him from the amount deposited and the balance (if any) returned to the owner at the end of six months. If the cost of such work exceeds the amount deposited, the balance may be received from the applicant by the town by action.
18. The Chairman of the Committee may issue for a case of emergency an emergency permit, which shall permit excavation to be made on such conditions as the Chairman of the Committee specifies in the permit.
19. Every excavation under a sidewalk shall, after one week's notice to that effect, given by the superintendent of streets, be closed and filled up by the owner or occupier of the premises abutting on such sidewalk, and if not so closed and filled up within ten days after such notice, may be closed and filled up by the superintendent, at the expense of the owner or occupier.
20. Every person obtaining a permit to make any excavation or opening in or near any street shall at night sufficiently and continuously light the same, and shall, in addition, enclose or secure the same by a fence or barrier at least three feet in height, and sufficient to protect the public from injury.
21. No person shall make any permanent excavation under the surface of any street, the movable covering of which extends further into the street than to a line three feet from the street line, and then only by permission in writing from the committee, and on such conditions as are specified in the permit; provided, however, that coal hole tops may be located near the curb and that transparent coverings used for the purpose of lighting only permanently secured, may extend five feet from the street line.
22. The owner of the property in front of which any permanent excavation is made shall pay to the town therefore, on the first day of May in each and every year, an annual rental of four cents per square foot for such excavation.
23. No person shall build or place any movable trap or door in any street for the purpose of entrance to a cellar, or other premises, without first obtaining the permission of the committee.

24. No person shall make any opening in any street for the purpose of a coal hole or other receptacle or for light or air, or whatever, without a permit from the committee, upon the terms set out, and such permit shall be exhibited on request of any police officer or to any other person authorized by the superintendent of streets, in writing, to demand inspection of the permit.
25. The committee may, upon the application of any person, construct any coal hole, grating or other aperture, in any sidewalk in such manner and of such material as it deems suitable, and the cost thereof shall be paid by the applicant.
26. No person shall place or maintain a grating in any street unless the location, plan and material thereof have been approved by the committee.
27. No person shall maintain any entrance to any property by steps descending immediately from or near to a street, unless the same is securely guarded.
28. (1) Every owner or occupier of any building having connected therewith any aperture in any street shall keep such aperture securely covered or guarded in such a manner and with such material as the superintendent of street directs, and every such cover or guard shall be constantly kept on a level with the sidewalk and in good repair, and every such aperture shall be kept closed except when in immediate use, and such use shall be only in the day time and such aperture when open shall be in charge of some competent person to warn passersby.

(2) If any such owner or occupier fails to keep any such aperture securely guarded and in good repair, and level with the sidewalk, the committee may at its option, close the said aperture, or may put the same in good condition and repair, and the cost of so doing may be recovered from him by the town by action, and in addition thereto, he shall be liable to a penalty as hereinafter provided.
29. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to openings in streets shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

Obstruction on Streets

30. Except as by "The Towns' Incorporation Act", or by this Bylaw otherwise provided, no person shall place, or cause to be placed, any encumbrance upon any street whereby the public are prevented from the free and uninterrupted use of the same.
31. The committee may temporarily close any street, or part thereof, while any work is being done thereon, or when it is advisable for other reasons to close the same, and may, for that purpose, erect bars or other impediments to traffic.
32. Whenever the committee puts up any bars or fences to close any street for any purposes, no person shall interfere with the same, or travel or attempt to travel, or drive any vehicle

along the street so closed, without permission of the superintendent of streets, and every person who so travels or attempts to travel or drives any vehicle, shall be liable to a penalty hereinafter provided.

33. Except as in hereinafter otherwise provided, no person shall place on any street any step, porch, bay window, balcony, fence, railing or other structure which in any way encroaches on such street, and any such structure so placed, shall be removed by the owner of the property to which the same is attached within ten days after notice to that effect from the superintendent of streets, and on failure to make such removal, the superintendent of streets shall remove the same, and the cost of removal may be recovered from such owner by the town by action, and in addition, the owner shall be liable to a penalty as hereinafter provided.
34. Any person may, by permission of the committee, place on any street materials for buildings, and erect an enclosure to protect the same, any may continue such enclosure for such period as the committee directs. Every person placing such material or erecting such enclosure without such permission or otherwise than as herein directed or continuing the same for a longer period than herein prescribed, or after being directed to remove the same, shall be liable to a penalty as hereinafter provided.
35. Every person receiving a permit to occupy a part of a street for building purposes, or for repairing any building or making any excavation, or for any other purpose, shall provide a safe and convenient passage around, under or over the obstruction so placed and shall be responsible for any injury sustained by any person in consequence of his neglect so to do, and shall at any time, when requested by the superintendent of streets, exhibit his permit to make such obstruction or excavation.
36. Any person may, by permission of the committee, erect a scaffolding for repairing any building or other purpose connected with any building. Such permission shall be in writing, and shall specify the terms and conditions on which such scaffolding may be erected and the period for which it may be continued. Any person who erects any scaffolding without having first obtained such permission or otherwise than as is therein directed, or continues the same for a longer period than is therein prescribed, or after being directed to remove the same, shall be liable to a penalty as hereinafter provided.
37. No person shall place or maintain any signpost or sign which extends over any street, without having first obtained permission of the committee, and such permission may be given on such terms and conditions as the committee determines.
38. No person shall place or maintain any awning which extends over any street, unless a plan of the same is first submitted to and approved by the committee, and the committee may at any time revoke such permission. No such awning shall be less than seven feet from its lower edge above the street. If the owner or occupier of any premises upon which any such awning has been placed without permission and approval fails to remove the same, after fourteen days' notice from the committee, the committee may cause the same to be removed. Any person placing such awning without permission or failing to remove the

same when so directed, or obstructing any civic official removing the same or any projecting sign-post or sign, shall be liable to a penalty as hereinafter provided.

39. No person shall place upon any street for sale or show any goods, wares or merchandise, or any sign-board or advertising board.
40. No person shall place or suspend or expose from any building, any goods, wares or merchandise so that the same extend from the wall of such building more than six inches towards or into any street.
41. No person shall place on any street any article, or permit the same to remain thereon so as to obstruct the free passage of such street for a longer period than is necessary to remove the same to or from any building or premises fronting on such street.
42. Firewood may be sawn within one-half the space between the sidewalk and the centre of the street. The wood shall be removed as fast as it is sawn, and the sawdust removed without delay.
43. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to obstructions on streets shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

Moving Buildings

44. Any person wishing to move a building through, over or upon any street shall make application therefore in writing to the clerk, who shall refer the same to the committee. Such application shall state the character of the building, the place from and the place to which it is proposed to remove such building, and the streets through which it is proposed to remove the same, and the estimated number of days that the same shall be upon such streets.
45. The application shall be accompanied by a deposit of the sum of five dollars for each of the days so estimated and by a bond of the applicant with one or more sureties, to the satisfaction of the committee, in the sum of one hundred dollars, conditioned that the applicant will comply with the requirements and conditions specified in the permit granted for the removal of such building, and upon the payment of such deposit and the filing of such bond and the committee may issue a permit for the removal of the building, and such permit shall state the number of days during which the same is to be in force.
46. Such permit may be extended by the committee for a further period upon application in that behalf, and on a deposit with the clerk of a further sum of five dollars for each day for which such permit is extended.
47. If such removal is completed within the number of days estimated the clerk shall return to the applicant the fees deposited with him for each day less than the number original estimated.

48. If any building, for the removal of which a permit has been granted, remains upon any street for any day beyond the period mentioned in the permit, or an extension thereof, the owner or other person engaged in removing the same shall be deemed to have removed the same without a permit and be guilty of an offence against this Bylaw.
49. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to moving buildings shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

Snow and Ice

50. The provisions of Section 196 of Chapter 84 of the Revised Statutes of Nova Scotia 1923, entitled "The Town's Incorporation Act", shall apply to the following portions of the Town of Truro, namely:
 - (a) Both sides of Prince Street from Court Street on the West to the Canadian National Railway Crossing on the East.
 - (b) The East side of Commercial Street, from Prince Street on the South to Queen Street on the North.
 - (c) Both sides of Inglis Street from Prince Street on the North to the Railway Esplanade on the South.
 - (d) The North side of the Railway Esplanade from Walker Street on the East to Inglis Street on the West.
 - (e) Both sides of Outram Street.
 - (f) Both sides of Havelock Street.
 - (g) East side of Church Street.
51. No person shall throw into any street the snow from the roof of any building, without proper precautions to prevent injury to persons on the street, and any snow so thrown shall be properly leveled on the street so as not to interfere with traffic.
52.
 - (a) No person shall deposit snow or ice upon any roadway or sidewalk in such a way as to create a hazard to pedestrian or vehicular traffic.
 - (b) No person engaged in removing snow from any yard or other premises shall do so in any matter that obstructs traffic in the street or sidewalk.
53. No person shall permit icicles to accumulate on the eaves or gutters of any building owned or occupied by him so as to become dangerous to persons passing on the street.
54. A person who violates the provisions of Sections 50, 51, 52 and 53 shall be liable on summary conviction to a penalty not exceeding one thousand dollars, and default of payment to imprisonment for a period not exceeding ninety days.
55. If any such occupier or owner, for twenty-four hours after the expiration of the time within such snow should be removed, neglects to remove the same, the superintendent of

streets shall remove the same at the expense of such occupier or owner, and shall forthwith report such expense to the clerk, and thereupon, in the case of non-payment thereof by the occupier or owner, such expense shall become and be in charge upon the premises in respect to which it was incurred, and shall become and be a special rate upon such premises, and may be recovered in like manner as other town rates.

Horses, Cattle, Sheep, and Vehicles

56. The driver or other person in charge of any vehicle conveying goods or merchandise, or other material, through any street, shall remain on such vehicle while it is in motion, or walk beside the horse or other animal drawing the same.
57. No person driving any vehicle, or riding upon any horse, shall so drive or ride at a gallop or other immoderate speed, and every person so driving or riding shall slacken his speed when approaching any crossing for passengers upon which any person is crossing.
58. No person shall permit any horse or other animal, whether attached to a vehicle or not, to run at large or stand in any street without being sufficiently secured to prevent its running away.
59. No person shall ride, drive, lead or back any horse or other animal or any vehicle, or wheel any hand-cart, wheel-barrow or other vehicle over or along any sidewalk, except when crossing the sidewalk to enter any premises.
60. No person shall break in or train any horse on any street, or shall exhibit any stallion in any street, or shall let any stallion to any mare in any street, or within six hundred yards of any dwelling house.
61. No person shall permit his horse or any other animal, or any vehicle, to stand or remain upon any street for a longer time than is necessary for the owner or other person using the same to transact his business at the premises opposite which such horse or vehicle is so standing or remaining, and not under any circumstances longer than one-half hour, and no person shall tie his horse or other animal in or across any sidewalk or crossing so as to obstruct the public, or shall leave any vehicle standing opposite the door or gateway of premises belonging to any person other than the person with whom the owner of the vehicle has business; and no person shall in any way obstruct the free and uninterrupted use of any street or sidewalk or crossing, by stopping any horse or other animal or any vehicle across such street crossing or approach, or in any other way.
 - (a) Notwithstanding the provisions of Section 61 of this Bylaw the Town Council may be resolution make regulations permitting persons operating Motor Vehicles to allow the same to stand on such portions of certain streets within the Town as they may be resolution define.

AMENDMENT TO BY-LAW NO. 15 OF THE TOWN OF TRURO ENTITLED
“MAINTENANCE AND CARE OF STREETS”

1. The Provisions of Section 61 of By-law No. 15 entitled “Maintenance and Care of Streets” shall not apply to motor vehicles.
2. No person shall permit his horse or other animal or any motor car, motor truck or any other vehicle to stand or be parked within the intersection of streets, or within twenty feet of any hydrant, or within twenty feet from the corner of any street, or, where one street joins another, on the opposite side of the street so intersected, or within a distance of twenty feet of the points where the side lines of the intersecting street continued in a straight line would join the street so intersected.
3. No motor car or motor truck shall be parked on any of the streets of the Town so as to interfere with the drive way to any premises.
4. No motor car or motor truck or any other vehicle shall be parked more than twelve inches from the curb or sidewalk on any street.
5. No motor car or motor truck or any other vehicle shall be parked or stand on any of the streets of the Town of Truro within such portions of such streets as the Streets Committee of the Town shall prohibit by erecting and maintaining signs prohibiting parking within such spaces.
6. No motor car or motor truck shall overtake and pass another at the intersection of any streets.
7. At the intersection of any street no motor car, motor truck or any vehicle shall be driven at a rate of speed greater than what is reasonable and proper having regard to the traffic at the time and place.

Every person who contravenes or fails to comply with any of the provisions contained in Sections 2, 3, 4, 5, 6 & 7 shall be liable to a penalty not exceeding \$10.00 and on default of payment to imprisonment not exceeding twenty days.

AMENDMENT TO BY-LAW NO. 15 OF THE TOWN OF TRURO ENTITLED
“MAINTENANCE AND CARE OF STREETS”

The Town Council of the Town of Truro enacts as a By-law as follows:

1. The Town Council of the Town of Truro hereby delegates to the Streets Committee of the Town of Truro the power to designate the Highways or section of Highways within the Town of Truro on which “No Parking signs” shall be erected.
2. That portion of the Railway Esplanade lying South of the centre line of the said Railway Esplanade is hereby designated as a one-way street. All traffic thereon to move from West

to East and that portion of the Railway Esplanade lying North of the Centre of said Esplanade is hereby designated as a one way street. All traffic thereon to move from East to West.

Any person who contravenes or fails to comply with any of the provisions enacted by the Streets Committee under the authority provided under Section 1 or with the provisions contained in Section 2, shall be liable to a penalty not exceeding ten dollars and on default of payment to imprisonment not exceeding twenty days.

62. No person shall place any vehicle unattached to a horse or other animal upon any street, and no owner of a vehicle shall permit the same to be so placed.
63. No person shall fasten any team across any sidewalk or allow the same to stand upon any street crossing.
64. No person shall permit his team to remain on any street without a driver or other person in charge unless the same is securely fastened.
65. Every team left unattended upon any street shall be in line with, and close to the edge of the sidewalk, obstructing the street as little as possible, and the horse so fastened so as to prevent him placing his feet upon the sidewalk.
66. No person shall feed any horse on any street except by a nose bag.
67. No person shall drive any cattle or sheep in any street unless the same are yoked or led by halter or rope by some person having control over the same, or unless a sufficient number of persons are in charge of such cattle or sheep to prevent their straying upon the street.
68. No person shall fasten any horse or other beast to any tree on any street.
69. No vehicle on runners shall be driven within any part of the town unless there are attached to the harness of each horse, or other animal drawing the same or to such vehicle, one large open bell or four good round bells.
70. No vehicle shall stop or stand nearer than eighteen inches to the centre of the street.
71. Every carriage driven at night on any street shall have a lighted lantern.
72. No vehicle shall be cleaned or washed on any street.
73. No vehicle shall stop or stand in any street directly opposite to or in front of any building or place opening on such street in which persons are about to congregate, or have congregated for any purpose of devotion, recreation or other lawful object. Every vehicle requiring to stand near such place, or to approach thereto, shall stand near such place or approach thereto in such a manner as it prescribed by the person for the time being having the control of such building or place or by any police officer on duty there.

74. Every person who contravenes or fails to comply with any of the forgoing provisions in respect to horses, cattle, sheep and vehicles shall be liable to a penalty not exceeding ten dollars, and in default of payment, to imprisonment for a period not exceeding twenty days.

Bicycles

75. In this part of this bylaw, the expression “bicycle” includes “tricycle” and “motorcycle”.
76. No person shall ride any bicycle on any street without having attached thereto a bell or gong of sufficient power, and so attached as to be readily available for giving effective warning of the approach of the bicycle.
77. Upon approaching any crossing or overtaking any vehicle, horse, foot passenger or bicycle, the rider of a bicycle shall sound the bell or gong so as to give a reasonable warning of his approach.
78. The rider of every bicycle shall observe the usual rules of the road by keeping to the left on meeting any vehicle or bicycle, and keeping to the right when passing any vehicle or bicycle going in the same direction (*see regulation 1957*).
79. The driver of every vehicle and the rider of every horse shall in like manner strictly observe the rule of the road when meeting or overtaking any bicycle.
80. Between one hour after sunset and one hour before sunrise, every rider of a bicycle shall have attached thereto a lighted lamp of sufficient power, and so constructed and attached as to exhibit a light in the direction in which the bicycle is going sufficient to signals its approach and position.
81. No person shall throw, put or place on any street anything that will injure any bicycle.
82. No bicycle shall be ridden at an immoderate speed, or in a reckless and dangerous manner.
83. Bicycles shall not be ridden two abreast.
84. No bicycle shall be ridden on any sidewalk.
85. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to bicycles shall be liable to a penalty not exceeding five dollars, and in default of payment, to imprisonment for a period not exceeding ten days.