

BERMUDA STATUTORY INSTRUMENT

ST. GEORGE'S TRAFFIC ORDINANCE 1967

[made under section 38 of the Municipalities Act 1923 [title 4 item 1] and under the Road Traffic Act 1947 [title 21 item 3] and brought into operation on 14 September 1967]

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Citation

1 This Ordinance may be cited as the St. George's Traffic Ordinance 1967, and shall have application within the limits of the Town of St. George's.

Interpretation

2 In this Ordinance —

- (a) "motor-cycle" has the meaning given in the Motor Car Act 1951 [*title 21 item 4*], and includes an auxiliary bicycle declared to be a motor-cycle under the Motor-cycles and Auxiliary Bicycles (Special Measures of Control) Act 1953 [*title 21 item 6*];
- (b) "auxiliary bicycle" has the meaning given in the Motor Car Act 1951 [*title 21 item 4*], except that it does not include an auxiliary bicycle declared to be a motor-cycle under the Motor-cycles and Auxiliary Bicycles (Special Measures of Control) Act 1953 [*title 21 item 6*];
- (c) "carriage way" means that part of a street which is designed for the passage of vehicles;
- (ca) "commercial vehicle" means a truck, tank wagon, tractor, or self propelled constructional machine, as defined in the Motor Car Act 1951 [*title 21 item 4*];
- (d) "constable" means any member of the Bermuda Police Service in uniform or any warden or other officer being a member of a Police Force created by the Corporation of St. George's under the Municipalities Act 1923 [*title 4 item 1*], in addition thereto;
- (e) "container" means any bag, bale, barrel, box, can, carton, crate, hogshead, puncheon, tank or any other type of package in which goods are placed;
- (f) "the Corporation" means the Corporation of St. George's;

- (g) "curb" means any boundary of a carriage way, whether marked by curbstones or not;
- (h) "cycle" includes a pedal bicycle, a tricycle or similar vehicle which is not mechanically propelled;
- (i) "driver" means any person driving or propelling any vehicle and includes the rider of a horse; and "drivers" and other cognate expressions shall be construed accordingly;
- (j) "emergency vehicle" means any fire engine or auxiliary tender for fire fighting apparatus conveying members of a Fire Brigade when going to or returning from a fire or an alarm; any ambulance engaged in carrying sick or injured persons to a hospital or other place for relief or treatment, or going to pick up such persons for such purpose; and any police motor vehicle operated by the Bermuda Police Service;
- (k) "goods" includes all kinds of goods, livestock, merchandise and wares;
- (l) "goods vehicle" means a vehicle constructed or adapted to be used primarily for the carriage of goods;
- (m) "horse" includes any beast of draught or burden;
- (n) "interruption of traffic" means any obstruction by which the passage of any vehicle, horse or pedestrian in and along any street is prevented or impeded or is likely to be
- (o) "intersection" means where two streets cross each other;
- (p) "junction" means where one street ends by joining another street;
- (q) "loading zone" means any space allotted or set aside by the Corporation for the loading and unloading of goods vehicles and designated as such by a white line being painted on the sidewalk or curb with the words "loading zone" thereon;
- (r) "parking" means the standing on a road of a vehicle, whether occupied or not, except—
 - (i) while the vehicle is being loaded or unloaded;
 - (ii) while passengers are entering or leaving the vehicle;
 - (iii) when in compliance with the directions of a constable or of a traffic sign or traffic signal;

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- (iv) while temporarily stopped by reason of traffic conditions; or
 - (v) while stopped owing to mechanical breakdown or lack of fuel;
- and "park" and other cognate expressions shall be construed accordingly;
- (s) "parking space" means any space allotted or set apart by the Corporation for the parking of vehicles and designated as such by public notice or sign;
 - (t) "pedestrian" means any person using a street on foot for the purpose of passage, but does not include a person propelling a vehicle;
 - (u) "pedestrian crossing" means a part of a street for persons to pass from one side of the carriage way to another and indicated and defined by markings on the carriage way or by traffic signs;
 - (v) "sidewalk" means any paved or unpaved portion of any street which has been or shall hereafter be provided by the Corporation for the use of pedestrians, and includes a footpath;
 - (w) "self-propelled constructional machine" includes a road roller, a road grader, and any vehicle which is primarily a crane or a mechanical contrivance, designed for use in connection with works of construction, excavation and the like;
 - (x) "stopping" means the standing on a road of a vehicle, whether occupied or not, except—
 - (i) when in compliance with the directions of a constable or a traffic sign or traffic signal;
 - (ii) while temporarily stopped by reason of traffic conditions; or
 - (iii) while stopped owing to mechanical breakdown or lack of fuel; and "stop" and other cognate expressions shall be construed accordingly;
 - (y) "street" includes any alley, highway, lane, public passage, public place, sidewalk, parking area, thoroughfare or wharf in the Town of St. George for use by horses, pedestrians or vehicles;
 - (z) "taxi" means a motor car which has seating accommodation for not more than four passengers, and

which is lawfully used for the conveyance of passengers for hire or reward;

- (za) "taxi stand" means any place designated by published notice or traffic sign for the exclusive use of taxis;
- (zb) "tracked vehicle" means any type of vehicle or machine which proceeds either wholly or partly on caterpillar tracks;
- (zc) "traffic" means horses, pedestrians and vehicles while using a street;
- (zd) "traffic sign" means a sign for regulating the movement of traffic, or the parking of vehicles, erected, placed or marked on or near any street;
- (ze) "tree" includes plant, shrub and vine;
- (zf) "vehicle" includes any motor car, wagon, carriage, cart, tractor, trailer, hand cart, auto-bicycle, auxiliary cycle, cycle or other conveyance (except a baby carriage, perambulator or invalid chair) which is used for the transportation of passengers, animals, goods or other loads; and "vehicular" shall be construed accordingly;
- (zg) "working hours" means the hours between 9.00 a.m. and 5.00 p.m. both inclusive on any day other than a Sunday, a public holiday or a Thursday and includes the hours between 9.00 a.m. and 12.00 noon both inclusive on any Thursday not being a public holiday.

[section 2 amended by 1997 : 37 effective by notice in Official Gazette]

Right of way on Duke of York Street, Duke of Kent Street and Rose Hill

3 All vehicular traffic proceeding along Duke of York Street, Duke of Kent Street and Rose Hill shall have the right of way unless otherwise specifically indicated by traffic signs.

Emergency vehicles

4 Upon the approach of any emergency vehicle, when the driver thereof is giving an audible signal, the drivers of other vehicles shall yield the right of way and shall pull to the side of the road and stop and remain in such position until the emergency vehicle has passed.

Parking

5 No vehicle may be parked in the Town of St. George except under the conditions following—

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- (a) subject to Clause 20 hereof auxiliary bicycles or cycles may be parked provided that no part thereof is more than two feet from the curb at the side of the street on which the vehicle is parked and provided also that no vehicle is already parked at that place;
- (b) motor-cycles may be parked only where there is a place for parking specifically designated for such purpose by markings on the carriage-way or by signs erected and notwithstanding (a) above auxiliary-bicycles and cycles may be parked within such specially designated places for parking although portions of such auxiliary bicycles and cycles may protrude more than two feet from the curb;
- (c) taxis (unless actually on hire) may be parked only in a taxi stand;
- (d) vehicles (other than motor-cycles and taxis not on hire) may be parked only in such places as may be specifically designated as parking places and indicated by signs erected and only for such period of time in any one place as may be specified in such signs provided always that no vehicle shall be parked or stopped so as to infringe the Road Traffic Act 1947 [*title 21 item 3*], or articles 8, 9, 10, 11 and 12 hereof.

Loading zones

6 No vehicle other than a goods vehicle loading or unloading for a period of time not exceeding one hour may be parked or stopped any where in the Town of St. George in front of a loading zone during working hours.

All vehicles may park or stop in front of a loading zone without time limit outside working hours provided always that such parking or stopping is not in contravention of the Road Traffic Act 1947 [*title 21 item 3*] or articles 8, 9, 10, 11 and 12 hereof.

Parking without lights

7 During the hours of darkness (namely the period between half an hour after sunset and half an hour before sunrise) all vehicles may be parked in the Town of St. George without lights provided always that such parking does not infringe any provision hereof or of the Road Traffic Act 1947 [*title 21 item 3*].

Vehicle stopping or parking so as to cause interruption of traffic

8 No vehicle shall be stopped or parked so as to cause or to be likely to cause an interruption of traffic.

Parking in direction of travel

9 No vehicle shall be stopped or parked in any street otherwise than facing in the direction of travel for that street or that side of the street.

Restriction of parking of taxis

10 No taxi stand may be used for parking by a taxi unless the driver of that taxi is then plying for hire and remains within ten feet thereof.

Yellow line

11 No vehicle, horse, goods or other thing may be stopped or parked or placed on the sidewalk or on the half of the street, next to or alongside a yellow line painted on the sidewalk or curb.

Temporary sidewalk extending into street; prohibition of stopping or parking

12 No vehicle may be stopped or parked alongside any street obstruction or temporary sidewalk extending into the carriage way or alongside construction equipment or material extending into the carriage way.

Vehicle without springs

13 No vehicle without springs may be driven or towed in any street at a speed greater than ten miles per hour.

Tracked vehicle

14 No tracked vehicle may be driven in any street without first obtaining a written permit from the Secretary of the Corporation.

Making a "U" turn

15 No vehicle except a hand cart, motor-cycle, auxiliary bicycle or cycle may make a "U" turn in any street except at the following places—

- (a) At the Western end of Tiger Bay Gardens at the junction of Duke of York Street and the road leading to the Municipal Docks;
- (b) At any intersection/junction of York Street and Kent Street;
- (c) At the junction of Duke of York Street and Customs House Square;
- (d) At the foot of Barrack Hill;
- (e) At the top of all dead-end streets;
- (f) In the King's Parade.

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Driving in one way street

16 No vehicle other than an emergency vehicle may turn in a one-way street or proceed therein other than in the proper direction except to back into an entrance.

No backing into one way street

17 No vehicle other than an emergency vehicle may be backed into a one-way street.

Designation of one way streets

18 The following are declared to be one-way streets for all vehicles which may proceed therein only in the direction indicated—

- (a) Queen Street, from Duke of York Street, to junction of Turkey Hill Road and Chapel Lane, in a Northerly direction;
- (b) Duke of Clarence Street, proceeding in a Southerly direction;
- (c) Duke of Cumberland Street, proceeding in a Westerly direction;
- (d) Peach Alley, proceeding in an Easterly direction;
- (e) Water Street, proceeding in an Easterly direction;
- (f) Sessions House Road, leading to Masonic Lodge St. George in an Easterly direction, continuing through to Mason's Alley, proceeding in a Northerly direction;
- (g) Water Street East, from the King's Parade to the foot of Barrack Hill, proceeding in an Easterly direction;
- (h) Shinbone Alley, proceeding in a Southerly direction;
- (i) In a clockwise direction from the junction of Duke of York Street and Old Maid's Lane, proceeding in a Northerly, Easterly, Southerly and again Easterly direction to the junction of Featherbed Alley and Duke of Clarence Street, viz., Old Maid's Lane, Printer's Lane and Church Lane;
- (j) Chapel Lane in an Easterly direction, connecting Queen Street and Duke of Clarence Street;
- (k) Church Lane, in an Easterly direction, connecting Queen Street and Duke of Clarence Street.

Manner of designation of one way street

19 The Corporation may designate by public notice or sign any street be a one-way street and may alter the designation of the streets referred to the preceding clause hereof

No right turn from Duke of Clarence Street into Duke of York Street

20 No vehicle other than an emergency vehicle emerging out of Duke Clarence Street may turn right into Duke of York Street.

Streets closed to vehicles

21 All vehicles are prohibited on the following streets, namely—

- (a) Tailor's Alley;
- (b) Silk Alley;
- (c) alley connecting Printer's Alley with Turkey Hill Road and in such other streets as the Corporation may from time to time by public notice or sign designate.

Restriction on leaving of horse drawn vehicle on street

22 No horse-drawn vehicle shall be left in any street without a proper person in charge thereof unless the horse attached thereto is securely tied to post or some other suitable object,

Restriction on sounding horn

23 No horn or other warning device on any motor propelled vehicle other than an emergency vehicle may be sounded except where necessary in the interests of safety.

Speed limit on wharf

24 No vehicle may be driven on any wharf or the enclosure to any wharf at a speed greater than five miles per hour.

Offences and penalties

25 Any driver who contravenes any of the provisions of the foregoing articles commits an offence against this Ordinance and shall be liable to prosecution for such offence in accordance with the Municipalities Act 1923 [*title 4 item 1*], or the Road Traffic Act 1947 [*title 21 item 3*].

Prohibition of various activities in street

26 No person shall—

- (a) wash any vehicle in any street;
- (b) leave or allow to remain in any street, any horse-drawn vehicle to which a horse is not attached;

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- (c) allow any goods or container in the course of delivery at or from any warehouse, shop, store or dwelling house to remain in any street longer than one hour;
- (d) sell or offer or expose for sale any goods or services in any street;
- (e) tie any animal to any tree or to any fence, guard, rail or other structure erected for the protection of any shrub or tree;
- (f) tie any animal to any Corporation flagpole or to any stay or stays thereof or to any light standard or to any fencing;
- (g) break, climb, destroy, mark, pick, uproot or otherwise injure any tree, shrub, bulb or flower unless that person be an employee of the Corporation acting in the course of his employment;
- (h) break, climb, destroy, mark, pick, remove, uproot or otherwise damage any fence, guard, rail or other structure erected for the protection of any tree or shrub unless that person be an employee of the Corporation acting in the course of his employment;
- (i) damage, destroy, uproot or otherwise injure any turf or grass unless that person be an employee of the Corporation acting in the course of his employment;
- (j) leave, throw or place any bottle, can, paper or trash except in the receptacle provided for that purpose;
- (k) roller skate or play any game in any street;
- (l) shine or clean shoes or boots in any street or on any sidewalk;
- (m) assemble with other persons so as to cause or to be likely to cause an interruption of traffic or who does not on being required to do so by a constable, move on or disperse in such manner as to cease to cause or to be likely to cause an interruption of traffic;
- (n) commence or take part in any political demonstration in any street or in property belonging to the Corporation;
- (o) broadcast any sound with the use of an amplifier or otherwise from any vehicle in any street;
- (p) take part in any procession in any street;
- (q) play any musical instrument in any street;
- (r) play any radio on any sidewalk;

- (s) park or cause to be parked at any time any sewerage vehicle or garbage truck on or in a public street, park, parking space or land owned by the Corporation of St. George (except when in the course of operating).

Any person who contravenes any provision of this Article commits an offence against this Ordinance and shall be liable to prosecution for such offence in accordance with the Municipalities Act 1923 [*title 4 item 1*] or the Road Traffic Act 1947 [*title 21 item 3*].

Written permission from Corporation

27 Nothing herein contained shall be construed so as to prevent the Corporation giving written permission to any person, firm or incorporated company to do any act which in the absence of such permission might constitute a contravention of Articles 9 and 12 and Article 26(a), (b) and (c) of this Ordinance; and any such permission shall be good and valid authority to the holder thereof acting in accordance therewith.

Removal of horse drawn vehicle

28 When a contravention of Article 26(b) of this Ordinance occurs, then, whether any proceedings are taken against the driver or not, the vehicle in respect of which the contravention was committed may be removed by any constable, or by any Corporation employee so instructed by the Secretary of the Corporation; and the horse involved therein may be dealt with in the manner prescribed by law with respect to stray cattle.

Revocation

29 [*omitted*]

Restriction on use of routes by commercial vehicles

30 No person shall use a commercial vehicle on any of the routes described in article 31:

Provided that this article shall not prevent the use of those routes by the driver of any commercial vehicle for the purpose of access to any house or place of business located thereon so far as is necessary for the bona fide conduct of his business.

Designated routes

31 The routes referred to in article 30 are as follows—

York Street (from Kent Street to Barrack Hill); Barrack Hill to the municipal boundary on Cut Road; the eastern municipal boundary on Barry Road to Coot Pond; Park Road to Park Gates and Queen Street.

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[Amended by

St. George's Traffic Ordinance 1967 Amendment Ordinance 1975
1997 : 37]