

## **CORPORATION OF THE TOWN OF PETAWAWA**

### **BY-LAW 683/11**

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#### **BEING A BY-LAW TO REGULATE THE CLEARING AND REMOVAL OF SNOW AND ICE WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF PETAWAWA**

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**WHEREAS** Section 9 of the Municipal Act, 2001, S.O. 2001, c 25, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority under this or any other act;

**AND WHEREAS** Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended provides that a municipality may pass by-laws respecting the health, safety and well being of persons;

#### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PETAWAWA ENACTS AS FOLLOWS:**

This by-law shall be known and may be cited as the “Snow Removal By-law”. In the text of the by-law, it is referred to as “this by-law”.

#### **SHORT TITLE SNOW REMOVAL BY-LAW**

##### **1. DEFINITIONS:**

1.1 “Person” shall mean any individual, owner or operator of a vehicle, corporation, partnership, company, association or party and their heirs, executors, administrators or other legal representative of such person to whom the context can apply according to laws; shall include any group of persons comprising a society or other organization and shall include the plural wherein the context requires;

1.2 “Boulevard” shall mean the area of a highway between the edge of the pavement, curb or the roadway and the boundary of land adjacent to the highway, but excluding a sidewalk;

##### **2. GENERAL PROHIBITIONS:**

2.1 No person shall place, or cause to be placed, ice or snow from private property or from a boulevard, onto a sidewalk or traveled portion of a highway;

- 2.2 No person shall deposit, or cause to be deposited, ice or snow on a boulevard that is not directly adjacent to their property, including but not limited to snow pushed or deposited across a roadway or highway;
- 2.3 No person shall place, or cause to be placed, ice or snow from private property or from a boulevard, onto the private property of another person;
- 2.4 No person shall place, or cause to be placed, ice or snow from private property or from a boulevard, in such a manner as to obstruct or hinder the access to any fire hydrant or emergency water stand within the Municipality;
- 2.5 No person shall pile, redistribute or otherwise cause the accumulation of snow on a sidewalk or traveled portion of a highway, within a the municipality, in such a manner as to obstruct traffic, the view of traffic, or obstruct in any way, the movement of snow clearing equipment under the jurisdiction of the Public Works Department.
- 2.6 No person, shall move, place or operate any equipment, vehicle or material on any part of a road or highway such that damage to the road surface, curbs, sidewalks or municipal services results from their actions.

### 3. EXEMPTIONS:

- 3.1 The provisions of this by-law shall not apply to municipal snow clearing operations, the County of Renfrew snow clearing operations, or to the Ontario Ministry of Transportation.

### 4. REPAIR AND RECOVERY:

- 4.1 Every person shall ensure that any snow or ice that is moved or deposited in contravention of Para 2 is removed forthwith. Any snow or ice found to be deposited in contravention of Para 2 may be cleared, treated or removed at the direction of the Public Works Superintendent without notice to and at the expense of the owner of the abutting land, and such costs may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

### 5. PENALTY:

- 5.1 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O., 1990 as amended.

6. SEPERATION:

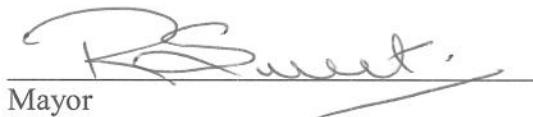
6.1 If any Court of competent jurisdiction finds that any of the provisions of this By-law is ultra vires of the jurisdiction of the Council to pass or is invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this By-law;

7. EFFECTIVE DATE:

7.1 This By-law shall come into force on and take effect upon the date of the final passing thereof.

By-law read a first and second time this 4<sup>th</sup> day of April, 2011.

By-law read a third time and passed this 4<sup>th</sup> day of April, 2011.



R. Sweet

Mayor



M.W. Stilhman

Clerk