

TOWN OF WILKIE - BYLAW NO. 2020-14

A BYLAW OF THE TOWN OF WILKIE TO CONTROL THE REMOVAL OF SNOW, ICE AND OTHER OBSTRUCTIONS FROM PROPERTY.

The Council of the Town of Wilkie in the Province of Saskatchewan enacts as follows:

INTRODUCTION

1. **Short Title**
This bylaw shall be known and may be cited as the Snow Removal Bylaw.
2. **Purpose**
The purpose of this Bylaw is to regulate the removal and/or placement of snow on private property and to prohibit the placement of such snow on roadways, public drainage ditches and public property.

DEFINITIONS

3.
 - a) "Adjoining property" means a parcel of land next to a sidewalk;
 - b) "Council" means the Council of the Town of Wilkie; and
 - c) "Debris" includes grass, loose dirt, mud or organic material likely to interfere with pedestrian traffic;
 - d) "Lane" means a public right-of-way which primarily gives access to the rear of the property;
 - e) "Occupant" means an occupant as defined in *The Municipalities Act*;
 - f) "Owner" means an owner as defined in *The Municipalities Act*;
 - g) "Roadway" means that part of a street adapted to the use of or ordinarily used by vehicles;
 - h) "Sidewalk" means that part of a street adapted to the use of or ordinarily used by the general public for pedestrian traffic;
 - i) "Street" means a street as defined in *The Municipalities Act*;

RESPONSIBILITY

4. The owner or occupant of adjoining property shall be responsible for carrying out the provisions of this Bylaw.

DUTY TO CLEAR SIDEWALKS

5. The owner or occupant of adjoining property, in the areas listed in the attached "Schedule A", shall clear or remove or cause to be cleared or removed all snow or ice or other loose debris from any sidewalk adjoining the property within twenty-four (24) hours of the time when the snow, ice or other loose debris was formed or deposited thereon.

IMPROPER CLEARING OR INTERFERENCE WITH PEDESTRIAN TRAFFIC

6. No person using a power driven device or manual device to clear or remove snow or ice or other loose debris from the sidewalk, shall cause injury to or unduly interfere with any person lawfully using the sidewalk, street or public place and shall refrain from causing damage to the sidewalk, curbs, streets or public places.

CLEARING ONTO ROADWAY RESTRICTION

7. (a) An owner or occupant shall not push, blade, shovel, blow or place snow that has accumulated on private property or the sidewalk and/or boulevard adjacent to the private property onto any street or public place with the

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exception of the downtown commercial area on 2nd Avenue from 2nd Street West to 2nd Street East. These downtown properties shall remove the snow from the sidewalk prior to the street being cleaned by the Town of Wilkie.

- (b) An owner or occupant shall not push, blade, shovel, blow or place snow that has accumulated on public property in such a way that it blocks a lane or roadway.

ENFORCEMENT OF BYLAW

- 8. The administration and enforcement of this bylaw is hereby delegated to the Town Administrator.
- 9. The Administrator of the Town of Wilkie is hereby authorized to further delegate the administration and enforcement of this bylaw to the Town of Wilkie's Bylaw Enforcement Officer, Public Works Manager or Assistant Administrator.

MUNICIPALITY REMEDING CONTRAVENTIONS

- 10. The Town may take whatever actions or measures are necessary to remedy a contravention of this Bylaw and in the case of snow or ice, the Town may complete the work and add to the tax roll of the adjoining property the unpaid expenses and costs incurred by the Town for removing the snow and ice.

NOTICE OF VIOLATION AND OFFENCES

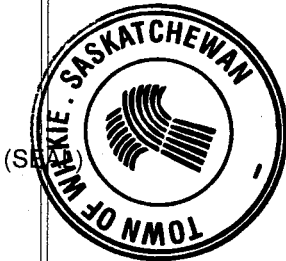
- 11. (1) Every person commits an offence who:
 - (a) fails to remove snow, ice or other loose debris from any sidewalk adjoining their property as listed on Schedule "A" of the bylaw within twenty-four (24) hours of the time when the snow or ice or other loose debris was formed or deposited thereon;
 - (b) uses a power driven device or manual device to clear or remove snow or ice or other loose debris from the sidewalk and causes injury to or unduly interferes with any person lawfully using the sidewalk, or causes damage to the sidewalk or curbs; or
 - (c) pushes, blades, shovels, blows or places snow that has accumulated on private property or the sidewalk and/or boulevard adjacent to the private property onto any street or public place.
 - (d) pushes, blades, shovels, blows or place snow that has accumulated in any lane in such a manner that blocks the lane from use or creates a potential drainage issue in the spring.
- (2) When a contravention of Subsection 1 occurs, the person responsible for the contravention is guilty of an offence and liable on summary conviction to a fine:
 - (a) for a first offence, of \$100;
 - (b) for a second offence, of \$200;
 - (c) for a third or subsequent offence, of \$300.
- (3) Where the Town of Wilkie receives voluntary payment of the amount prescribed under Subsection 2, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- (4) Every person who contravenes any provision of Subsection 1 is guilty of an offence and liable on summary conviction:
 - (a) in the case of an individual, to a fine not more than \$10,000;

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- (b) in the case of a corporation, to a fine not more than \$25,000; and
 - (c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day.
- (5) If an individual is convicted of an offence pursuant to this section, and if the individual fails to pay the fine with respect to the conviction within the prescribed time, the individual convicted may be imprisoned for a term of not more than one year, unless the fine is paid sooner.

COMING INTO FORCE

- 12. That Bylaw No. 03/20 is hereby repealed.
- 13. This bylaw shall come into force and take effect on the date of third and final reading by the Council of the Town of Wilkie.



Mayor

Administrator

Read a third time and adopted this
7 day of Dec, 2020.

Administrator

Certified a true copy of Bylaw No. 2020-14 passed by the Council of the Town of Wilkie on the 7th day of December, 2020.

Administrator

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Schedule "A"
Bylaw No. 2020-14

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
2 nd Avenue	2 nd Street West	2 nd Street East

Note This is referencing the sidewalks running East to West along 2nd Avenue.