



## BYLAW NO. 411/20 SNOW REMOVAL BYLAW

### A BYLAW OF THE TOWN OF STRASBOURG, IN THE PROVINCE OF SASKATCHEWAN, TO CONTROL THE REMOVAL OF SNOW, ICE, AND OTHER OBSTRUCTIONS FROM PRIVATE PROPERTY

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

#### 1. DEFINITIONS

1.1 In this Bylaw:

- a. **Adjoining Property** - A parcel of land next to a sidewalk that is privately owned.
- b. **Administrator** - The person appointed as Administrator pursuant to Section 111 of *The Municipalities Act*.
- c. **Council** - The Mayor and Councillors of the Town elected pursuant to the provisions of *The Local Government Election Act, 2015*.
- d. **Debris** - Grass, loose dirt, mud, or organic material likely to interfere with pedestrian traffic.
- e. **Occupant** - The person, and includes corporate and legal representative, who is in charge of a dwelling unit or property either as a resident or property manager.
- f. **Owner** - The registered owner of the property as registered at Information Services Corporation (ISC).
- g. **Roadway** - Any municipal road, parkway, driveway, square, or place designated and intended for use by the general public for the passage of vehicles, and does not include any area that is primarily intended to be used for the parking of vehicles nor the passageways on that area.
- h. **Sidewalk** - That part of a street adapted to the use of or ordinarily used by the general public for pedestrian traffic.
- i. **Street** - Any road, street, road allowance, or land vested in the Crown in the right of Saskatchewan, or set aside for the purpose of the Crown in the right of Saskatchewan pursuant to any Act, but does not include a provincial highway within the Town as designated pursuant to the provisions of *The Highways and Transportation Act, 1997*.
- j. **Town** - The Town of Strasbourg.

#### 2. RESPONSIBILITY

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

#### 3. REGULATION OF SIDEWALK CLEARING

3.1 The owner of property commercial district shall ensure that public sidewalks adjacent to their property are safe and clear for pedestrian use within twenty-four (24) hours from the time when the snow, ice, or other debris has begun to accumulate, whereas:

- a. Any hazardous conditions created by snow or ice shall be cleared and removed;
- b. Sand or similar material may be applied in moderation to icy sidewalks when slippery conditions persist after snow removal;
- c. The sidewalk surface shall be clear and free of dirt, debris, or other obstructions, unless icy conditions persist as in Subsection 3.1(b) above.
- d. If removal of snow to private property is not possible, the owner or occupant of adjacent property may dispose of it on the public roadway in such a manner that it does not create a hazard or interfere with the use of the roadway.

#### **4. IMPROPER CLEARING AND INTERFERENCE WITH PEDESTRIAN TRAFFIC**

4.1 The clearing or removal of snow, ice, or debris, whether by power-driven or manual equipment, shall not cause injury to, or unnecessarily interfere with, any pedestrian using the sidewalk, or cause damage to the sidewalk, curbs, or adjoining Town property.

4.2 The Town is exempt from the requirements of Section 4.1, as during the course of their snow clearing duties, they will need to create piles and ridges which may inadvertently interfere with pedestrian traffic, and as well as potentially damage sidewalks, curbs, and other Town-owned property with the snow clearing equipment.

#### **5. REGULATIONS FOR SNOW CLEARING**

5.1 Notwithstanding Subsection 3.1(d), no person shall push, blade, shovel, blow, or place snow, ice, or other debris that has accumulated on private property onto any public roadway, pathway, or public property. This includes streets, alleys, sidewalks, hydrants, storm drains, and public drainage ditches.

5.2 No person shall push, blade, shovel, blow, or place snow, ice, or other debris onto any neighbouring private property.

5.3 No person shall leave snow, ice, or other debris in such any place that it obstructs or creates an unsafe condition for pedestrian or vehicular traffic.

#### **6. REMEDY FOR CONTRAVENTION**

6.1 The Town may take any necessary measures required to remedy a contravention of this Bylaw and all expenses incurred shall be charged back to the property owner.

6.2 Where the Town has remedied a contravention, the Town shall apply all incurred expenses to the tax roll of the adjacent parcel of land in accordance with Section 369 of *The Municipalities Act*.

#### **7. ENFORCEMENT AND PENALTIES**

7.1 The Town's Bylaw Enforcement Officer, RCMP Officer, or any other person specifically appointed by the Town are hereby designated to enforce all sections of this Bylaw.

7.2 Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder is guilty of an offence and is liable to the penalties as hereinafter provided. Said offences and penalties shall be listed in Schedule "A," which is attached hereto and forms part of this Bylaw.

7.3 Any person who contravenes the provisions of this Bylaw as not specifically set out in Schedule "A" or fails to comply therewith, or with any notice given thereunder, is guilty of an offence and is liable on summary conviction to a fine in an amount not exceeding that provided for by the Town's General Penalty Bylaw.

7.4 Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a ticket, summons, or notice may be served on such person by a Bylaw Enforcement Officer, RCMP Officer, or any person duly authorized by Council. Such person served with a ticket or notice may voluntarily pay same at the Town of Strassbourg Administration Office between the hours of 8:30 a.m. and 4:00 p.m., excepting Saturdays, Sundays, and public holidays, provided that payment is made within a period of ten (10) days from the service of the said ticket or notice. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.

7.5 Service of a ticket or notice pursuant to this Bylaw may be made by:

- a. Mailing such ticket, summons, or notice to the last known address of the owner of said adjacent property; or
- b. Personally delivering the ticket, summons, or notice to the person committing the breach of the provision of this Bylaw.

7.6 A person to whom a Notice of Violation is being issued pursuant to this section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to be assessed a fine as outlined in the most current Town's General Penalties Bylaw.

7.7 Any violation that is prosecuted and subsequently convicted shall be paid within fifteen (15) days of the conviction. If any person fails to resolve outstanding payment fifteen (15) days after conviction is rendered by a court of competent jurisdiction, an additional penalty of fifty dollars (\$50) shall be added to the total outstanding amount.

**8. COMING INTO FORCE**

8.1 This Bylaw shall come into force on the date of final approval by the Council of the Town of Strasbourg.



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Mayor

*Jennife Josephsen*  
\_\_\_\_\_  
Administrator

Certified to be a true copy of Bylaw No. 411/20 adopted by the Council of the Town of Strasbourg, on the 25th day of November, 2020.

[SEAL]

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Administrator



**SCHEDULE "A" TO  
BYLAW NO. 411/20**

**PENALTIES**

Offence	Penalty Sum (Fine)		
	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
Failure to remove snow, ice, other debris within designated time frame	\$100	\$400	\$600
Improper clearing	\$100	\$400	\$600
Causing damage to Town sidewalk or curb <i>*Fine plus applicable costs to restore to previous state</i>	\$100	\$400	\$600
Clearing snow onto any land other than private adjoining property <i>*Fine plus applicable costs to restore to previous state</i>	\$100	\$400	\$600
Causing an obstruction or unsafe situation <i>*Fine plus applicable costs to restore to previous state</i>	\$100	\$400	\$600