

THE MUNICIPALITY OF CLANWILLIAM-ERICKSON

BY-LAW NO. 26/15

BEING A BY-LAW OF THE MUNICIPALITY OF CLANWILLIAM-ERICKSON TO CONTROL AND REGULATE THE REMOVAL OF SNOW FROM SIDEWALKS

WHEREAS subsection 232(1) of the Act, provides in part as follows:

“A Council may pass by-laws for municipal purposes respecting the following matters:

(a) the safety, health protection and well-being of people, and the safety and protection of property.”

AND WHEREAS subsection 232(2) of the Act, provides in part as follows:

“Without limiting the generality of subsection (1), a council may in a by-law passed under this Division

(a) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality;

NOW THEREFORE the Council of The Municipality of Clanwilliam-Erickson, in meeting duly assembled, enacts as follows:

1. SNOW, ICE OR DIRT FOR ALL PREMISES ON MAIN STREET

Every occupant, or in the event there is no occupant, the owner or person having charge or care of every premise, building, lot or parcel of land fronting or abutting on main street shall:

(a) before 10:00 A.M. on each day following every fall of snow, hail or rain which shall freeze on the sidewalk, or after falling of snow or ice from off any building, shall remove ice and snow from that portion of the sidewalk adjacent to the parcel so that the sidewalk is cleared to the width of the sidewalk and to the bare surface, without causing damage to the sidewalk.

(b) not remove from any street, boulevard or sidewalk any snow or ice and deposit same on any street, boulevard or sidewalk in such a manner that could create a hazardous condition for either vehicular or pedestrian traffic; or

(c) before 10:00 A.M. on each day, remove from the sidewalk fronting or abutting the aforesaid properties all dirt or other obstructions; and

(d) when the day for clean up under paragraphs (1) and/or (2) hereof falls on a holiday, then the cleanup may be delayed until the day following the holiday, except when a business affected by this provision is open on any such holiday, then said provisions are to be met on the holiday.

(e) where the provisions of paragraph (1) and/or (2) have not been met, the owner of the property adjacent to the sidewalk may be invoiced with an amount subject to Schedule “A” under this by-law.

(f) where the provisions or paragraph (1) and/or (2) have not been met within 24 hours of the time specified in the said clauses, the municipality shall cause the snow, ice, dirt or other obstructions to be removed forthwith, the expense of such clean up to be recorded and charged to the owner or owners of the land in default.

(g) the Chief Administrative Officer shall record all such expenditures and the expenditures shall be charged against the adjacent lot or parcel of land on the tax roll for the calendar year of such clean up and collected in the same manner as ordinary municipal taxes.

2. SNOW OR ICE – ALL OTHER PROPERTIES

- (a) It shall be an offence for any person to remove from any private property, public property, street, back lane, boulevard or sidewalk any snow or ice and deposit same on any street, boulevard or sidewalk in such a manner that could create a hazardous condition for either vehicular or pedestrian traffic.
- (b) Subsection (a) shall not apply to the municipality, the Department of Highways and Transportation, their agents or employees who are actively engaged in snow removal from streets, boulevards or sidewalks in the course of their employment or fulfillment of contract.
- (c) Any person occupying a property where a building abuts the property line adjacent to a street in such manner that snow cannot be cleared onto the property may pile the snow at the curb line of the street in such a manner that both vehicular and pedestrian traffic can pass only if a hazardous condition is not created when snow is piled in this manner.

3. That the Town of Erickson By-law No.545A-03 is hereby repealed.

DONE AND PASSED AS A BY-LAW OF THE MUNICIPALITY OF CLANWILLIAM-ERICKSON, IN COUNCIL DULY ASSEMBLED, AT ERICKSON, IN THE PROVINCE OF MANITOBA, THIS 10TH DAY OF NOVEMBER, A.D. 2015.

THE MUNICIPALITY OF CLANWILLIAM-ERICKSON

Elgin Hall
Mayor

Quinn Stelmaschuk
Chief Administrative Officer

Read a first time this 28th day of October, A.D., 2015.
Read a second time this 28th day of October A.D., 2015.
Read a third time this 10th day of November, A.D., 2015.

SCHEDULE "A"
MAIN STREET SNOW REMOVAL BY-LAW NO.26/15

IN THE MATTER of the Main Street Snow Removal By-law No.26/15 of The Municipality of Clanwilliam-Erickson, the following rates shall apply when the said Municipality is rectifying a violation.

NOTICE OF FEES

- a) For snow removal by a municipal employee, the fee shall be \$100.00 per hour or any part thereof;
- b) When contractors are required, the costs shall be as per contractors price plus an administrative fee of 25% of the contractors fee.