

**THE CORPORATION OF THE TOWNSHIP OF MATTICE – VAL CÔTÉ**

**BY-LAW NO. 875**

**BEING A BY-LAW TO PROHIBIT THE DEPOSITION OF SNOW ON  
SIDEWALKS AND ROADWAYS WITHIN THE TOWNSHIP OF  
MATTICE – VAL CÔTÉ**

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**WHEREAS** Section 8 (1) of the Municipal Act 2001, as amended, confers upon the municipality the authority to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 10 (1) of the Municipal Act 2001, as amended, authorizes municipalities to pass by-laws for the health, safety and well-being of persons;

**AND WHEREAS** Section 181 of the Highway Traffic Act, RSO 1990, as amended, prohibits the deposit of snow or ice on a roadway without the permission from the road authority;

**AND WHEREAS** Council of the Corporation of the Township of Mattice – Val Côté deems it advisable to pass a by-law prohibiting the obstructing of roadways and sidewalks and regulating the placement of snow thereon.

**NOW THEREFORE** the Council of the Corporation of the Township of Mattice – Val Côté enacts as follows:

**1.DEFINITIONS**

For the purpose of this by-law, the following definitions will apply:

1.1 "**Highway**" means a roadway under the jurisdiction of the Township of Mattice – Val Côté.

1.2 "**Municipality**" means the Corporation of the Township of Mattice – Val Côté;

1.3 "**Property owner**" includes the person holding registered title to land and the person managing or receiving the rent or paying the municipal taxes on the land in question and shall also include a lessee or occupant of the land.

1.4 "**Person**" includes an individual, association, partnership or corporation;

1.5 **"Roadway"** means the municipal road allowance;

1.6 **"Stockpile"** means a concentration of snow pushed into a pile of more than three feet in height;

1.7 **"Traveled portion of a highway or roadway"** means that part of a highway designated or intended for use by vehicular traffic.

## **2. GENERAL PROHIBITIONS**

2.1 **No person shall deposit, or cause to be deposited, snow or ice on the travelled portion of a roadway.**

2.2 **No person shall deposit, or cause to be deposited, snow or ice on any sidewalk plowed by the Municipality.**

2.3 **No person shall deposit, or cause to be deposited, snow or ice from one side of the travelled portion of the roadway to the other side of the travelled portion of the highway.**

2.4 **No person shall deposit or stockpile, or cause to be deposited or stockpiled, snow or ice within the roadways as to obstruct the line of sight of vehicles entering the roadway from a private driveway or at an intersection.**

2.5 **No person shall deposit, or cause to be deposited, snow or ice on, or immediately adjacent to, a fire hydrant or in a manner that obstructs access to a fire hydrant.**

2.6 **No person shall deposit, or cause to be deposited, snow or ice in such a manner as to bury a stop sign or obstruct the clear visibility of a stop sign.**

2.7 **No person shall deposit, or cause to be deposited, snow or ice in such a manner so as to obstruct drainage to any municipality owned ditch, drain or sewer.**

2.8 **No person shall pile, redistribute or otherwise cause the accumulation of snow in such a manner as to obstruct traffic, the visibility of traffic or in any way the movement of the municipal snow clearing equipment.**

2.9 **No person shall place or permit snow to accumulate on any corner lot above the grade of the road with height exceeding three feet within a sight triangle.**

2.10 Except as may be necessary to clear away a snow bank blocking access to a private entrance or driveway, no person shall clear away or remove snow from municipal roadways without a written permission from the Public Works Supervisor, subject to Council's approval.

### **3. REMEDIATION**

3.1 When snow or ice is deposited in contravention of Section 2.0, notice shall be given to the property owner to remove the material forthwith.

3.2 If the property owner fails to remove the snow or ice forthwith, or cannot be notified immediately, or if the property is vacant or if the material is of a nature, volume or consistency that creates an immediate hazard, the Public Works Supervisor is authorized to have the material removed and to invoice the property owner for the costs involved.

3.3 If the invoice sent under section 3.2 remains unpaid for a period of more than three months, said amount shall be added to the collector's roll for the current year and shall be collected as taxes.

### **4. SNOW DEPOSIT AREAS**

4.1 **Snow** that falls on private property must remain and be piled on that private property. If a property owner wishes to clear the property of its snow accumulation, he can transport the snow, or have the snow transported by a private entrepreneur, to one of the municipal snow deposit areas.

4.2 There are currently six municipal snow deposit locations in the village of Mattice. They are located at each extremity of Queen Street (2), behind the Sports Complex (1), by the old curling site (1), at the corner of 3<sup>rd</sup> Street north and River Street (1) and on the highway property located west of Five Mile Creek (1).

### **5. AUTHORITY TO GET VEHICLES TOWED**

5.1 Where a vehicle is parked or stopped in such a manner as to hinder or obstruct the movement of municipal snow clearing equipment, the Public Works Supervisor may cause it to be moved or have it towed by an area towing company at the expense of the vehicle owner.

### **6. EXEMPTION**

The provisions of this by-law shall not apply to municipal snow clearing operations.

**7. ENFORCEMENT**

- a) Every person who contravenes any provision of this by-law, or permits a contravention of this by-law, is guilty of an offence and upon conviction is liable to a fine, not exceeding \$5,000.00, exclusive of costs, as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.
- b) Where an offense against any provision of this by-law is of a continuing nature, a separate offense shall be deemed to occur on each day that the offense occurs or continues.
- c) No action or other proceeding for damages shall be instituted against any municipal employee for any act done in good faith, in execution of any power or duty under this by-law.
- d) Any costs and or fines resulting from a person refusing to comply with this by-law shall be paid within 30 days. Any unpaid fines shall be recovered in the same manner as municipal taxes.

**8. SCHEDULE**

Schedule "A" - Snow removal set fines, attached hereto, is hereby made part of this by-law.

**9. SEVERABILITY**

If any part of this by-law is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this by-law.

**10. SHORT TITLE**

This by-law may be referred to or cited as the "Snow Removal By-law".

**11. EFFECTIVE DATE**

This by-law will take effect on October 1<sup>st</sup>, 2021 and will repeal and replace By-law no. 261.

**READ AND ADOPTED** this 21<sup>st</sup> day of December 2020.

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**MAYOR**

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**CAO/CLERK**

Schedule "A" to By-Law no. 875, being a By-law to prohibit the deposition of snow on sidewalks and roadways within the Township of Mattice – Val Côté

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### Snow Removal Set Fines

Item	Short form wording	Provision creating or defining the offence	Set Fine
1	Deposit snow on travelled portion of a roadway	2.1	A fine of \$175.00 shall be issued
2	Deposit snow on sidewalk plowed by the Municipality	2.2	A fine of \$175.00 shall be issued.
3	Deposit snow from one side of the road to the other	2.3	A fine of \$175.00 shall be issued.
4	Deposit snow obstructing line of sight of vehicles	2.4	A fine of \$175.00 shall be issued.
5	Deposit snow adjacent to a fire hydrant	2.5	A charge of \$200.00 will be issued.
6	Deposit snow obstructing visibility of stop sign	2.6	A fine of \$200.00 shall be issued.
7	Deposit snow obstructing drainage	2.7	A fine of \$175.00 shall be issued.
8	Deposit snow obstructing traffic	2.8	A fine of \$200.00 shall be issued.
9	Deposit snow on corner lot in excess of 3 feet	2.9	A fine of \$175.00 shall be issued.
10	Remove snow from municipal roadways without permission	2.10	A fine of \$250.00 shall be issued.