



# SNOW REMOVAL BYLAW

## Schedule K to Consolidation Bylaw 663, 2012

**WHEREAS** section 39 of the Community Charter provides that Council may regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community;

**NOW THEREFORE** the Council of the Village of Lytton in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “**Snow Removal Bylaw 611, 2009**”.
2. The Village of Lytton Bylaw no. 38, “Lytton ice, icicles, snow, rubbish and dirt bylaw no. 38” and any amendments thereto is hereby repealed.

### DEFINITIONS

In this Bylaw, unless the context otherwise requires:

**Council** means the Council of the Village of Lytton;

**Highway** includes a street, road, lane, bridge, viaduct, and any other way open to public use, but does not include a private right-of-way on private property;

**Pedestrian** is any person walking, standing, sitting, or otherwise being in the vicinity of a sidewalk or highway, and not in a vehicle;

**Rubbish** includes any and all manner of garbage, discarded or disused material, filth, noxious, offensive or unwholesome matter, dirt, gravel, bark mulch or refuse and all discarded, broken or useless items;

**Sidewalk** means a structure for pedestrian use including a walkway, sidewalk, stairs, ramp and curb letdowns and or the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians.

**Staff Person** includes all persons at that time under employment by the Corporation of the Village of Lytton

## **SNOW AND ICE AND RUBBISH REMOVAL**

3. Every owner and occupier of real property in the Village of Lytton (hereinafter called the Village) is required to:

1) Remove any snow, ice or rubbish, or any combination of snow, ice or rubbish from any sidewalk bordering the real property by 11:00 AM of the morning following any snowfall or ice storm or other environmental event, or any event whatsoever that caused any accumulation of snow, ice or rubbish on any sidewalk;

2) Remove any accumulation of snow or ice from the roof or other part of any structure on the property where the location of that structure is such that, should the snow or ice on it fall onto any side walk or highway it could cause bodily injury to persons passing by, or cause structural damage to other buildings, or cause damage to passing vehicles, or would impede travel by either pedestrians or vehicular traffic, by 11:00 AM of the morning following any snowfall or ice storm or other environmental event, or any event whatsoever that caused any accumulation of snow, ice or rubbish on any roof or other part of any structure;

3) The snow, ice or rubbish moved from the sidewalk and buildings pursuant to the requirements of this Bylaw shall not be placed on any highway in such a manner that vehicular traffic will be adversely affected, nor shall it be placed on any highway in such a manner that water flow from melt water will be blocked or caused to accumulate to the degree that pedestrian or vehicular traffic would be inconvenienced or impeded, nor shall it be placed on any highway in such a way as to block any storm drain opening.

## **DAMAGE TO SIDEWALKS**

4. No person shall use any snow removal equipment such as any shovel, pick, crowbar or any other instrument in a manner that will damage any sidewalk whether such person is engaged in removing snow or ice from such sidewalk or not.

5. No person shall damage any sidewalk in the Village with the use of sodium chloride, calcium chloride, or other harmful substance for the removal of snow and ice.

6. Should the owner and occupier of any real property not comply with the provisions of this Bylaw as described in section 3, the Village shall retain the right to clear any snow, ice or rubbish accumulated thereon, and the owner of the real property shall be liable for all expenses incurred.

7. In all instances where any staff person of the Village, or those appointed, hired or contracted by any staff person of the Village, is required to clear sidewalks or other accumulations which are the responsibility of the owner or occupier of the real property, or where the sidewalk has been damaged through the actions of said owner or occupier, or any agent acting on their behalf, the Village shall invoice the owner or occupier of the

real property who failed to comply with the provisions of this Bylaw for the real cost of the action taken under the provisions of this Bylaw, and if such monies as invoiced under this section remain unpaid at 31 December of the year in which the invoice was issued, such monies shall be added to the property taxes of the real property involved as permitted under sections 17 and 258 of the Community Charter.

8. Every person who violates any of the provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw is liable on summary conviction to a fine of not more that ten thousand dollars (\$10,000.00) and costs (including the costs of committal and conveyance to the place of imprisonment) for each offence, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

### **PARKING**

9. The Village reserves the right to curtail parking on any highway in the Village to facilitate snow removal, or for any reason whatsoever. Signs shall be erected by Public Works staff, or by persons so delegated by the Village Lead Hand, to prevent such parking. No person shall park any vehicle on any highway which has been closed by such signs. Any vehicle found parked in contravention of such designated signs shall be subject removal by tow truck at the expense of the registered owner of the vehicle.

### **SEVERABILITY**

10. If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this bylaw.

Read for the first time this 23<sup>rd</sup> day of March, 2009.

Read for the second time this 14<sup>th</sup> day of April, 2009.

Read for the third time this 14<sup>th</sup> day of April, 2009.

Reconsidered and adopted this 27<sup>th</sup> day of April, 2009.

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MAYOR

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CORPORATE OFFICER