

**BY-LAW NUMBER 8 OF 2008**  
**CORPORATION OF THE TOWN OF ST. MARYS**

**Definitions**

1. In this By-law:
  - a. “Building” includes a house, shop, garage, church or other structure;
  - b. “Council” means Council of the Town;
  - c. “Director of Public Works” shall mean the person appointed by the Council to the position of Director of Public Works and any employee of the Town of St. Marys who acts at the direction of the Director of Public Works.
  - d. “Property” includes a lot or parcel of land;
  - e. “Sidewalk” includes any public walkway or road works on that portion of a street between the curb line or the lateral line of a roadway and the Street Line that is intended for the use of pedestrians;
  - f. “Snow” includes ice and slush.
  - g. “Street” includes highway, road allowance, street, avenue, parkway, driveway, lane, square, place, bridge, viaduct, trestle, parking area or other public way dedicated and intended for or used by the general public for the passage of vehicles;
  - h. “Street Line” shall mean the boundary between the street and the abutting land;
  - i. “Town” shall mean The Corporation of the Town of St. Marys.

**Snow and Ice Removal from Sidewalks**

2. Every person owning or occupying land abutting a portion of any street located within the area set out in Schedule ‘A’ shall remove snow and ice from that portion of any sidewalk that is contiguous with their lot lines before 10:00 a.m. on every day of the year and shall continue to remove snow and ice as necessary between the hours of 10:00 a.m. and 6:00 p.m.,
3. Any snow or ice which is found on a sidewalk on a portion of street within the area set out in Schedule ‘A’ of this by-law after 10:00 a.m. on any day of the year may be cleared, treated or removed at the direction of the Director of Public Works, the Clerk of the Corporation, an Officer in charge of St. Marys OPP Community Policing Team or their designates without notice to and at the expense of the owner of the abutting land and such expense may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

**Snow and Ice Removal From Buildings**

4. The owner or person having charge, care or control of a lot having a building, structure, or sign situated on it in such a manner as to present a hazard from icicles, ice or snow which may fall from it onto the Street or Sidewalk, shall

remove such icicles, ice or snow from the building, structure or sign by 10:00 a.m. every day of the year and shall take all due and proper care and precaution for the warning and safety of passersby and other persons while undertaking to remove such icicles, ice and snow.

5. If the owner or person having charge, care and control does not remove such icicles, ice or snow from the building, structure or sign as required in this by-law, such icicles, ice or snow may be removed at the direction of the Director of Public Works, the Clerk of the Corporation, an Officer in charge of St. Marys OPP Community Policing Team or their designates without notice to and at the expense of the owner of the land upon which the building, structure or sign is located, and such costs may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

### **General Provisions**

6. Snow and ice cleared from sidewalks, Buildings, structures or signs shall be deposited on the street as near as practical to the curb or edge of the street so as not to interfere with moving vehicular traffic on the street or pedestrian traffic on the sidewalk,
7. No person shall deposit or cause to be deposited snow or ice in a manner that will obstruct fire hydrants or pedestrian walks and shall ensure that all fire hydrants and pedestrian walks are kept clear of any snow so removed.
8. Snow and ice removed from sidewalks are to be removed in such a manner as not to damage the sidewalk.
9. The removal of ice or snow by the Town shall not relieve any person from liability for the penalty of breach of any of the provisions herein, or from further compliance with any of the provisions herein.

### **Enforcement and Penalty Provisions**

10. The provisions of the by-law shall be enforced pursuant to the provisions set out in Part I of *the Provincial Offences Act* and Part XIV of the *Municipal Act, 2001*,
11. Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to a fine of not less than Ninety Dollars (\$90,00).
12. All fines imposed under this by-law on a person shall be recoverable under the provisions of Part I of the *Provincial Offences Act* and Part XIV of the *Municipal Act, 2001* and shall be paid to the Town Treasurer,

### **Severability**

13. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

**By-law Repealed**

14. Upon the coming into force of this by-law, Town by-law No. 12-2000 is hereby repealed.

**Effective Date**

15. This By-law comes in to force on date of passing.

**Short Title**

16. The short title of this by-law is the *Snow and Ice Removal By-law*.

**Read a first and a second time this 22<sup>nd</sup> day of January 2008.**

**Read a third time and passed this 22<sup>nd</sup> day of January 2008.**

Signed by Mayor  
Jamie Hahn, Mayor

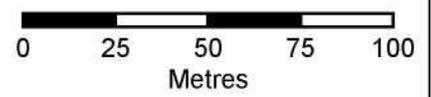
Signed by Clerk  
Bruce Grant, CAO/ Clerk

# TOWN OF ST. MARYS

## DOWNTOWN CORE AREA SNOW AND ICE BY-LAW

### SCHEDULE "A"

JANUARY 28, 2008



#### Legend

-  WATER COURSE
-  SNOW & ICE REMOVAL
-  LOTS

