

BEING A BY-LAW TO PROHIBIT THE OBSTRUCTION OF ROADWAYS AND SIDEWALKS WITHIN THE MUNICIPALITY OF THE VAL RITA-HARTY AND REGULATE THE DUMPING OF SNOW THEREON

WHEREAS, Section 8 of the Municipal Act, Chapter 25, S.O. 2001, as amended, confers broad authority upon municipalities and provides that a municipal power shall be exercised by by-law;

AND WHEREAS, the Highway Traffic Act (R.S.O. 1990, C. H.8, S. 181) prohibits any person from depositing snow or ice on a roadway without permission from the road authority, and

NOW THEREFORE the Municipal Council of the Corporation of the Township of Val Rita-Harty enacts as follows:

1. For the purpose of this by-law, “roadway” shall be defined as the municipal road allowance and “travelled portion of the roadway” shall be defined as that part of a roadway designated or intended for use by vehicular traffic.
2. No person shall place or deposit, or cause to be placed or deposited, snow on the travelled portion of a roadway within the Municipality of Val Rita-Harty.
3. No person shall create or cause an accumulation of snow to be created on property adjacent to municipal sidewalks or roadways, thereby causing the obstructing, encumbering or fouling of such sidewalks or roadways.
4. No person shall deposit any snow from a private property or cause any snow from a private property to be deposited on any part of a roadway allowance within the Municipality of Val Rita-Harty.
5. The accumulation of snow on the part of a municipal road allowance that is located along the entrance or driveway of a private property may be cleared and deposited by the owner of the property only on the part of the road allowance that fronts his property and that is not open for and used by or for pedestrian and vehicular traffic and parking.
6. No property owner, tenant, occupant or contractor shall deposit snow on or fronting his property on any part of a roadway allowance that is located adjacent to any other neighboring property.
7. Every person who contravenes any section of this by-law is guilty of an offence and upon conviction of an offence is liable to a fine as provided for by the Provincial Offences Act R.S.O. 1990 Chapter P.33 as amended, and all the provisions of the said Act shall apply to any prosecution for any offence under the provisions of this by-law.
8. That schedule “A” form part of this by-law

9. That by-law 750-04 be repealed

READ A FIRST TIME THIS 24th DAY OF NOVEMBER 2015

Mayor: Johanne Baril

Acting Clerk: Lise Bérubé

READ A SECOND TIME THIS 24th DAY OF NOVEMBER 2015

Mayor: Johanne Baril

Acting Clerk: Lise Bérubé

READ A THIRD TIME AND PASSED THIS 24th DAY OF NOVEMBER 2015

Mayor: Johanne Baril

Acting Clerk: Lise Bérubé

SCHEDULE "A"

**TO BY-LAW NO. #1013-15 DUMPING OF SNOW
Part 1 Provincial Offences Act**

SET FINE SCHEDULE

Item	Column 1 Short Form Wording	Column 2 Provisions creating or defining offence	Column 3 Set Fine
1	Placed or deposited snow on travel portion of roadway	Section 2	\$ 500.00
2	Create or cause accumulation of snow adjacent to municipal sidewalks or roadways	Section 3	\$ 500.00
3	Deposited snow on road allowance	Section 4	\$ 500.00
4	Depositing snow on road allowance adjacent to neighboring property	Section 6	\$ 500.00

Note: The penalty provision for the offences indicated above this Section 7 of By-Law Number 1013-15, a certified copy of which has been filed