

**THE TOWN OF GRANDE CACHE
BYLAW NO. 774**

BEING A BYLAW OF THE TOWN OF GRANDE CACHE IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL SNOW AND ICE REMOVAL WITHIN THE TOWN OF GRANDE CACHE.

WHEREAS *the Alberta Municipal Government Act, RSA 2000, Chapter M-26 as amended* provides as follows:

Section 7 A council may pass bylaws for Municipal purposes respecting the following matters:

- a) the safety, health and welfare of people and the protection of people and property.

WHEREAS Council of the Town of Grande Cache deems it necessary and expedient to enact a bylaw to control and regulate the removal of snow and ice from sidewalks and run off from roof or other drains onto sidewalks.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Grande Cache duly assembled in Council Chambers at Grande Cache, Alberta, enacts as a bylaw the following:

1.0 NAME AND INTERPRETATION

1.1 This bylaw may be referred to as the Snow Removal Bylaw.

1.2 In this bylaw:

- a) **Commercial Property** is property defined as commercial in the Land Use Bylaw.
- a) **Council** means the Council of the Town of Grande Cache.
- b) **Curb** means the actual curb, if there is one, and if there is no curb in existence, shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians.
- c) **Driveway** means a private road that provides vehicle access from an individual lot or site to a public road. The width of a single driveway will be three (3) meters with a curb cut and a double driveway will be six (6) meters with a curb cut.
- d) **Highway** means every thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles within the Town of Grande Cache.
- e) **Obstruction** means an encroachment, excavation, structure, or other obstacle, which interferes with, or prevents the vision, passage, maintenance or use of any public property by vehicles or pedestrians.
- f) **Occupant** means any person who occupies or has possession of or use of any land or building within the Town.
- g) **Owner** means any person who has a legal title to a property or who possesses property under a purchase agreement or has the control or management of a property.

- h) **Peace Officer** means a member of the Royal Canadian Mounted Police or a Community Peace Officer appointed pursuant to the provisions of the Police Act of Alberta RSA 2000, Chapter P-17 as amended or repealed and replaced from time to time.
- i) **Person** means any individual person and includes any association or body corporate, or company or partnership.
- j) **Residential Property** means property defined as residential in the Land Use Bylaw.
- k) **Roadway** means that part of the street intended for vehicular traffic within the Town.
- l) **Sidewalk** means that part of the highway primarily intended for the use of pedestrians and included the part laying between the curb line or edge of the roadway and the adjacent property line.
- m) **Street** shall include every road, roadway, avenue, lane, boulevard, sidewalk, thoroughfare, bridge and highway within the Town.
- n) **Town** means the Town of Grande Cache.
- o) **Violation Ticket** means a ticket issued pursuant to Part 11 or 111 of the Provincial Offences Procedures Act (RSA 2000, as amended).

2.0 GENERAL PROVISIONS

- 2.1 Whenever snow or ice is deposited on a sidewalk, adjacent to a parcel of land, the owner and/or occupant of the parcel shall remove the snow or ice from the sidewalk within:
 - a) Twenty-four (24) hours for commercial property (Sundays and Statutory Holidays excepted).
 - b) Forty-eight (48) hours for residential property (Sundays and Statutory Holidays excepted).
- 2.2 Where the property is not occupied, the landowner shall provide for the clearing away of snow or ice from the sidewalks fronting or abutting such premises within forty-eight (48) hours after the same has fallen, formed or been deposited thereon.
- 2.3 No person shall deposit snow or ice so as to impede any storm sewer grate access.
- 2.4 No person shall deposit snow or ice upon, or within ~~five~~ two (2) meters of any fire hydrant.
- 2.5 In the event that an owner or occupant of a parcel of land fails or neglects to clear away and remove snow or ice from a sidewalk within the specified period, the Town may cause the snow or ice to be removed from such sidewalk and afterwards add the cost of the work performed (plus a 10% administration fee) to the tax roll of the said parcel of land pursuant to Section 553(1)(g.1) of the Municipal Government Act.
- 2.6 In the case of a sidewalk being below grade, resulting in repeated coverage by ice or water through drainage of melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible, and a non-slip, non-corrosive and salt-free material, such as sand or similar material must be scattered on the surface of the sidewalk as frequently as required to maximize traction for pedestrians.

3.0 SNOW ROUTES AND STREET CLEANING

- 3.1 A person shall not park a vehicle or permit a vehicle to remain parked on a roadway so as to interfere with the removal or clearing of snow or during roadway cleaning operations.
- 3.2 No person shall park a vehicle or permit a vehicle to remain parked on a roadway marked as a Snow Removal and Ice Control route.
- 3.3 On Snow Removal and Ice Control routes, parking restrictions shall ~~remain~~ come into force upon declaration of the Manager of Public Works and Utilities, and will remain in effect until such time as snow removal and ice control operations have been completed to the standard of the Town of Grande Cache, as determined by the Manager of Public Works and Utilities.
- 3.4 Temporary parking restrictions for Snow Removal and Ice Control routes applies for designated areas once temporary signs have been erected.
- 3.5 All vehicles parked on roadways within the designated areas are subject to a fine and/or immediate removal and impound at the expense of the registered owner of the vehicle.
- 3.6 The Town will not store snow in driveways as defined in this bylaw and identified by the property owner/occupant.
- 3.7 Snow removal for emergency service personnel will be done as required.

4.0 SNOW PLACED ON ROADWAYS AND SIDEWALKS

- 4.1 A person shall not place, or permit to be placed, any snow, ice or other material removed from private property onto a highway or other public property.
- 4.2 A person shall not place, or permit to be placed, any snow, ice or other material removed from a public property onto another public property or onto property other than his own.
- 4.3 Any person who contravenes either subsections 4.1 or 4.2, shall remove any snow, ice or other material within twenty-four (24) hours of the time he placed the snow, ice, or other material on the public or private property.
- 4.4 The Manager of Public Works and Utilities, after the expiry of the twenty-four (24) hours, or if deemed necessary at any time, may cause to remove and clear away the snow, ice or other material deposited in contravention of either subsection 4.1 or 4.2.
- 4.5 The person who has placed, caused or permitted to be placed, the snow, ice or other material, shall pay to the Town on demand all costs of removal.
- 4.6 No employee or agent of the Town shall be liable for contravention of either subsection 4.1 or 4.2 when acting in the performance of his duties.

5.0 SIDEWALK CLEARING

- 5.1 A person shall not remove snow or ice from a sidewalk by placing it, or causing it to be placed, on the roadway adjacent to the sidewalk.
- 5.2 A person shall not cause damage to any sidewalk by striking, picking or cutting with any shovel, pick, crowbar, plow or other metal instrument or by the use of salt.

6.0 SNOW ON ROOFS AND EAVES

6.1 An occupant or owner of a building within three (3.0) meters of a highway, whenever snow or ice accumulates on the roof or eaves, or from downspouts of the building so as to create a potential danger to vehicles or pedestrians, shall remove, or cause to be removed, the snow or ice hazard, and a person, while removing the snow or ice hazard shall take due care and attention for the safety of vehicles or pedestrians passing.

7.0 OFFENCES, FINES AND ENFORCEMENT

7.1 The provisions of this Bylaw shall be enforced by the Peace Officer or other such person as appointed by Council to enforce this Bylaw.

7.2 The Peace Officer may, at any reasonable time, enter any place for the purpose of determining compliance with this Bylaw, and for this purpose may make such examinations, investigations, tests and inquiries as are necessary.

7.3 Every person who hinders or obstructs a person lawfully carrying out the enforcement of this Bylaw is guilty of an offence.

7.4 Any person who contravenes any provision of this Bylaw is guilty of an offence, and may be subject to a fine as specified in Schedule 'A' of this Bylaw. Schedule 'A' to this Bylaw forms part of this bylaw and may be amended from time to time by resolution of Council, and any such amendment shall form part of this Bylaw.

7.5 Any person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence, whether or not the second or subsequent offence is the same offence, may be subject to an increased fine as set out in Schedule 'A' of this Bylaw.

7.6 The Peace Officer will issue a Violation Ticket to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

7.7 A Violation Ticket may be issued to such person:

- a) personally;
- b) by mailing a copy to such person at his last known post office address;
- c) if upon a corporation, by serving the offence Ticket by registered mail, or serving a person who is the agent, representative or person in charge of the Designated Public Place.

8.0 REPEAL, EFFECT AND TRANSITIONAL

8.1 THIS Bylaw repeals Bylaw No. 674, and shall become effective on the date of the final reading thereof.

READ a first time this 10th day of September, 2014 AD

READ a second time this 10th day of September, 2014 AD

READ a third time and finally passed on this eighth day of October, 2014 AD

Herb Castle
Mayor

Loretta Thompson
Chief Administrative Officer

SCHEDULE 'A'
FINES

1.	Removal of snow or ice from private property onto highway/public property	\$100.00
	The fine for a second and each subsequent offence within 365 days	\$200.00
2.	Removal of snow/ice from sidewalk onto highway	\$100.00
	The fine for a second and each subsequent offence within 365 days	\$200.00
3.	Damage to sidewalk	\$100.00
	The fine for a second and each subsequent offence within 365 days	\$200.00
4.	Failure to clear snow or ice from eaves	\$100.00
	The fine for a second and each subsequent offence within 365 days	\$200.00