

Village of Delia - Province of Alberta

By-Law #637-2019 – Snow Removal Bylaw

Being a bylaw of the Village of Delia, Alberta to control and regulate the removal of snow and ice from the sidewalks within the Village.

WHEREAS the Municipal Government Act, Chapter M-26 Revised Statutes of Alberta, 2000 as amended from time to time, is the authority for Councils to enact bylaws respecting the safety, health and welfare of people and the protection of people and property within the boundaries of the municipality;

AND WHEREAS Council deems it desirable to have clean and safe sidewalks and public spaces;

NOW THEREFORE the Council of the Village of Delia, duly assembled, enacts as follows:

Short Title

1) The short title of this Bylaw shall be the "Snow Removal Bylaw".

Definitions

2) In this Bylaw the following words shall be defined as:

a) "Act" means the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta, 2000;

b) "Bylaw Enforcement Officer" means a Bylaw Enforcement Officer for the Village of Delia;

c) "CAO" means the Chief Administrative Officer of the Village of Delia;

d) "Council" means the Council of the Village of Delia;

e) "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;

f) "Highway" means the thoroughfare, street, road, trail, avenue, parkway, driveway, land, alley, square, or other place, whether publicly or privately owned, and part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles within the Village;

g) "Occupant" means the person residing at the parcel of land;

h) "Owner" means the registered owner of a parcel of land;

i) "Roadway" shall include that portion of the street intended for vehicular traffic within the Village;

j) "Sidewalk" means that part of the highway primarily intended for the use of pedestrians and includes the part lying between the curb line or edge of the roadway and the adjacent property line;

k) "Street" shall include every road, roadway, avenue, land, boulevard, sidewalk, thoroughfare, and highway within the Village;

l) "Village" means the municipal corporation of the Village of Delia.

Conditions

3) The owner or occupant of any premises abutting a sidewalk shall clear away any snow and ice from the front and flank of the abutting sidewalk within Thirty-Six (36) Hours after the time such snow and ice was deposited or formed on the sidewalk.

4) The owner or occupant of every building abutting on or erected within Three (3) meters of any highway shall, whenever snow or ice shall accumulate on the roof, eaves or awning extending from a portion of such building to an extent that a danger is created to persons passing, cause the same to be removed at once, and every person while removing the same shall take due and proper care and precaution for the warning and safety of persons passing.

5) An owner or occupant shall clear or remove snow or ice from a sidewalk by causing it to be placed upon private property. If this is impractical the person may place the snow or ice in the roadway adjacent to such sidewalk but must do so in such a manner that it does not create a hazard or interfere with the use of the roadway and must advise the CAO as soon as is practical to do so.

6) Snow and ice will be considered removed when the sidewalk is cleaned for the entire width of the sidewalk to the sidewalk surface as completely as reasonably possible.

7) Snow and ice removed from the sidewalks cannot impede any fire hydrant.

8) Where an owner or occupant reasonably anticipates being absent, the owner or occupant must make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw.

9) In the event that the owner or occupant of a parcel of land fails or neglects to remove and clear away all snow or ice from a sidewalk within the specified number of hours, according to the Bylaw Officer, the Village may cause the snow or ice to be removed from such sidewalk and invoice the cost of the remedial work (plus a 10% administration fee) to the owner of the said parcel of land.

10) In the event that the owner does not pay the invoice within Ninety (90) days of the date of the invoice, the outstanding amount will be added to the tax roll of the said parcel of land in accordance with Section 553(1)(g.1) of the Act.

Severability

11) Should any section or part of the bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this bylaw and the bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this bylaw.

Repeal

12) Bylaw #584-11 is hereby repealed.

In Force

13) This bylaw shall come into full force and effect on the day that it is finally passed by Council by giving it third and final reading and it is signed in accordance with the Municipal Government Act.

READ A FIRST TIME THIS 13 DAY OF Feb 2019.

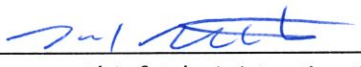

Mayor David Sisley


Chief Administrative Officer
Mark Nikota

READ A SECOND TIME THIS 13 DAY OF Feb 2019.

READ A THIRD TIME AND FINALLY PASSED THIS 13 DAY OF Feb 2019.


Mayor David Sisley


Chief Administrative Officer
Mark Nikota