

The Corporation of the Township of Fauquier-Strickland

By-Law No. 2013-02

**Being a by-law to prohibit the obstruction
of roadways and sidewalks within the
municipality and regulate the dumping
of snow thereon.**

WHEREAS section 8(1) of the Municipal Act 2001, as amended, confers upon municipalities the authority to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas section 10(1) of the Municipal Act 2001, as amended, authorizes municipalities to pass by-laws for the health, safety and well-being of persons;

And whereas section 181 of the Highway Traffic Act, RSO 1990, as amended, prohibits deposit of snow or ice on a roadway without permission from the road authority;

And whereas, Council of the Corporation of the Township of Fauquier-Strickland deems it advisable to pass a by-law prohibiting the obstructing of roadways and sidewalks and regulating the placement of snow thereon.

Therefore Council of the Township of Fauquier-Strickland enacts as follows:

1. Definitions

For the purpose of this by-law the following definitions will apply:

- 1.1 "Highway" means a roadway under the jurisdiction of the Township of Fauquier-Strickland.
- 1.2 "Municipality" means the Township of Fauquier-Strickland.
- 1.3 "Roadway" means a highway under the jurisdiction of the Township of Fauquier-Strickland as the municipal road allowance.
- 1.4 "Traveled portion of a highway or a roadway" means that part of a highway designated or intended for use by vehicular traffic.
- 1.5 "Cost" means all labour, payroll burden and equipment time charged at the rate established by municipal Council from time to time. A minimum of one hour shall apply at all times as a minimum charge.

2. No person shall place or deposit or cause to be placed or deposited snow or ice on the traveled portion of a highway within the Township of Fauquier-Strickland.
3. No person shall place or deposit or cause to be deposited snow or ice on any roadway within the Township of Fauquier-Strickland, except on the portion of a roadway adjacent to the frontage of the lot from which the snow originated.
 - 3.1 Snow or ice may be deposited across the traveled portion of a highway, where the property is owned by the municipality and/or is vacant.
 - 3.1.1 Where the property is vacant and not owned by the municipality, permission to deposit snow or ice must first be obtained from the property owner.
 - 3.1.2 Where snow or ice is deposited across the traveled portion of a highway, the said snow or ice must be pushed far enough not to interfere with vehicular traffic and/or drainage.
 - 3.2 No snow or ice shall be deposit beside fire hydrants where the municipality has removed said snow or ice.
4. No person shall place or deposit or cause to be placed or deposited snow or ice on any sidewalk plowed by the Township of Fauquier-Strickland.
5. Where a person places or deposits or causes to be placed or deposited snow or ice on the traveled portion of a roadway or on any plowed sidewalk within the Township of Fauquier-Strickland, the municipality may cause the snow or ice to be removed and the cost of same shall be invoiced to the owner of the property from which the snow originated.
6. In the event that the invoice remains unpaid for a period of more than three (3) months, the said amount shall be added to the collector's roll for the current year and shall be collected as taxes.
7. If the rendering of any section of the by-law to be unenforceable will in no way affect the enforceability of the remaining sections.
8. This by-law shall come into force on the first day of April, 2013.

Read a first and second time
this 14th day of January 2013.

Mayor

Clerk

Read a third time and passed
this 25th day of February 2013.

Mayor

Clerk