

**TOWN OF ONOWAY BYLAW 682-09
SIDEWALK CLEARING**

**BEING A BYLAW IN THE TOWN OF ONOWAY, IN THE PROVINCE OF ALBERTA,
TO REGULATE AND CONTROL THE REMOVAL OF SNOW, ICE, DIRT OR OTHER
OBSTRUCTIONS FROM THE SIDEWALKS OF THE TOWN OF ONOWAY.**

WHEREAS under the Authority of and subject to the provisions of the Municipal Government Act, RSA 2000, and amendments thereto, the Municipal Council of the Town of Onoway, is authorized to pass bylaws respecting the safety of people;

AND WHEREAS it is felt that ensuring that snow, ice, dirt or other obstructions on the sidewalk pose a threat to the said safety;

NOW THEREFORE the Council of the Town of Onoway duly assembled hereby enacts that:

1. This bylaw may be cited as the "Sidewalk Clearing Bylaw."
2. In this bylaw:
 - a) "Roadway" means that part of a highway intended for use of vehicular traffic;
 - b) "Council" means the Council of the Town of Onoway;
 - c) "Obstruction" means any obstacle that stands in the way or opposes, hinders or causes a condition which blocks the movement of pedestrian or traffic flow;
 - d) "Street" means a public thoroughfare of the Town, including sidewalks which afford a means of access to land abutting it, and includes a lane;
 - e) "Person" means individuals and/or corporations who own or occupy premises in the Town of Onoway;
 - f) "Sidewalk" means the portion of a highway especially adapted to the use of or ordinarily used by pedestrians, whether or not paved or improved, and includes that part of a highway between the curb line (or the edge of a roadway where there is no curb line) and the adjacent property line, but excludes parkland walkways; and
 - g) "Town" means the Town of Onoway.
3. a) All persons within the Town shall, to the extent reasonably possible, remove, or cause to be removed, and clear away all snow greater than two (2) centimeters in depth, ice, dirt or other obstructions from any and all portions of the sidewalk adjoining the property owned or occupied by them, with such removal or clearing to be completed within forty-eight (48) hours of the time when snow, ice, dirt, or other obstruction was formed or deposited thereon by any means whatsoever.

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b) Remove or sand any ice, to the extent that walking is safe, that has formed or is deposited on sidewalks situated on land adjacent to that property as soon as practicable after the ice is formed or deposited on the sidewalk.

c) No person shall remove snow, ice, dirt or other obstruction from any sidewalk by causing such material to be placed upon any other portion of public streets, ditches, alleys, or other public places adjacent to such property which may

- i) cause an obstruction thereon;
- ii) impede drainage; or
- iii) obstruct the vision of motor vehicle operators.

d) No person shall damage any sidewalk or pavement in the Town by striking, picking, cutting the same, or utilize any type of chemical causing a deterioration to the sidewalk surface, whether such person is engaged in removing snow, ice, dirt or other obstruction from the said sidewalk or pavement or not.

e) Every occupant and, in case there is no occupant, the owner of every house, shop, building, church or chapel abutting on or erected within three (3) metres of any highway or public place shall, whenever snow or ice accumulates on the roof or eaves of such building to an extent that a danger is created to persons passing, shall cause the same to be removed at once. Every person, while removing the same, shall take due and proper care and precaution for the warning and safety of persons passing.

4. Where a person or persons has failed to comply with the requirements of Section 3 of this Bylaw, the Town may cause the sidewalks to be cleared or sanded, and all costs incurred by the Town become a debt due to the Town. In default of payment, the Town may charge the same against the land concerned as taxes due and recover the same as such.

5. In the event that the owner or occupier of any lot or parcel of land removed snow, ice, dirt or other obstructions from any sidewalk or parking area by causing such material to be placed upon any other portion of public streets, ditches, alleys or other public places adjacent to such property which may:

- i) cause an obstruction thereon, ii) impede drainage, or iii) obstruct the vision of motor vehicle operators,

the Town may cause the snow, ice, dirt or other obstruction to be removed from such portion of public streets, ditches, alleys or other public places adjacent to such property and may:

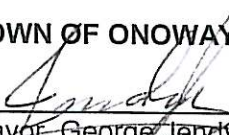
- a) charge the expense of such removal to the owner or occupant of the premises, or

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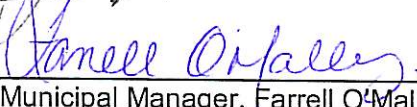
- b) failing payment of the actual costs of removal, the costs will be charged as an expense against the property as a special assessment to be recovered in like manner as and with other taxes.
- 6. The imposition of any penalty whatsoever shall not relieve the person so sentenced from any liability to pay the Town the expense arising from any damage caused by him to a Town street or sidewalk.
- 7. That Bylaw 496-96 is hereby repealed.
- 8. That Bylaw 593-03 is hereby repealed
- 9. This Bylaw shall come into full force and effect upon the third and final reading thereof.

Read a first time this 5th day of January, 2009.

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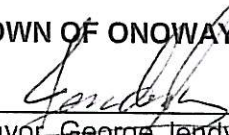
Mayor, George Jendyk



Municipal Manager, Farrell O'Malley

Read a second time this 5th day of January, 2009.

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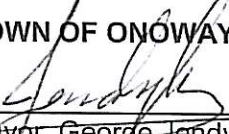
Mayor, George Jendyk



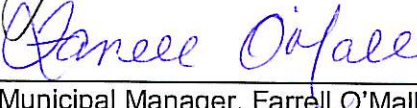
Municipal Manager, Farrell O'Malley

Read a third time this 5^h day of January, 2009 and passed.

TOWN OF ONOWAY



Mayor, George Jendyk



Municipal Manager, Farrell O'Malley