



BY-LAW NO. : 2013-57

BY-LAW CONCERNING SNOW REMOVAL

Amendment

2013-57-1

NOTICE

This consolidation has not been officially adopted by the Municipal Council. It has been compiled on March 18, 2020, in order to facilitate the reading of the texts. The official text is to be found in the text of the original by-law and each of its amendments.

ADOPTION PROCEDURE

Notice of motion:	January 14, 2013
Adoption of by-law:	July 8, 2013
Publication:	July 8, 2013
Coming into force:	July 17, 2013

WHEREAS pursuant to section 356 of the Cities and Towns Act (CQLR, c. C-19), notice of motion of this by-law was given and a draft of this by-law was filed at the regular sitting of the Municipal Council held on February 3, 2020;

WHEREAS copies of this by-law were made available to the public;

WHEREAS the Preamble forms an integral part of this by-law;

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

ARTICLE 1: DEFINITIONS

In the present by-law, unless the context indicates otherwise, the words « snow removal contractor » refer to a natural or legal person carrying out snow removal and clearing operations with a motor vehicle, on private property, for the benefit of the owner, occupant or person in charge of the property.

ARTICLE 2: RESPONSIBILITIES OF PROPERTY OWNERS

- 2.1 No owner, no occupant or person in charge of a house or other building shall let snow or ice accumulate on the roof of such house or building or any part thereof so as to endanger people passing on the streets or sidewalks.
- 2.2 The persons mentioned in paragraph 2.1 shall remove or cause to be removed snow or ice accumulated on said roofs and shall take the necessary precautions to prevent any risk of accident to people passing on the streets or sidewalks during this operation of maintenance.
- 2.3 The persons bound to the maintenance of roofs shall also remove immediately from the street or sidewalk snow or ice thrown or deposited thereon during the fulfillment of the abovementioned obligation.
- 2.4 It is prohibited to any person, owner, occupant or person in charge of any land to throw, push or deposit snow or ice thereon in any street, sidewalk, alley, public ground or municipal water stream.
- 2.5 Any person who shall contravene the prohibition mentioned in paragraph 2.1 shall pay, in addition to being liable to the fine hereinafter provided for, any additional expenses incurred by the Town to remove snow or ice thus thrown, pushed or otherwise deposited.
- 2.6 No one may throw, push or deposit snow or ice on someone else's property. This prohibition does not apply to snow or ice removed by the Town, or by a contractor having a contract with the Town for this purpose, and which is deposited on a property of the Town.

- 2.7 It is forbidden to install or place movable property, including statues, fountains or sports equipment such as basketball nets in the Town's right-of-way. The Town is not responsible for any damage to such property which may be caused by its snow removal or seasonal maintenance operations.

ARTICLE 3: RESPONSIBILITIES OF SNOW REMOVAL CONTRACTORS

- 3.1 Any snow removal contractor must, for purposes of carrying out snow removal operations within the limits of the municipality, first obtain from the Town, a permit duly issued for such purpose.
- 3.2 An application for a permit must be filed in writing with the Town and contain the following information and documents:
- i) The applicant's name;
 - ii) The personal address of the applicant or, in the case of a legal person, the address of its head office;
 - iii) The applicant's phone number;
 - iv) The brand, model, year and serial number of each motor vehicle contemplated in the application;
 - v) A photocopy of the registration certificate issued for each motor-vehicle contemplated in the application.
- 3.3 The permit is issued annually and comprises a series of self-adhesive stickers each bearing a separate serial number. The permit holder must affix a sticker of the said series in a conspicuous place on every motor vehicle used for snow removal purposes on the territory of the municipality.
- 3.4 The cost of the permit is \$100. Said cost includes a series of self-adhesive stickers in a number equivalent to the number of motor vehicles the holder of the certificate of authorization uses for snow removal purposes on the territory of the municipality.
- 3.5 A permit issued in accordance with the present article is non-transferable and is valid from October 15 of the current year to April 15 of the following year.
- 3.6 Any self-adhesive sticker remitted to the holder of a certificate of authorization becomes void as soon as the property of the motor vehicle on which it is affixed is transferred to a third party.
- 3.7 Any snow removal contractor must define the boundaries of each location where he is to carry out snow removal operations, by placing markers that are visible at all times, on either side of such location. These markers must indicate in a clear and legible manner, the name and telephone number of the snow removal contractor holding said certificate of authorization.

These markers shall not be installed before November 1st and shall be removed by April 15 of the following year, at the latest.

- 3.8 The Town may revoke a permit that has already been issued or refuse to issue a permit to the snow removal contractor if the snow removal contractor or person acting on its behalf contravenes any provision of the present by-law or the by-law relating to nuisances.

ARTICLE 4: ROAD SIGNS

In order to facilitate the snow removal, the Director of Public Works is authorized to order signs or signals to be placed forbidding parking for the time such signs or signals are displayed.

ARTICLE 5: PARKING

When a vehicle is parked in contravention of article 4, or when a vehicle is parked where it hinders the removal or clearing of snow, the Director of Public Works is authorized to have this vehicle towed away, particularly to a garage, at the expense of the owner who may recover possession thereof only on paying the actual towing and storage costs.

ARTICLE 6: ACCUMULATION OF SNOW

- 6.1 No owner, occupant or person in charge of a land or lot situated at an intersection of streets shall pile or have piled snow thereon in such a manner as to obstruct the visibility of motorists at such intersection.
- 6.2 Whenever a contravention to paragraph 6.1 is noticed, the Director of Public Works shall notify, in writing, the owner, occupant or person in charge of the land or lot in order to request such person to remove the piled snow, within twenty-four (24) hours following the receipt of such notice.
- 6.3 If the owner, the occupant or the person in charge of the land or the lot refuses or neglects to conform to the notice referred to in paragraph 6.2, the Director of Public Works shall have the right to have the piled snow removed at the expense of the owner, occupant or person in charge in default.

ARTICLE 7: SNOW BLOWING

The Town's employees or contractors are authorized to blow or pile the snow on sidewalks and private grounds.

When the snow is blown on sidewalks or private grounds, precautions must be taken by the employees or contractors:

- a) in order that trees and shrubs on private grounds are not damaged;
- b) in order that the snow thus blown does not reach the buildings;
- c) in order that the snow thus blown does not hit any person.

Whenever snow shall be blown on sidewalks or private grounds, a person in charge of the snow removal shall be placed in front of the snow-blower in order to prevent damages to persons or property.

ARTICLE 8. OFFENCES AND FINES

Anyone providing the services of a snow removal contractor on the territory of the Town without holding the permit contemplated in paragraph 3.1 commits an offence and is liable to the following fine:

- **for a first offence:** a minimum of FIVE HUNDRED DOLLARS (\$500) and a maximum of ONE THOUSAND DOLLARS (\$1,000) if the offender is a natural person or a minimum of ONE THOUSAND DOLLARS (\$1000) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a legal person;
- **for a repeat offence:** a minimum of ONE THOUSAND DOLLARS (\$1000) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a natural person or a minimum of TWO THOUSAND DOLLARS (\$2,000) and a maximum of FOUR THOUSAND DOLLARS (\$4,000) if the offender is a legal person.

Anyone contravening a provision of this by-law other than paragraph 3.1, tolerating or permitting such a contravention, commits an offence and is liable to the following fine:

- **for a first offence:** a minimum of ONE HUNDRED DOLLARS (\$100) and a maximum of ONE THOUSAND DOLLARS (\$1,000) if the offender is a natural person or a minimum of FIVE HUNDRED DOLLARS (\$500) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a legal person;
- **for a repeat offence:** a minimum of TWO HUNDRED DOLLARS (\$200) and a maximum of TWO THOUSAND DOLLARS (\$2,000) if the offender is a natural person or a minimum of ONE THOUSAND DOLLARS (\$1000) and a maximum of FOUR THOUSAND DOLLARS (\$4,000) if the offender is a legal person.

ARTICLE 9: REPEALING PROVISION

By-law number 221 is hereby repealed.

ARTICLE 10: COMING INTO FORCE

The present by-law shall come into force according to law.

Mayor

Town Clerk