

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

BY-LAW 2014-06

Being a by-law to prohibit the depositing of snow on any highway or bridge under the jurisdiction of the Township of Chisholm, and the regulation of traffic during winter maintenance and snow control operations.

WHEREAS Section 11 subsection (1) of the Municipal Act 2001, c.25 provides that a single-tier municipality may pass by-laws respecting matters within the sphere of jurisdiction of highways, including parking and traffic on highways:

AND WHEREAS Section 27 subsection (1) of the Municipal Act 2001, c.25 provides that a municipality may pass by-laws in respect of highways only if it has jurisdiction over the highway;

AND WHEREAS Section 425 subsection (1) of the Municipal Act 2001, c.25 provides that by-laws may be passed by all municipalities and by police services boards for providing that any person who contravenes any by-law of the municipality or of the board, as the case may be, passed under this Act, is guilty of an offence;

AND WHEREAS Section 181 of the Highway Traffic Act R.S.O. 1990, c. H.8 provides that no person shall deposit snow or ice on a roadway without permission in writing to do so from the Ministry or the road authority responsible for the maintenance of the road;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CHISHOLM HEREBY ENACTS AS FOLLOWS:

1. No person shall deposit or cause to be deposited any snow or ice upon any portion of any road or bridge located within the territorial limits of the Township of Chisholm.
2. No person shall move snow within the road allowance from one side of the cleared portion of the road allowance intended for vehicular and pedestrian traffic, to the other side of the road allowance.
3. No person shall relocate snow within the road allowance in such a manner as to encroach on the cleared portion of the road allowance intended for vehicular or pedestrian traffic, or that would result in the obstruction of the normal visibility of the safe movement of vehicular and pedestrian traffic on the road allowance.
4. No person shall park a vehicle in such a manner as to obstruct or hinder the snowplow or other vehicles engaged in the removal of snow during the months of January, February, March, April, May, October, November and December in each and every year in the Township of Chisholm, and any vehicle so parked or abandoned will be towed away at the owner's expense. Neither will the municipality nor any of its contractors be liable for damage caused to such unlawfully parked vehicles by equipment engaged in the removal of snow.
5. This by-law shall apply to the Township of Chisholm in its entirety.
6. Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a fine as provided for in the Provincial Offences Act.
7. That By-law 2002-09 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 27TH DAY OF FEBRUARY, 2014.

Mayor, Leo Jobin

Clerk-Treasurer, Linda Ringler