

BY-LAW NO. 593-13

A BY-LAW OF THE VILLAGE OF INNISFREE IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING SNOW REMOVAL

WHEREAS, under the provisions of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Village of Innisfree may pass Bylaws to regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community;

NOW THEREFORE, the Council of the Village of Innisfree, in the Province of Alberta, duly assembled ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This Bylaw may be sited as the “Snow Removal Bylaw”.

2. DEFINITIONS

2.1 “**Council**” means the Municipal Council of the Village of Innisfree.

2.2 “**Highway**” includes a street, road, lane and any other way open to public use, but does not include a private right-of-way on private property;

2.3 “**Pedestrian**” is any person walking, standing, sitting or otherwise being in the vicinity of a sidewalk or highway, and not in a vehicle;

2.4 “**Sidewalk**” means a structure for pedestrian use including a walkway, sidewalk, stairs and curb letdowns or the area between the curb lines or lateral lines of a roadway and the adjacent property lines improved for use of pedestrians;

2.5 “**Staff Persons**” includes all persons at that time under employment by the Village of Innisfree

3. SNOW AND ICE REMOVAL

3.1 The property owner of any real property in the Village of Innisfree (hereinafter called the Village) is ultimately responsible for all activities on the property which may constitute prohibition of this bylaw.

3.2 The property owner or occupier shall remove or cause to have removed any accumulation of snow or ice from the roof or other part of any structure on the property where the location of that structure is such that, should the snow or ice on it fall onto any side walk or highway it could cause bodily injury to persons passing by, or cause structural damage to other buildings, or cause damage to passing vehicles, or would impede travel by either pedestrians or vehicular traffic;

3.3 The snow or ice moved from sidewalks under the discretion of the property owner or occupier and ice and snow moved from buildings pursuant to the requirements of this Bylaw shall not be placed on any highway in such a manner that vehicular traffic will be adversely affected, nor shall it be placed on any highway in such a manner that water flow from melt water will be blocked or caused to accumulate to the degree that pedestrian or vehicular traffic would be inconvenienced or impeded, nor shall it be placed on any highway in such a way as to block any storm drain opening.

4. **DAMAGE TO SIDEWALKS**

4.1 No person shall use any snow removal equipment such as any shovel, pick, crowbar or any other instrument in a manner that will damage the sidewalk whether such person is engaged in removing snow or ice from a sidewalk or not;

4.2 No person shall damage any sidewalk in the Village with the use of sodium chloride, calcium chloride, or other harmful substance for the removal of snow and ice;

4.3 In all instances where the sidewalk has been damaged through the actions of the owner or occupier of said property or any agent acting on their behalf, the Village shall invoice the owner or occupier of the real property who failed to comply with the provisions of this Bylaw, and if such monies as invoiced under this section remain unpaid at 31 December of the year in which the invoice was issued, such monies shall be added to the property taxes of the real property as permitted by the *Municipal Government Act, Chapter M-26, RSA 2000*;

4.4 Every person who violates any provision of this Bylaw, or who permits any act or thing in contravention of this Bylaw is liable on summary conviction to a fine of not more than five thousand dollars (\$5,000.00) and costs of repair. Each week that such a violation is permitted to occur shall be a separate offence.

5. **PARKING**

5.1 The Village reserves the right to curtail parking on any highway in the Village to facilitate snow removal, or for any reason whatsoever. Signs shall be erected by Public Works staff or persons so delegated by the Public Works Foreman to prevent such parking. No person shall park any vehicle on any highway which has been closed by such signs. Any vehicle found parked in contravention of such designated signs shall be subject to removal by tow truck at the expense of the registered owner of the vehicle.

6. **SEVERABILITY**

6.1 If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

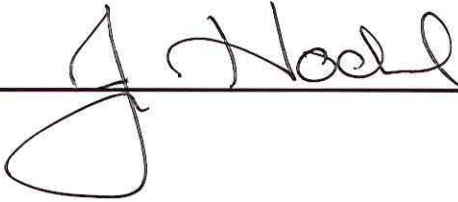
7. **EFFECTIVE DATE**

7.1 This bylaw shall come into full force and effect upon the date of the third and final reading.

READ A FIRST, SECOND, AND BY UNANIMOUS CONSENT OF COUNCIL, A THIRD TIME AND FINALLY PASSED THIS 17TH DAY OF DECEMBER, 2013



Deb McMann, Mayor



Jennifer Hodel, CAO