

Village of Edgerton
Bylaw #11-19
Sidewalk Snow Removal Bylaw

A BYLAW OF THE VILLAGE OF EDGERTON IN THE PROVINCE OF ALBERTA TO ESTABLISH STANDARDS FOR WHICH PROPERTY OWNERS AND RESIDENTS ARE TO MAINTAIN THE SIDEWALK ON THE PERIPHERY OF THEIR PROPERTY AND TO DEFINE THE VILLAGE OF EDGERTON'S RESPONSIBILITIES, POWERS, AND FUNCTION AS PERTAINS TO SIDEWALK SNOW CLEARING IN ORDER TO IMPROVE SAFETY AND PREVENT THE LOSS OF ECONOMIC OPPORTUNITIES.

WHEREAS the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, s.7 and amendments thereto, authorizes Council to pass bylaws for municipal purposes respecting:

- (A) The safety, health, and welfare of people and the protection of people and property;
- (B) People, activities and things in, on, or near a public place that is open to the public; and
- (C) Nuisances, including unsightly property.

AND WHEREAS the Village of Edgerton considers it necessary, under the authority provided in accordance with the *Municipal Government Act*, to regulate the maintenance of sidewalks within the Village of Edgerton;

THEREFORE, the Council of the Village of Edgerton in the Province of Alberta duly assembled hereby enacts as follows:

PART I: BYLAW TITLE

1.1 This bylaw shall be known as the "Sidewalk Snow Removal Bylaw."

PART II: DEFINITIONS

2.1 "Village" means the municipal corporation of the Village of Edgerton in the Province of Alberta.

2.2 "Council" means the elected officials of the Village of Edgerton.

2.3 "Chief Administrative Officer" means the Chief Administrative Officer of the Village of Edgerton. A duly designated and empowered Bylaw Enforcement Officer may be substituted.

2.4 "Sidewalk" means a concrete strip abutting a property, for public use and to be maintained by the property owner whose property abuts the sidewalk.

PART III: MAINTENANCE STANDARDS

3.1 Property owners and/or residents of a property with a sidewalk shall ensure the sidewalk is cleared of snow, ice, and other relevant debris as such:

- A) If the property is zoned as commercial: snow, ice, and other relevant debris is to be removed within twenty-four (24) hours of the cessation of precipitation;
- B) If the property is zoned as residential: snow, ice, and other relevant debris is to be removed within forty-eight (48) hours of the cessation of precipitation.

3.2 Areas identified as existing within the Downtown Business Area, as per the Downtown Municipal Sidewalk Cleaning Policy, may be given allowances as per the Chief Administrative Officer's discretion.

3.3 Properties occupied by the elderly, infirm, and/or other extenuating circumstances may be given allowances, as per the Chief Administrative Officer's discretion.

3.4 Properties zoned as commercial may be permitted to place Sidewalk snow, ice, and other relevant debris onto the municipal roadway, provided it is twelve (12) inches away from the Sidewalk.

3.5 Properties zoned as residential are not permitted to place Sidewalk snow, ice, and other relevant debris onto the municipal roadway.

PART IV: ENFORCEMENT

4.1 A provision of this Bylaw may be applied at the discretion of the Chief Administrative Officer. The Chief Administrative Officer may then issue an Offence Ticket, or pursue Municipal Action, as relates to a contravention of this Bylaw.

4.2 No person shall interfere with the Chief Administrative Officer, municipal staff, or a municipally appointed contractor, in the performance of their duties as relates to this Bylaw.

4.3 The Chief Administrative Officer shall provide the property owner and/or resident reasonable notice, consisting of no less than fourteen (14) days, when exercising authority to remedy a contravention of this Bylaw.

4.4 The Village of Edgerton reserves the right and the privilege to issue an Offence Ticket, or pursue Municipal Action, or any combination thereof, as per Schedule "A", pertaining to a contravention of this Bylaw.

PART V: SEVERABILITY

5.1 Should any provision of this Bylaw be found invalid, illegal, or unenforceable, that provision shall be severed, and the remaining Bylaw shall be maintained.

PART VI: EFFECTIVE DATE

7.1 This Bylaw shall come into force upon receipt of its third and final reading.

PART VII: READINGS

7.1 Read a FIRST time this _____ day of _____, 2019.

7.2 Read a SECOND time this _____ day of _____, 2019.

7.3 Read a THIRD and FINAL time with UNANIMOUS consent this _____ day of _____, 2019.

MAYOR, Wendy Belik

CHIEF ADMINISTRATIVE OFFICER, Wes Laporte

SCHEDULE A

FEES AND PENALTIES

Offence Tickets

\$40.00	First Offence Ticket relating to a contravention of this Bylaw, issued fourteen (14) days following an Offence Warning Ticket.
\$80.00	Second Offence Ticket relating to a contravention of this Bylaw, issued fourteen (14) days following the First Offence Ticket.
\$160.00	Third Offence Ticket relating to a contravention of this Bylaw, issued fourteen (14) days following the Second Offence Ticket. Successive Offence Tickets are to follow this pattern.

Please note: Offence Tickets may be issued under any contravention of this Bylaw, as per the Chief Administrative Officer's discretion. Unpaid Offence Tickets may be added onto the relevant Utility and/or Tax account for the property. The Village of Edgerton reserves the right and the privilege to further pursue legal and otherwise action to pursue unpaid Offence Tickets.

Municipal Action

\$62.00/personnel/hour The property owner and/or resident shall be provided fourteen (14) days notice prior to Municipal Action performed by Village personnel, as per *Municipal Government Act*, RSA 2000, Chapter M-26.

Note that if the Municipal Action is intended to remedy an emergency or imminent danger, the fourteen (14) days notice will be waived.

Please note: Municipal Action may be pursued for any contravention of this Bylaw, as per the Chief Administrative Officer's discretion. Unpaid fines (Municipal Action) may be added onto the relevant Utility and/or Tax account for the property. The Village of Edgerton reserves the right and the privilege to further pursue legal and otherwise action to pursue unpaid fines.