

CONSOLIDATED VERSION

This consolidation is prepared for convenience only; for accurate reference see by-laws as adopted by Council.

BY-LAW NUMBER 2008-160

OF

THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

**BEING A BY-LAW TO PROHIBIT THE
ACCUMULATION OF SLUSH, SNOW AND
ICE AND TO REGULATE THE REMOVAL
OF SLUSH, SNOW AND ICE**

WHEREAS pursuant to Section 55 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the responsibility for public sidewalks is under the jurisdiction of lower tier municipalities; and

WHEREAS pursuant to Section 122 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a local municipality may require owners and occupants of buildings to remove snow and ice from the roofs of buildings and from private sidewalks; and

WHEREAS pursuant to Section 128(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a local municipality may pass by-laws to prohibit and regulate public nuisances; and

WHEREAS the accumulation of slush, snow and ice on sidewalks is a nuisance and a serious safety hazard for pedestrians and for other users of sidewalks within the municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS AS FOLLOWS:

1. In this by-law,
 - a) "Expenses" means, the cost of carrying out the work to be done by a Notice plus a twenty five (25) percent administration fee and shall include the costs of any work contracted out and will include all persons or agencies believed required to carry out the work or ensure the safety of any person carrying out the work;
 - b) "Highway" has the same meaning as in section 1(1) of the Highway Traffic Act, R.S.O 1990, Chap. H.8, as may be amended from time to time.
 - c) "Occupant" shall mean any person over the age of 18 years in possession of the land, in control of the land or a tenant of the land.
 - d) "Owner" shall mean the registered or beneficial owner of the land or the person shown on the most recent tax assessment roll as the owner of the land or the person for the time being managing or receiving the rent of the land and includes that person's agent or trustee.
 - e) "Person" shall mean any individual, firm, society, association, partnership or corporation.

- f) "Sidewalk" shall include a private sidewalk, a public sidewalk and any part of a highway used or intended for use as a sidewalk.
 - g) "Land", when used in connection with this by-law, shall mean land that is adjacent to a sidewalk, bordered by a sidewalk or any portion thereof.
 - h) "Township" shall mean The Corporation of the Township of Uxbridge.
2. Every owner or occupant of any building, whether such building is occupied or not, and every owner of any land within the boundaries of the Township, shall clear away and remove or cause to be cleared away and removed any slush, snow and ice from any sidewalk adjacent to any building or land within twenty-four (24) hours after the accumulation of such slush, snow or ice.
 3. The Township may clear away and remove slush, snow and ice from any sidewalk adjacent to any building or land if an owner or occupant fails to do so within twenty-four (24) hours after the accumulation of such slush, snow or ice. An owner or occupant is liable to the Township for the expenses incurred in so doing. The Township has the right to recover such expenses by action or by adding such expenses to the tax roll and collecting them in the same manner as municipal taxes.
 4. Every owner or occupant of any building within the boundaries of the Township, whether such building is occupied or not, shall clear away and remove or cause to be cleared away and removed any slush, snow and ice from the roof of any building where such building is adjacent to a sidewalk, or any property owned by the Township, within twenty-four (24) hours after the accumulation of such slush, snow or ice.
 5. The Township may clear away and remove slush, snow and ice from the roof of any building if an owner or occupant fails to do so within twenty-four (24) hours after the accumulation of such slush, snow or ice. An owner or occupant is liable to the Township for the expenses incurred in so doing. The Township has the right to recover such expenses by action or by adding such expenses to the tax roll and collecting them in the same manner as municipal taxes.
 6. No person shall sweep, shovel, throw, drop or place or cause to be swept, shoveled, thrown, dropped or placed any slush, snow or ice onto a highway or sidewalk.
 7. The Township may clear away any remove slush, snow and ice that has been swept, shoveled, thrown, dropped or placed or caused to be swept, shoveled, thrown, dropped or placed onto a highway. An owner or occupant is liable to the Township for the expenses incurred in so doing. The Township has the right to recover such expenses by action or by adding such expenses to the tax roll and collecting them in the same manner as municipal taxes.
 8. No person shall remove slush, snow or ice from a sidewalk in a manner that may cause damage to any sidewalk or curb.
 9. No person shall deposit ice, snow or slush in such a way as to obstruct access to any fire hydrant or to obstruct or otherwise interfere with the ability of the public to use or travel upon the sidewalk.
 10. Every person who contravenes any section of this by-law is guilty of an offence and upon conviction is liable to a fine, exclusive of costs, as prescribed by the Provincial Offences Act.
 11. By-law Numbers 76-39 and 79-1, as amended, shall be repealed when this by-law comes into full force and effect.
 12. This By-law shall come into full force and effect on the date of its passing by the Council for the Corporation of the Township of Uxbridge and, where applicable,

when the Chief Justice for the Ontario Court of Justice has authorized any Short Form Wordings and Fines have been set pursuant to the Provincial Offences Act.