

TOWN OF BATTLEFORD

BYLAW No. 1-2022

A BYLAW OF THE TOWN OF BATTLEFORD TO REGULATE SNOW REMOVAL FROM STREETS & SIDEWALKS.

The Council of the Town of Battleford, in the Province of Saskatchewan, enacts as follows:

WHEREAS Section 8 of The Municipalities Act provides, in part, as follows:

"8(1)(a) A municipality has a general power to pass any bylaws for the purposes of the municipality that it considers expedient in relation to the following matters respecting the municipality:

(b) the safety, health and welfare of people and the protection of people and property.

(c) people, activities, and things in, on or near a public place or place that is open to the public.

(d) nuisances, including property, activities or things that affect the amenity of a neighbourhood.

(e) transport and transportation systems, including carriers of persons or goods.

(f) subject to The Traffic Safety Act, the use of vehicles and the regulation of pedestrians.

(g) streets and roads, including temporary and permanent openings and closings;"

NOW THEREFORE the Council of the Town of Battleford enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be cited as "**The Snow Removal Bylaw**".

2. DEFINITIONS

2.1 In this Bylaw:

(a) "Town" means the Town of Battleford.

(b) "Occupant" / "Owner" shall have the meaning given thereto by The Municipalities Act.

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(c) "Sign" means any sign, signal, marking, or other device installed for the guidance, regulation, warning, direction or prohibition of traffic, parking, standing, or stopping.

(d) "Vehicle" means a device in, upon, or by which a person or thing is or may be transported or drawn upon a public highway and includes special mobile machines and agricultural implements, and, for the purpose of parking and stopping restrictions, includes any portion of a vehicle.

3. OBJECTIVE & INITIATIVES

3.1 To facilitate the handling of emergencies by Police, Fire, and Ambulance services during the winter.

3.2 To reduce the hazards of icy conditions for motorists and pedestrians.

3.3 To minimize the economic losses to the community and industry resulting from unsatisfactory winter driving conditions.

3.4 The Town of Battleford Public Works Department is responsible for responding to snow events. It is dangerous to initiate a snow clearing program during a storm when visibilities are reduced. It is also ineffective to clear streets that are passable until it stops snowing, as the traffic, additional snow accumulation and winds tend to nullify any efforts made. A major snow clearing program is not initiated until the snowfall has stopped.

4. STREET PRIORITIES

4.1 The Snow Clearing Program Map, attached to and forming part of this Bylaw as Schedule 'A', illustrates the order of snow removal priority routes, as well as a general direction of workflow for snow removal throughout the Town.

PRIORITY 1. Hills/District Care/Business Centres

PRIORITY 2. Avenues

PRIORITY 3. Residential Streets

4.2 The Town may clear snow from alleys and lanes on an as-needed basis providing manpower and equipment is available. It is recommended that businesses contract a local snow removal company if they require service to their alley or lane on an urgent basis.

4.3 Priority 2 and 3, streets may be delayed on garbage/recycling pick-up day. Snow removal will continue the following day once receptacle bins are removed.

5. USE OF SALT & SAND ON TOWN STREETS

5.1 The Town of Battleford will monitor streets and salt and/or sand as required. In the event of a substantial snowfall, streets will be cleared first, followed by application of salt and/or sand.

6. WINDROWS

6.1 Some of the Town streets could have windrows in the middle of the streets in preparation of snow removal. It is obstinate to make turning movements from behind these snow windrows, and caution is advised to both through traffic and turning vehicles. Crosswalk rules still apply following a snowstorm, and motorists are expected to adjust their driving speeds accordingly to allow them to see pedestrians in ample time to stop. Pedestrians are urged to proceed with extra caution, as it is difficult to see them amongst the windrows.

7. SNOW PILES

7.1 The Town's Public Works and Utilities Department will monitor snow piles for safe sight distances at key intersections and remove them at the discretion of the Department. Priorities are given to intersections and open lane entrances in the vicinity of school zones. In years of significantly above-normal snowfall, it may be impractical to remove every snow pile and priorities will be devoted to areas of higher traffic volume at major intersections.

8. BOULEVARD WINDROWS OR EDGE RIDGES AFFECTING PRIVATE DRIVEWAY APPROACHES

8.1 Windrows or ridges will be pushed onto Town property in the residential areas with the intent and time permitting that the sidewalk will be kept clear dependent on the amount of snowfall.

8.2 The plough or grader operator will make every effort to drop the wing blade to drag the snow through driveways reducing the edge ridges or windrows along the driveway approach. Normally these ridges do not prevent access and are the homeowner's responsibility to remove. The grader operator may not identify every driveway and may leave a full windrow or ridge across the driveway. During a major snowfall, the Town will focus on restoring the transportation grid to the Town before returning to clean any boulevard ridges or windrows.

8.3 The Town is not responsible for clearing ridges from driveways where residents have constructed multiple driveways without the proper spacing, or wider than normally allowed maximum widths of 7.3 meters (24').

8.4 Public Works Department will remove snow in an up most efficient manner; however, it is at the discretion of the Public Works Department as to how the snow will be removed.

9. OWNER/OCCUPANT ACCOUNTABILITY

9.1 No person shall place any snow, ice, dirt, or other obstruction, shoveled, swept, or cleaned from private property onto any street, sidewalk, or lane.

9.2 To avoid a large accumulation of snow on the street, any snow removed off the Town sidewalk is to be placed on private property.

9.3 No homeowner shall construct any fence/flowerbed or landscaping materials such as stones/bricks on Town property in front of the easement area that would hinder snow removal.

10. DUTY TO CLEAR SIDEWALKS

10.1 The owner or occupant of adjoining property, shall clear or remove or cause to be cleared or removed all snow or ice or other loose debris from any sidewalk adjoining the property within forty-eight (48) hours of the time when the snow, ice, or other loose debris was formed or deposited thereon.

10.2 Notwithstanding Subsection 10.1, the owner or occupant of adjoining property, in Battleford West, due to the narrowness of the sidewalks, shall clear or remove or cause to be cleared or removed all snow or ice or other loose debris from any sidewalk adjoining the property within twenty-four (24) hours of the time when the snow, ice, or other loose debris was formed or deposited thereon.

10.3 No person using a power-driven device or manual device to clear or remove snow or ice or other loose debris from the sidewalk, shall cause injury to or unduly interfere with any person lawfully using the sidewalk, or cause damage to the sidewalk or curbs.

10.4 An owner or occupant shall clear or remove snow, or ice, or other loose debris from a sidewalk by causing it to be placed upon private property. If this is impractical the person may place the snow or ice or other loose debris in the roadway adjacent to such sidewalk but must do so in such a manner that it does not create a hazard or interfere with the use of the roadway.

11. PARKED VEHICLES

11.1 Residents are to avoid parking their vehicles on the streets during a snow clearing program. It is the owner/occupant's responsibility to dig their vehicle out if it gets surrounded by windrows or snow ridges. Residents are to move their cars to an alternate location (driveway), where possible. The Town is not responsible for clearing the windrows away from vehicles that are parked in the streets during plough operations.

11.2 The Public Works Department of the Town shall have the authority to request any owner or occupant of property within the municipality to remove any vehicles as defined in The Highways and Transportation Act, 1997 for the purpose of removing snow, ice, or debris on any street, sidewalk, or lane. Owners and occupants will be given twenty- four (24) hours' notice by signs placed on the boulevard for removal of all vehicles or the said vehicle will be ticketed and/or towed by the Town at the owner/occupant's expense.

12. COMMERCIAL & INDUSTRIAL

12.1 It is prohibited for any private, commercial, or industrial property to deposit snow on Town property or on windrows that the Town creates or maintains. The Town will not remove windrows of snow resulting from snow plowing operations from loading zones serving commercial, industrial or apartment buildings. It is the responsibility of the owner to take care of clearing these out.

13. REMOVAL OF OBSTRUCTIONS

13.1 Where an obstruction, encumbrance or encroachment is created or left on any public highway, boulevard or sidewalk, a Peace Officer, the Director, or the Fire Chief may remove or cause the removal of that obstruction, encumbrance, or encroachment at the cost of the person who caused the obstruction, encumbrance or encroachment and may destroy or otherwise dispose of the obstruction, encumbrance, or encroachment.

13.2 No person shall, either himself or through another person, leave any vehicle or place, cause or throw anything that might directly or indirectly encumber, obstruct, damage or foul any public highway, lane, walkway, service road, bridge, easement, park, boulevard, ditch, gutter, drain, sewer, public reserve or any public property either owned or leased and controlled by the Town of Battleford, and any person who contravenes this Section shall be compelled to remove the obstruction at his/her expense.

14. PLACING TICKETS

14.1 No person, other than a Peace Officer, Bylaw Control Officer, the Fire Chief, the Director, or other designates, with the enforcement of this Bylaw, shall place a Notice of Violation Ticket or warning ticket on any vehicle.

14.2 No person, other than the owner or operator of the vehicle, shall remove a Notice of Violation ticket or warning ticket from a vehicle.

15. INFRACTIONS OF THE BYLAW

15.1 Any person or persons who contravenes the provisions of this Bylaw are guilty of an offence and shall be liable upon summary conviction to a fine as per Schedule "B".

15.2 Penalties / Fines – Schedule "B"

Section:	Offense:	Penalty:
9.1	No person shall place any snow, ice, Dirt or other obstructions from Private property onto any street, Sidewalk or lane	1 st - \$100.00 2 nd - \$200.00 3 rd - \$400.00
11.2	Park where prohibited by sign OR if paid within 14 days	\$50.00 \$35.00

16. REPEALED

16.1 That Bylaw No. 15-2016 be repealed.

17. COMING INTO FORCE

17.1 This Bylaw shall come into force on the final passing thereof.

Read a 1st time this 24th day of January 2022

Read a 2nd time this 24th day of January 2022

Read a 3rd time and adopted this 24th day of January 2022

Ames Leslie
MAYOR

Ashrafal Alam
CHIEF ADMINISTRATIVE OFFICER

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Bylaw No. 1-2022 Sch. A Map

