

Snow Removal and Winter Parking Regulations

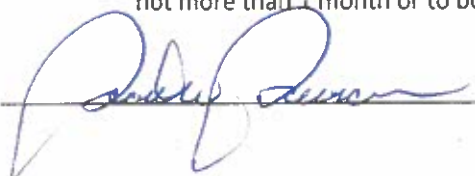
Pursuant to the powers conferred under section 414 (2) (nn) of the Municipalities Act, 1999 and all other powers it enabling, the Botwood Town Council, during a public meeting convened on July 11, 2018, hereby passes and enacts the following regulations governing the removal of snow and ice from sidewalks, gutters, houses, yards and parking lots, as well as, winter parking in the Municipality of Botwood. These regulations replace all similar Town regulations in place prior to the above date.

By-law

1. This by-law may be cited as the Botwood Snow Removal and Winter Parking Regulations.
2. This by-law shall apply within the municipal boundaries of the Town of Botwood.

Definitions

3. In this By-Law,
 - a. "Person" includes any owner, renter, occupant, or visitor of residential and/or commercial property that abuts a Municipal Street within the municipal boundaries of the Town of Botwood; "person" may also include vehicle owner or operator.
 - b. "Property" includes land, buildings, houses, gutters, yards, parking lots, structures, vehicles, and any other object that is owned or rented by a person, corporation, business or any other business entity living or operating in the municipal boundaries of the Town of Botwood.
 - c. "Municipal Enforcement Officer" means the Town Manager, Town Clerk, or the designated Public Works Foreman.
 - d. "Municipal Street" means any road, alley, square, place, bridge, culvert, avenue, parkway, parking lot, walkway or pathway, paved or otherwise, that is maintained by the Town of Botwood for public use or any other road, alley, square, place, bridge, culvert, street, avenue, parkway, parking lot, walkway or pathway that is privately or public owned and is generally used by the public.
 - e. "Major Snow Event" means a snowfall warning or winter storm advisory issued by Environment Canada or 15cm of snow over a twelve hour period.
 - f. "Town" means the Town of Botwood as incorporated by the Municipalities Act, 1999, and amendments thereto and includes the Council as defined by the Act.
 - g. "Vehicle" means a device in, upon or by which a person or thing may be transported or drawn upon a Municipal Street.
4. No person shall, while removing snow or ice from his/her property or the property of another person, place or cause to be placed snow or ice on a Municipal Street.
5. No person engaged in removing snow or ice from property shall do so in a manner that obstructs traffic on a Municipal Street.
6. From December 1 in one year to April 15 in the following year, no person shall park or leave a vehicle unattended on or to the side of a Municipal Street between the hours of 12:00am to 8:00am.
 - a. At any time during a major snow event and twelve hours thereafter, no person shall park or leave a vehicle unattended on or to the side of a Municipal Street.
7. Where a person fails to comply with these Regulations a Municipal Enforcement Officer shall, on authority of section 404 (1) (j) of the Municipalities Act, 1999, issue an Order to comply with these Regulations on that person. An Order issued under this section shall prescribe;
 - a. the section of these Regulations that the person is contravening;
 - b. what the person must do to ensure compliance with these Regulations; and
 - c. a date and time that the person must become in compliance with these Regulations.
8. Where a person fails to comply with sections 4, 5 and 6 of these Regulations the Town shall impose a minimum service charge of \$75 on that person to recover the additional costs of removing snow or ice from that Municipal Street. Notwithstanding the latter, the Town may impose a service charge exceeding \$75 to recover the actual cost of removing the snow or ice or, where the person contravenes section 6, the cost of having the vehicle removed and/or impounded.
9. A person who fails to comply with an Order issued under these Regulations is liable on summary conviction;
 - a. for a first offence to a fine of not less than \$200 and not more than \$500;
 - b. for a subsequent offence to a fine of not less than \$500 and not more than \$1,000 or to a term of imprisonment of not more than 1 month or to both the fine and imprisonment.


MAYOR


TOWN CLERK