



By-law No. 2008-046

“A By-law to Regulate the Removal of Snow and Ice from Streets and Buildings in the City of Owen Sound and Repeal By-laws 1974-1, 1977-14 and 1989-191”

**Originally Passed and Enacted April 28, 2008**

| <b>Amended by By-law:</b> | <b>Passed On:</b> |
|---------------------------|-------------------|
| Not Amended               |                   |
|                           |                   |
|                           |                   |

**Consolidated Version**  
*Revised and Verified February 18, 2014*

*Consolidated for Convenience Only*

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracies of these by-laws, they are not official versions or legal documents. The original by-laws should be consulted for all interpretations and applications on this subject. For more information or original signed copies of by-laws please contact the City Clerk’s Department.

**BY-LAW NO. 2008-046**

**THE CORPORATION OF THE CITY OF OWEN SOUND**

**A BY-LAW TO REGULATE THE REMOVAL OF SNOW AND ICE FROM STREETS AND BUILDINGS IN THE CITY OF OWEN SOUND AND REPEAL BY-LAWS 1974-1, 1977-14 AND 1989-191**

**WHEREAS** it is provided by the Ontario Municipal Act, S.O. 2001 Part II General Municipal Powers, Section 11 Broad authority, lower-tier and upper-tier municipalities, the City of Owen Sound may pass by-laws protecting the health, safety and well-being of persons

**NOW THEREFORE** THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

**1. SHORT TITLE**

1.1 This By-law may be cited as the City of Owen Sound Snow Removal By-law.

**2. DEFINITIONS**

2.1 **HIGHWAY** includes a common and public highway, street, avenue, parkway, crescent, court, public driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof

2.2 **OFFICER** includes a Police Officer appointed pursuant to the Police Services Act, a Municipal Law Enforcement Officer appointed pursuant to the Municipal Act or Police Services Act, a Chief Building Official appointed or constituted under the Building Code Act, or a Building Inspector or a Property Standards Officer as appointed under the Building Code Act.

**3. GENERAL PROVISIONS**

3.1 Every owner or occupant of a vacant or occupied building immediately adjoining any street in the City of Owen Sound shall remove snow and ice from the roof of such building so as to prevent the same from falling into any such street, or shall place a sufficient barrier near the edge of the roof adjoining the street mentioned to prevent snow or ice falling into the street.

3.2 Every owner or occupant of the ground floor of a building or lands including hallways, laneways or alleyways adjoining the sidewalks on the streets and between the point set out below shall cause snow and ice to be removed from the sidewalk adjoining such premises and, so far as is practicable, shall keep such sidewalk free from snow and ice

3.2.1 Both sides of 2<sup>nd</sup> Avenue East from 7<sup>th</sup> Street East to 11<sup>th</sup> Street East

3.2.2 Both sides of 10<sup>th</sup> Street East from 1<sup>st</sup> Avenue East to 3<sup>rd</sup> Avenue East

3.2.3 Both sides of 9<sup>th</sup> Street East from 1<sup>st</sup> Avenue East to 3<sup>rd</sup> Avenue East

3.2.4 Both sides of 8<sup>th</sup> Street East from 1<sup>st</sup> Avenue East to 3<sup>rd</sup> Avenue East

3.3 Snow and ice shall be removed as set out above in Section 3.2 within four (4) hours after every fall of snow which occurs during the hours of daylight, and before nine (9) o'clock of the morning following a snowfall where such snowfall occurs during the hours of darkness Monday to Saturday.

3.4 Where the owner or occupant fails to remove snow and ice from the sidewalk as required under the provisions of Section 3.2 the Operations Department of the City may remove such snow and ice and the cost and expense of such removal shall be collected and recovered from the owner of such vacant premises in the same manner as Municipal Taxes.

3.5 The Works Department shall apply salt to the sidewalks listed in Section 3.2 above, when they deem it necessary.

3.6 No person, firm or corporation shall deposit or cause to be deposited snow or ice upon any highway within the boundaries of the Corporation of the City of Owen Sound from any private property.

**4. ENFORCEMENT AND PENALTY**

4.1 This by-law shall be enforced by the Enforcing Officers as defined herein.

4.2 Any person who contravenes any provision of this By-law is guilty of an offense and upon conviction therefore is subject to the penalty set out in the Provincial Offences Act.

**5. SEVERABILITY**

5.1 The terms and provisions of this By-law shall be severable and should any term or provision be found by a court of competent jurisdiction to be legally unenforceable, inoperative or invalid, the remainder of the By-law shall continue to be in full force and effect.

**6. BY-LAWS REPEALED**

6.1 By-law numbers 1974-1, 1977-14 and 1989-191 are hereby repealed.

**7. EFFECTIVE DATE**

7.1 This By-law shall come into full force and effect upon the final passing thereof and receipt of approval of short form wording under the Provincial Offences Act.

FINALLY PASSED AND ENACTED this 28<sup>th</sup> day of April, 2008.

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*Signature on File*  
Mayor

\_\_\_\_\_  
*Signature on File*  
Clerk