



Snow Removal Bylaw No. 1745, 2019

adopted November 12, 2019

**CONSOLIDATED FOR
CONVENIENCE ONLY
Includes amendments adopted
up to February 24, 2020**

**DISTRICT OF COLDSTREAM
BYLAW NO. 1745, 2019**

**A BYLAW TO REQUIRE THE OWNER OR OCCUPIER OF REAL PROPERTY TO REMOVE
SNOW, ICE OR RUBBISH FROM THE SIDEWALKS BORDERING ON SUCH REAL PROPERTY**

WHEREAS the *Community Charter* provides that Council may, by bylaw, require the owner or occupier of real property to remove snow, ice, or rubbish from the sidewalks bordering on the real property;

AND WHEREAS the Council of the District of Coldstream deems it expedient to make provisions, regulations and penalties that require the owner or occupier to remove all snow, ice and rubbish from the sidewalks bordering on the real property;

NOW THEREFORE the Council of the District of Coldstream ENACTS AS FOLLOWS:

TITLE

- 1 This Bylaw may be cited as “DISTRICT OF COLDSTREAM SNOW REMOVAL BYLAW NO. 1745, 2019”.

INTERPRETATION

- 2 (1) In this Bylaw:
- “**Bylaw Enforcement Officer**” means the person appointed, or their designate, by the Chief Administrative Officer for the District and shall include a Peace Officer or member of the Royal Canadian Mounted Police;
- (2) Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter*, *Local Government Act* and the *Interpretation Act* as the context and circumstances may require.
- (3) A reference to an Act in this Bylaw refers to a statute of British Columbia, and a reference to any statute, regulation, bylaw or other enactment refers to that enactment as it may be amended or replaced from time to time.
- (3) Words in the singular include the plural, and words in the plural include the singular.
- (4) Headings are for convenience only and must not be construed as defining or limiting the scope or intent of the provisions.

SEVERABILITY

- 3 If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder of the Bylaw continues to be valid.

REGULATIONS

- 4 (1) All owners or occupiers of real property within the District of Coldstream must remove, within 24 hours of each snowfall, all snow, ice and rubbish from the sidewalks that border their real property.
- (2) An owner or occupier of real property must not place, cause or allow snow or ice to migrate from their property onto any portion of a highway.
- (3) If any snow or ice is deposited onto a highway contrary to subsection (2), the owner or occupier of the property must take immediate steps to safely remove the snow, ice or both from the highway, at their own expense, and is responsible to pay for any costs and expenses incurred by the District to repair any resulting damage to the highway.
- (4) A person must not place snow or ice from one portion of a highway onto another portion of a highway. **Amendment Bylaw No. 1751**

REMEDIATION

- 5 (1) If an owner or occupier of real property fails to comply with section 4, the District of Coldstream, by its employees, contractors or agents, may remove the snow, ice and rubbish at the expense of the owner.
- (2) The amount stated on an invoice by the District pursuant to subsection (1) is a debt owing to the District by the owner which if unpaid by December 31st will be collected as for taxes in arrears.

ENFORCEMENT

- 6 The provisions of this Bylaw may be enforced by any Bylaw Enforcement Officer.

PENALTIES

- 7 (1) Every person who
- (a) contravenes this Bylaw,
 - (b) permits, suffers or allows any act or thing to be done in contravention of this Bylaw, or
 - (c) fails or neglects to do anything required to be done under this Bylaw or of any permit or direction issued under this Bylaw
- commits an offence, and each day a contravention continues shall constitute a separate offence.

- (2) A person found to have contravened this Bylaw is liable to pay any of the following:
- (a) a fine imposed under the District of Coldstream Bylaw Notice Enforcement Bylaw;
 - (b) a penalty imposed under the District of Coldstream Municipal Ticket Information Utilization Bylaw;
 - (c) a fine of up to \$10,000, and any further amounts that may be ordered by the court if proceedings are brought under the *Offence Act*.

REPEAL

- 8 District of Coldstream Snow Removal Bylaw No. 1457, 2005 is hereby repealed.

CONSEQUENTIAL AMENDMENTS

- 9 District of Coldstream Municipal Ticket Information Utilization Bylaw No. 1598, 2012 is amended as follows:

- (a) In Schedule 1 by deleting “1457, 2005” and substituting “1745, 2019”; and
- (b) By deleting Schedule 11 and substituting Schedule 11 attached to and forming part of this Bylaw. **Amendment Bylaw No. 1751**

- 10 District of Coldstream Bylaw Notice Enforcement Bylaw No. 1636, 2013 is amended as follows:

- (a) In Schedule ‘A’ by deleting “1457, 2005” and substituting “1745, 2019”; and
- (b) By deleting Appendix 10 to Schedule ‘A’ and substituting Appendix 10 to Schedule ‘A’ attached to and forming part of this Bylaw. **Amendment Bylaw No. 1751**

READ A FIRST TIME this	28 th	day of	October	2019
READ A SECOND TIME this	28 th	day of	October	2019
READ A THIRD TIME this	28 th	day of	October	2019
ADOPTED this	12 th	day of	November	2019

Corporate Officer

Mayor

Attachments: “Schedule 11 – Snow Removal Bylaw No. 1745, 2019” amending Municipal Ticket Information Bylaw No. 1598, 2012

“Appendix 10 to Schedule ‘A’ – Snow Removal Bylaw No. 1745, 2019” amending Bylaw Notice Enforcement Bylaw No. 1636, 2013

Schedule 11 attached to and forming part
of Snow Removal Bylaw No. 1745, 2019
Amendment Bylaw No. 1751, 2020, Amendment No. 1

MUNICIPAL TICKET INFORMATION UTILIZATION BYLAW NO. 1598, 2012**Schedule 11**

<u>COLDSTREAM SNOW REMOVAL BYLAW NO. 1745, 2019</u>		<u>SECTION</u>	<u>FINE</u>
1.	Fail to remove snow from sidewalk within 24 hours of snowfall	4(1)	\$150.00
2.	Deposit snow or ice on highway from real property	4(2)	\$150.00
3.	Deposit snow or ice between portions of a highway	4(4)	\$150.00

Appendix 10 to Schedule 'A' attached to and forming
 part of Snow Removal Bylaw No. 1745, 2019
Amendment Bylaw No. 1751, 2020, Amendment No. 1

BYLAW NOTICE ENFORCEMENT BYLAW NO. 1636, 2013

Appendix 10 to Schedule 'A'

Snow Removal Bylaw No. 1745, 2019

Section	Offence	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
4(1)	Fail to remove snow from sidewalk within 24 hours of snowfall	\$100	\$50	\$150	Yes
4(2)	Deposit snow or ice on highway from real property	\$100	\$50	\$150	Yes
4(4)	Deposit snow or ice between portions of a highway	\$100	\$50	\$150	Yes