

Title: <i>Snow and Ice Removal Bylaw</i>	Publication: <i>External</i>
Department: <i>Administration</i>	Bylaw Number: <i>TOCPAB-007-BL</i>
Approval Date: <i>January 6<sup>th</sup>, 2026</i>	Implementation Date: <i>January 6<sup>th</sup>, 2026</i>

**SECTION 1: APPLICATION**

**1.1 TITLE**

This Bylaw shall be known and cited as the *Snow and Ice Removal Bylaw for the Town of Channel - Port Aux Basques*.

**1.2 PURPOSE**

To ensure that the Town of Channel - Port Aux Basques (the “Town”) can effectively manage snow and ice removal efforts during the snow and ice removal season as described.

**1.3 AUTHORITY**

This Bylaw is adopted in accordance with section 7(1)(d) and section 12(1) of the *Towns and Local Service Districts Act, Chapter T-6.2, 2023*.

**SECTION 2: DEFINITIONS**

**Act** – means the *Highway Traffic Act, R.S.N.L. 1990, c. H-3*, as amended.

**Council** - means the town council of the Town of Channel - Port aux Basques.

**Highway** – means highway as defined by the Highway Traffic Act and for the purposes of these regulations means a highway under the jurisdiction of Council.

**Municipal By-law Enforcement Officer** – means an Officer appointed by council pursuant to Section 278 part 1& 2 of the *Towns and Local Service Districts Act c. T-6.2*.

**Municipality** – means the area within the municipal boundary for the town of Channel – Port Aux Basques.

**Street Reservation** – means the land reserved by Council for a highway, street, lane or sidewalk.

**Town** - a geographical area incorporated or continued as a Town under the *Towns and Local Service Districts Act, Chapter T-6.2, 2023* or the corporation, as the context requires, but does not include an Inuit community government.

**Town Manager** – As defined in the *Towns and Local Service Districts Act, Chapter T-6.2, 2023*

**Vehicle** – means a device in or upon which a person or property be transported or drawn upon a road or highway.

## **SECTION 3: STANDARDS OF REMOVAL**

### **3.1 SNOW CLEARING PERIOD**

During the period between the *first day of December* in each year and the *last day of April*, in the year following both days inclusive, and any extension or other period when unusual snow and/or ice conditions prevail, shall be known as the *Snow Clearing Period*.

### **3.2 PARKING**

No person shall park an unattended vehicle upon any street or street reservation within the Municipality:

- a. Between the hours of 12:00AM (00:00) and 8:00AM (08:00), during the snow clearing period; OR
- b. During or for the twelve hours immediately following a snow storm; OR
- c. For such other period as may be declared by Council, to enable clean up, after a particularly severe storm or snowfall.

### **3.3 DISPOSITION OF SNOW**

No person shall deposit or cause or permit to be deposited any snow and/or ice from driveways, sidewalks, parking lots or any other property under their ownership or control, onto any street or street reservation, within the Municipality.

## **SECTION 4: LIABILITIES AND ENFORCEMENT**

### **4.1 LIABILITIES FOR DAMAGES**

Claims against the Municipality for damages to mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns on private property will be accepted by the Municipality when they occur, as a result of being struck by equipment, operated by employees of the Municipality, and where they occur outside the street reservation of the municipal street the distance of same from the centre line being dependent on the street reservation of the municipal street where the damage occurred, or where the mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns had been indicated by clearly visible markers. Damaged items will be repaired to a condition consistent with conditions prior to the incident. Any wooden garbage receptacles will be replaced with a receptacle of plastic construction.

## **4.2 DISCLAIM OF DAMAGES**

No claims, for damages to property, will be accepted by the Municipality where:

- a. The damages occurred to property located within the street reservation of the town, unless indicated by clearly visible markers, OR
- b. The damages occurred as a result of the weight of snow and/or ice deposited on mobile or portable articles, garbage boxes, buildings, fences, trees, shrubs, hedges, rock walls and lawns, OR
- c. Lawns become brown or decayed as a result of the deposit of snow and/or ice, OR
- d. A claim for damages is received by the council after May 31<sup>st</sup> of the year in which the snow clearing periods ends.

## **4.3 PENALTIES**

4.3.1 Any unattended vehicle, parked in contravention of these by-laws, within the Municipality, may be removed by or on behalf of the Council and impounded, and the total cost of the removal and impounding, shall be recovered from the owner of the vehicle, as a civil debt.

4.3.2 Every person who violates or fails to comply with any provisions of these By-laws is guilty of an offence and on summary conviction is liable to a fine not exceeding one thousand five hundred dollars (\$1,500.00) or in default to a period of imprisonment not exceeding ninety days or to both such fine and period of imprisonment.

4.3.3 The conviction of a person under section 4.3.2 does not operate as a bar to further prosecution for the continued failure on the part of a person to comply with these by-laws.

## **4.4 PROSECUTION**

Prosecution under these by-laws may be taken summarily by a Municipal By-law Enforcement Officer, Police Constable, Private Enforcement Agency or by any person authorized by Council.

**REVIEW OF BY-LAW**

This Bylaw will be reviewed as deemed necessary. Any revisions to this Bylaw are subject to approval of Council. This Bylaw rescinds all previous policies or Bylaws pertaining to this subject matter.

*[end of by-law statement]*

Dated at the Town of Channel - Port Aux Basques this 6<sup>th</sup> day of January, 2025.



Mark Andrews  
Mayor



Nadine Osmond  
Town Manager

