

CITY OF TIMMINS

BY-LAW NO. 1993-4162

AMENDED BY
BY-LAW 2014-7494

BEING A BY-LAW to repeal By-law 1973-22 and to prohibit the depositing of snow on highways within the City of Timmins.

WHEREAS, the Municipal Act, R.S.O. 1990, as amended Chapter M.45, Section 210 Paragraph 62 provides that by-laws may be passed by the councils of local municipalities for clearing away and removing snow and ice from the sidewalks on any highway or part of a highway or any class thereof in front of, alongside or at the rear of any occupied or unoccupied building or vacant lot, or any class thereof, at the expense of the owners, and Section 314 Paragraph 1 provides for prohibiting or regulating the obstructing, encumbering, injuring or fouling of highways or bridges, and

WHEREAS, the Highway Traffic Act R.S.O. 1990, as amended Chapter H.8 Section 181 prohibits any person from depositing snow or ice on a roadway without permission in writing from the road authority responsible for the maintenance of the road, and

WHEREAS, it is deemed expedient to enact a by-law for such purposes;

NOW THEREFORE the Council of the Corporation of the City of Timmins enacts the following as a By-law:

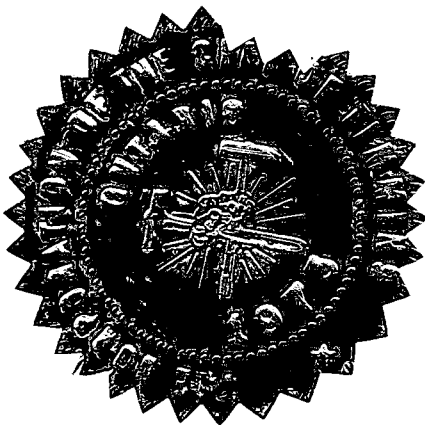
1. That By-law No. 1973-22 be and is hereby repealed.
2. Definitions in this By-law:
 - (a) "Director" means the person appointed by the Corporation to be Director of Public Works or his designate.
 - (b) "highway" means a common and public highway, street, avenue, lane, parkway, driveway, sidewalk, square, place, bridge, viaduct, trestle, including the area between the lateral property lines that is intended for the use of the general public.
 - (c) "officer" means a person who has powers or duties with respect to the administration of this by-law.
 - (d) "municipality or municipal" means the Corporation of the City of Timmins.
 - (e) "Person" includes a partnership, a body corporate or politic, an agent or trustee, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
3. No person shall deposit any snow, or permit snow to be deposited on a highway within the municipality.

4. No person shall clear away or remove snow from a municipal highway, except as may be necessary to clear away snow blocking access to a private entrance or driveway.
5. No person shall create or permit an accumulation of snow to be created on property adjacent to a municipal highway in such a way as to cause an obstruction, encumbering or fouling of sidewalks or roadways on such highways.
6. Every person having deposited snow or permitted snow to be deposited on a municipal highway shall remove said snow from the highway.
7. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act as amended, and all the provisions of the said Act shall apply to any offence under the provisions of this By-law.

(1) Where a person is in default of any of the provisions of the by-law The Corporation of the City of Timmins or its servants or agents shall carry out, or cause to be carried out, on behalf of the Corporation the work required to done by this by-law at the expense of the property owner and the Municipality shall recover the expense incurred in doing it in like manner as municipal taxes.

10. That this By-law shall come into force and effect on the date of passage

READ a first, second and third time and finally passed this 29th day of November, 1997



Victor Power

MAYOR

[Signature]
CLERK