

**MUNICIPALITY OF MINITONAS-BOWSMAN**  
**BY-LAW No. 5/2018**

Being a By-law of the Municipality of Minitonas-Bowsman respecting the erection of snow fences or the ridging of snow on any land adjacent to any municipal road.

**WHEREAS** subsection 232 (1) of the *Municipal Act* provides in relevant part as follows;

**Spheres of Jurisdiction**

232 (1) A Council may pass by-laws for municipal purposes respecting the following matters:

(f) property adjacent to highways or municipal roads, whether the property is publicly or privately owned.

(o) the enforcement of by-laws.

**AND WHEREAS** section 234 of the *Municipal Act* provides as follows:

**Content of by-laws under clause 232(1)(f)**

234 Without limiting the generality of clause 232(1)(f) (property adjacent to highways or municipal roads), a by-law passed under that clause may include provisions respecting signs, survey monuments, landscaping and setbacks, including;

- (a) The growing of tress and shrubs and the construction of improvements;
- (b) The control and removal of trees, shrubs, weeds, grass, snow, ice and obstructions;  
and
- (c) The construction, repair and removal of fences and snow fences.

**NOW THEREFORE** the Council of the Municipality of Minitonas-Bowsman enacts as follows:

- 1) **THAT** it shall be, and it is hereby made, lawful for the Municipality of Minitonas-Bowsman, its employees, contractors, subcontractors, and/or agents to enter into and upon and to occupy and land that is adjacent to and municipal road, and to erect thereon snow fences or ridging of snow, for the purpose of preventing the road from becoming blocked by snow, and for the purpose of maintaining, repairing, removing, or replacing, a snow fence or ridge of snow.
- 2) **THAT** it shall be, and it is hereby made, lawful for the Municipality of Minitonas-Bowsman to enter into an agreement with the owner of land adjacent to a municipal road for the planting of hedges, shrubs, or trees, on the land in order to prevent snow or soil drifting on the road, and for entering into an agreement with the owner of the land adjacent to a municipal road for the removal of any tree, shrub, brush, hedge, fence or other object planted or erected upon that land where the municipality considers that the tree, shrub, brush, hedge, fence, or other object, causes the drifting of snow or soil and accumulation thereof on the road.

- 3) **THAT** no person shall be entitled to rent or other compensation whatsoever in respect of an entry or occupation effected under Clause 1 hereof.
- 4) **THAT** any person who obstructs or interferes with an employee, contractor, subcontractor and/or agent of the municipality, engages in exercising on behalf of the municipality any power conferred by Clause 1 hereof or who takes down, removes, or otherwise interferes with a snow fence or snow ridge erected under the authority of that clause, is guilty of an offence and liable, on summary conviction, to a fine not exceeding \$1000, or in the case of an individual, to imprisonment for a term not exceeding six months, or to both such a fine and such an imprisonment.

**DONE AND PASSED** by the Council of the Municipality of Minitonas-Bowsman, in open session duly assembled at the Minitonas Municipal Office in Minitonas, Manitoba this 19<sup>th</sup> day of June, 2018 A.D.



Reeve

  
Chief Administrative Officer

Read a first time this 5<sup>th</sup> day of June, 2018 A.D.  
Read a second time this 19<sup>th</sup> day of June, 2018 A.D.  
Read a third time this 19<sup>th</sup> day of June, 2018 A.D.