



**THE CORPORATION OF THE TOWN OF SMOOTH ROCK FALLS
BY-LAW # 2026-05**

**Being a by-law to Authorize the Seasonal Closure of Certain Sidewalks and
to Establish Designated Winter-Maintained Pedestrian Routes**

WHEREAS Section 10 of the *Municipal Act, 2001*, S.O. 2001, provides that the municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS Section 8 and 9 of the *Municipal Act, 2001*, S.O. 2001, provide broad authority respecting the scope and interpretation of municipal by-law making powers;

AND WHEREAS Section 34 of the *Municipal Act, 2001* authorizes a municipality to permanently or temporarily close a highway or any part thereof;

AND WHEREAS O. Reg. 239/02 defines a “sidewalk” as the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited.

AND WHEREAS Ontario Regulation 239/02 authorizes a municipality to seasonally close sidewalks and provides that a closed sidewalk is deemed to be in a state of repair for the duration of the closure;

it expedient, necessary and in the public interest to establish a regulated system of winter sidewalk maintenance by designating specific pedestrian routes to be maintained during winter months and seasonally closing all other sidewalks;

NOW THEREFORE Council of the Corporation of the Town of Smooth Rock Falls enacts as follows:

1. Short Title

1.1 This By-law may be cited as the *Winter Sidewalk Designation and Seasonal Closure By-law*.

2. Definitions

2.1 In this By-law:

“**Designated Winter Sidewalk**” means a sidewalk identified in Schedule “A” this maintained by the Town during the Winter Maintenance Period.

“**Sidewalk**” means the portion of a highway intended for pedestrian use as defined in Ontario Regulation 239/02.

“**Winter Maintenance Period**” means the period commencing October 1 of each year and concluding April 30 of the following year.

3. Seasonal Closure of Sidewalks

3.1 Except for Designated Winter Sidewalks identified in Schedule “A”, all sidewalks within the Town are hereby seasonally closed for the duration of the Winter Maintenance Period.

3.2 Any sidewalk not identified in Schedule “A” shall not be maintained, inspected, treated, plowed, sanded, salted or otherwise attended to by the Town during the Winter Maintenance Period.

3.3 Any person who uses a sidewalk that is seasonally closed pursuant to this By-law does so entirely at their own risk.

4. Designation of Winter-Maintained Sidewalks

4.1 The sidewalks identified in Schedule “A” are hereby designated as winter-maintained pedestrian routes.

4.2 The Town shall maintain Designate Winter Sidewalks in accordance with its approved Winter Road Maintenance Policy and Ontario Regulation 239/02.

4.3 Council may amend Schedule “A” by resolution from time to time.

5. Limitation of Liability

5.1 During the Winter Maintenance Period, any sidewalk that is seasonally closed pursuant to this By-law is deemed to be in a state of repair for all purposes of Ontario Regulation 239/02.

5.2 The Town shall not be liable for any injury, loss, damage or expense incurred by any person arising from the use of a sidewalk that is seasonally closed pursuant to this By-law.

6. Conflict

6.1 In the event of conflict between this By-law and any other by-law of the Town, this By-law shall prevail to the extent of the conflict.

7. Repeal

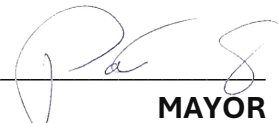
7.1 Any by-law or portion thereof inconsistent with this By-law is hereby repealed.

8. Effective Date

8.1 This By-law shall come into force and take effect upon the date of its passage.

Read a first, second and third time, signed and the Seal of the Corporation affixed thereto and finally passed this 2nd day of February, 2026.




MAYOR

Patrick Roberts


MUNICIPAL CLERK
Nathalie Vachon

Schedule “A”

Winter Sidewalk Designation and Seasonal Closure By-law No.2026-05

Winter Maintained Sidewalks

MAIN SIDEWALK CLEANING – PRIORITY 1

- ✓ Main Street – from intersection of Ross Road, easterly to intersection of Highway 634
- ✓ Fourth Street (west side only) – from intersection of Hollywood Avenue to Fifth Street
- ✓ Sixth Avenue (south side only) – from intersection of Seventh Avenue Crescent, easterly to Junction Road

WALKING PATH CLEARED WITH WING OF GRADER – PRIORITY 2

- ✓ Third Street – beginning at Fourth Avenue, southerly to Fifth Avenue
- ✓ Main Street – beginning at Fifth Street, easterly to Ross Road
- ✓ Ross Road - beginning at Main Street, northerly to Highway 634
- ✓ Hollywood Avenue – beginning at Fifth Street, easterly to Ross Road
- ✓ Dupont Street – beginning at Main Street, southerly to Highway 11
- ✓ Kelly Road – beginning at Catherine Street to Hospital

