



THE CORPORATION OF THE MUNICIPALITY OF RED LAKE

BY-LAW NO. 40-2024

BEING A BY-LAW TO REGULATE THE DEPOSITING OF SNOW OR ICE WITHIN THE MUNICIPALITY OF RED LAKE

WHEREAS *Section 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended,* provides that a single-tier municipality may pass by-laws respecting the health, safety and well-being of persons; and

WHEREAS *Section 128 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended,* allows a local municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

NOW THEREFORE the Council of The Corporation of the Municipality of Red Lake **HEREBY ENACTS AS FOLLOWS:**

1. DEFINITIONS

- 1.1 'Boulevard' means the area of the Municipal Roadway between the edge of the pavement or curb of the roadway and the adjacent property line of the Municipal Roadway.
- 1.2 'Highway' includes a common and public street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles.
- 1.3 'Sidewalk' means that portion of a Municipal Roadway between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians.

2. GENERAL PROVISIONS

- 2.1 No person shall deposit or cause to be deposited any snow or ice upon any portion of any highway, municipal sidewalk or municipal bridge located within the territorial limits of The Corporation of the Municipality of Red Lake.
- 2.2 No person shall relocate snow within the street allowance in such a manner as to encroach on the cleared portion of the street allowance intended for vehicular and pedestrian traffic, or that would result in the obstruction of normal visibility of the safe movement of vehicular and pedestrian traffic on the street allowance.
- 2.3 No person shall deposit or cause to be deposited any snow or ice across a Highway.
- 2.4 No person shall remove or cause to be removed any snow or ice in a manner to cause damage to any Municipal Property including but not limited to sidewalks and roadways.
- 2.5 No person shall deposit, or cause to be deposited, snow or ice, within a radius of 1.5 meters of a fire hydrant.
- 2.6 No person shall leave any basketball net, hockey net or any other items on a Highway, Sidewalk or Boulevard that will interfere or obstruct snow removal operations.

3. ENFORCEMENT

- 3.1 Every person who contravenes any of the provisions of this By-Law is guilty of an offence and, upon conviction, shall be subject to a fine or penalty as provided for by the Provincial Offences Act, R.S.O 1990, c. P. 33, as amended.
- 3.2 A court in which the conviction has been entered, or any court of competent jurisdiction thereafter may make an Order prohibiting the continuation or repetition of the offence by the person convicted and such Order shall be in addition to any other penalty imposed on the person convicted.

4. VALIDITY

- 4.1 If a court of competent jurisdiction declares any provision, any part of a provision, in the By-Law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-Law that each and every provision in this By-Law authorized by By-Law that be applied and enforce in accordance with the terms to the extent possible according to law.

5. SHORT TITLE

- 5.1 This By-Law may be cited the Municipality of Red Lake "Snow or Ice By-Law".

6. IMPLEMENTATION

- 6.1 **THAT** By-Law No. 76-2021 is hereby repealed.
- 6.2 **THAT** this By-Law shall come into force and effect once set fines are approved.

READ a FIRST and SECOND TIME this 15th day of July, 2024.



Fred Mota, Mayor



Christine Goulet, Clerk

READ a THIRD TIME and FINALLY PASSED this 15th day of July, 2024.



Fred Mota, Mayor



Christine Goulet, Clerk