

TOWN OF NEEPAWA
BY-LAW NO. 3057

BEING A BY-LAW OF THE TOWN OF NEEPAWA TO PROVIDE FOR THE AMENDING OF BY-LAW NO. 3012 ITSELF BEING A BY-LAW TO CONTROL AND REGULATE TRAFFIC WITHIN THE TOWN OF NEEPAWA.

WHEREAS By-Law No. 3012 of the Town of Neepawa provides for the control and regulation of traffic within the Town of Neepawa;

AND WHEREAS Council desires to amend said By-Law No. 3012;

NOW THEREFORE the Council of the Town of Neepawa enacts as follows:

VII. SNOW, ICE, OR DIRT – BUSINESS PREMISES

Every occupant, or in the event there is no occupant, the owner or person having charge or care of every business premise, shop, building, lot or parcel of land fronting or abutting on any street, occupied for the purpose of carrying on a business or formerly occupied as such but vacant shall:

1.
 - a. Before 1000 hours on each day, following every fall of snow, hail or rain which shall freeze on the sidewalk or after falling of snow or ice from off any building, cause the same to be removed entirely off the sidewalk, fronting or abutting on such premise, shop, building, lot or parcel of land, provided always that in the event the ice or snow shall be so frozen upon the surface, preventing it from being removed without damage to the sidewalks, every such person shall strew the same with some suitable substance which will not damage the said sidewalk surface; further provided no person shall remove from any street, boulevard or sidewalk any snow or ice and deposit same on any street, boulevard or sidewalk in such a manner that could create a hazardous condition for either vehicular or pedestrian traffic; or
 - b. Before 1000 hours on each day, remove from the sidewalk fronting or abutting the aforesaid properties all dirt or other obstructions; and
 - c. When the day for a clean up under paragraphs (1) and/or (2) hereof falls on a holiday, then the clean up may be delayed until the day following the holiday, except, when a business affected by this provision is open on any such holiday, then said provisions are to be met on the holiday.
2. Where the provisions of paragraph (1) and/or (2) have not been met, the owner of the adjacent property may be charged with an offence under this By-Law and be subject to the penalties as set out hereinafter.
3. Where the provisions of paragraph (1) and/or (2) have not been met within twenty-four (24) hours of the time specified in the said clauses, the Operations & Maintenance Director shall cause the snow, ice, dirt or other obstructions to be removed forthwith, the expense of such clean up to be recorded and charged to the owner or owners of the land in default.
4. The Operations & Maintenance Director shall report all such expenditures to the Chief Administrative Officer and the expenditures shall be charged against the adjacent lot or parcel of land on the tax roll for the calendar year of such clean up and collected in the same manner as ordinary municipal taxes.

VIII. SNOW OR ICE – ALL PROPERTIES

1. It shall be an offence for any person to remove from any private property, public property, street, back lane, boulevard or sidewalk any snow or ice and deposit same on any street, boulevard or sidewalk in such a manner that could create a hazardous condition for either vehicular or pedestrian traffic.
2. Subsection (a) shall not apply to the Town, the Department of Highways and Transportation, their agents or employees who are actively engaged in snow removal from streets, boulevards or sidewalks in the course of their employment or fulfilment of contract.
3. Any person occupying a property where a building abuts the property line adjacent to a street in such manner that snow cannot be cleared onto the property may pile the snow at the curb line of the street in such a manner that both vehicular and pedestrian traffic can pass only if a hazardous condition is not created when snow is piled in this manner.

IX. PRIOR BY-LAWS

1. By-Law No. 2894 is hereby repealed.

DONE AND PASSED as a By-Law of the Town of Neepawa at the Beautiful Plains County Court Building in Neepawa, in the Province of Manitoba this day of , 2008.

TOWN OF NEEPAWA

Mayor

Chief Administrative Officer

Read a first time this day of March, 2008.
Read a second time this day of , 2008.
Read a third time this day of , 2008.