

**TOWN OF MAGRATH**  
IN THE PROVINCE OF ALBERTA

**BYLAW NO. 1241**  
(SNOW REMOVAL)

A BYLAW OF THE TOWN OF MAGRATH TO REGULATE SNOW AND ICE REMOVAL WITHIN THE TOWN OF MAGRATH.

**WHEREAS** the *Municipal Government Act*, R.S.A 2000, Chapter M – 26, section 7(a), provides that a Municipal Council may pass a Bylaw for the purposes of respecting the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS** the Municipal Council of the Town of Magrath deems it necessary and beneficial to pass a Bylaw to control the removal of snow and ice from sidewalks and roads in order to have clean and safe public places;

**NOW THEREFORE THE COUNCIL OF THE TOWN OF MAGRATH, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:**

**1. TITLE**

1.1 This Bylaw shall be cited as the “Snow Removal Bylaw”

**2. DEFINITIONS**

2.1 “BYLAW OFFICER” means an Enforcement Officer appointed or employed by the Town of Magrath with respect to the enforcement of bylaws of the Town of Magrath;

2.2 “Council” means the elected officials forming the municipal council of the Town of Magrath;

2.3 “Curb” means the actual curb, if there is one, and if there is no curb it refers to the edge of the travelled portion of the road between the roadway and the sidewalk.

2.4 “Roadway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, square, bridge, causeway, trestle-way, or other place, whether publicly or privately owned, and any part of which the public is ordinarily entitled or permitted use for the passage of Vehicles.

2.5 “Sidewalk” means a corridor adapted to the use of or ordinarily used by Pedestrians.

- 2.6 "Tag" means any ticket or tag which is authorized by the *Municipal Government Act*, R.S.A (2000), Chapter M-26 or under the Provincial Offences Procedure Act, R.S.A (1988), issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons **OR** further whereby a person alleged to have committed a breach of a provision of this Bylaw is given an opportunity to pay a voluntary penalty to the Town of Magrath in lieu of prosecution for the offence.
- 2.7 "Town" means the Municipal Corporation of the Town of Magrath or the area within the corporate limits of the Town of Magrath.
- 2.8 "Winter Season" means the period of time between the first snowfall in the fall of each given year and the last snowfall in the spring of the following year.

### **3. REGULATIONS**

- 3.1 Whenever snow, ice, dirt, or debris is deposited on the sidewalk or sidewalks adjoining, abutting or adjacent to any lot or parcel of land located in the Town of Magrath, the occupant or owner of said lot or parcel shall within 24 hours, shall remove or cause to be removed, the said snow, ice and/or debris from the sidewalk or sidewalks.
- 3.2 The owner or occupant of every building abutting on or erected within three (3) meters of a roadway or public place shall, whenever snow or ice shall accumulate on the roof, eaves or awning extending from a portion of such building to an extent that a danger is created to person(s) passing, cause the same to be removed at once, and every person while removing the same shall take due care and precaution for the warning and safety of persons passing.
- 3.3 No person(s) shall place snow, ice, dirt or other foreign matter taken from a sidewalk, except snow, ice, dirt or other foreign matter deposited thereon by Town of Magrath authorized snow removal or road maintenance authorities.
- 3.4 When snow of sufficient quantity is or has accumulated and where plowing may be necessary, all persons within the Town of Magrath shall refrain from parking vehicles on all roadways, if off street parking is or can be made available.
- 3.5 When plowing of streets is carried out, and vehicles are parked on the streets, the owner/operator of such vehicle is responsible for clearing the way for such vehicle.

#### **4. REMEDIES**

- 4.1 Should the occupant or owner of a property fail to comply with any part of Section 3 of this bylaw, they may receive a warning from a Bylaw Officer.
- 4.2 Should the occupant or owner of a property fail to comply with any part of Section 3 of this bylaw, and has received a warning from a Bylaw Officer, but still fails to comply, penalties may be levied as per Schedule "A" of this Bylaw.

#### **5. FINES AND PENALITES**

- 5.1 A person who contravenes any provision of this Bylaw is guilty of an offense punishable on summary conviction and is liable for a fine not exceeding \$500.00.

5.2 Where any Bylaw Officer that determines that a person has committed a breach of this Bylaw, he or she may serve upon such person a municipal Tag pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.

- 5.3 A Tag shall be deemed sufficient if it is:
  - a) Personally served to the owner of the lot or parcel; or
  - b) Served by registered mail to the owner of the lot or parcel; or
  - c) Left with any adult at the place of residence of the said owner/occupant of the property.

Upon issuance of a municipal Tag for breach of any Section of the Bylaw the penalties as per Schedule "A" of this Bylaw apply.

- 5.4 A person served with a Tag pursuant to Section 5.2 of this Bylaw may make a voluntary payment in respect of the summons with the violation ticket as per schedule "A" of this Bylaw.
- 5.5 The issuance of a municipal Tag does not relieve any person so charged from the responsibility of removing future snow, ice, dirt or other foreign material from the sidewalk or highway.
- 5.6 Any person who commits an offence under this Bylaw of a continuing nature is liable to a fine not exceeding fifty (\$50.00) for each day such offence is continued.

**6. SEVERABILITY**

6.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions herein. Should any provision of this Bylaw be declared invalid, all other provisions herein shall remain valid and enforceable.

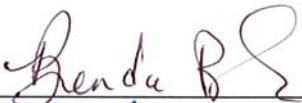
**7. FINAL PASSING**

This Bylaw shall come into full force and effect upon third and final reading

Read a first time this 22nd day of January, 2019.

Read a second time this 26th day of February, 2019.

Read a third and final time this 26th day of February, 2019.

  
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Mayor Deputy Mayor  
Brenda Beck

  
\_\_\_\_\_  
Chief Administrative Officer

**SCHEDULE "A"**

| <u>Section</u> | <u>Offence</u>                                      | <u>Penalty</u>          | <u>Fine</u> |
|----------------|---|-------------------------|-------------|
| 3              | Failure to clear sidewalk                           | 1 <sup>st</sup> Offence | \$50.00     |
|                |   | 2 <sup>nd</sup> Offence | \$100.00    |
|                |   | 3 <sup>rd</sup> Offence | \$200.00    |
| 3              | Failure to clear roof, eaves/awnings                | 1 <sup>st</sup> Offence | \$50.00     |
|                |   | 2 <sup>nd</sup> Offence | \$100.00    |
|                |   | 3 <sup>rd</sup> Offence | \$200.00    |
| 3              | Unauthorized Placement of snow or debris on highway | 1 <sup>st</sup> Offence | \$50.00     |
|                |   | 2 <sup>nd</sup> Offence | \$100.00    |
|                |   | 3 <sup>rd</sup> Offence | \$200.00    |