



## Town of Oxford Bylaw 2023-01-17

### Winter Snow and Ice Removal and Winter Parking Bylaw

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**WHEREAS** the Municipal Government Act empowers a Municipality to enact bylaws.

**BE IT ENACTED** by the Council of the Town of Oxford, as follows:

#### **1. SHORT TITLE**

1.1. This bylaw shall be known as the Winter Snow and Ice Removal and Winter Parking Bylaw.

#### **2. DEFINITIONS**

(a) "Municipality" shall mean the Town of Oxford.

(b) "Person" shall mean any individual, firm, partnership, association, corporation, or organization of any kind.

(c) "Public Road" shall mean any street, road or highway or any other way designed or intended for public use for the passage of vehicles and pedestrians, owned by the Municipality and maintained at taxpayer expenses, or owned by the province but for which there is agreement between the Province and the Municipality with respect to snow and ice removal, including the full portion of the land within rights of way.

(d) "Sidewalk" shall mean the portion of a street between the curb line and adjacent property line, or any part of a Public Road especially set aside for pedestrian travel and separated from the roadway.

(e) "Vehicle" shall be defined as anything in or upon which a person or property can be legally transported or drawn upon a Public Road.

(f) "Obstruct" shall mean placing or leaving a Vehicle which interferes with snow and ice removal or other winter maintenance activities.

(g) "Traffic Authority" shall mean someone appointed by the Town, often the Town CAO or Clerk, or the Chief of Police as described in the Motor Vehicle Act (MVA 86(6) and the Municipal Government Act (MGA 311(2)).

(h) "Control or Custody" shall mean

### **3. ROADS**

**3.1.** No person shall clear or cause to have cleared snow and ice from a private road or driveway onto any Public Road.

**3.1.1.** If that event takes place, the property owner from where the snow and ice originated may be issued an Order by the Traffic Authority to have the snow and ice removed, and if not done immediately, the Town of Oxford may conduct the work at the property owner's expense. If the Town of Oxford deems there to be an immediate safety hazard it may choose to conduct the work immediately and without Order at the owner's expense.

**3.1.2.** The Town of Oxford's cost in removing the snow and ice pursuant to section 3.1.1 shall constitute a lien against the property from which the snow and ice originated, which shall be applied and enforced in the same manner as for rates and taxes under the Municipal Government Act.

**3.2.** No registered owner shall allow any vehicle to park or leave standing a Vehicle, whether attended or unattended, upon a public road or street in the Town of Oxford, where it is obstructing snow and ice removal or other winter maintenance activities to properly remove snow and ice from public roads. This shall not apply to:

- a) Motor vehicles parked by an operator who is engaged in discharging their duties as a Peace Officer.
- b) Motor vehicles parked by an operator who is engaged in discharging their duties as a member of a Fire Department.
- c) Commercial vehicles parked by an operator for the purpose of loading or unloading merchandise for a temporary duration.

**3.2.1** No registered owner of any vehicle shall, at commencement of a snow and ice event up to 6 hours and after such storm has stopped, park or leave the same standing unless attended by a person authorized to move and capable of operating the same upon any public roads in the Town of Oxford. This shall not apply to:

- a) Motor vehicles parked by an operator who is engaged in discharging their duties as a Peace Officer.
- b) Motor vehicles parked by an operator who is engaged in discharging their duties as a member of a Fire Department.
- c) Commercial vehicles parked by an operator for the purpose of loading or unloading merchandise for a temporary duration.

**3.2.2** No registered owner shall allow any vehicle shall park or leave standing the same on any public roads within the Town of Oxford, between the hours of 1:00 am in the morning and 7:00 am in the morning of the same day.

**3.2.3.** If those events above take place, the owner of the Vehicle may be issued an Order to have the Vehicle removed, and if not done within the time stated on the Order issued, the Vehicle may be impounded at the Vehicle owner's expense. If the Town of Oxford deems there to be an immediate safety hazard it may choose to conduct the work immediately at the owner's expense.

**3.2.4.** If the owner of the Vehicle cannot be found immediately, the Vehicle may be impounded at the Vehicle owner's expense as directed by the Traffic Authority.

**3.3.** No person shall permit icicles to accumulate on the eaves or gutters of any building owned or occupied by them to become dangerous to persons passing on the adjacent Public Road.

#### **4. SIDEWALKS**

**4.1.** No person shall clear or cause to have cleared snow and ice from a private road or driveway onto a Sidewalk.

**4.1.1.** If that event takes place, the property owner from where the snow and ice originated may be issued an Order to have the snow and ice removed, and if not done immediately, the Town of Oxford may conduct the work at the property owner's expense. If the Town of Oxford deems there to be an immediate safety hazard it may choose to conduct the work immediately at the owner's expense.

**4.1.2.** The Town of Oxford's cost in removing the snow and ice pursuant to section 4.1.1 shall constitute a lien against the property from which the snow and ice originated and be applied and enforced in the same manner as for rates and taxes under the Municipal Government Act.

**4.2.** No person shall permit icicles to accumulate on the eaves or gutters of any building owned or occupied by them to become dangerous to persons passing on the adjacent Sidewalk.

**4.3.** The Traffic Authority may close a sidewalk if the Traffic Authority deems the sidewalk to pose a danger to the public.

#### **5. OFFENCES AND PENALTIES**

**5.1.** Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a penalty of not less than two hundred dollars (\$200) and not more than five thousand dollars (\$5,000) as directed by the Traffic Authority.

**5.2.** A person who is alleged to have violated this bylaw, and where the notice so provides, may pay a penalty in the amount of two hundred dollars (\$200) to the Town of Oxford provided that said payment is made within fourteen (14) days following the day on which the alleged violation was committed and said payment shall be in full

satisfaction, releasing and discharging all penalties incurred by the person for said violation as directed by the Traffic Authority.

**5.3.** The fees listed in sections 5.1 and 5.2 are in addition to any costs incurred as described in sections 3.1, 3.2 and 4.1.

This Bylaw will be in force and effective the 1<sup>st</sup> day of December to the 1<sup>st</sup> day of April.

## 6. BYLAW COMES INTO EFFECT

**6.1** This Bylaw shall come into effect on the advertised date of the notice of final passing.

## 7. REPEAL OF FORMER BYLAWS

**7.1** All former Bylaws of the Town heretofore enacted relating to Winter Snow and Ice Removal and Winter Parking Bylaws are hereby repealed.

### Clerk's Annotation for Official Bylaw Book

	Date of First Reading:	January 17, 2023
Date of advertisement of Notice of Intent to Consider:		January 25, 2023
	Date of Final Reading:	February 21, 2023
	Effective Date:	March 1, 2023
*Date of advertisement of Passage of Bylaw:		March 1, 2023
Date of mailing to Minister a certified copy of the Bylaw:		March 2, 2023

**THIS IS TO CERTIFY THAT** this Bylaw was adopted by Council and published as indicated above.

*Linda Cloney*  
 \_\_\_\_\_  
 Chief Administrative Officer

March 2, 2023  
 \_\_\_\_\_  
 Date

\*Effective Date of Bylaw unless otherwise specified in the text of the Bylaw