

**The Corporation of the Township of Prince  
By-Law 2019-38  
Being a By-Law to Prohibit the  
Depositing of Snow or Ice  
on Any Municipal Roadway, Ditch or Property  
Not Owed by Person Moving Snow or Ice**

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

**WHEREAS** Section 181 of the Highway Traffic Act, R.S.O. 1990, as amended, enables a municipality to pass by-laws respecting depositing snow or ice on a roadway; and

**WHEREAS** Section 128 of the Municipal Act, 2001, 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 nuisance;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Prince **HEREBY ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

- 1.1 'Municipal Roadway' 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.

**2. GENERAL PROVISIONS**

- 2.1 No person shall deposit or cause to be deposited any snow or ice upon any portion of any municipal roadway located within the territorial limits of the Corporation of the Municipality of Prince.
- 2.2 No person shall relocate snow within the road allowance in such a manner as to encroach on the cleared portion of the road allowance intended for vehicular traffic, or what would result in the obstruction of normal visibility of the safe movement of vehicular and/or pedestrian traffic on the road allowance.
- 2.3 No person shall relocate snow in any municipal ditches.
- 2.4 No person shall relocate snow onto any property other than their own, including property owned by the Municipality or any other privately-owned property.

**3. ENFORCEMENT**

- 3.1 Any 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 of not more

than \$5,000.00, exclusive of costs, and all such penalties shall be recoverable under the Provincial Offences Act.

- 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 enforced in accordance with the terms to the extent possible according to law.

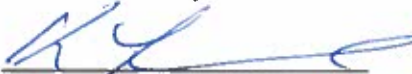

#### 5. SHORT TITLE

- 5.1 This By-law may be cited as the Municipality of Prince "Snow and Ice Removal By-Law".


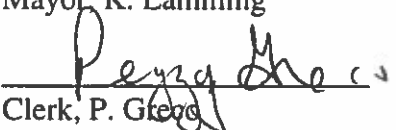
#### 6. IMPLEMENTATION

- 6.1 This By-law shall come into force and effect on the date the Ministry of the Attorney General approves the Set Fines under By-Law No. 2019-38.

**READ a FIRST and SECOND TIME** this 10<sup>th</sup> day of December 2019.

  
\_\_\_\_\_  
Mayor, K. Lamming  
  
\_\_\_\_\_  
Clerk, P. Greco

**READ a THIRD TIME and PASSED** this 10<sup>th</sup> day of December 2019.

  
\_\_\_\_\_  
Mayor, K. Lamming  
  
\_\_\_\_\_  
Clerk, P. Greco

**SCHEDULE "A"**

**THE CORPORATION OF THE MUNICIPALITY OF PRINCE**

**Attached to and forming part of By-Law No. 2019-38**

**SET FINES**

"Part 1 Provincial Offences Act"

Municipality of Prince By-Law No. 2019-38 Title: Snow and Ice Removal By-Law

Item #	Column 1 (Short Form Wording)	Column 2 (Offence Creating Provision)	Column 3 (Set Fines)
1.	Deposit of snow or ice upon municipal roadway (bridge)	Sec. 2.1	\$100.00
2.	Relocate snow or ice within road allowance to result in obstruction.	Sec. 2.2	\$100.00
3.	Relocate snow or ice within Municipal ditch.	Sec. 2.3	\$100.00
4.	Relocate snow or ice on Municipal or private property, other than their own.	Sec. 2.4	\$100.00

"NOTE: the general penalty provision for the offences listed above is Section 3 of By-Law No. 2019-38, a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33."