

Appendix A

THE CORPORATION OF THE TOWN OF LINDSAY BY-LAW 95-04

A by-law for clearing away and removing snow and ice from sidewalks downtown in the Town of Lindsay.

WHEREAS the Municipal Act, Chapter M45, Section 210(60-63), R.S.O. 1990 authorizes Council to pass by-laws for clearing away and removing snow and ice from sidewalks of occupied, and unoccupied premises and on any highway or part of a highway or any class thereof in front of, alongside or at the rear of such buildings or vacant lands, at the expense of the owners;

AND WHEREAS the Municipal Act, Chapter M45, Section 314(1), R.S.O. 1990 authorizes Council to pass by-law for prohibiting or regulating the obstructing, encumbering, injuring or fouling of highways or bridges;

NOW THEREFORE the Council of the Corporation of the Town of Lindsay enacts as follows:

1. DEFINITIONS:

1.1. For the purposes of this By-law:

1.1.1. Corporate Boundaries shall mean those boundaries of the Town of Lindsay.

1.1.2. Highway shall mean a common and public highway, street, or a bridge forming part of a highway or on, over, or across which a highway passes, the portion used for vehicular traffic, sidewalks and boulevards thereof.

1.1.3. Person shall mean the owner or person who rents, leases or otherwise occupies property in the Town of Lindsay.

1.1.4. Sidewalk shall mean any sidewalk, pathway, footpath or area forming part of any highway or bridge or boulevard, or other means of public communication used by or set apart for the use of pedestrians.

1.1.5. Town shall mean the Town of Lindsay.

2. LOCATION:

2.1. The locations of the sidewalks discussed in this by-law shall be as follows:

2.1.1. Kent St. W. between Lindsay St. and Sussex St.

2.1.2. William St. between Peel St. and Russell St.

2.1.3. York St. between Peel St. and Russell St.

2.1.4. Cambridge St. between Peel St. and Russell St.

2.1.5. Victoria Ave. between Peel St. and Russell St.

3. REQUIREMENTS:

3.1. No person shall fail to remove snow and/or ice from the sidewalks, within the locations noted in section 2 of this by-law, abutting the property of any occupied or unoccupied building or vacant lot which they own, within a twenty-four (24) hour period from the cessation of a storm.

3.2. No person shall move or place any snow and/or ice onto any sidewalk, indicated in section 2 of this by-law, so as to impede pedestrian traffic thereon.

3.3. Snow and/or ice, which is cleared in the locations indicated in Section 2, shall be placed completely off the sidewalk, on the "roadside" of the curb, a distance no greater than one metre from the curb, in order to facilitate removal by the Town.

4. **CONTRAVENTION:**

4.1. In the event that any person contravenes the provisions of this by-law, the Town of Lindsay shall procure the clearing and removal of the snow and ice at the expense of the property owner.

4.2. The expenses incurred by the Town of Lindsay under Section 3 of this By-law shall be collected and recovered from the property owner in like manner as municipal taxes.

4.3. Any person who contravenes any section of this by-law is guilty of an offence and is liable to a fine as allowed under the Provincial Offences Act, R.S.O. 1990, Chapter P. 33, Section 61 or as amended.

5. **FORCE AND EFFECT:**

5.1. This By-law comes into force and takes effect on the final day of passing thereof.

Read a first time on:

Read a second time on:

Mayor

Read a third time and

finally passed on:

Clerk