



**TOWN OF DUCK LAKE  
BYLAW NO 2021-21**

A BYLAW OF THE TOWN OF DUCK LAKE, IN THE PROVINCE OF SASKATCHEWAN, TO  
REGULATE SNOW, ICE, AND ANY OTHER DEBRIS REMOVAL

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The Council of the Town of Duck Lake in the Province of Saskatchewan enacts as follows:

PART:

**1. CITATION**

This Bylaw may be cited as the “Snow Clearing Bylaw”.

**2. DEFINITIONS**

- 1) “ADJACENT” shall mean the front of, alongside but not necessarily in direct contact with the property line;
- 2) “CHIEF ADMINISTRATIVE OFFICER” shall mean the Chief Administrative Officer (CAO) of the Town of Duck Lake or his/her designate;
- 3) “COUNCIL” shall mean the Council of the Town of Duck Lake;
- 4) “DEBRIS” shall mean any loose dirt, mud or organic material likely to interfere with pedestrian traffic;
- 5) “BYLAW ENFORCEMENT OFFICER” shall mean the Bylaw Enforcement Officer appointed or designated by Council for the Town;
- 6) “OCCUPANT” shall mean any person inhabiting a building of any use including commercial or residential;
- 7) “OWNER” shall mean a person who has any right, title, estate or interest in a property;
- 8) “ROADWAY” shall mean any municipal road, parkway, driveway, square, or place designated and intended for use by the general public for the passage of vehicles, and does not include any area that is primarily intended to be used for the parking of vehicles nor the passageways on that area;
- 9) “SIDEWALK” shall mean the public pathways, paved or otherwise, intended for exclusive use by pedestrians, including those along roadways and walking trails;
- 10) “TOWN” shall mean the municipality of the Town of Duck Lake in the province of Saskatchewan.
- 11) “WINDROW”– refers to the snow ridge deposited along the curb/edge of street by the graders during snow clearing operation.

**3. APPLICATION**

This bylaw regulates removal of snow, ice, and any other debris on public sidewalks and roadways and other Town property.

**4. REGULATION OF SIDEWALK CLEARING**

- 1) The Owner of property in a residential district shall, to the best of their ability and subject to 4 d), ensure that public sidewalks adjacent to their property are clear and safe for pedestrian use within forty-eight (48) hours from the time when the snow, ice, or other debris have begun to accumulate, whereas:
  - a) any hazardous conditions created by snow or ice shall be cleared and removed;
  - b) sand or similar materials may be applied in moderation to icy sidewalks when slippery
  - c) the sidewalk surface shall be clear and free of dirt, debris, or other obstructions, unless icy conditions persist as in b) above.
  - d) In residential subdivisions where combined curb and sidewalk exist, snow may be windrowed by the Town onto the sidewalks to maintain clearance for street parking and two way traffic flow.
  - e) No person shall have an eaves trough installed that directs the flow of water onto any residential sidewalk.



2) The Owner of property in a commercial district shall ensure that public sidewalks adjacent to their property are safe and clear for pedestrian use within twenty-four (24) hours from the time when the snow, ice, or other debris has begun to accumulate, whereas:

- a) any hazardous conditions created by snow or ice shall be cleared and removed;
- b) sand or similar material may be applied in moderation to icy sidewalks when slippery conditions persist after snow removal;
- c) the sidewalk surface shall be clear and free of dirt, debris or other obstructions, unless icy conditions persist as in b) above.
- d) A person who has an awning extending from a portion of his premises over a Street or portion thereof shall keep the awning free from snow or ice. If water drips from an awning upon a Street, the Owner or Occupier of the premises shall clean the Sidewalk or Street portion thereof to prevent ice from forming thereon.
- e) No person shall have an eaves trough installed that directs the flow of water onto any commercial sidewalk.

## **5. IMPROPER CLEARING AND INTERFERENCE WITH PEDESTRIAN TRAFFIC**

The clearing or removal of snow, ice, or debris, whether by power-driven or manual equipment, shall not cause injury to, or unnecessarily interfere with, any pedestrian using the sidewalk, or cause damage to the sidewalk, curbs, or adjacent Town property.

## **6. REGULATIONS FOR CLEARING**

- 1) No person shall move snow onto any public roadway, alley, pathway, utility connection, boulevard, fire hydrant, sidewalk or any other public property.
- 2) No person shall move snow, ice, or other debris onto any neighboring private property.
- 3) No person shall leave snow, ice, or other debris in any such place that it obstructs or creates an unsafe condition for pedestrian or vehicular traffic.
- 4) When clearing snow, ice, or debris into piles during the removal process;
  - a) in residential areas: no piles shall exceed two (2) metres in height, within seven and one half (7.5) metres of a intersections, and (1) metre of a roadway.
  - b) in commercial and industrial areas: no piles shall exceed two (2) meters in length or height for a period longer than seventy two (72) hours.
- 5) The Town will provide a minimum of one (1) public snow disposal site for private contractors to move snow, ice, and debris to, in order to regulate drainage, and:
  - a) contractors shall be responsible to use and maintain the public snow disposal site in a clean and orderly fashion, and;
  - b) the public snow disposal site shall not be accessed between the hours of 12:00 am to 7:00 am, in accordance with Town Noise Bylaw.
- 6) The public snow disposal sites are;
  - a) The Town Property by Ball Diamond #3.
  - b) The Town property to the east of Front Street adjacent to 5<sup>th</sup> Avenue.

## **7. SNOW CLEARING FOR PUBLIC ROADWAYS**

The Town shall clear the public roadways in a priority sequence listed below, and as attached in Schedule "B":

Priority 1 Emergency Routes including Front Street and Scrimshaw Trail.

Priority 2 School Zones & Truck Routes

Priority 3 Residential Travel Areas

Priority 4 Town Property Parking Lots

Priority 5 Commercial Alleys

- a) The Town shall monitor conditions on a regular basis and take all reasonable efforts to ensure that roadways are passable.
- b) Streets will not be sanded during fresh snowfall.



- c) In the event of a major snowfall, the Town shall take all reasonable efforts to ensure that high traffic roadways and emergency routes remain passable, including clearing blocked areas and sanding.
- d) In the event of a major snowstorm, the wind direction, rate of snowfall and other conditions may require extraneous action not set out in this bylaw.
- e) No cleanup will occur in unsafe conditions.
- f) Road graders are equipped with a retractable wing which is lowered to pull snow past residential driveways to avoid heavy windrows blocking access. ***It is unavoidable that some snow will trickle off the edge of this wing, especially in heavy snow conditions. This is considered acceptable and our procedures dictate that operators will not return to clear this minor inconvenience regardless of complaints received.*** If it is apparent a driveway is missed completely or an exceptionally high ridge is left, the operator will be instructed to return and clear the windrow.

## **8. ALLEY CLEARING**

- a) With the exceptions of the Town Business Centre, alley clearing is not performed during winter months. All requests for this service will be treated as a Custom Work request and will be regulated by the Town of Duck Lake Custom Work Policy.

## **9. REMEDY FOR CONTRAVENTION**

- a) The Town may take any necessary measures required to remedy a contravention of this Bylaw and all expenses incurred shall be charged back to the property Owner;
- b) Where the Town has remedied a contravention, the Town shall apply all incurred expenses to the tax roll of the parcel of land as to which the contravention was remedied, in accordance with Section 369 of The Municipalities Act;

## **10. ENFORCEMENT AND PENALTIES**

Designated Officers or any other person specifically appointed by the Municipality are hereby designated to enforce all Sections of this Bylaw.

### **1) Penalties and Notices of Violation**

- a) Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder is guilty of an offence and is liable to the penalties as hereinafter provided. Said offence and penalties shall be listed on Schedule "A"
- b) Any person who contravenes the provisions of this Bylaw as not specifically set out in Schedule "A" or fails to comply therewith, or with any notice given thereunder, is guilty of an offence and is liable on summary conviction to a fine in an amount not exceeding that provided for by the Town of Duck Lake General Penalty Bylaw.

### **2) Payment of Notices of Violation**

- a) Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a ticket, summons, or notice may be served on such person by a Police Officer, Municipal Enforcement Officer, or any person duly authorized by Council. Such person served with a ticket or notice may voluntarily pay same at the Duck Lake Administration Office between the hours of 9:00 a.m. and 4:00 p.m., excepting Mondays, Saturdays, Sundays, and public holidays, provided that payment is to be made within a period of ten (10) days from the service of the said ticket or notice. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.
- b) Service of a ticket or notice pursuant to this Bylaw may be made:
  - i. by mailing such ticket, summons, or notice to the last known address of the Owner of said Adjacent property; or



- ii. by personally delivering the ticket, summons, or notice to the person committing the breach of the provision of this Bylaw.
  
- c) Any violation that is prosecuted and subsequently convicted shall be paid within fifteen (15) days of the conviction. If any person fails to resolve outstanding payment fifteen (15) days after conviction is rendered by a court of competent jurisdiction, an additional penalty of fifty dollars (\$50) shall be added to the total outstanding amount.

**11. REPEAL.**

- 1) Bylaws 2020-06 is hereby repealed.

Read a first time this 1st day of December, 2021.  
Read a second time this 1st day of December, 2021  
Read a third time this 1st day of December, 2021.

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Mayor –Donna Piche

(SEAL)

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Administrator Michelle Zurakowski



SCHEDULE “A” - PENALTIES

<b>Penalty Sum(Fine) Offence</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>
Failure to remove snow, ice, other debris from public utility connection or Hydrant.	\$50.00	\$100.00	\$250.00
Improper Clearing onto private property	\$50.00	\$100.00	\$250.00
Causing damage to Town sidewalk or curb: Fine plus applicable costs to restore to previous state.	\$100.00	\$250.00	\$500.00
Failure to adhere to snow pile requirements	\$50.00	\$150.00	\$500.00
Improper Clearing snow onto any public property.	\$50.00	\$150.00	\$500.00
Causing an obstruction or unsafe situation	\$50.00	\$150.00	\$500.00
Inappropriate disposal at Public Snow Disposal Site: Fine plus applicable costs to restore to previous state.	\$50.00	\$150.00	\$500.00

