

**SUMMER VILLAGE OF CASTLE ISLAND
BYLAW NO. 2015-02**

A Bylaw of the Summer Village of Castle Island, to authorize and govern the removal of ice, snow, dirt, debris and other foreign matter from public highway.

WHEREAS by virtue of the power conferred upon it by the Municipal Government Act Chapter-26, Revised Statutes of Alberta 2000, the council of the Summer Village of Castle Island may pass a Bylaw to compel all persons within the municipality to not place ice, snow, dirt, debris and other foreign matter on public highway.

NOT THEREFORE, the Municipal Council of the Summer Village of Castle Island duly assembled hereby enact as follows:

This bylaw may be cited as the "Snow Removal Bylaw".

1. DEFINITIONS

1. **Bylaw Enforcement Officer** means a Bylaw Enforcement Officer appointed for the Summer Village of Castle Island
2. **Council** means the elected officials forming the municipal council of the Summer Village.
3. **Highway** means any thoroughfare, street, road, roadway, trail, avenue, parkway, driveway, viaduct, lane, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and included:
 1. a sidewalk (including a Boulevard portion thereof);
 2. where a ditch lies adjacent to and parallel with a Roadway, the ditch; and
 3. where a Highway right of way is contained within fences or all the land between the fence and edge of the Roadway as the case may be, but does not include a place declared within this Bylaw not to be a Highway.
4. **Peace Officer** a designate appointed by Council to issue tickets or tags. The CAO shall also issue a tag.
5. **Summer Village** means the Municipal Corporation of the Summer Village of Castle Island, in the Province of Alberta or where the context requires a duly authorized official of the Municipal Corporation of the Summer Village of Castle Island or where the context requires the area that is contained in the boundaries of the Summer Village of Castle Island.
6. **Tag** means any ticket or tag which is authorized by the Municipal Government Act, RSA(2000), Chapter M-26 or under the Provincial Offences Procedures Act, RSA(1988), issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
7. **Winter Season** is defined as the period of time between the first snowfall in the fall of a given year and the last snowfall in the spring of the following year.

2. REGULATIONS

1. No person shall place ice, snow, dirt, debris or other foreign matter from private property on the highway, other than the snow, ice, dirt, debris or other foreign matter deposited thereon by Summer village authorized snow removal or road maintenance authorities.

3. REMEDIES

1. Should the occupant or owner of a property fail to comply with section 2 of this bylaw, the Summer Village may cause the highway to be cleared at the expense of the owner or occupant of the premises adjoining the highway.

2. The Summer Village may render the account for the expense incurred by Section 3.1 in writing to the owner of the premises adjoining the highway and the person to whom the account was rendered shall pay the same upon receipt thereof.
3. If the Summer Village does not receive the payment of the expense incurred in cleaning a highway as provided in this section within 30 (THIRTY) days of the date on which the account was mailed or delivered to the owner, the Summer Village may charge the same against the property adjoining of the highway which was cleared by the Summer Village as a special assessment to be recovered in a like manner as taxes assessable against property.

4. FINES & PENALTIES

1. A person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction shall receive one written warning. After the first written warning, a person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction liable for a fine.
2. Where any Peace Officer believes a person has committed a breach of this bylaw, he or she may serve upon such person a tag pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.
3. Service of any such tag shall be sufficient if it is:
 1. Personally served to the owner of the lot or parcel; or
 2. Served by registered mail to the owner of the lot or parcel; or
 3. Left with any adult at the place of residence of the said owner of the lot or parcel.

Upon issuance of a tag for breach of any of the sections of the Bylaw the penalties as per Schedule "A" of the Bylaw apply.

4. A person served with a tag pursuant to Section 4.2 of this Bylaw may make a voluntary payment in respect of the summons served with the violation ticket as per Schedule "A" of the Bylaw.
5. The issuance of a tag does not relieve any person so charged from the responsibility of removing snow, ice, dirt, debris or other foreign material from the highway within 24 hours.

5. SEVERABILITY

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.

6. EFFECTIVE DATE

1. This Bylaw shall come into effect upon third and final reading.

Read a first time this 17th day of November, 2015


Read a second time this 17th day of November, 2015

Read a third & final time this 17th day of November, 2015





Mayor
Cornelia Helland



CAO
Shelley Marsh

SCHEDULE "A"

Section	Offence	Penalty	Fine
2	Unauthorized Placement Of ice, snow, dirt, debris or foreign matter on highway	First Offence Second Offence Third Offence & Subsequent offences	written warning once \$200.00 \$400.00