THE CORPORATION OF THE TOWNSHIP OF JOLY

BY-LAW 2025-013

BEING A BY-LAW TO PROHIBIT THE DEPOSITING OF SNOW ON HIGHWAYS WITHIN THE TOWNSHIP OF JOLY

WHEREAS, Section 27(1) of the Municipal Act, 2001, S.O. 2001 c. 25 as amended, permits Municipalities to pass By-laws in respect of a highway under the Municipalities jurisdiction, and

WHEREAS, Section 181 of the Highway Traffic Act, 1990, R.S.O. 1990 c. H. 8 as amended, prohibits any person from depositing snow or ice on a roadway without permission in writing from the road authority responsible for the maintenance of the road, and

WHEREAS, it is deemed necessary to prohibit and regulate the depositing of snow, slush, and ice on any highway, roadway or bridge within the limits of the Township of Joly.

NOW THEREFORE the Council of the Corporation of the Township of Joly, enacts as follows:

SECTION 1 – DEFINITIONS

1.1 In this By-law:

a) “Highway” means a common and public highway, street, avenue, lane, parkway, driveway, sidewalk, square, place, bridge, viaduct, trestle, including the area between the lateral property lines that is intended for the use of the general public.

b) “Officer” means a person who has powers or duties with respect to the administration and enforcement of this By-law.

c) “Municipality or Municipal” means the Corporation of the Township of Joly.

d) “Person” means every natural person, firm, co-partnership, association or corporation.

SECTION 2 – PROHIBITION

2.1 No person shall deposit any snow or permit snow to be deposited on a highway within the Municipality.

2.2 No person shall clear away or remove snow from a Municipal highway, except as may be necessary to clear away snow blocking access to a private entrance or driveway.

2.3 No person shall create or permit an accumulation of snow to be created on property adjacent to a Municipal highway in such a way as to cause an obstruction, encumbering or fouling of sidewalks, roadways or drainage ditches on such highways.

2.4 No person shall move snow within the road allowance from one side of the cleared portion of the road allowance intended for vehicular and pedestrian traffic to the other side of the road allowance.

2.5 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 or pedestrian traffic, or that would result in the obstruction of the normal visibility of the safe movement of vehicular and pedestrian traffic on the road allowance.

SECTION 3 – ADMINISTRATION AND ENFORCEMENT

3.1 Every person having deposited snow or permitted snow to be deposited on a Municipal highway shall, upon demand, remove said snow from the highway.

3.2 Every person having created or permitted an accumulation of snow on property adjacent to a Municipal highway shall, upon demand, remove said snow from the property.

3.3 Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offence Act*, as amended, and all the provisions of the said Act shall apply to any offence under the provisions of this By-law.

3.4 Where a person is in contravention of any of the provisions of this By-law, the Corporation of the Township of Joly or agents thereof, shall carry out, or cause to be carried out, on behalf of the Corporation, the work required to be done by this By-law, at the expense of the property owner, and the Municipality shall recover the expense incurred, plus a 10% administration fee in doing it in a like manner as Municipal taxes.

3.5 The provisions of this By-law shall be enforced by any Municipal Law Enforcement Officer or person appointed by Council.

3.6 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act,* as shown in the set fine - Schedule “A”.

SECTION 4 - SEVERABILITY AND ENACTMENT

4.1 If any court of competent jurisdiction declares any section or part of this By-law to be invalid, such section or part of a section thereof shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent there from and to be enacted as such and the remainder of the By-law shall be valid and shall remain in force.

4.2 This By-law shall come into force and effect upon being passed.

READ A FIRST TIME THIS 11th DAY OF FEBRUARY 2025

READ A SECOND TIME THIS _____ DAY OF _____ 2025

READ A THIRD AND FINALLY PASSED THIS _____ DAY OF _____ 2025

_____

MAYOR

_____

CLERK/ADMINISTRATOR

TOWNSHIP OF JOLY

SCHEDULE "A"

BY-LAW 2025-013

Being a By-law to Prohibit the Depositing of Snow on Highways within the Township of Joly

Part 1 Provincial Offences Act

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Deposit snow on a Municipal highway	s. 2.1	$150.00
2	Permit the deposit of snow on a Municipal highway	s. 2.1	$150.00
3	Clear away or remove snow from a Municipal highway	s. 2.2	$150.00
4	Create or permit the accumulation of snow on property adjacent to a Municipal highway	s. 2.3	$150.00
5	Move snow from one side of the road allowance to the other side of the road allowance	s. 2.4	$150.00
6	Relocate snow as to encroach, obstruct or prevent the safe movement of vehicles	s. 2.5	$150.00
7	Relocate snow as to encroach, obstruct or prevent the safe movement of pedestrians	s. 2.5	$150.00

NOTE: The penalty provision for the offences indicated above is section 3 of By-law 2025-013, a certified copy of which has been filed.