



**BY-LAW No. A832**

**A BY-LAW OF THE VILLAGE OF CONSORT IN THE PROVINCE OF ALBERTA FOR THE REMOVAL OF SNOW AND ICE.**

**WHEREAS** the Municipal Government Act, being Chapter M-26, R.S.A., 2000, as amended, provides that a Council of a Municipality may pass Bylaws in relation to the use of highways and regulate traffic within the corporate limits of the municipality; and

**WHEREAS** the Council of the Village of Consort deems it necessary to govern the use of highways and regulate traffic within the corporate limits of the Village of Consort;

**NOW, THEREFORE**, under the authority of the Municipal Government Act RSA 2000, Chapter M-26, the Council of the Village of Consort duly assembled enacted as follows:

**Part 1- Title**

**1. TITLE**

- a) This Bylaw may be cited as the "Snow and Ice Removal."

**Part 2- Purpose and Definitions**

**2. PURPOSE**

- a) The purpose of this bylaw is to establish rules on the removal of snow and to regulate traffic within the corporate limits of the Village of Consort to abide by the alternative routes and circumstances in regards to the removal of snow and ice.

**3. DEFINITIONS**

**In this Bylaw the following words and phrases mean:**

- a.** All terms and definitions shall be those which are described in the Traffic Safety Act (Alberta), Regulations and subsequent amendments, the Municipal Government Act (Alberta) and subsequent amendments (Alberta), regulations and subsequent amendments and those in this bylaw.
- b. "Bus Stop"** Shall Mean those locations marked with a standard form of sign or marking authorized by the Council and signifying that the site is a bus stop.
- c. "Boulevard"** Shall Mean the strip of land between the curb and the sidewalk and between the sidewalk and the property line, or where this is no sidewalk, the strip of land between the curb and the property line. Where there is no curb, the meaning shall be extended to include the strip of land between the near edge of the roadway and the property line
- d. "CAO"** Shall Mean the Chief Administrative Officer appointed by the Council of the Village of Consort;

- e. **"Council"** Shall Mean the Municipal Council of the Village of Consort.
- f. **"Curb"** Shall Mean the actual curb, if there is one, and if there is no curb in existence, shall mean the division of a highway between that part thereof intended for the use of vehicles and that part thereof intended for the use of pedestrians.
- g. **"De-Icer"** Shall Mean the chemical agent that the Village of Consort mixes with sand to control ice, usually road salt or calcium chloride.
- h. **"Extreme Winter Conditions"**  
Shall Mean Where the immediate demand for snow and ice control services will exceed the available resources. Normally this will trigger Council to declare a snow emergency and provide the Roads Maintenance Division with additional funds to increase the response using contracted services.
- i. **"Hard pack snow conditions."**  
Shall Mean as opposed to bare pavement conditions, hard pack snow refers to a standard of winter maintenance whereby snow is allowed to accumulate and be compacted on the road. This is the standard for non-Priority One and Two roads.
- j. **"Ice Control"** Shall Mean the application of abrasives and/or chemical de-icers to the surface of roads, sidewalks, steps and pathways to improve traction and to control or eliminate the formation of ice.
- k. **"Lane or Laneway"**  
Shall mean a highway used to provide access to properties in addition to the access provided by a frontage and/or flankage highway, including alleys and any Village utility lot to which the public is permitted access.
- l. **"Park, Parked, and Parking"**  
Shall mean that any word or expression of similar connotation, meaning or import, shall mean the standing of a vehicle, whether occupied or not, upon a highway other than temporarily in obedience to traffic regulations or traffic signals or signs.
- m. **"Parking Area"**  
Shall mean that portion of any highway set apart by the Council as a place where a motor vehicle may be parked.
- n. **"Peace Officer"**  
Shall mean a member of the Royal Canadian Mounted Police, a Special Constable, or a Bylaw Enforcement Officer appointed for or by the Village.
- o. **"Pedestrian"** Shall mean a person standing or walking or a foot passenger.

- p. "Person"** Shall include a corporation, partnership, firm or organization.
- q. "Roadway"** Shall include that portion of the street intended for vehicular traffic within the Village.
- r. "Setback"** Shall mean distance which a building or other structure is set back from the property line.
- s. "Sidewalk"** Shall mean that part of a highway primarily intended for the use of pedestrians and shall include the space lying between an established curb line and the production thereof and the nearest lot line.
- t. "Snow emergency."**  
 Shall mean in a general sense it refers to a winter storm that overwhelms the base compliment of snow fighting equipment and personnel. Actions can include banning all traffic except emergency personnel, restrictions or prohibitions to on-street parking and closure of public buildings. Issued before the storm begins as drivers may not be able to reach their destinations after it started.
- u. "Snow plowing."**  
 Shall mean pushing accumulated snow from the roadways surface either to the sides of the roadway or the center of the roadway to ensure that travel lanes, turn lanes, and ramps are passable to traffic.
- v. "Snow removal."**  
 Shall mean the removal of plowed and accumulated snow that is impeding the flow of traffic and pedestrians to a snow dump or nearby green space.
- w. "Street Storage"**  
 Shall mean the on-street storage of plowed snow.
- x. "Street Intersection or Intersections"**  
 Shall be and mean the whole area situated between the prolongation of the boundary lines of two or more highways which join one another at an angle and whether such highways cross each other or not.
- y. "Walk Way"** Shall mean means a right-of-way set aside for the use of and ordinarily used for pedestrian travel of the general public, whether publicly or privately owned and includes a sidewalk (and boulevard portion thereof) but does not include a pathway.
- z. "Windrow"** Shall mean A continuous pile of snow along a roadway as a result of snow plowing by a truck or grader. Usually in the center of the main roads. (Marked on provided maps)
- aa. "Vehicle"** Shall include all motor vehicles and all other carriages or means of conveyance whether propelled by muscular or by any other motive

**ab. "Vehicle"** Shall mean power, and for the purpose of this bylaw any horse, draft animal or beast of burden attached to a vehicle shall be deemed a part of such vehicle, and the term "vehicle" shall include any animal that is being led or driven, but does not include baby carriages and vehicles which run only on rails.

**ac. "Village"** means the Village of Consort, in the Province of Alberta.

**ad. "Village Personnel"**

Shall Mean all employees employed by the Village.

### **Part 3- Policy**

#### **Levels of Service Applicable to Ice Control, Sanding, Salting and Snow Ploughing**

**3.1** How, when and where The Village sands, salts, and plows the streets depends on a Village Council and Public Works Schedule. Approved priority system as well as other factors which may include: the temperatures before, during and after a storm. The duration of the storm. The amount of accumulated snow. The road surface temperature. Wind speed and direction. The weather forecast for the following days. For the purpose of ice control, snow plowing and snow removal, the entire street system is assigned to one of **THREE** priority classifications. The emphasis of operations shall be in the order of assigned street designation priority. When necessary, for reasons of safety, and at the discretion of the Public Works Supervisor and the CAO, the order of priority for the provision of the required services may be altered at any given time or point depending on the circumstances.

### **Part 4- Plowing, Sanding, and Salting**

#### **Plowing, Sanding, and Salting**

**4.1** Plowing operations using graders begin after accumulations of at least five centimeters of snow or when drifting snow significantly impedes traffic flow. On residential streets, plowing operations using graders begin after accumulations of at least 12 centimeters of snow or when drifting snow significantly impedes traffic flow, and the temperatures are too low for truck-mounted plows to be efficient. In the event of snowfall, salt or a mixture of sanding chips and salt are applied for snowfall amounts of less than five centimeters.

**4.2** Snow plowing may result in windrows on one or both sides of the road. The clearing of windrows in front of driveways left by snow plowing equipment shall be the responsibility of the abutting property owner.

**4.3** Truck-mounted plows are used to plow snow off of the driving lanes during salting and sanding operations.

**4.4** Crews adjust snow and ice control materials depending on the prevailing temperature and weather conditions.

**4.5** Salt is used to melt snow and ice on roads when road surface temperatures are between 0 and -5C; and is pre-mixed by a subcontractor at their recommendation.

**4.6** When road temperatures drop below -5C, a sanding chip mixture is used to improve traction and to reduce slick ice surfaces on roads.

**a.) Priority One**

Designated emergency routes (adjacent to hospitals and police and fire stations) Streets in the Central business district with high traffic volumes. Problem areas. Designated routes on high-traffic-volume. School Zone, School Bus drop off zone.

**52<sup>nd</sup> St, 52<sup>nd</sup> Ave, 50<sup>th</sup> St, 47<sup>th</sup> St.**

**b.) Priority Two**

Municipal playground zones. Designated hills. Stop/Yield signs. Hard pack snow standard applies

**51<sup>st</sup> Ave, 50<sup>th</sup> Ave, 49<sup>th</sup> Ave.**

**c.) Priority Three**

All other roads, including most residential areas. Including service roads and any other areas causing problems.

**4.10 Windrowed Streets:**

School Zone

- **50<sup>th</sup> St to 47<sup>th</sup> St**

Main St

- **Highway 12 to 51<sup>st</sup> Ave**

50th Ave

- **52<sup>st</sup> St to 49<sup>th</sup> St and 50<sup>th</sup>st to 52<sup>nd</sup> Ave and to 53<sup>rd</sup> Ave (Part of School Zone)**

United Church Road

- **48<sup>th</sup> St to 52<sup>nd</sup> Ave to 51<sup>st</sup> Ave.**

A detailed map of the three priorities is attached to this Bylaw document, including the windrowed streets as shown Schedule "B" as attached to this bylaw.

**Part 5- Removal of Snow Ice and Slush**

**5.1** Owning, Occupying Premises or Owning Vacant Land within the Village the owner shall;

- Remove and clear away all snow, greater than two (2) centimeters in depth. Including adjacent or abutting sidewalks within forty-eight (48) hours from the time the snow has accumulated.
- Remove and sand any ice build-up along walkways and sidewalks, ensuring that it is safe for all member of the community to pass-by. This is required to be done as soon as practical after the snow or ice has formed on the sidewalks and walkways.

- c) Remove and clear away any dirt or other obstruction from the sidewalks situated on land adjacent to that property within forty-eight (48) hours from the time it has been deposited.
- d) Persons are not to place snow onto Village main roadways, or onto areas plowed by the Village before or after the snow deposit. All snow piles must be placed on the owner's property and or onto an adjacent boulevard.
- e) Property Owners must ensure that no damage is occurred during the removal of snow deposits or the removal of ice with a powered device. The owner of the premises will ensure that damages to a roadway, boulevard or sidewalk are reported to the Village office to be repaired at their expense.
- f) A person who removes snow or ice from public or private sidewalks and/ or public or private driveways shall not impede storm sewer runoff or block access to any storm sewer grate, traffic control device or fire hydrant.

**5.2 Home Owners Away Or Absent For Extended Periods Of Time.**

- a) The homeowner is responsible for having the sidewalks cleared within 48 hours of the deposit of snow. The owner must take measures and arrangements to have the sidewalks cleared while away.
- b) The Village will not clear or remove any snow deposits or ice build-up unless it becomes a hazard and it is not safe for a reason. This will, however, be billable and the corresponding bill will be sent the homeowner. If this is not paid, it will as per schedule "A," be rolled into taxes at the end of the tax year.

**Part 6- Traffic during Snow Removal Operations**

- 6.1** Owners of a registered vehicle must ensure that posted snow removal signage is adhered to. No owner of a vehicle will be exempt from any fines and/or towing and impound fees. Towing and impoundment of a vehicle will be completely at the expense of the registered owner.
- 6.2** All vehicles must be removed no later than twenty-four hours after a snow removal sign has been posted. Vehicle owners will be responsible for the cleaning and extra work to be done if a vehicle is obstructing or prevent the removal of snow and ice it will be subject to the corresponding fine's and fee's applicable in Schedule "A."

**Part 7- Enforcement**

- 7.1** Any person who contravenes any provision or requirement of this Bylaw is guilty of an offense and upon summary conviction is liable to have a fine unpaid of not more than ten thousand dollars (\$10,000.00) and in default of payment, to imprisonment for a term of six months.
- 7.2** Whenever a community Peace Officer or bylaw officer has reason to believe a person has contravened any provision of this Bylaw as listed in Schedule "A," the Community Peace Officer may issue a Village of Consort Bylaw Ticket, Provincial Violation Ticket or Summary Conviction. The Bylaw Officer may issue a formal warning letter approved by the council, as well as tickets as per Schedule "A." A Court of competent jurisdiction shall not relieve the person so fined

from any liability to pay to the Village any expenses arising from the Village having to remove the snow, ice or slush.

- 7.3** A person who has committed an offense under this Bylaw is liable, upon summary conviction to a fine, as specified in Schedule "A," which schedule may, from time to time, be amended by resolution of the Village Council.

**Part 8- General**

- 8.1** That whenever the singular, masculine gender is used in this Bylaw, the same shall include the plural, feminine and the neuter gender whenever the context so requires.
- 8.2** That this Bylaw comes into force and effect from the date of the Third and Final Reading.

**Part 9 - Severability**

- 9.1** Despite that any section or sections of this bylaw, or any part or parts thereof, may be found by any court of law to be invalid or illegal that section or sections or part or parts thereof, shall be deemed to be severable, and all other sections of this bylaw, or parts thereof, are separate and independent there-from and enacted as such.

Read a first time this 13<sup>th</sup> day of February 2017.

Read a second time this 27<sup>th</sup> day of February 2017.

Read a third and final time this 27<sup>th</sup> day of February 2017.

Signed by the Chief Elected Official and Chief Administrative Officer this 27<sup>th</sup> day of February 2017.

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Mayor

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Chief Administrative Officer

## Schedule "A."

5.1 a, b)	Fail to remove snow and ice from sidewalks fronting or abutting occupied premises within forty-eight (48) hours after deposit. Unsafe and unpassable.	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>
5.1 c)	Fail to Remove and clear away any dirt or other obstruction from the sidewalks situated on land adjacent to that property within forty-eight (48) hours from the time it has been deposited.	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>
51. d)	Placing snow onto main roadways, or onto areas plowed by the Village before or after the snow deposit. All snow piles must be placed on the owner's property and or onto an adjacent boulevard	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>
5.1 e)	Property Owner failed to report and/or have occurred damages to a roadway, boulevard or sidewalk to be repaired at their expense.	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>
5.1 f)	Failed to prevent blocking access to fire hydrant, traffic control device, or blocked causing a backup of sewer, or covered sewer grate.	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>
5.2 a)	Homeowners away or absent for an extended period of time. The homeowner has failed to take responsible measures and arrangements to have the sidewalks cleared while away.	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>
6.2	Failed to remove a vehicle within twenty-four hours after a snow removal sign were posted. Obstructing and prevent the removal of snow and ice.	\$50.00 \$100.00 \$250.00	1 <sup>st</sup> offense 2 <sup>nd</sup> offense 3 <sup>rd</sup> offense <i>**Within a twelve (12) month period. **</i>



## Schedule "B"



### Village of Consort Snow Removal

#### Legend:

- First Priority
- Second Priority
- Third Priority
- - - Windrowed Streets

School Zone  
50th St to 47th St

Main St  
Highway 12 to 51st Ave

50th Ave  
52st St to 49th St and  
50thst to 52nd Ave and  
to 53rd Ave  
(Part of School Zone)

United Church Road  
48th St to 52nd Ave to  
51st Ave.

