

Codification of BY-LAW NO. 1432 ON SNOW REMOVAL

Amended by By-law 1432-1

October 2015

1. In this by-law, unless the context indicates otherwise, the following terms shall mean::

“competent authority” (*autorité compétente*): the person holding the position, fulfilling the duties or acting as a director of one of the Town’s departments, his representative or an employee authorized to act in his name in conformity with the powers, orders and specific duties assigned to him as well as any person appointed by Council, by resolution, for enforcing this by-law, wholly or in part.

“parking lot” (*aire de stationnement*): an outdoor space reserved for the parking of vehicles;

“walkway” (*allée*): the passageway beginning at the public road or in a driveway leading to the entrance of a building;

“driveway” (*entrée de stationnement*): a private road, reserved for parking vehicles, giving access to a neighbouring building;

“snow removal contractor” (*entrepreneur en déneigement*): any natural or legal person who carries out, by means of a motorized vehicle or a manual blower, clearing and snow removal works for the owner, the occupant or the person in charge of a private property of residential, commercial industrial or institutional nature;

Amended by 1432-1, sec. 1

“public right-of-way” (*emprise de la voie publique*) : the distance between the public road and the property line;

“domaine public” (*public property*): all lands, buildings and objects belonging to the Town and, without restricting the generality of the foregoing, streets, avenues, public right-of-ways, alleys, sidewalks, lands, posts and sewers;

“public road” (*voie publique*): the surface of land or of constructive works whose maintenance is the responsibility of a city, and on a part of which are built one or more roads opened to the public traffic of motor vehicles and, as the case may be, one or more cycling paths;

2. Any snow removal contractor must, before carrying out clearing and snow removal works within the Town, first obtain a permit from the Urban Planning and Inspection Division. The said permit shall be valid from November 1 to October 31 and shall be non transferable.
3. To obtain the permit mentioned in Section 2, if the vehicle is not equipped with a blower, the snow removal contractor shall pay:

- (1) \$300 for the first vehicle;
- (2) \$75 for each additional vehicle;

However, if the vehicle is equipped with a blower, the snow removal contractor shall pay:

- (1) \$200 for the first vehicle;
- (2) \$50 for each additional vehicle.

If the work is performed using one or more manual blowers, the snow removal contractor shall pay:

- (1) \$200 for the permit;
- (2) \$50 for each vehicle used to move manual blowers in addition to the first vehicle.

Amended by 1432-1, sec. 2

4. To obtain the permit mentioned in Section 2, the snow removal contractor shall fill out an application containing the following information and documents:
 - (1) The surname, given name, address and telephone number of the owner of any motor vehicle to be used by the snow removal contractor within the Town;
 - (2) The trade mark, model, year, serial number and copy of the registration certificate of any motor vehicle to be used by the snow removal contractor within the Town;
 - (3) Proof of insurance for each motor vehicle;
 - (4) If necessary, the snow removal contractor's Quebec enterprise number (NEQ);
 - (5) If necessary, if the snow removal contractor is a legal person, the address of its head office and a copy of the incorporation documents of the said legal person;
 - (6) Proof of public liability insurance.
5. The permit obtained by the snow removal contractor must be placed inside the vehicle, on the windshield, on the passenger's side so as to be readable from outside.
6. Any snow removal contractor must place at least one post on any location where he shall carry out snow removal. This post must indicate, in a clear and legible manner, the name and telephone number of the snow removal contractor and must be visible at all times. This post must be placed at a distance of at least 2 metres from the sidewalk.

Amended by 1432-1, sec. 3

7. The posts must be placed after October 15, but before November 15, and removed before April 15.

Amended by 1432-1, sec. 4

8. During snow removal operations, the snow removal contractor must blow, lift or push the snow and deposit it on both sides of the driveway, walkway or parking lot on the front or side yard. Without limiting the generality of the foregoing, no person may:
 - (1) cause, allow or tolerate any snow or ice originating from private property to be transported, pushed, dumped, blown or deposited on a public road, public right-of-way or public property;
 - (2) cause, allow or tolerate any snow or ice to be accumulated on private property, public property, public right-of-way or public road intersections in such a way as to obstruct the visibility of drivers or inconvenience pedestrians;
 - (3) cause, allow or tolerate any snow or ice to be accumulated on private property at a height exceeding three (3) metres;
 - (4) cause, allow or tolerate any snow or ice to be dumped, pushed, blown or deposited in a radius of one (1) metre of a fire hydrant;
 - (5) place or leave, on public property or on the public right-of-way, any object that may hinder snow removal operations carried out by the Town.
9. Whoever hires a snow removal contractor to carry out snow removal of the driveway, walkway or parking lots must ensure that the snow removal contractor has obtained a valid permit for the current year duly issued by the Town.
10. Whoever contravenes any of the provisions this by-law shall be liable to a fine of no less than three hundred dollars (\$300) and:
 - (1) in the case of a first offence, no more than one thousand dollars (\$1,000) when the offender is a natural person, or two thousand dollars (\$2,000) when the offender is a legal person;
 - (2) if such offence is repeated, the said fine shall not exceed two thousand dollars (\$2,000) when the offender is a natural person, or four thousand dollars (\$4,000) when the offender is a legal person.
11. Whoever contravenes any provision of Section 8 may be required to remove the accumulated snow or ice within a period of twenty-four (24) hours of a written notice to that effect, delivered by the competent authority. Should the offender fail to comply with such notice, the Town reserves the right to proceed with the removal of the accumulated snow or ice and claim the expenses of such operation, which amount to no less than five hundred dollars (\$500).
12. If the offence is continuous, this continuity shall constitute a separate offence, day after day.
13. The payment of a fine imposed by reason of an offence shall not discharge the person in question from the obligation to comply with this by-law.

14. Sections 50 and 51 of By-law No. 1380 concerning sanitation, safety, peace and order shall be repealed.

15. Schedule A of By-law No. 1383 concerning permits for carrying on certain businesses shall be amended by:
 - a) deleting the words “and snow clearing” in line 3 of column A;

 - b) replacing the words “earthwork, gardening, or snow clearing” by the following: “earthwork or gardening” in line 3 of column B.

16. This by-law shall come into effect according to law.