

CITY OF FORT ST. JOHN

BYLAW NO. 1962, 2008

A Bylaw to Regulate Sidewalk Clearing in the City of Fort St. John

Council of the City of Fort St. John enacts as follows:

PART 1 - TITLE

This Bylaw may be cited for all purposes as "Sidewalk Clearing Bylaw No. 1962, 2008".

PART 2 - DEFINITIONS

"City" means the City of Fort St. John

"Commercial Zone" means the zones designated C1, C2, C2gs, and C3, under the City of Fort St. John Zoning Bylaw No. 1303, 1996

"Real Property" means land and improvements, but excludes land and improvements owned by the City of Fort St. John

"Residential Zone" means the zones designated R1, R1A, R2, R3, R4, R4a, RM1, and RM2 under the City of Fort St. John Zoning Bylaw No. 1303, 1996

PART THREE - INTERPRETATION

Interpretation

The singular includes the plural and vice versa and words importing a gender include the other gender and corporations.

Corresponding Meanings

Other grammatical forms of defined words or expressions have corresponding meanings.

Severability

If any section or portion of this Bylaw is held to be invalid by any court, the invalid section or portion shall be severed and shall not affect the validity of the remainder of this Bylaw.

PART FOUR - GENERAL REGULATIONS

Application

1. Nothing in this Bylaw relieves a person from complying with other applicable bylaws.
2. Every owner or occupier of real property which is adjacent to land that is covered in part by a sidewalk shall remove all ice and snow or other loose debris from that portion of the sidewalk that fronts, abuts or lies adjacent to the owner or occupier's real property, within 48 hours after the ice or snow or other debris has been deposited.

PART FOUR - GENERAL REGULATIONS

Application

3. The owner or occupier of real property adjacent to a sidewalk or pathway may remove ice and snow from the sidewalk or pathway adjacent to the real property and place it on the highway or boulevard, but shall not remove any ice or snow from the real property and place it on the highway or boulevard.
4. Every owner or occupier of real property where an awning extends from a portion of the real property over a highway or sidewalk shall keep the awning free from snow or ice.

PART FIVE - OFFENCE, PENALTIES AND ENFORCEMENT

Inspections for Compliance

5. Every City employee is authorized, after taking reasonable steps to inform the owner or occupier, to enter at all reasonable times upon real property to ascertain whether or not the regulations or directions in this Bylaw are being obeyed.
6. No persons shall obstruct a City employee from entering real property for the purposes of inspecting the real property to determine whether or not there has been a violation of this Bylaw.

Penalty

7. Any person who contravenes any provision of this Bylaw commits an offence and is liable to a fine of not less than \$100.00 (one hundred dollars) and not more than \$10,000.00 (ten thousand dollars).
8. This Bylaw is designated under section 264 of the *Community Charter* as a bylaw enforceable by ticket information in the form prescribed.

Municipal Ticket Information Provisions

Designation of Bylaw

9. This Bylaw is designated pursuant to section 264 of the *Community Charter*, S.B.C. c. 26 as a bylaw that may be enforced by means of a ticket in the form prescribed.

Designation of Bylaw Enforcement Officers

10. Bylaw Enforcement Officers and members of the RCMP are designated to enforce this bylaw by means of a ticket pursuant to section 264 of the *Community Charter*.

Ticketing

- 11. The words or expressions listed in Schedule "A" of this bylaw in the "Designated Expression" column are authorized to be used on a ticket pursuant to section 264(1)(c) of the Community Charter to designate an offence against the respective section of this bylaw appearing opposite in the "Section" column. The amounts appearing in the "Fine" column are the fines set pursuant to section 265 of the Community Charter for contravention of the respective section of this Bylaw appearing opposite in the section column.
- 12. Council hereby delegates to its Bylaw Enforcement Officers its authority to refer any disputed municipal ticket information under any bylaw to the Provincial Court.

Municipal Fees

- 13. If an owner or occupier has not complied with the requirement to clear ice and snow and debris imposed by Section 2 of this bylaw, the City, by its employees and / or contractors, is authorized to do the necessary work and charge the owner for the work. If the fee for the work is not paid, it can be added to the owner's taxes. The fee for removal of snow and ice and other debris from real property shall be \$85.00 (eighty-five dollars) per hour.

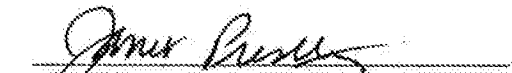
READ FOR A FIRST TIME THIS 25th DAY OF February, 2008

READ FOR A SECOND TIME THIS 25th DAY OF February, 2008

READ FOR A THIRD TIME THIS 25th DAY OF February, 2008

ADOPTED THIS 10th DAY OF March, 2008


 BRUCE CHRISTENSEN
 ACTING MAYOR


 JANET PRESTLEY, DIRECTOR OF
 LEGISLATIVE AND ADMINISTRATIVE
 SERVICES

Schedule A

<u>Designated Expression</u>	<u>Section</u>	<u>Fine</u>
Fail to remove snow	2	\$100.00
Place snow on highway	3	\$100.00
Fail to clear awning	4	\$100.00
Obstruct inspection	6	\$100.00