

TOWN OF VIRDEN BY-LAW NO. 2698

A BYLAW OF THE TOWN OF VIRDEN, IN THE PROVINCE OF MANITOBA COMPELLING PERSONS WITHIN SPECIFIED AREAS OF THE TOWN TO REMOVE AND CLEAR AWAY ALL SNOW, ICE, DIRT AND OTHER OBSTRUCTIONS FROM THE SIDEWALK ADJOINING THE PREMISES OWNED OR OCCUPIED BY THEM.

The Council of the Town of Virden enacts as follows:

1. All persons owning and/or occupying premises with the exception of residential properties within the following areas of the Town of Virden:
 - (a) On 6th Avenue between Wellington Street West and Princess Street West;
 - (b) On 7th Avenue between Lyons Street West and King Street West;
 - (c) On 8th Avenue between Wellington Street West and Nelson Street West;
 - (d) On Queen Street West between 6th Avenue and up to 8th Avenue West
 - (e) On Wellington Street West between 6th Avenue and 8th Avenue;
 - (f) On Wellington Street West between 8th Avenue and 9th Avenue on the South Side;
 - (g) On Nelson Street West between 6th Avenue and up to 8th Avenue West
 - (h) On Princess Street West between 6th Avenue and up to 8th Avenue West
 - (i) On Raglan Street West between 7th Avenue and up to 8th Avenue WestShall remove and clear away all snow, ice, dirt and other obstructions from sidewalks adjoining the said premises owned or occupied by them:
 - (i) in the case of snow, within 24 hours of any snowfall or by the first regular working day; and
 - (ii) in the case of ice, within 24 hours or by the first regular working day of any formation and/or any accumulation thereof; and
 - (iii) in the case of dirt and/or other obstructions within 24 hours or by the first regular working day of any other longer period of time permitted by the Town of Virden CAO in writing.

2. If any person owning and/or occupying premises within the areas specified in Section 1 (a), (b), (c), (d), (e), (f), or (g) of this bylaw fails or neglects to remove and clear away snow, ice, dirt and other obstructions from the sidewalks adjoining the said premises owned or occupied by him/her within the applicable time limits set forth in Section 1 (i), (ii) or (iii) hereof preceding, the Council of the Town of Virden may authorize said removal and clearing away to be done by any other person at the expense of said owner and/or occupier of said premises and the Town of Virden may recover the expense thereof with costs by action or in like manner as municipal taxes.

3. (a) If it should be necessary for any snow, ice, dirt and other obstructions to be removed by the Town of Virden under paragraph 2 and 4 hereof preceding, the cost of such removal at the expense of the owner and/or occupier of the said premises shall be **\$5.00** per foot for the first twenty-five (25) feet of abutting property or any part thereof and thereafter **\$2.50** per foot for each additional foot.

The rates shall be applied to the whole abutting frontage of the property even though the whole abutting footage may not have been cleared. Side yards will be charged at \$2.50 per foot.

4. Any person owning and/or occupying premises within any of the areas specified in Section 1 of this by-law who fails to comply with the provisions of Section 2 of this bylaw shall be guilty of an offence punishable on Summary Conviction and in addition to the penalty prescribed by Section 2 of this bylaw shall be subject to the penalty prescribed by Section 5 of this bylaw.
5. Any person convicted of a breach of the provisions of this bylaw shall forfeit and pay at the discretion of the convicting Justice of the Peace of the Province of Manitoba having jurisdiction in the Town of Virden, a penalty not exceeding **One Hundred Dollars (\$100.00)** exclusive of costs and upon default or payment thereof.
6. That Town of Virden Bylaw No. 2671 is hereby repealed.

DONE AND PASSED by the Council of the Town of Virden, duly assembled, this 18th day of October, A.D., 2011.

Mayor



Chief Administrative Officer

Read a first time this 4th day of October, A.D., 2011
Read a second time this 4th day of October, A.D., 2011
Read a third time this 18th day of October, A.D., 2011