

**THE CORPORATION OF THE DISTRICT OF SUMMERLAND
BYLAW NUMBER 93-065**

**A BYLAW TO REQUIRE THE REMOVAL OF SNOW, ICE, AND
RUBBISH FROM THE MUNICIPALITY`S SIDEWALKS & FOOTPATHS**

CONSOLIDATED FOR CONVENIENCE TO INCLUDE BYLAW NO. 97-014

WHEREAS pursuant to Section 579 (2))a) of the *Municipal Act*, the Council may by bylaw require the owner or occupier of any real property to remove snow, ice or rubbish from the sidewalks or footpaths bordering on the real property owned or occupied by them;

NOW THEREFORE the Municipal Council of the Corporation of the District of Summerland in open meeting assembled, enacts as follows:

1. In this bylaw unless the context otherwise requires: "Municipality" shall mean the Corporation of the District of Summerland;

"Occupier" shall have the meaning given it by Section 1 of the Municipal Act, R.S.B.C., Chapter 290 and amendments thereto;

2. Every owner or occupier of real property, shall remove, snow, ice or rubbish from the sidewalks or footpaths bordering on the real property owned or occupied by them not later that whichever of the following times in a particular case apply:
 - (a) If such snow, ice or rubbish accumulated prior to 12:00 noon on any day then not later than 12:00 noon of that day; or
 - (b) If such snow, ice or rubbish accumulated after 12:00 noon on any day then not later than 12:00 noon on the next following day;

[Bylaw 97-014, adopted February 10, 1997, added the following section]

- 2a. The following public walkways, defined by legal description, are hereby excluded from Section 2 of this bylaw for budgetary reasons:
 1. walkway shown on S.R.O.W. Plan 37407
 2. lane bordering Lot 14, DL 474, Plan 26768; and lane bordering Lot 15 DL 474, Plan 24328;
 3. access to park being Lot 1, DL 474, Plan 28700;

4. lane bordering Lot A, DL 3640, Plan 17872 & Rem. Lot 10, DL 3640, Plan 15075 (former westerly extension of Quinpool Road Allowance);
 5. lane bordering Lots 8 & 9, DL 3640, Plan 24871;
 6. walkway bordering Lots B & C, DL 3640, Plan 28805;
 7. lane bordering Lots 1 to 3, and Lots 6 to 10, DL 3640, Plan 3190;
 8. walkway connecting Cedar Avenue to Mountford Avenue, bordering Lot D, DL 439, Plan 26745; Lot 1, DL 439, Plan 44196; and Rem. Blk 1, DL 439, Plan 218;
 9. walkway bordering Lots 3 & 4, DL 2195, Plan KAP 50812;
 10. walkway bordering Lots 16 & 17, DL 2195, Plan KAP 50812;
 11. walkway shown as Right of Way on Plan 49350;
 12. lane shown as Right of Way on Plan A14843;
 13. walkway along Okanagan Lake foreshore connecting Rotary Beach to Peach Orchard Beach;
 14. walkway through Memorial Park, shown on Plan M16602, connecting Wharton Street (Solly Road) to Kelly Avenue.
3. In the event that any owner or occupier fails to comply with the provisions of Section 2 of this bylaw then in such event the Public Works Superintendent may, upon giving one hours notice to such owner or occupier, cause such snow, ice or rubbish to be removed by the Municipality, its agents or contractors and the cost thereof, with interest thereon at the rate authorized by the Municipal Act, shall be paid by such owner or occupier to the municipality and in default of such payment it may be recovered by the municipality in like manner as municipal taxes.
4. Any notice required to be given under Section 2 of this bylaw shall be sufficiently given
- (a) By delivering it to the owner or occupier of the land in question; or
 - (b) If the owner or occupier is not then on the lands in question and such lands are otherwise unoccupied, by leaving the notice on the lands in question.

5. Any person who violates the provisions of this bylaw shall upon summary conviction therefore be liable to a penalty not exceed \$500.00.
6. This bylaw may be cited for all purposes as "Summerland Snow, Ice and Rubbish Removal Bylaw Number 93-065".
7. Bylaw Number 1917 is hereby rescinded.

READ A FIRST AND SECOND TIME this 27th day of September, 1993.

READ A THIRD TIME this 12th day of October, 1993.

RECONSIDERED, FINALLY PASSED AND ADOPTED by the Municipal Council of the Corporation of the District of Summerland, signed by the Mayor & Clerk and sealed with the Corporate Seal of the said Corporation this 25th day of October, 1993.

'R. Shewfelt'
MAYOR

'G.Redlich'
CLERK