

TOWN OF MORDEN

BY-LAW NO. 20-2004

BEING a by-law of the Town of Morden to regulate the removal of snow and ice from sidewalks and control obstructions such as signs on the sidewalks in the Town of Morden;

WHEREAS Subsection 232(1) of the Act provides that a council may pass by-laws for municipal purposes respecting the following matters:

(b) people, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurants, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;

AND WHEREAS Section 232(2) states that without limiting the generality of subsection (1), a council may in a by-law passed under this Division;

(a) regulate or prohibit;

NOW THEREFORE the Council of the Town of Morden, duly assembled, enacts as follows:

Every occupant, or in the event there is no occupant, the owner or person having charge of every business premise, shop, building, lot or parcel of land fronting or abutting on any street in the Town of Morden Business Improvement Area shall:

1. before 10:00 a.m.(in the forenoon), following every fall of snow, hail or rain, which shall freeze on the sidewalk, or after falling of snow or ice from off any building, in those areas included within the Morden Business Improvement Area, cause the same to be removed entirely off the sidewalk fronting or abutting on such premise, shop, building, lot or parcel of land and allowing the snow to be pushed into the gutter area of the street, provided always that in the event the ice or snow shall lie frozen upon the surface, preventing it to be removed without damage to the sidewalks, every such person shall strew the same with sand or some suitable substance that will not damage the said sidewalk surface; and,
2. before 10:00 a.m. (in the forenoon), remove from the sidewalk fronting or abutting the aforesaid properties all dirt or other obstructions; and,

3. obstructions such as signs, vending machines, fixtures, etc. shall not be permitted without prior approval by the Town of Morden; and,
4. when the day for clean up under paragraphs (1) and/or (2) hereof falls on a holiday, then the clean up may be delayed until the day following the holiday, except when a business affected by this provision is open on any such holiday, then said provisions are to be met on the holiday; and,
5. where the provisions of paragraphs (1) and/or (2) hereof have not been met within 24 (twenty four) hours of the time specified in the said clauses, then the Town of Morden Public Works Department shall cause the snow, ice, dirt or other obstructions to be removed, the expense of such clean up to be recorded and charged to the owner or owners of the land in default; and,
6. the Director of Public Works shall monthly report all such expenditures to the Director of Finance & Administration and the expenditures shall be charged against the adjacent lot or parcel of land on the tax roll for the calendar year of such clean up and collected in the same manner as ordinary municipal taxes.

DONE AND PASSED by the Council of the Town of Morden duly assembled this 29th day of November, 2004.

TOWN OF MORDEN

John B. Wiens

Mayor

Garry D. Hiebert

Director Finance and Administration

Read a first time this	8th	day of	November,	A.D. 2004.
Read a second time	29th	day of	November,	A.D. 2004.
Read a third time this	29th	day of	November,	A.D. 2004.