



# TOWN OF WABUSH

## SNOW CLEARING BYLAW

Pursuant to the powers vested in it by virtue of the Towns and Local Service District Act and all other powers it enables, the Town Council of Wabush in regular session convened on the 27 day of February 2026 hereby passes and enacts the following bylaw for the control of Snow Clearing.

The following Bylaw has been made by the Town Council of the Town of Wabush under the provisions of Section 188 and 189 of the *Highway Traffic*.

Adopted by the Town Council of the Town of Wabush on the 27 day of February 2026.

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### 1. Title

This Bylaw may be cited as the Town of Wabush Snow Clearing Bylaw.

### 2. Interpretation

In this Bylaw, unless the context otherwise requires:

- a) "Act" shall mean the *Towns & Local Service District Act*.
- b) "Council" shall mean the Town Council of the Town of Wabush.
- c) "Enforcement Authority" shall mean Council or its authorized administrator.
- d) "Highway" shall mean the entire width between the boundary lines of a highway, road, street, avenue, thoroughfare, right of way, parkway, driveway, lane, alley, place, bridge, culvert, or any other way designed or intended for public or private use for the passage of vehicles and pedestrians, owned by the Authority or other public agency and maintained at public expenses and is accessible to Fire Department vehicles and equipment
- e) "Bylaw Enforcement Officer" means the Municipal Enforcement Officer appointed by the Town of Wabush.
- f) "Occupant" shall mean any person who is an agent, tenant or occupier of a property.
- g) "Owner" shall mean the legal entity having title to a property.
- h) "Persons" shall mean any person, firm, partnership, business, association, corporation or any organization of any kind.

- i) "Road Reservation" an area determined by Council that is reserved for a street, a future street, sidewalks, Town infrastructure or utilities, a future street improvement and shall be a minimum 12.2 meters
- j) "Snow Clearing Period" shall mean the period between October 15<sup>th</sup> in each year to and including the 30<sup>th</sup> day of April in any succeeding year, both days inclusive, and any other period when unusual snow and/or ice conditions prevail.
- k) "Street line" shall mean the edge of the right of way of a street reservation as defined by the authority having jurisdiction
- l) "Town" means the Town of Wabush.
- m) "Vehicle" means a device in, upon or by which a person or property may be transported or drawn upon a highway.

### **3. Depositing of Snow**

- a. No person shall deposit, or cause to be deposited, any snow or ice from a driveway, property, or parking lot onto any highway, street, street corner, fire hydrant, vacant lot or around stop signs within the municipal boundaries of the Town of Wabush by means of a truck, ATV, tractor, snow blower, shovel, plow, or any other equipment.
- b. No person shall deposit, or cause to be deposited, any snow or ice from a driveway, property, or parking lot across any highway or street within the municipal boundaries of the Town of Wabush. Such activity may create hazardous and slippery conditions on public roadways.
- c. No person engaged in removing snow or ice from any property or other premises shall do so in any manner that obstructs vehicular traffic on a street or pedestrian traffic.
- d. The provisions of this Section shall not apply to employees or contractors of the Town while engaged in snow clearing operations.

### **4. Damages**

- a. The Town will not be responsible for damage caused by "weight of snow" or lawn browning.
- b. The Town will not be responsible for any damages caused within the road right of way. This includes fences, trees, bushes, shrubs, light fixtures, boats or any other vehicle(s).

- c. The Town will not be responsible for damage caused to trees, shrubs on private property if they have not been properly marked and protected i.e. painted poles, min 6 feet high along side trees, shrubs to mark location, poles around trees, shrubs and wrapped with burlap.
- d. The Town will not be responsible for any damages resulting from the failure of residents or businesses not maintaining the entrances of their properties.
- e. All damages must be made to the Town in writing to the Town Office, no later than June 1, of the same year, of the snow clearing period, verbal claims will not be responded to. If possible, provide a picture of the property before the damage was done and after.

## **5. Pushing Back of Snow**

- a. Pushing back of snow may be required from time to time to allow for the widening of streets or following a snowstorm. The Town may place snow on lawns, within easements, or on private or public land as it deems necessary due to snow accumulation.
- b. Property owners with fire hydrants located on or adjacent to their property shall ensure that hydrants remain accessible for emergency services. This may include removing snow or allowing snow to be pushed onto their lawn as required.
- c. Snow removed by snow blowers shall be placed on lawns or hauled away, as determined by the appropriate authority.

## **6. Snow Removal**

- a. The trucking of snow to designated snow disposal sites may be required from streets, lawns, and lots to facilitate the widening of streets.
- b. Snow removal may take place in advance of a forecasted snowstorm or following snowfall events.
- c. Designated snow disposal sites are located within Town boundaries. Residents, contractors, and other parties shall obtain a Snow Dump Permit prior to using these sites. Fees shall be applied in accordance with the Council-approved tax and fee structure.

## 7. Enforcement

- a. Enforcement and prosecution under these Regulations may be undertaken by any Police Officer, Bylaw Enforcement Officer or any other Person so authorized by the Enforcement Authority.
- b. Every person requested by Police Officer or Person authorized to enforce these Regulations shall upon request, forthwith give his/her proper name and address.
- c. Pursuant to Section 287 of the Act, the Enforcement Authority may serve upon the Owner, Occupant or any Person in violation of a provision of these Regulations, a serially numbered notice advising the nature of the violation and required action to conform with the standards as set out in these Regulations.
- d. The owner, occupant or person shall carry out the direction of the Enforcement Authority referred to in 7 (c) at the cost of the owner, occupant or person and within the time specified.
- e. Any cost to the Town for all works including but not limited to the impounding of vehicles and removal of snow or ice deposited in violation of these Regulations shall, in addition to any penalty prescribed hereunder, be recoverable from the person in contravention of these Regulations.
- f. In carrying out its duties as prescribed by these Regulations, the Town, its employees, servants or agents, shall not be liable for any claims arising out of action of the Town, its employees, servants or agents, except in the case of gross negligence.

## 8. Failure to Comply

- a. Pursuant to Section 285 (5) of the Act, where a Person to whom an order is directed does not comply with the order, Council may take the action that it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by Council in carrying out the terms of the order are recoverable from the Person against whom the order was made as a civil debt owed to Council.
- b. Council may delegate to an official or employee of Council the power to issue orders under this section.
- c. Council, its employees, servants or agents shall be saved harmless from any and all claims arising out of the action of Council, its employees, servants or agents in the process of inspecting and/or carrying out work under these Regulations, except in the case of gross negligence.

**9. Right of Entry**

Pursuant to Section 172 of the Act, Council or its duly authorized agents have the authority to enter a property for the purposes of inspection and enforcement as required under these Regulations.

**10. Offence**

Any person who contravenes any provision of this by-law commits an offence and is liable, upon summary conviction, to the penalties set out in section 290 of the *Towns and Local Service Districts Act*.


For a first offence, the fine shall be not less than \$100.00 and not more than \$1,000.00.

For a subsequent offence, the fine shall be not less than \$1,000.00 and not more than \$2,000.00.

In witness whereof, the Seal of the Town of Wabush has been affixed herewith, and the Mayor and Town Manager have signed this Bylaw on behalf of the Town Council of Wabush this 27 day of February 2026.

  
Witness

  
Gertie Canning  
Mayor

  
Tiffanee Rideout  
Town Clerk/Director of Finance