

## Appendix A Proposed Amendments to the Clean Property Bylaw

Administration is recommending the following amendments be made to *The Clean Property Bylaw (Bylaw)*:

A. Bylaw Amendment 1 – Amend Section 6 of the Bylaw:

Replace Section 6, Part 3 Snow and Ice Removal

**Existing Wording:**

~~6(1) Every owner, operator or occupant of land inside the area shown on Schedule "B" appended to this Bylaw shall maintain the public sidewalks adjoining the land whereas:~~

- ~~(a) subject to clause (b) any hazardous condition created by snow or ice shall be cleared and removed;~~
- ~~(b) sand or similar material which renders the sidewalk safe shall be applied where it can be clearly demonstrated that the surface condition makes it difficult to meet the requirement in (a) above;~~
- ~~(c) the sidewalk surface shall be clear and free of dirt, debris or other obstructions. Within one day, excluding Sundays and holidays, of accumulation.~~

~~6(2) Every owner, operator or occupant of any Commercial Building, Apartment Building, Commercial Parking Lot and Vacant Property that is situated outside the area shown in Schedule "B" shall maintain the public sidewalks adjoining those properties as follows:~~

- ~~(a) subject to clause (b) any hazardous condition created by snow or ice must be cleared and removed;~~
- ~~(b) sand or similar material that renders the sidewalk safe must be applied where it can be clearly demonstrated that the surface condition makes it difficult to meet the requirement in clause (a); and~~
- ~~(c) the sidewalk surface must be clear and free of dirt, debris or other obstructions; Within forty-eight (48) hours of accumulation.~~

**Replace With:**

6(1) Every owner of land adjoining a sidewalk shall clear the sidewalk of all snow and ice within forty-eight (48) hours of the time when the snow or ice was formed or deposited thereon.

- (2) Notwithstanding subsection 6(1), in the areas listed in the attached Schedule "B", the owner shall clear or remove or cause to be cleared or removed all snow or ice from any sidewalk adjoining their property within twenty-four (24) hours of the time when the snow or ice was formed or deposited thereon.
- (3) The City may take whatever actions or measures are necessary to remedy a contravention of this section, and in the case of snow or ice, the City may, pursuant to section 333 of *The Cities Act*, complete the work and add to the tax roll of the adjoining property the unpaid expenses and costs incurred by the City for removing the snow and ice.

B. Bylaw Amendment 2- Amend Sections 7(1), (4) and (6) as below

**Existing Wording:**

- ~~7. (1) No person shall remove snow or ice from any public sidewalk by causing it to be placed upon any other portion of the sidewalk or roadway surfaces except as noted within this section.~~
- ~~(4) Snow and ice removed from any public sidewalk may be placed along the curbline provided the snow and ice does not encroach onto the sidewalk surface more than 0.3 meters from curb face nor onto the road surface more than 2.5 meters from curb face.~~
- ~~(6) Snow and ice removed from public property shall not obstruct sightlines in violation of the Traffic Bylaw #9900 nor be placed more than 2.5 meters from curb face on to the roadway surface.~~

**Replace With:**

- 7(1) No person shall remove snow or ice from any public sidewalk by causing it to be placed upon any other portion of the sidewalk, public highway surfaces or parking lane except as noted within this section.
- 7 (4) Snow and ice removed from any public sidewalk may be placed along the Curb face provided the snow and ice does not encroach onto the sidewalk nor extend more than 2.5 meters from Curb face on to the public highway or parking lane.
- 7(6) Snow and Ice removed from public property shall not obstruct sightlines in violation of the Traffic Bylaw #9900 nor be placed more than 2.5 meters from curb face on to the public highway or parking lane.

C. Bylaw Amendment 3 – Amend Section 16 of the Bylaw:

**Existing Wording:**

PART 6. ENFORCEMENT

Default

~~16. (1) Where a person fails to do anything required by this Bylaw, the City or any Bylaw Enforcement Officer may, in default of its being done by that person, do the thing at the expense of the person in default, and the City may recover the expenses of doing so with costs:~~

~~(a) by action in any Court of competent jurisdiction;~~

~~(b) in the same manner as municipal taxes; or~~

~~(c) by adding the expenses to, and thereby they form part of, the taxes on the land on which or with respect to which the work is done.~~

~~(2) Any person against whom remedial action is taken pursuant to subsection (1) shall also be liable to prosecution for contravention of the Bylaw.~~

**Replace with:**

A. Section 16 shall be repealed and replaced with:

PART 6. ENFORCEMENT

Enforcement Officials

16. For the purpose of enforcement of this Bylaw and sections 324, 325, 326 and 328 of *The Cities Act*, the Director or any Bylaw Enforcement Officer are designated officers and authorized to administer and enforce this bylaw through any means authorized by *The Cities Act*.

Offence

16.1(1) No person shall:

(a) obstruct or hinder Director or any Bylaw Enforcement Officer or any other person acting under the authority of this Bylaw or *The Cities Act*; or

(b) fail to comply with any other provision of this Bylaw.

D. Bylaw Amendment 4 – Amend Schedule J of the Bylaw:

Amend *SCHEDULE "J" Voluntary Payments for Notice of Violation* by amending the voluntary payment and offence description for failing to clear snow or ice to be:

6(1) \$100 failing to clear ice and snow from entire width of the sidewalk within 48 hours after the end of snow fall

6(2) \$100 failing to clear ice and snow from entire width of the sidewalk within 24 hours after the end of snow fall

E. Bylaw Amendment 5 - Add new definitions in The Regina Traffic Bylaw, 1997, Bylaw No. 9900, as below

"*Parking lane*" -means that portion of longitudinal division of a highway of sufficient width to accommodate the storage of a single line of vehicles adjacent to the curb and where parking is permitted.

"*Road*"- means a paved or graveled thoroughfare or street intended for the use by vehicles for passage and parking as per instructions on the displayed traffic signs