

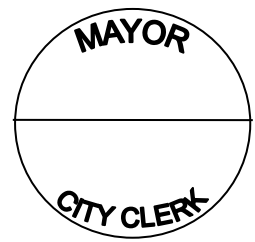
PROVINCE OF QUEBEC  
CITY OF BEACONSFIELD

**BY-LAW BEAC-035**  
**BY-LAW ON SNOW REMOVAL**  
**CONSOLIDATED**

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(BEAC-035-1) 2011-05-16  
(BEAC-035-2) 2012-09-24

Adopted at the regular meeting of Council held  
on Monday, November 24, 2008



PROVINCE OF QUEBEC  
CITY OF BEACONSFIELD

**BY-LAW BEAC-035**

**BY-LAW ON SNOW REMOVAL**

At the Regular meeting of the City of Beaconsfield Municipal Council, held in City Hall, 303, Beaconsfield Boulevard, Beaconsfield, Quebec, on Monday, November 24, 2008, at 8:00 p.m.;

WERE PRESENT: His Honour Mayor Bob Benedetti, Councillors Jimmy Shiro Hasegawa, Karen Messier, Wade Staddon, Kate Coulter, Roy Baird and David Pollock.

On motion of Councillor W. Staddon, seconded by Councillor K. Coulter, it is UNANIMOUSLY RESOLVED:

WHEREAS a notice of motion of the presentation of this by-law was given at the Council's regular meeting held on Monday, October 27, 2008;

**CONSEQUENTLY, THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:**

**SECTION 1: DEFINITIONS**

In the present by-law, unless the context otherwise requires, the following expressions shall mean:

Circular driveway (*Entrée circulaire*): two connected driveway entrances opened to the roadway from one property.

Competent authority (*Autorité compétente*): the person occupying the position, fulfilling the duties or acting as a Director of one of the City's Departments, his representative or an employee authorized to act in his name in conformity with the powers, orders and specific duties which have been assigned to him as well as any person appointed by the Council, by resolution, for the enforcement of the present by-law, wholly or in part.

Council: (*Conseil*): the Council of the City of Beaconsfield.

Driveway (*Entrée de stationnement*): a private road, reserved for parking vehicles, giving access to a building on abutting ground.

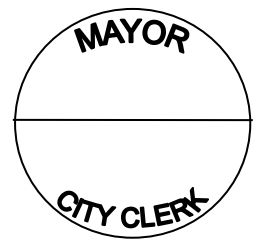
Front yard (*Cour avant*): the portion of a landsite bounded by the street line and the actual or imaginary line of the front wall of the main building and its extensions, parallel to the street line and running from one landsite side line to the other.

On a corner landsite or a through landsite, the front yard extends along each street line according to the provisions of the preceding paragraph.

Parking lot (*Aire de stationnement*): an area directly and readily accessible, designed, used or intended for the parking of vehicles.

Public property (*Propriété publique*): all lands, buildings and objects belonging to the City and, without restricting the meaning of the foregoing, streets, avenues, alleys, sidewalks, lands, posts, sewers, ditches and streams. For the purpose of the present by-law, the public property does not include the public right-of-way.

Public right-of-way (*Emprise de la voie publique*): the distance between the public road and the property line.



Public road (*Voie publique*): the surface of land or of constructive works whose maintenance is the responsibility of a city, of a government or of one of its agencies, and on a part of which are built one or more roads opened to the public traffic of motor vehicles and, as the case may be, one or more cycling paths.

Side yard (*Cour latérale*): the portion of a landsite delineated by the side wall(s) of the main building, the side line(s) of the landsite and the rear and/or front yards.

Snow removal contractor (*Entrepreneur en déneigement*): any natural or legal person who carries out, by means, of motorized vehicle, clearing and snow removal works for the owner, the occupant or the person in charge of a private property of a residential, commercial, industrial or institutional nature.

Walkway (*Allée*): the passageway beginning at the public road or in a driveway leading to the front entrance of a building.

Yard (*Cour*): the space extending between the walls of a main building erected on a site and the property lines.

## SECTION 2: TERRITORY

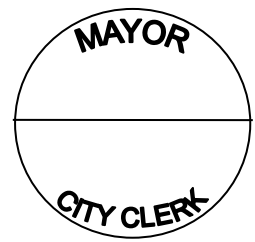
2.1 The present by-law shall apply to the territory of the City.

## SECTION 3: CONTRACTOR'S OBLIGATIONS BEFORE SNOW REMOVAL

3.1 Any snow removal contractor must, before carrying out clearing and snow removal works within the territory of the City, first obtain a permit from the Urban Planning and Permits Department upon payment of \$50 for each motor vehicle to be used. The said permit shall be valid from November 1 to October 31 and shall be non-transferable.

3.2 To obtain the permit mentioned in Section 3.1, the snow removal contractor shall fill a request containing the following information and documents:

- i) The surname, given name, address and telephone number of the owner of any motor vehicle to be used by the snow removal contractor in the territory of the City;
- ii) The trade mark, model, year, serial number and copy of the registration certificate of any motor vehicle to be used by the snow removal contractor in the territory of the City;
- iii) Proof of insurance for each motor vehicle;
- iv) If necessary, a copy of the declaration of registration in the register of sole proprietorships, partnerships and legal persons by the snow removal contractor;
- v) If the snow removal contractor is a legal person, the address of its head office and a copy of the incorporation documents of the said legal person;
- vi) Proof of public liability insurance.

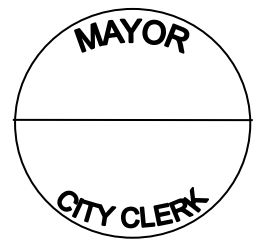


- 3.3 Every snow removal contractor must place posts on each side of any location where he or she carries out snow removal. These posts must indicate in a clear and legible manner, the name and telephone number of the snow removal contractor and must be visible at all times:
- a) These posts must not be taller than 48” and no wider than 4”.
- (BEAC-035-1, sec. 1; BEAC-035-2, sec. 1)
- 3.4 The posts must be placed after October 15 and removed before April 15.
- 3.5 Any snow removal contractor must affix the stickers obtained at the issuance of the permit, on the upper left corner of the rear window of each motor-vehicle used for snow removal. The sticker must be visible from the exterior of the vehicle.
- 3.6 Prior to obtaining a permit as provided for in Section 3.1 of the present Article, the snow removal contractor must demonstrate to the satisfaction of the City that each of his work teams shall use an equipment permitting to carry out the snow removal in the manner prescribed by Section 4.1 of the present by-law.

#### SECTION 4: APPLICABLE OBLIGATIONS DURING SNOW REMOVAL

- 4.1 During snow removal operations of driveways, walkways and private parking lots, the snow removal contractor must blow or lift the snow and deposit it on both sides of the private driveway, walkway or parking lot on the front or side yard. Without restriction of the general sense of the above-mentioned, it shall be forbidden for anyone:
- 1) To transport, push, deposit, allow or tolerate that the snow originating from the driveway, walkway or a parking lot be carried, pushed and laid on the opposite side of the public road.
  - 2) To accumulate, to allow or to tolerate that snow or ice be accumulated on private land, on public property or on the public right-of-way at public road intersections in such a way as to obstruct the visibility of drivers.
  - 3) To accumulate, to allow or to tolerate that snow or ice be accumulated on private land or on public property at a height exceeding three (3) metres.
  - 4) To throw, push, blow or deposit, or to allow or tolerate that snow or ice be thrown, pushed, blown or deposited in any way in a radius of one (1) metre of a fire hydrant.
  - 5) To deposit or to leave, on public property or on the public right of way, any object that may hinder snow removal operations carried out by the City.
  - 6) To throw, push, blow or deposit, or to allow or tolerate that snow or ice be thrown, pushed, blown or deposited in any way on any public property or on the public right-of-way.
- 4.2 Notwithstanding the provisions of the preceding Sections, the City reserves the right to blow and deposit snow on public right-of-way, including circular driveways on the portion opposite to the garage or the walkway leading to the main building, and this, in addition to the snow displaced on the total frontage of the public right-of-way by the City's snowplough.

#### SECTION 5: OWNERS' OBLIGATIONS



- 5.1 Any owner who hires a snow removal contractor to carry out the snow removal of his driveway, walkway and/or parking lots, must assure himself that he has obtained a valid permit for the current year duly issued by the City.

**SECTION 6: INFRACTIONS AND PENALTIES**

- 6.1 Whoever contravenes the provisions of Section 5.1 commits an infraction and is liable, in addition to the costs, to a fine of one hundred dollars (\$100).
- 6.2 Whoever contravenes a provision of the present by-law for which no specific penalty has been provided shall commit an infraction and shall be liable to a fine, in addition to costs. The said fine shall not be less than one hundred dollars (\$100) in all cases, nor shall it exceed one thousand dollars (\$1,000) when the offender is a natural person or two thousand dollars (\$2,000) when the offender is a legal person, if such offence is repeated, the said fine shall not exceed two thousand dollars (\$2,000) when the offender is a natural person or four thousand dollars (\$4,000) when the offender is a legal person.
- 6.3 Whoever contravenes any provision of Section 4.1 of the present by-law may be required to remove the accumulated snow or ice within a period of twenty-four (24) hours of a written notice to that effect, delivered by the Competent Authority; should the offender fail to comply with such notice, the City may proceed with the removal of the accumulated snow or ice and claim the expenses of the said removal to the offender.
- 6.4 Notwithstanding the preceding, no notice is required in order to impose any penal sanctions within the application of the present by-law and such notice is for the City to rightfully claim the snow removal cost.

**SECTION 7: REPEALING OF BY-LAW**

- 7.1 By-law CA-04-2004-08 entitled "By-law concerning snow removal of the Beaconsfield-Baie d'Urfé borough" is hereby repealed.

**SECTION 8: COMING INTO FORCE**

- 8.1 The present by-law shall come into force according to law.

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MAYOR

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CITY CLERK