

HIGHWAY - STREET

Chapter 660 REMOVAL OF SNOW AND ICE - BUSINESS IMPROVEMENT AREA

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**Article 1
INTERPRETATION**

660.1.1 Business Improvement Area - designated - defined

"Business Improvement Area" means the area as designated by Chapter 100 of the City of Orillia Municipal Code.

660.1.2 Sidewalk - defined

"sidewalk" means that portion of a highway at the side of or adjacent to such highway normally used for pedestrian traffic only.

**Article 2
GENERAL PROVISIONS**

**660.2.1 Occupied Premise - removal snow and ice - sidewalks -
Business Improvement Area**

Every owner, lessee or occupant of an occupied premise in the Business Improvement Area shall remove snow and ice from the sidewalks on highways in front of, alongside and/or at the rear of the premise before 10:00 a.m. of each day of the year.

660.2.2 Occupied Premise - removal snow and ice - roofs - Business Improvement Area

Every owner, lessee or occupant of an occupied premise in the Business Improvement Area shall remove snow and ice from the roof of such premise at the written request of a Council appointed Municipal Law Enforcement Officer.

660.2.3 Owner - removal snow and ice - sidewalks - Business Improvement Area

Every owner of an unoccupied premise in the Business Improvement Area shall remove snow and ice from the sidewalks on highways in front of, alongside and/or at the rear of the premise before 10:00 a.m. of each day of the year.

660.2.4 Owner - removal snow and ice - roofs - Business Improvement Area

Every owner of an unoccupied premise in the Business Improvement Area shall remove snow and ice from the roof of such premise at the written request of a Council appointed Municipal Law Enforcement Officer.

660.2.5 Exemption

The property located at 58 Peter Street North, St. James Anglican Church, is exempted from the provisions of this Chapter.

**Article 3
EXPENSES - RECOVERY - BY CITY**

660.3.1 Failure to comply

Where an owner, lessee, occupant fails to remove snow and ice as set out in Section 660.2.1, Section 660.2.2, Section 660.2.3 and Section 660.2.4, a Council appointed Municipal Law Enforcement Officer may remove the snow and ice forthwith at the expense of the owner.

660.3.2 Expense - recovery - by City

The City may recover the expense in doing a matter or thing referred to in Section 660.2.1, Section 660.2.2, Section 660.2.3 or Section 660.2.4 from the owner, lessee, occupant or required to do it by action, or in a like manner as municipal taxes.

660.3.3 Municipal Law Enforcement Officer - cause to be done

A Council appointed Municipal Law Enforcement Officer may cause to be done any matter or thing which the Municipal Law Enforcement Officer has the power to do under Section 660.3.1.

**Article 4
ENFORCEMENT**

660.4.1 Fine - for contravention

Every person who contravenes any provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the Provincial Offences Act.

660.4.2 Hinder or Obstruct

No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this Chapter, or any person lawfully acting in aid of such an Officer. Without limiting the generality of the meaning of "hinder" or "obstruct", a person shall be deemed to have obstructed or hindered an Officer in the execution of their duties if he or she:

- (a) provides false information to an Officer; or
- (b) is alleged on reasonable and probable grounds to have contravened any of the provisions of this Chapter, and fails to identify themselves to an Officer upon request.

660.4.3 Rebuttable presumption - identification

In a prosecution for a contravention of this Chapter, evidence of identification shall be presumed to be correct and accurate, unless rebutted by evidence to the contrary.

**Article 5
REPEAL**

660.5.1 By-law - previous

By-law 1568, as amended is hereby repealed.

Adopting By-law: By-law 1997-123, 6 October 1997.

By-law Amendments: By-law 2002-28, 4 March 2002; By-law 2017-14, 13 February 2017; By-law 2019-74, 3 June 2019.