TOWN OF HERBERT

BYLAW NO. 2026-10

A BYLAW OF THE TOWN OF HERBERT TO PROVIDE FOR THE REMOVAL OF SNOW AND ICE FROM SIDEWALKS ABUTTING PRIVATE PROPERTY

WHEREAS Council is authorized pursuant to s. (8)(b) and 369(1)(e) of *The Municipalities Act* to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

NOW THEREFORE the Council of the Town of Herbert, in the Province of Saskatchewan, enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be cited as the **Sidewalk Snow Removal Bylaw**.

2. DEFINITIONS

2.1 In this Bylaw:

(a) "**Adjoining Property**" means the parcel of land, as defined in *The Municipalities Act,* nearest the sidewalk.

(b) "**Council**" means the Council of the Town of Herbert.

(c) "**Occupant**" mean an occupant as defied in *The Municipalities Act*.

(c) "**Owner**" means an owner as defied in *The Municipalities Act*.

(d) "**Sidewalk**" means that part of the municipal road allowance adapted to the ordinary use of pedestrians.

(e) "**Snow and Ice**" includes snow, ice, slush, packed snow, other loose debris, or any accumulation thereof.

(f) "**De-Icing Product**" means any salt, ice melt, sand, or similar material applied for the purpose of reducing icy conditions on a sidewalk.

3. RESPONSIBILITY

3.1 The Owner or Occupant of Adjoining Property, shall:

(a) Remove or cause to be removed and cleared all Snow and Ice from any Sidewalk adjacent to the property within forty-eight (48) hours of the time when the Snow and Ice was formed or deposited thereon, by placing the removed Snow and Ice upon the Adjoining Property; and

(b) Where an Adjoining Property is a corner lot, remove or cause to be removed and cleared all Snow and Ice from all Sidewalks adjoining the property, including the Sidewalk located along the side lot line, within forty-eight (48) hours of the time when the Snow and Ice was formed or deposited thereon, by placing the removed Snow and Ice upon the Adjoining Property.

3.2 No Owner or Occupant shall remove Snow and Ice from any Sidewalk by causing such material to be placed upon any other portion of the municipal road allowance or other public place.

3.3 No Owner or Occupant shall deposit the removed Snow and Ice from any Sidewalk in a manner that obstructs pedestrian or vehicular traffic, fire hydrants, intersections, or municipal infrastructure.

4. DE-ICING MATERIALS

4.1 Where a De-Icing Product is applied to a sidewalk pursuant to this Bylaw, the product used shall:

(a) be designed and marketed for pedestrian sidewalk use;

(b) be reasonably safe for use around domestic animals when used in accordance with the manufacturer's directions;

(c) not cause undue deterioration of concrete sidewalks, asphalt surfaces, landscaping, or municipal infrastructure when used in accordance with the manufacturer's directions; and

(d) be applied only in quantities reasonably necessary to maintain safe pedestrian access.

5. ENFORCEMENT

5.1 The administration and enforcement of this Bylaw is hereby delegated to the administrator. The administrator is hereby authorized to further delegate the administration and enforcement of this Bylaw to municipal staff, contractors, bylaw inspectors, or other agents.

5.2 The Town of Herbert may take whatever actions or measures are necessary to remedy a contravention of this Bylaw, and in the case of Snow or Ice, the Town of Herbert may, pursuant to s. 369 of *The Municipalities Act*, complete the work and the expenses of such work, together with any administrative fee established by resolution of Council, shall be charged to the Owner of the Adjoining Property.

5.3 Where an amount charged to the owner pursuant to s. 5.2 and the owner fails to pay the amount within thirty (30) days from the date of issuance, the unpaid amount shall, pursuant to s. 369(1)(e) of *The Municipalities Act,* be added to the taxes levied against the Adjoining Property and collected in the same manner as municipal taxes in accordance with *The Municipalities Act*.

6. OFFENCE AND PENALTY

6.1 No person shall:

(a) obstruct or hinder the administrator or any other person acting under the authority of this Bylaw; or

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

6.2 Except where a penalty is specifically provided for in this Bylaw, every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction.

6.2 Upon summary conviction, a person is liable to the penalties prescribed by *The Municipalities Act* and any applicable provincial legislation.

7. SEVERABILITY

7.1 If any section, clause, sentence, or provision of this Bylaw is found to be invalid by a court of competent jurisdiction, that portion shall be severed and the remainder of the Bylaw shall remain in full force and effect.

8. COMING INTO FORCE

8.1 This Bylaw shall come into force and take effect upon final passage.

READ A FIRST TIME THIS _____ DAY OF _____, 2026.

READ A SECOND TIME THIS _____ DAY OF _____, 2026.

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2026.

MAYOR

CHIEF ADMINISTRATIVE OFFICER