

THE CORPORATION OF THE TOWN OF MISSISSIPPI MILLS

BY-LAW NO. 02-100

See also Littering by-law

BEING a by-law prohibiting the obstruction, encumbering, injuring or fouling of highways within the municipal boundaries of the Town of Mississippi Mills.

WHEREAS pursuant to Section 314 subsection 1 of the Municipal Act, R.S.O. 1990 as amended, councils of all municipalities may pass by-laws to prohibit the obstruction, encumbering, injuring or fouling of highways or bridges

AND WHEREAS in accordance with Section 15 of the Restructuring Order which states that “all by-laws and resolutions of the former municipalities and their local boards shall become the by-laws and resolutions of the new Town and its local boards and shall remain in effect in the areas of the former municipalities for five years, or until amended or repealed by the Council or Board of the new Town”;

AND WHEREAS the former Township of Pakenham passed By-law No. 86-18, the former Township of Ramsay passed By-law No. 1727, and the former Town of Almonte passed by-law 8-1973;

AND WHEREAS the Town of Mississippi Mills wishes to confirm the same by-laws

NOW THEREFORE the Council of the Corporation of the Town of Mississippi Mills hereby enacts as follows:

DEFINITIONS:

1. In this by-law;
 - a. “Boulevard” means that part of a road which lies between the traveled portion of the road and the road line save and except any municipal sidewalk;
 - b. “Roadway” means a road allowance or lane, and includes the surface, grassed area, boulevard, ditch, curb, gutter, sidewalk, and any other structures constructed thereon by the Corporation or with the Corporation’s approval.

GENERAL PROHIBITIONS

2. No person shall, unless otherwise authorized by the provisions of this or any other by-law of the corporation:
 - a. Throw or deposit snow or ice on a roadway, sidewalk, or boulevard or across a roadway;
 - b. deposit, drop, scatter, spill or throw any filth, earth, ashes, manure, garbage, paper, handbill, dodger, advertisement, or any vegetable matter, stone, lime, sand, tin, wood, the carcass of any dead animal, fish or fowl, in or upon a roadway, sidewalk or boulevard.

- c. encumber, or damage a roadway by animals, vehicles or other means;
- d. permit or allow any paper, handbill, dodger, advertisement, or any container, whether made of plastic, cardboard or paper, to be blown from private property onto a roadway;
- e. obstruct a drain, gutter or water course along or upon a roadway;
- f. place a plank or other material in or over any gutter or ditch for the purpose of making a crossing except for a period of not more than 24 hours;
- g. walk upon, ride, drive, or load any animal, or move, drive, run or propel a vehicle upon, over or across a newly constructed sidewalk or pavement before it has been opened for use by the public;
- h. being the operator of a parking station, parking lot, used car lot, automobile service station, or mechanical car wash, permit, or allow water used for the washing or cleaning a motor vehicle, to escape upon, overflow, or run across or upon a roadway;
- i. throw, pile, or cause, any cordwood, firewood, or coal to be thrown or piled upon a roadway, except for the purpose of having it immediately delivered upon adjacent premises, nor shall any person saw or split any cordwood or firewood upon a roadway or being the owner of cordwood or coal which has been thrown or piled on any roadway, permit it to remain thereon for a longer time than is necessary for its immediate removal to the premises adjacent thereto;
- j. place or expose, or cause any merchandise or articles of any kind, to be placed or exposed upon a roadway or outside of a building so that same shall project over any part of the roadway; provided that this subsection shall not prevent the use of part of a sidewalk for not more than one hour at any one time for the taking in, or delivery of merchandise or articles, if sufficient space left unencumbered for the use of pedestrians, and the merchandise or articles are removed therefrom without unnecessary delay, or prevent the Council from granting written permission to any person to construct platforms across drains, gutter, or water courses on any roadways for facilitating the reception or delivery of merchandise or other articles, provided however the Council may withdraw any permission so granted whenever it is shown that a nuisance has thereby been established;
- k. throw any missile, shoot with, or use, a bow and arrow, air gun, or catapult in, across, or from a roadway;
- l. sell, without the approval of the Council by auction, any real or personal property on a roadway;
- m. operate or transport any power-driven saw in a roadway unless the blade thereof is guarded in such a way as to prevent injury to persons and damage to property,
- n. being the owner or occupier of any land, allow any part of a tree, shrub, or sapling to extend over or upon any roadway, so as to interfere with, impede, or endanger persons using the roadway;

- o. move, or cause to be moved, a vehicle equipped with cleats, flanges, or tracks on its wheels, or rollers or any of them, on or along the traveled portion of the roadway or the sidewalk, except by means of a float, trailer, or other similar device, providing that a vehicle is so equipped including a vehicle for the digging or back filling of trenches, may be moved directly across the traveled portion of the roadway or the sidewalk, if a preventative mat has first been laid on the surface of the portion of the roadway or sidewalk to be crossed, provided however that this subsection shall not apply when a vehicle is operating with the written permission of the Town Engineer or Road Superintendent;
- p. remove a barricade or notice or enter upon or use a roadway temporarily closed under the provisions of Section 6 hereof;
- q. remove or move a barricade, sign, or light placed around any excavation in a roadway;
- r. erect or maintain any gate or door so that the same shall open or swing outward over any part of a sidewalk or roadway;
- s. move or cause any building or structure to be moved into, along or across a roadway without having first obtained a proper permit.
- t. No person shall park or stand a vehicle on a roadway in such a manner as to interfere with the movement of traffic, or the clearing of snow from the roadway.
- u. A constable or an officer appointed for the carrying out of provisions of this Act, upon discovery of any vehicle parked or standing in contravention of subsection to or of a municipal by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing and storage thereof, if any, are alien upon the vehicle which may be enforced in the manner provided by section 48 of The Mechanic's Lien Act.
- v. No person shall race or drive furiously any horse or other animal on a roadway.
- w. Any person, being the owner or occupant of a building, the roof of which accumulates ice and snow so as to constitute a hazard to pedestrians or vehicles by reason of its proximity to any sidewalk, street or highway shall clear away and remove such ice and snow from such roof.

BOULEVARDS

- 3.
 - a. The owner or occupier of land fronting or abutting on a roadway may improve the boulevard in front of his land by sodding or seeding it with grass seed at his own expense, provided that the improvement of the boulevard does not confine or impede traffic or does not bury, unduly expose or damage any hydrant, value box, service post, manhole, or other utility plant; provided further that if the width of the boulevard is not sufficient to be maintained in grass, it may be paved if approved by the Town Road Superintendent.
 - b. Every boulevard may be re-occupied by the Corporation at any time without the consent of the owner or occupier of the property abutting thereon.

- c. The owner or occupier of land abutting on a roadway across a boulevard as may be necessary to provide a means of access.
- d. No person who has not obtained a permit of the Corporation shall break, dig up, destroy or damage the sod or grass of a boulevard, or a fence, or railing erected and maintained for the protection of a boulevard.
- e. No person shall walk upon a boulevard if there are crossings along, across, or adjoining the boulevard at convenient distances.
- f. No person, other than the Corporation, shall erect a fence, construct a wall, or plant a hedge in, over, or upon a roadway.
- g. The owner or occupier of land fronting or abutting on a boulevard shall at his own expense keep it in good and safe condition, free from weeds, and shall keep the grass thereon properly cut and watered. Notwithstanding the provisions of 1617A to the contrary;

POSTERS AND SIGNS

- 4.
 - a. No person shall post or affix any poster or notice upon any building, tree, sign, or post, or any property of the Corporation, nor shall any person write any words or draw pictures or subject of any nature upon any wall or fence or elsewhere on a roadway or in a public place.
 - b. No person shall pull down, destroy, deface, or in any way interfere with any posts, surveyor's mark, bench mark, traffic sign, roadway name sign, sign board, traffic signal, traffic cone, or any other traffic control device, affixed or placed in a roadway.

TEMPORARY CLOSING OF ROADWAYS

- 5. The Director of Roads & Public Works or his/her designate may temporarily close to traffic any roadway, whenever the closure becomes necessary by reasons of any work or improvement being carried out thereon or by reason of the condition thereof and the Director of Roads & Public Works or his/her designate may cause to be erected or kept thereon, any barricade or notice warning the public that the roadway is closed to traffic and no person shall enter upon or use a roadway so temporarily closed.

VALIDITY

- 6. If any section, clause or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid, and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this by-law shall remain in force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

PENALTY

7. THAT any person violating any of the provisions of this by-law is guilty of an offence and on conviction shall be liable to a penalty pursuant to the Provincial Offences Act, Chap P.33, R.S.O. 1990 as amended.

RPEAL

8. That By-law 86-18 of the former Township of Pakenham, By-law No. 1727 of the former Township of Ramsay, By-law 7-1972 of the former Town of Almonte and any other by-law inconsistent with the provisions contained in this by-law are hereby repealed.
9. This by-law shall come into force and effect on the day of its passing thereof.

READ a first and second time this 10th day of December, 2002.

READ a third time, passed, signed and sealed in open council this 10th day of December, 2002.

F.R (Ron) Pettem,
MAYOR

Cynthia Halcrow,
CLERK