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# Town of Fortune Snow Clearing Regulations – 2024

## 1.0 REGULATIONS

These regulations shall be known as the Town of Fortune’s Snow Clearing Regulations, 2024.

## 2.0 ADOPTION

Pursuant to the authority conferred by the *Municipalities Act, SNL 1999, C. M-24*, the following regulations were approved by the Town Council of the Town of Fortune on June 27, 2024.

## 3.0 INTEPRETATIONS

In these Regulations:

- a) “Act” means the Municipalities Act, Chapter M-34, SNL 1999.
- b) “Council” means the Town Council of Fortune.
- c) “Town” means the Town of Fortune.
- d) “Street” means a street, road, highway or other way designed for the passage of vehicles and pedestrians and which is accessible by fire department and other emergency vehicles.
- e) “Vehicle” means a device in or upon which a person or property can be transportation or drawn upon a highway.

## 4.0 SNOW CLEARING PERIOD

The period between the first (1<sup>st</sup>) day of December in each year and the last day of April in any succeeding year and any other period when unusual snow and/or ice conditions prevail, shall be known as the ‘Snow Clearing Period’.

The Town of Fortune shall not be responsible to snow clear a street that is not within the municipal boundary or not owned by the Town of Fortune.

## 5.0 PARKING

- a) No person shall park an unattended vehicle on any street, street reservation or municipal parking areas in such a way as to interfere with, hinder or obstruct snow clearing operations.
- b) No person shall park an unattended vehicle on any street or road reservation within the Municipality:
  - (i) between the hours of 12:00 midnight and 8:00 a.m. during the Snow Clearing Period regardless of weather conditions; or
  - (ii) during a snow storm; or
  - (iii) during the twelve (12) hours immediately following a snow storm; or
  - (iv) during such other period as may be declared by Council to enable clean-up after a severe storm or snowfall.
- c) Any unattended vehicle parked on any street reservation within the Municipality is in contravention of the regulations and may be removed by or on behalf of the Town and impounded, and the total cost of removal an impounding may be recovered from the owner of the vehicle as a civil debt.

- d) Neither the Town nor its authorized agents shall accept responsibility for damaged caused to any vehicle in the enforcement of these Regulations.

**6.0 DEPOSTING OF SNOW**

- a) No person shall shovel, plow, cause to be shoveled or plowed, any snow and/or ice onto a street or sidewalk within the Town of Fortune.
- b) No person engaged in removing snow or ice from a property shall do so in a manner that obstructs traffic on a Town street.
- c) No person shall remove snow from a property and place it against or around a fire hydrant.

**7.0 PREVIOUS REGULATIONS**

All previously adopted (Snow Clearing) regulations for the Municipality are hereby repealed and replaced.

## Town of Fortune Snow Clearing Damage Policy – 2024

The Town of Fortune will make every effort to not damage private property when snow clearing.

1. The Town will accept liability for damages to fences, hedges, rock walls, lawns etc. that are on private property, provided that:
  - a. the damage was the result of being struck by equipment being operated by a Town employee.
  - b. the damage didn't occur outside the individuals property line and
  - c. the damaged property is the required distance from the road and/or curb.
2. The Town will not accept responsibility for damages resulting from:
  - a. weight of the snow or
  - b. lawn browning.
3. The Town will not be responsible for damages that occur within its right-of-ways.
4. The Town of Fortune is not responsible for any damage caused within three (3) metres of the front property lines. This includes damage to fences, garbage boxes, trees, etc.
5. The Town of Fortune is not responsible for damages caused to trees on private property. It is advised that trees are properly marked and protected (i.e. painted pole markers; minimum height of four feet).
6. All claims for damage caused by the Town of Fortune snow clearing operations must be submitted on the "Snow Clearing Damage Claim Form" to the Town Office (claim cannot be accepted verbally.) To be considered by the Town, claims must be submitted before May 15 in the same snow clearing season that the damage occurred.

***The Town will not accept any responsibility for claims that are received after this date.***

7. The Town will not accept responsibility for repairs that a homeowner completed on their own and are seeking reimbursement for.
8. The Chief Administrative Officer and/or Public Works Supervisor will view each damage claim that is submitted and determine if the damage was caused by the Town and if it should be fixed.
9. Should the Chief Administrative Officer and/or Public Works Supervisor feel that a claim is not the responsibility of the Town, it will be presented to the Planning & Economic Development Committee for review.

Approved at June 27, 2024 Council Meeting

