

Bylaw No. 8463

The Sidewalk Clearing Bylaw, 2005

**Codified to Bylaw No. 10041
(September 25, 2024)**

Bylaw No. 8463

The Sidewalk Clearing Bylaw, 2005

The Council of The City of Saskatoon enacts:

Part I

General Matters

Short Title

1. This Bylaw may be cited as “The Sidewalk Clearing Bylaw, 2005”.

Purpose

2. The purpose of this Bylaw is to require an owner or occupant of property in the City to clear sidewalks of snow and ice or other loose debris, so as to prevent injury or inconvenience to pedestrians.

Definitions

3. In this Bylaw:
 - (a) **“adjacent property”** means a parcel of land owned by a private property owner nearest the sidewalk;
 - (b) **“boulevard”** means the area between the edge of the portion of the street intended for vehicular traffic and the property line of the adjacent property, not including the sidewalk;
 - (c) **“debris”** includes loose dirt, mud or organic material likely to interfere with pedestrian traffic;
 - (d) **“non-residential property”** means land, improvements or both used for institutional, commercial or industrial purposes or for purposes other than human habitation or use and enjoyment as a place of residence for individuals, whether on a permanent basis or not;
 - (e) **“occupant”** means an occupant as defined in *The Cities Act*;

- (f) **“owner”** means an owner as defined in *The Cities Act*;
- (g) **“roadway”** means that part of a street adapted to the use of or ordinarily used by vehicles;
- (h) **“sidewalk”** means that part of the street adapted to the use of or ordinarily used by pedestrians.

Responsibility

- 4. The owner or occupant of adjacent property shall be responsible for carrying out the provisions of this Bylaw.

Part II Regulation of Sidewalks

Duty to Clear Sidewalks

- 5.
 - (1) The owner or occupant of adjacent property, shall clear or remove or cause to be cleared or removed all snow or ice or other loose debris from any sidewalk adjacent to the property within forty-eight (48) hours of the time when the snow, ice or other loose debris was formed or deposited thereon.
 - (2) Notwithstanding subsection 5(1), the owner or occupant of a non-residential property shall clear or remove or cause to be cleared or removed all snow or ice or other loose debris from any sidewalk adjacent to the non-residential property within twenty-four (24) hours of the time when the snow, ice or other loose debris was formed or deposited thereon.

Improper Clearing or Interference with Pedestrian Traffic

- 6. No person using a power driven device or manual device to clear or remove snow or ice or other loose debris from the sidewalk, shall cause injury to or unduly interfere with any person lawfully using the sidewalk, or cause damage to the sidewalk or curbs.

Clearing Onto Roadway and Boulevard Restriction

7. (1) An owner or occupant shall clear or remove snow or ice or other loose debris from a sidewalk by causing it to be placed upon private property.
- (2) Notwithstanding subsection (1), in the areas listed in Schedule "A", the owner or occupant of adjacent property may clear or remove snow or ice or other loose debris from a sidewalk by causing it to be placed in the roadway adjacent to such sidewalk but must do so in such a manner that it does not create a hazard or interfere with the use of the roadway.
- (3) Notwithstanding subsection (1), if clearing or removing snow or ice or other loose debris from a sidewalk by causing it to be placed upon private property is impractical the owner or occupant of adjacent property may place the snow or ice or other loose debris in the roadway or on the boulevard adjacent to such sidewalk but must do so in such a manner that it does not create a hazard or interfere with the use of the roadway or operation of City infrastructure.

Part III Enforcement, Offences and Penalties

Enforcement of Bylaw

8. (1) The administration and enforcement of this Bylaw is hereby delegated to the General Manager, Community Services Division for The City of Saskatoon.
- (2) The General Manager, Community Services Division for The City of Saskatoon is hereby authorized to further delegate the administration and enforcement of this Bylaw to bylaw inspectors.

City Remedying Contravention

9. The City may take whatever actions or measures are necessary to remedy a contravention of this Bylaw, and in the case of snow or ice, the City may, pursuant to Section 333 of *The Cities Act*, complete the work and add to the tax roll of the adjacent property the unpaid expenses and costs incurred by the City for removing the snow and ice.

Notice of Violation Offences

10. (1) Every person commits an offence who:
 - (a) fails to remove snow, ice or other loose debris from any sidewalk adjacent to their property within twenty-four (24) or forty-eight (48) hours, as required by section 7, of the time when the snow or ice or other loose debris was formed or deposited thereon;
 - (b) uses a power driven device or manual device to clear or remove snow or ice or other loose debris from the sidewalk and causes injury to or unduly interferes with any person lawfully using the sidewalk, or causes damage to the sidewalk or curbs; or
 - (c) removes snow or ice or other loose debris from a sidewalk and places it other than as permitted by this Bylaw to create a hazard or interfere with the use of the roadway or operation of City infrastructure.
- (2) When a contravention of Subsection (1) occurs, the person responsible for the contravention is guilty of an offence and liable on summary conviction to a fine:
 - (a) for a first offence, of \$100;
 - (b) for a second offence, of \$200;
 - (c) for a third or subsequent offence, of not less than \$200 and not more than \$1,000 in the case of an individual or \$2,000 in the case of a corporation.
- (3) Except as provided in Subsection (4), the following procedure shall apply to offences committed under this Section:
 - (a) the General Manager, Community Services Division of The City of Saskatoon or a bylaw inspector may issue a notice of bylaw violation to any person committing a first or second offence under Subsection (1). The notice shall require the person to pay to the City an amount specified in Clause (2)(a) or (b);
 - (b) the fine may be paid:
 - (i) in person, during regular office hours, to the cashier located at City Hall, Saskatoon, Saskatchewan;

- (ii) by deposit, at the depository located at the main entrance to City Hall, Saskatoon, Saskatchewan; or
 - (iii) by mail addressed to the Office of the City Treasurer, City Hall, Saskatoon, Saskatchewan, S7K 0J5;
- (c) if payment of the fine as provided in Clause (2)(a) or (b) is made prior to the date when the person contravening the Bylaw is required to appear in court to answer a charge, the person shall not be liable to prosecution for that offence;
- (d) the amount of the fine under Clause 2(a) or (b) shall be discounted to the sum of \$75 for a first offence and \$150 for a second offence if paid within 14 calendar days of the date of the notice of bylaw violation. The date of payment shall be determined as follows:
 - (i) for payment in person, the date of payment shall be the date payment is received by the City;
 - (ii) for payment by deposit, the date of payment shall be the date payment is deposited in the depository at City Hall;
 - (iii) for payment by mail, the date of payment shall be the post marked date on the remittance.

Upon payment, the person contravening the Bylaw shall not be liable to prosecution for that offence.

- (4) The provisions of Subsection (3) shall not apply in the case of a third or subsequent offence.

General Penalty

- 11. (1) No person shall:
 - (a) obstruct or hinder the General Manager, Community Services Division of The City of Saskatoon or any bylaw inspector or any other person acting under the authority of this Bylaw; or
 - (b) fail to comply with any other provision of this Bylaw.
- (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:

- (a) in the case of an individual, to a fine not exceeding \$1,000 and, in the case of a continuing offence, to a further fine not exceeding \$25 per day for each day during which the offence continues; or
 - (b) in the case of a corporation, to a fine not exceeding \$2,000 and, in the case of a continuing offence, to a further fine not exceeding \$50 for each day during which the offence continues.
- (3) In the event of non-payment of a fine imposed pursuant to Clause (2)(a), the individual convicted may be imprisoned for a term of not more than 30 days, unless the fine is sooner paid.

Bylaw No. 2780 Repealed

12. Bylaw No. 2780, *A bylaw of The City of Saskatoon to provide for the removing and clearing away of all snow, ice, dirt and other obstructions from the sidewalks within certain specified areas of the City*, is hereby repealed.

Coming into Force

13. This Bylaw shall come into force on the day of its final passing.

Read a first time this 14th day of November, 2005.

Read a second time this 14th day of November, 2005.

Read a third time and passed this 14th day of November, 2005.

"Donald J. Atchison"
Mayor

"Janice Mann" "SEAL"
City Clerk

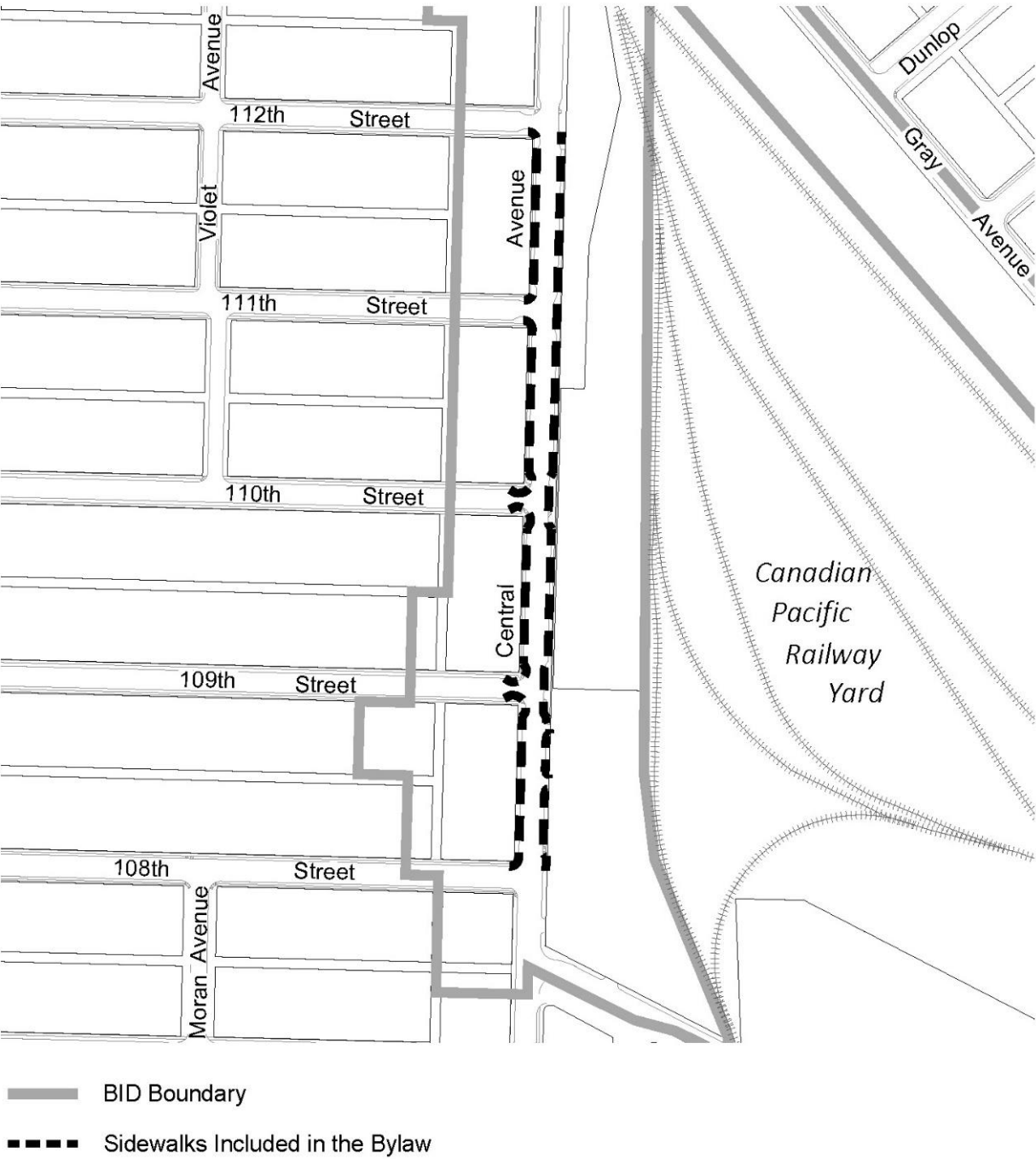
Schedule “A”

The areas to which subsection 7(2) of this Bylaw applies are the designated areas of the Business Improvement Districts (BID) as outlined on the maps attached to and forming part of this Schedule “A”, namely:

- (a) Sutherland BID;
- (b) Broadway BID;
- (c) Riversdale BID;
- (d) Downtown BID; and
- (e) 33rd Street BID.

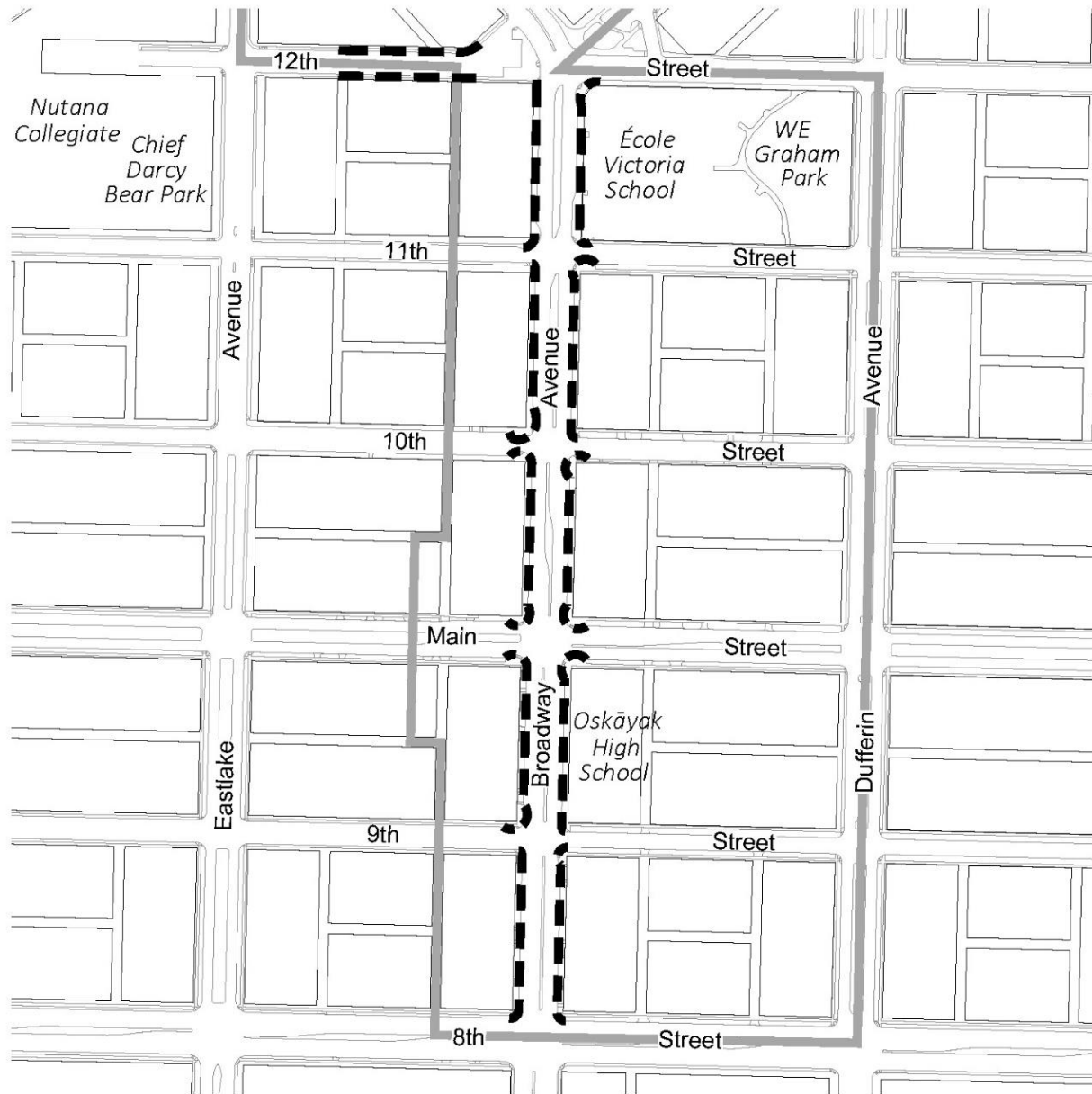
Sidewalk Clearing
Sutherland BID

Schedule A (a)



Sidewalk Clearing Broadway BID

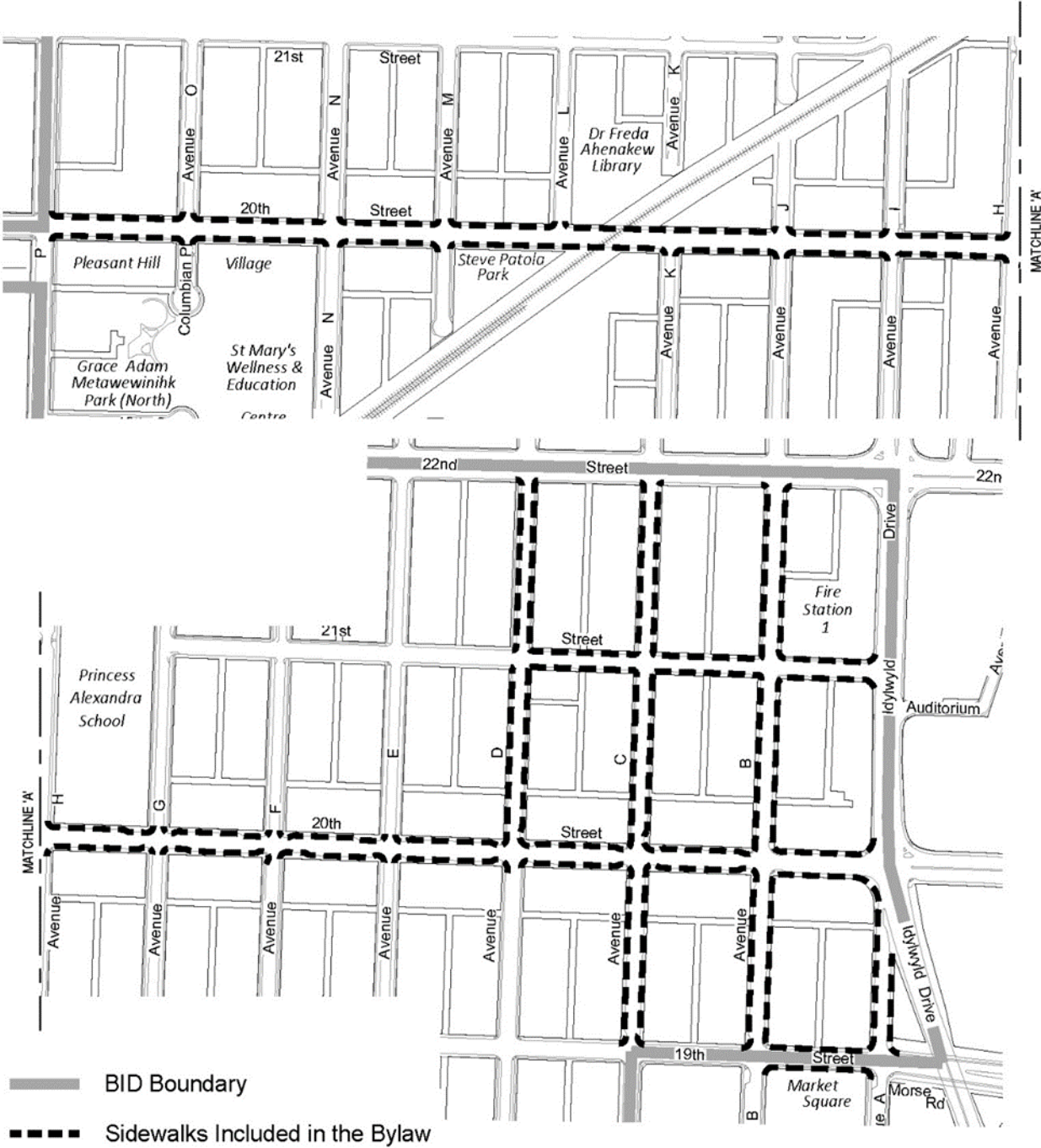
Schedule A (b)



- BID Boundary
- - - Sidewalks Included in the Bylaw

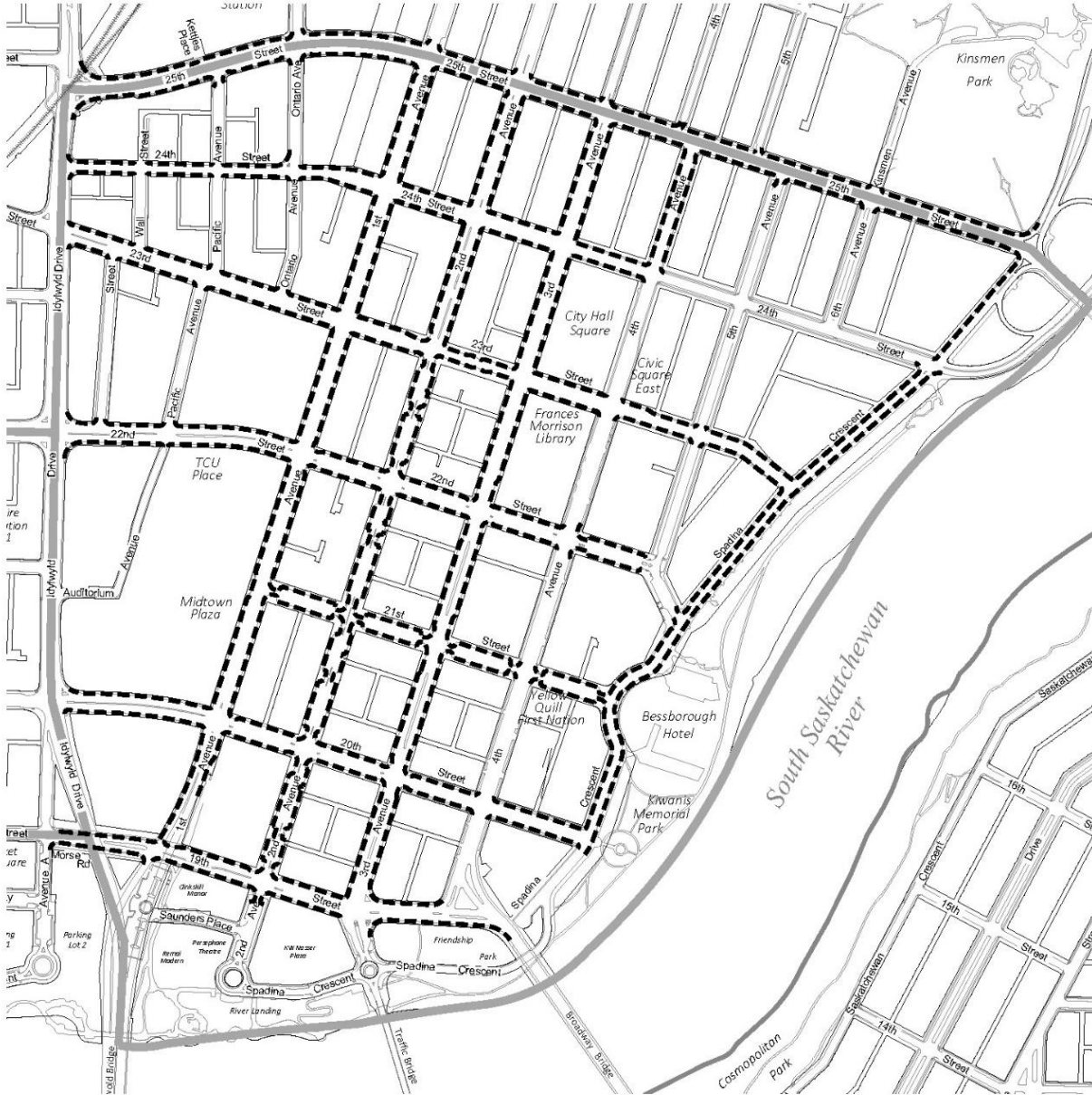
Sidewalk Clearing
Riversdale BID

Schedule A (c)



Sidewalk Clearing Downtown BID

Schedule A (d)

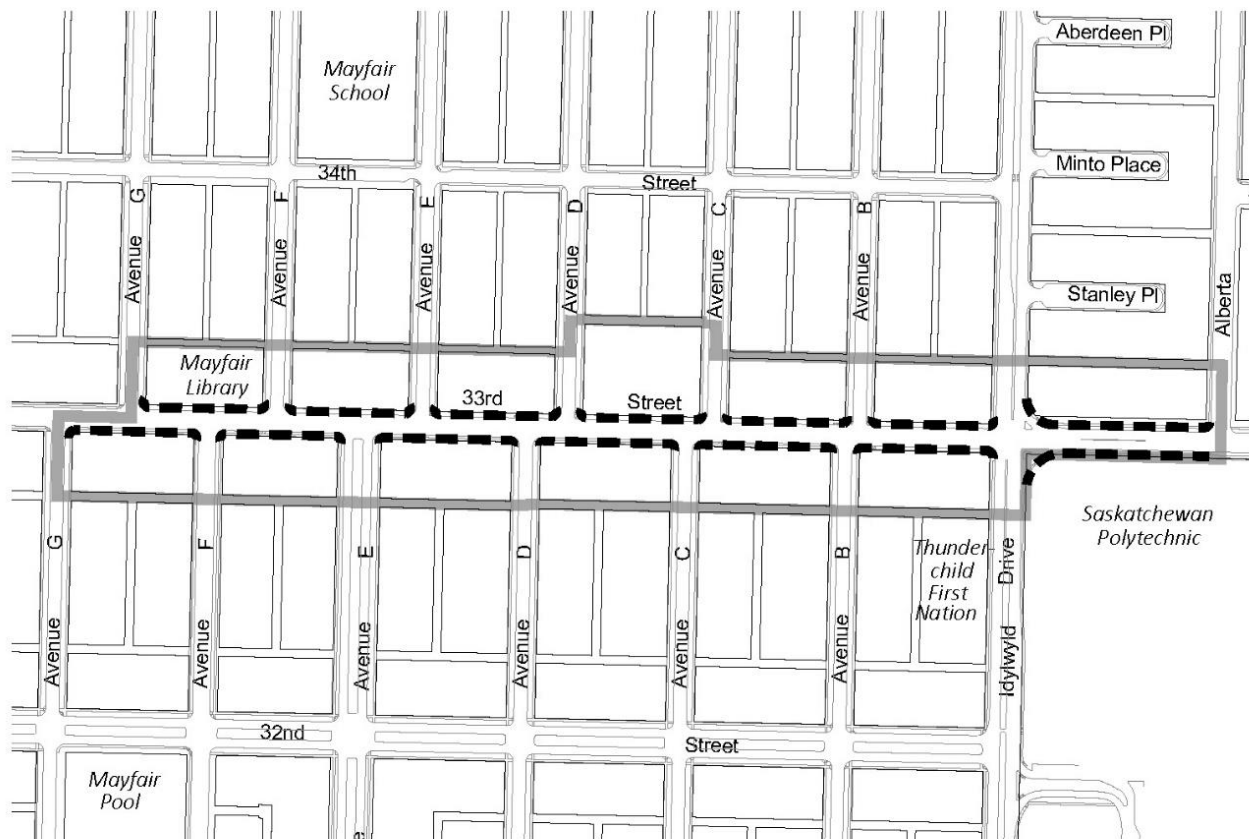


- BID Boundary
- Sidewalks Included in the Bylaw

Sidewalk Clearing

33rd Street BID

Schedule A (e)



- BID Boundary
- - - Sidewalks Included in the Bylaw