

# Town of Truro – Bylaws

<b>Subject:</b>	Sidewalks
<b>Bylaw Number:</b>	B180-006
<b>Approval Date:</b>	December 3, 2007
<b>Departments:</b>	Engineering & Public Works, Planning & Development

## Title

1. This Bylaw is entitled the “Sidewalk Bylaw of the Town of Truro”.

## Definitions

2. In this Bylaw:
  - (a) “Abutter” means the owner, lessee, or occupier of any premises, property, or lot which abuts a Town of Truro sidewalk and includes a condominium corporation which manages a condominium under the Condominium Property Act.
  - (b) “Engineer” means the engineer for the Town of Truro as defined in the Municipal Government Act and appointed by the Town of Truro and includes any person acting under his or her supervision.
  - (c) “Sidewalk” means either that portion of a Town of Truro street between the curb line and an adjacent property line or any part of the street especially set aside for pedestrian traffic.
  - (d) “Street” means a Town of Truro street, highway, road, lane, sidewalk, thoroughfare, bridge, square, and the curbs, culverts and retaining walls in connection therewith.
  - (e) “Roadway” means that portion of a Town of Truro street between the curb lines or the traveled portion of a street designed for vehicular travel.
  - (f) “Crosswalk” means that portion of a roadway clearly marked for pedestrian crossings and ordinarily located within the prolongation of curbs at intersections.
3. This Bylaw applies to abutters of sidewalks owned by the Town of Truro respecting activities and conditions affecting the Town of Truro sidewalks and streets. Sections 4 to 8 of this Bylaw apply only to abutters owning, leasing or occupying nonresidential properties within the Urban Regional Core as depicted in the future Land Use Urban Regional Core Map forming a part of the Municipal Planning Strategy for the Town of Truro.

### **Removal of Ice and Snow from Sidewalks**

4. An abutter shall remove all snow and ice:
  - (a) From any sidewalk which abuts any side of their property or lot;
  - (b) From any pathway leading from a sidewalk abutting their property to the roadway;
  - (c) Between any sidewalk abutting their property and a crosswalk.
5. The snow and ice removal required by Section 4 of this Bylaw shall be such as to leave an area entirely cleared of snow and ice consisting of the entire length of the sidewalk, pathway or area between a sidewalk and a crosswalk and of a width equal to the lesser of:
  - (a) One metre; or
  - (b) The full width of the sidewalk.
6. The abutter shall not permit snow or ice to block the sidewalk.
7. The snow and ice removal required by Section 4 shall be completed:
  - (a) Within 4 hours after snow stops falling if the snowfall ceases during daylight and at least 4 hours before sunset; or
  - (b) When a snowfall ceases at any other time, within 4 hours after sunrise the day following the snowfall.
8. When walking conditions are slippery due to snow or ice, an abutter shall apply sufficient sand, salt, or other material to provide good traction for pedestrian traffic:
  - (a) On any sidewalk which abuts any side of their property;
  - (b) On any pathway leading from the sidewalk abutting their property to the roadway; and
  - (c) Between any sidewalks abutting their property and a crosswalk.

The abutter's obligation under this section applies irrespective of whether the Town of Truro has plowed, sanded or salted the sidewalks, pathways or areas between the sidewalk and a crosswalk at any time or times in the past.

9. An abutter shall forthwith remove any snow, icicles or ice on any structure or roof which overhangs or abuts a sidewalk and which snow, icicles or ice might reasonably be expected to fall or slide onto a sidewalk.

10. When an abutter fails to remove snow, ice or icicles from sidewalks or structures as required by this Bylaw, the Engineer may give to the abutter an order to remove the snow and ice either within 24 hours or forthwith upon service of such notice. The amount of time allowed for the removal of the snow, ice or icicles is within the sole discretion of the Engineer.
11. If the remedial work ordered pursuant to Section 10 of the Bylaw is not made within the time provided for by the order, the Engineer may make or cause to be made such snow, ice or icicle removals.
12. The Town of Truro may recover the expense incurred in making snow or ice removals pursuant to Section 11, together with costs and prejudgment interest by action in any court of competent jurisdiction and may charge and collect same as a first lien on the abutters property.
13. Nothing in this Bylaw creates a duty upon the Town of Truro to inspect or become aware of hazardous conditions created by snow or ice on, near or overhanging sidewalks. Having regard to the resources and fiscal priorities of the Town of Truro:
  - (a) The Town of Truro need only carry out inspections upon receiving a complaint about such conditions in respect of a specific location; and
  - (b) Such complaints shall be deemed to be remedied upon the removal or remediation of the hazardous condition that existed at the time of the making of the complaint.

#### **Vegetation in Street Right-of-Way**

14. Abutters shall maintain any grass between the curb and a sidewalk abutting their property and between the curb and their abutting property (except in areas designated by Council resolution as exempt from this requirement) by:
  - (a) Clipping, cutting or mowing the grass to a height no greater than 8 cm;
  - (b) Raking and renewing grass as necessary in order to maintain a neat and tidy appearance; and
  - (c) Collecting and removing litter or waste.

#### **Encroaching Vegetation**

15. Abutters shall trim the branches of trees, hedges, bushes or other shrubbery which encroaches from the abutting property over a street so as to prevent such tree, hedge, bush or other shrubbery:
  - (a) From interfering with pedestrian traffic on a sidewalk;

- (b) From interfering with or affecting the sight lines of any person on a bicycle or a motor vehicle traveling on the roadway up to a minimum height of 2.25 metres; or
- (c) From interfering with any structure on or in a street.