

# THE MUNICIPAL CORPORATION OF THE CITY OF IQALUIT

## BY-LAW No. 797

### SNOW EMERGENCY BY-LAW

**BEING** a By-law of the Municipal Corporation of the City of Iqaluit in Nunavut to enable rapid and effective removal of snow on the streets within the City of Iqaluit.

**WHEREAS** the *Cities, Towns and Villages Act* permits the City to regulate matters of snow removal and public safety;

**AND WHEREAS** Council deems it advisable to pass a By-Law to regulate conditions that pose a threat to public safety;

**NOW THEREFORE** pursuant to the authority granted by the Act, the Council of the City of Iqaluit, in regular session duly assembled, enact as follows:

#### Short Title

1) This By-Law shall be cited as the “**Snow Emergency By-law**”

#### Definitions

2) In this By-Law;

“ACT” means the *Cities, Towns and Villages Act*, as amended from time to time.

“Authorized person” means the person authorized to;

(a) Make a declaration under Section 3(1);

“Enforcement Officer” means a By-law Officer appointed pursuant to By-law Number 737 and or amendments hereafter, a Municipal Enforcement Officer, a Peace Officer or any member of the Royal Canadian Mounted Police, to enforce the provisions of this By-law.

“City” means the Municipal Corporation of the City of Iqaluit.

“City Manager” means the person designated by council as the Chief Administrative Officer of the city or that persons designate.

“Construction vehicle” means a grader, loader, shovel, tractor, backhoe and or other similar equipment not normally used for travel on a highway.

“Council” means the Council of the City of Iqaluit.

“Director” means the Director or Acting Director of the Public Works Department of the City of Iqaluit.

“Emergency vehicle” means

- (a) A motor vehicle that is used for emergency purposes, carries rescue or first aid equipment and has markings on the side of the vehicle indicating that it is used for emergency purposes, or
- (b) A motor vehicle that is operated by a member of a fire department in the performance of his or her duties and has the markings on the outside of the vehicle indicating that it is used by a fire department.

“Enforcement vehicle” means a motor vehicle operated by a person authorized to enforce an Act of the Territories or an Act of Canada or the By-Laws of a Municipal Corporation.

“Street” means any street or any portion of a street within the City of Iqaluit.

“Vehicle” means a vehicle propelled or driven by power other than muscular power and includes a trailer.

### **Snow Emergency Ban**

3(1) When the Mayor of the City of Iqaluit or his / her delegate in consultation with the CAO and the Director of Public Works considers that

- (a) A transportation emergency caused by snowfall or drifting snow has occurred or is imminent; and
- (b) A prohibition on travelling, stopping, or parking of vehicles on any city street is necessary for effective snow clearing operations or the maintenance of the emergency and other essential services,

He or she may, in compliance with subsection 3(1) declare a Snow Emergency Ban which prohibits any travelling, stopping or parking of vehicles on any city street within the city of Iqaluit.

3(2) When a Snow Emergency Ban has been declared under section 3(1) it may be extended by the person authorized to declare the Snow Emergency Ban in compliance with subsection 3(3).

3(3) A Snow Emergency Ban shall be in effect when all of the following actions have been taken:

- (a) The authorized person has signed the declaration;

- (b) The City Clerk has been notified in writing of the declaration;
- (c) The declaration has been posted on the City of Iqaluit Website and or;
- (d) The authorized person has released a communiqué to the media that

- (i) States that the Snow Emergency Ban has been declared; and
- (ii) Provide details of the Snow Emergency and termination of the Snow Emergency.

3(4) No person shall; travel, stop, or park any vehicle on any city street during a Snow Emergency Ban.

### **Authority and Exemptions**

4(1) Where a Snow Emergency Ban has been declared under subsection 3(1) an Enforcement Officer or any person given this authority may take any action or measure necessary to remove any vehicle, travelling, stopped, standing, or parked on any street.

4(2) An Emergency vehicle, Enforcement vehicle, and a Construction vehicle operated by a city employee in the performance of their duties and any other vehicle deemed necessary by an Enforcement Officer during the time of an emergency are exempt from this by-law.

### **Towing of Vehicles in Contravention of Snow Emergency Ban**

5(1) Where an Enforcement Officer has reasonable and probable grounds to believe that an unattended vehicle is in contravention of this by-law, the Enforcement Officer shall cause the vehicle to be taken to and stored in a suitable place under subsection 300 of "*The Motor Vehicles Act*". Subsection 302(1)(2)(3)(4) of "*The Motor Vehicles Act*" applies to the liability of owner, costs, storage and sale of the vehicle.

### **Penalties**

6(1) Any person violating the provisions of this By-Law shall be subject to a fine set out in Schedule A of this By-Law.

6(2) All costs associated with the enforcement of this by-law will be outlined in Schedule A of this By-Law

6(3) Where a fine has been issued under this by-Law, the individual named within the fine may appeal to the Public Safety Committee by submitting a written letter of appeal to the Chair of the Public Safety Committee within 7 (seven) calendar days from the date he/she receives the fine.

**Schedule A**

**Offence Penalties and Fees**

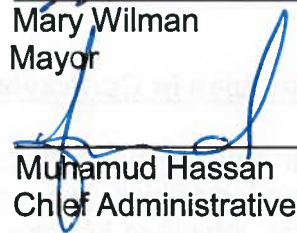
Section	Offence	Penalty
3(4)	Travel, stop, or park vehicle on a street	\$150.00
6(2)	Towing Fee	\$180.00
6(2)	Storage and Impound – per day	\$ 20.00
6(2)	Administrative Fee	\$15.00

This By-law shall come into effect on Third and Final Reading.

THIS BY-LAW READ a First Time this **8** day of **September**, 2015, A.D.



Mary Wilman  
Mayor



Muhamud Hassan  
Chief Administrative Officer

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