

**BYLAW 2008-760  
VILLAGE OF CARBON  
IN THE  
PROVINCE OF ALBERTA**

**BEING A BY-LAW OF THE VILLAGE OF CARBON IN THE PROVINCE OF ALBERTA FOR THE REGULATION, PROTECTION AND PRESERVATION OF SIDEWALKS AND FOR REGULATIONS GOVERNING THE REMOVAL OF OBSTRUCTIONS FROM SIDEWALKS.**

**WHEREAS**, The Municipal Government Act RSA 2000, Chapter M-26 provides that a council may pass bylaws respecting the safety and protection of people and property and,

**WHEREAS**, as all public highways, roads, streets, lanes, and alleys are directed, controlled and managed by the Village of Carbon, pursuant to the Municipal Government Act, Chapter M-26,

**AND WHEREAS**, the Council of the Village of Carbon deems it necessary to provide for the removal of all snow, ice, dirt and other obstruction from the sidewalks within the Village of Carbon.

**NOW THEREFORE**, the Council of the Village of Carbon duly assembled, enacts as follows:

**1. DEFINITIONS** - In this By-law, the following definitions shall apply:

- a) "Boulevard" means the strip of land between the curb and the sidewalk and between the sidewalk and the property line, or where there is no sidewalk, the strip of land between the curb and the property line. Where there is no curb the meaning shall be extended to include the strip of land between the near edge of the roadway and the property line.
- b) "Highway" means any thoroughfare, street, road, avenue, driveway, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, and the public is ordinarily or permitted to use for the passage of vehicles and includes:
  - (i) a sidewalk, including a boulevard adjacent to the sidewalk,
  - (ii) if a ditch lies adjacent to and parallel with a roadway, the ditch, and
  - (iii) if a highway right of way is contained between fences or between a fence and one side of a roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does include a place declared by regulation not to be a highway.
- c) "Mobility aid" means a device used to facilitate the transport, in a normal seated orientation, of a person with a physical disability.
- d) "Roadway" means that part of a highway intended for use by vehicular traffic.
- e) "Sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between the curb line, or where there is no curb line, the edge of the roadway, and the adjacent property line, whether or not paved or improved.

## **2. SIDEWALK GENERAL**

- a) No person, except the duly authorized officers or employees of the Town, shall break, tear or remove any pavement, sidewalk, curbing, or other road surface, nor make any excavation in or under any highway or sidewalk in the Town, without having first obtained a permit from the Municipal Administrator; and
- b) In every case where a person or persons is or are engaged in any of the aforesaid works on, in or under any sidewalk, he or they shall be held responsible for any and all accidents or damages that may occur to any person or property by reason thereof, and shall keep and maintain such lights or watchmen, and shall take such further care and precaution as may be necessary for the protection and safety of the public.
- c) No person shall cause any damage or injury to any sidewalk in the Town by striking, picking or cutting the same with any shovel, pick or crowbar or other metal instrument whatever, whether such person be engaged in removing snow, ice, dirt and other obstructions from such sidewalk or not.

## **3. OBSTRUCTION / SNOW REMOVAL**

- a) All persons within the Village of Carbon are required to remove all snow, ice, dirt, and other obstructions from sidewalks situated on land adjoining the property owned or occupied by them.
- b) Any person who removes snow or ice from public sidewalks and / or other public lands shall not deposit said snow or ice upon any highway except on the boulevard and shall not impede storm sewer run off or block access to any storm sewer grate or fire hydrant.
- c) If water drips from an awning, evestrough or any other area of a building and depositing upon a highway or sidewalk, the owner or occupier of the premises shall clean the sidewalk or highway portion thereof to prevent ice from forming.
- d) The Village of Carbon is hereby authorized to provide for the clearing of sidewalks adjoining the property of residents or businesses who for 48 hours neglect to clear them, and in the case of non-payment of expenses by the owner or occupant, the expense will be added to the property owner's roll number as an amount owing to the property tax roll to be recovered in a like manner as with other taxes.
- e) In the event of a large accumulation of snow, the Village may cause a street or land to be cleared of vehicles for the purposes of snow removal. If, after posting or signing said streets or lanes, vehicles blocking snow removal equipment may be towed and impounded at the registered owner's expense.

## **4. ELECTRICAL CORDS**

Any electrical cord over a sidewalk shall be erected at least 2.5 metres (8 feet) above the sidewalk and in no event shall an electrical cord be laid on the sidewalk.

## **5. PENALTY**

- a) Expenses for clearing sidewalks by the Village or a contractor will be at a rate set in Appendix 'A' of this bylaw, which can be amended by resolution of Council.
- b) Fines for contravention of this bylaw shall be as stated in Appendix 'A' of this bylaw.

**6. RESCINDED BYLAWS**

Bylaw #207 (1951 Snow on Sidewalks) is hereby rescinded.


**READ A FIRST TIME** this 8<sup>th</sup> day of December, 2008

**READ A SECOND TIME** this 8<sup>th</sup> day of December, 2008

**Motion to proceed to third reading**

**CARRIED UNANIMOUSLY**

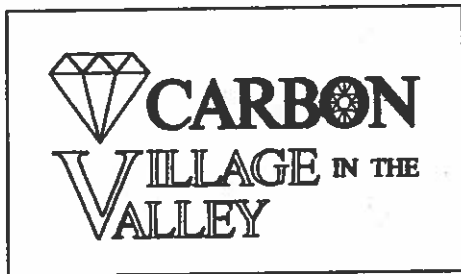
**READ A THIRD and final time, and finally passed** this 8<sup>th</sup> day of December, 2008

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Municipal Administrator

**Village of Carbon**  
**Bylaw No. 2008-760**  
**Appendix 'A'**  
**Specified Penalties for Sidewalk Bylaw**

Failure to Clear Obstruction in 48 hours and Removal (minimum charge is one hour).....	\$ 40.00 / hour
Cause Ice /Snow to be put on Highway .....	\$ 100.00
Electrical Cord on Sidewalk .....	\$ 50.00



**Schedule 'A'**  
**Bylaw 2008-758**

**VILLAGE COUNCIL  
COMMITTEE APPOINTMENTS**

**Canadian Badlands Corp.  
Carbon & Area Restoration Society  
Carbon & District Agricultural Society  
Carbon & District Recreation Board**

**Carbon Community Centre  
Carbon Fire Department  
Carbon Lions Club  
Carbon Public Library  
Community Futures Wild Rose  
Disaster Services**

**Drumheller & District Solid Waste  
Kneehill Ambulance  
Kneehill Housing Foundation  
Kneehill Regional FCSS  
Kneehill Regional Jt. Summit Steering  
Kneehill Water Services Commission  
Marigold Library Representative**

**Municipal Planning Commission**

**Palliser Regional Municipal Services  
Subdivision & Development Appeal**

**Doctor Recruitment Task Force  
Regional Subdivision & Development  
Appeal Board  
Inter-Municipal Sub-committee**

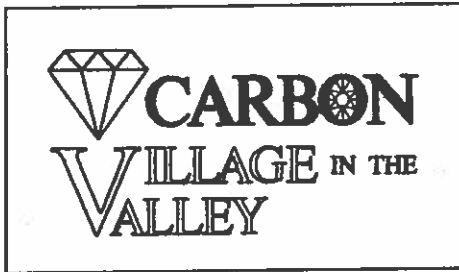
**One Representative + Alternate  
One Representative + Alternate  
One Representative  
One Representative + Alternate,  
Community Members as per  
Bylaw**

**One Representative + Alternate  
One Representative  
One Lions Club Member  
One Representative + Alternate  
One Representative  
One Council Representative,  
Director of Emergency  
Management  
and an Assistant.**

**One Representative + Alternate  
One Representative + Alternate  
One Representative + Alternate  
One Representative + Alternate  
One Representative + Alternate  
One Representative + Alternate  
One Community Representative**

**One Council Representative, Two  
Community Members  
One Representative + Alternate  
One Council Representative + Two  
Community Members  
One Representative + Alternate  
One Community Member**

**One Representative**



**Schedule 'B'**  
**Bylaw 2008-758**

**Ethical Guidelines of Conduct  
for members of Carbon Council**

The proper operation of democratic local government requires that elected officials be independent, impartial and duly responsible to the people.

To this end it is imperative that:

- Government decisions and policy be made through the proper channels of government structure.
- Public office not be used for person gain.
- The public have confidence in the integrity of its government.

Accordingly it is the purpose of these guidelines of conduct to outline certain basic rules for all elected local government officials in Alberta so that they may carry out their duties with impartiality and equality of service to all, recognizing that the basic functions of elected local government officials are, at all times, service to their community and the public.

To further these objectives, certain ethical principles should govern the conduct of all elected local government officials in Alberta in order that they shall maintain the highest standards of conduct in public office and faithfully discharge the duties of office without fear or favour.

**Elected Local Government Officials shall:**

1. Govern their conduct in accordance with the requirements and obligations set out in the municipal legislation of the Province of Alberta.
2. Not use confidential information for the personal profit of themselves or any other person.
3. Not communicate confidential information to anyone not entitled to receive same.
4. Not use their position to secure special privileges, favours, or exemptions for themselves or any other person.
5. Avoid any situation that could cause anyone to believe that they may have brought bias or partiality to a question before the Council.
6. For a period of twelve (12) months after leaving office, abide by the ethical standards of conduct listed above, except those related to confidential information which shall apply in perpetuity.

Elected local government officials shall not assume that any unethical activities not covered by or specifically prohibited by these ethical guidelines of conduct, or by any legislation, are therefore condoned.

Members of this Council agree to uphold the intent of these guidelines and to govern their actions accordingly.