



**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA  
BY-LAW NUMBER 3678-2024**

**A BY-LAW TO PROHIBIT THE DEPOSITING OF SNOW ON HIGHWAYS WITHIN  
THE TOWNSHIP OF AUGUSTA**

**WHEREAS** Section 27(1) of the Municipal Act, 2001, S.O. 2001 c. 25 as amended permits municipalities to pass by-laws in respect of a highway under the municipalities jurisdiction; and

**AND WHEREAS** Section 181 of the Highway Traffic Act, 1990, R.S.O. 1990 c. H. as amended, prohibits any person from depositing snow or ice on a roadway without permission in writing from the road authority responsible for the maintenance of the road; and

**AND WHEREAS** section 429 of the Municipal Act, S.O. 2001, c.25 provides for a municipality to establish a system of fines for offences under a By-Law of the municipality passed under this Act;

**AND WHEREAS** it is deemed expedient to regulate or prohibit depositing of snow on any highway or bridge within the limits of the Corporation of the Township of Augusta (Township).

**NOW THEREFORE** The Council of the Township enacts as follows:

**1. DEFINITIONS**

In this By-Law,

- 1.1. "Council" shall mean the Council of the Corporation of the Township of Augusta.
- 1.2. "Highway" shall mean a common and public highway (road and streets) and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided includes a portion of a highway as defined in the Municipal Act, 2001 c. 25, S.O. 2001 as amended.
- 1.3. "Park or Parking when prohibited" shall mean the standing of a vehicle whether occupied or not, expect when standing temporarily for the purpose of and while engaged in loading or unloading merchandise or passengers.
- 1.4. "Officer" shall mean a person who has powers or duties with respect to the administration and enforcement of this by-law.
- 1.5. "Person" means any individual or legal entity or a person whom the context can apply according to law.
- 1.6. "Roadway" shall mean a part of the highway that is improved, designated or ordinarily used for vehicular traffic, but does not include the shoulder, and where the highway includes two or more separate roadways the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.
- 1.7. "Township" shall mean the Corporation of the Township of Augusta.
- 1.8. "Traffic" shall mean vehicles, (motorized and non-motorized), pedestrians, and other conveyances either singly or together while using any highway for the purposes of travel.

**2. PROHIBITION**

2.1. No person shall deposit or cause to be deposited any snow or ice upon or across any portion of any highway, sidewalk, or bridge located within the territorial limits of the Township.

**3. APPLICATION**

3.1. This by-law shall apply to the whole of the Township.

3.2. That the provisions of this by-law shall not apply to municipal snow clearing operations.

**4. PENALTIES**

4.1. The By-law Officer is responsible for the enforcement of this by-law.

4.2. Any person who contravenes any provision of this By-Law shall be guilty of an offence and upon conviction, shall be liable to a penalty as provided under the Provincial Offences Act. Provincial Offences Act, R.S.O. 1990, c.P33, as amended, as set out in Schedule "A" Set Fines.

4.3. Set fines for contravention of this by-law are set out in Schedule "A" of this by-law.

**5. ENFORCEMENT**

5.1. This By-Law may be enforced by all By-law Officers.

5.2. No person shall provide false information or give a false statement to an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

5.3. No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-Law.

**6. OTHER**

6.1. Schedules "A" shall form part of this by-law.

6.2. The Clerk may make such amendments that are minor in nature and do not change the intent of the By-law.

**7. SEVERABILITY**

7.1. If any provision of this By-Law or application thereof to any person or circumstance is held invalid by any Court, other provisions or applications of the By-Law which can given effect without the invalid provision or application shall not be affected, and to this end the provisions of this By-Law are declared to be severable.

**8. SHORT TITLE**

8.1. This By-Law may be referred to as the "Prohibit Depositing of Snow".

**9. REPEALS**

9.1. Where a provision of this by-law conflicts with a provision of another by-law enforced in the Township or a provincial law or regulation, the provisions that establish the higher standard shall prevail.

10. This By-Law shall come into force and take effect upon receipt of approval of Schedule "A" Short Form Wording/Set Fines by the Ontario Court of Justice.

**READ a first and second time this 29<sup>th</sup> day of January 2024**

**READ a third time and passed this 29<sup>th</sup> day of January 2024**

  
MAYOR

  
CLERK

**THE CORPORATION OF THE TOWNSHIP OF AUGUSTA  
PART 1 PROVINCIAL OFFENCES ACT  
BY-LAW 3678-2024  
TO PROHIBIT THE DEPOSING OF SNOW ON ROADS BY-LAW  
SCHEDULE "A" – SET FINES**

Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1.	Deposit snow or ice on highway/sidewalk/bridge	Section 2.1	\$130.00

Note: The general penalty provision for the offences listed above is Section 4.2 of By-Law 3678-2024, a certified copy of which has been filed.

The above-noted fine amount has been approved by the Regional Senior Justice.

Dated: February 15, 2024

Electronic Signature:

*W. Vincent Clifford*

W. Vincent Clifford  
Regional Senior Justice  
Ontario Court of Justice - East Region

THE HONOURABLE  
W. VINCENT CLIFFORD  
REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE  
EAST REGION

COURTHOUSE  
161 ELGIN STREET, 6<sup>TH</sup> FLOOR  
OTTAWA, ONTARIO  
K2P 2L1



L'HONORABLE  
W. VINCENT CLIFFORD  
JUGE PRINCIPAL RÉGIONAL  
COUR DE JUSTICE DE L'ONTARIO  
RÉGION DE L'EST

PALAIS DE JUSTICE  
161, RUE ELGIN, 6<sup>e</sup> ÉTAGE  
OTTAWA (ONTARIO)  
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February 15, 2024

[asimonian@augusta.ca](mailto:asimonian@augusta.ca)

Township of Augusta  
3560 County Road 26  
Prescott ON K0E 1T0

**Attention: Annette Simonian, Clerk**

Dear Annette Simonian:

**Re: Set Fines – Provincial Offences Act – Part I  
By-Law No. 3678-2024: Snow**

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Enclosed herewith is the original Order (Part I) dated February 15, 2024, and original schedule of set fines for By-Law No. 3678-2024, the By-Law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Augusta.

Yours truly,

*W. Vincent Clifford*

W. Vincent Clifford  
Regional Senior Justice  
Ontario Court of Justice  
East Region

/nl

Enclosures

c.c.: Melissa Adams  
Crown Counsel, Crown Law Office - Criminal  
Municipal Set Fines

# ***PROVINCIAL OFFENCES ACT***

## **Part I**

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 3678-2024, of the Township of Augusta attached hereto is the set fine for that offence. This Order is to take effect on February 15, 2024.

Dated at Ottawa, this 15<sup>th</sup> day of February 2024.

Electronic Signature:

A handwritten signature in cursive script that reads "W. Vincent Clifford".

W. Vincent Clifford  
Regional Senior Justice  
Ontario Court of Justice  
East Region