

HIGHWAYS BYLAW

HAMLET OF _____
BYLAW NUMBER _____

A bylaw of the Hamlet of _____ in the Northwest Territories pursuant to section 88 of the *Hamlets Act*, S.N.W.T 2003, C. 22 (the "*Hamlets Act*") and Part XII of the *Motor Vehicles Act*, R.S.N.W.T. 1988, c. M-16 (the "*Motor Vehicles Act*").

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF _____, at a duly assembled meeting, enacts as follows:

TITLE

1. This Bylaw may be cited as the "Highways Bylaw".

DEFINITIONS

2. In this Bylaw, words shall have the same meaning as in the *Motor Vehicles Act* except as otherwise defined below.
3. In this Bylaw:
 - (a) "Closed Highway" means a Highway that has been closed, either temporarily or permanently, by a resolution or bylaw made by Council;
 - (b) "Council" means the council of the Hamlet;
 - (c) "Hamlet" means the Hamlet of _____;
 - (d) "Highway" means a highway as defined in the *Motor Vehicles Act*, that is within the Hamlet's jurisdiction ;
 - (e) "Peace Officer" means a member of the Royal Canadian Mounted Police or a bylaw officer duly appointed by the Hamlet; and
 - (f) "Ticket" means a ticket issued pursuant to the *Summary Conviction Procedures Act* and the regulations thereunder.

HIGHWAYS

Closed Highways

4. No person shall use or access a Closed Highway unless the bylaw or resolution providing for the closure of the Highway expressly permits the

use or access in question, or the person has been granted express written permission, by the Hamlet, to use or access the portion of Closed Highway in question.

5. No person shall interfere with, damage, deface or remove any sign, signal device, traffic control device, barrier or barricade that identifies or otherwise delineates a Closed Highway.

Obstructions

6. No person shall, without the express written consent of the Hamlet, place, cause to be placed or permit to be placed, any structure, material, debris or other thing on a Highway.

Snow and Ice Removal

7. A person shall remove snow and ice from any sidewalk that is adjacent to land that the person owns or occupies, within forty-eight (48) hours after the snow or ice has been deposited.
8. No person shall move, or cause to be moved, snow or ice from privately-owned lands onto a Highway.

ENFORCEMENT

9. A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine in the amount set out in Schedule "A".
10. Pursuant to the *Summary Conviction Procedures Act*, a Peace Officer may issue a Ticket to a Person who contravenes or fails to comply with any provision of this Bylaw.
11. A Peace Officer may indicate, on a Ticket, the specified penalty that may be paid to the Hamlet, prior to the date specified in the Ticket, in place of appearing in answer to the summons, which specified penalties are the fine amounts set out in Schedule "A" to this Bylaw.

SEVERABILITY

12. Each provision of this Bylaw is independent of all other provisions. If a Court of competent jurisdiction declares any provision invalid for any reason, all other provisions of this Bylaw shall remain valid and enforceable, and the Bylaw shall be interpreted as such.

Read a first time this ____ day of _____, 20____.

Read a second time this ____ day of _____, 20____.

Read a third time this ____ day of _____, 20____.

Signed, certified by the senior administrative officer and sealed this ____ day of _____, 20____.

Mayor

I hereby certify that this bylaw has been made in accordance with the requirements of the *Hamlets Act* and the bylaws of the Hamlet

Senior Administrative Officer

[SEAL]

SCHEDULE "A"

Fines/Penalties for Offences

- 1) Section 4 - Unauthorized use of Closed Highway.
First Offence \$ _____
Additional Offences \$ _____

- 2) Section 5 – Interference with device, barrier or barricade delineating a Closed Highway
First Offence \$ _____
Additional Offences \$ _____

- 3) Section 6 – Obstruction on Highway
First Offence \$ _____
Additional Offences \$ _____

- 4) Section 7 – Failure to remove snow or ice
First Offence \$ _____
Additional Offences \$ _____

- 5) Section 8 – Moving snow or ice onto a Highway
First Offence \$ _____
Additional Offences \$ _____