

**VILLAGE OF MCADAM**  
**BY-LAW NO. 21**  
**BY-LAW RELATING TO STREETS, SIDEWALKS**  
**AND**  
**PUBLIC PLACES**

PASSED  
BE IT ENACTED by the Mayor  
And the Councilors of the Village of  
McAdam as follows:

Original signed by the Mayor H.S. Dixon

1. In this By-Law:
  - (a) "Sidewalk" means that portion of a highway or street between the curb lines or the lateral lines of a roadway, and the adjacent property lines set apart for the use of pedestrians, and includes any party of a highway set apart or marked as being for the exclusive use of pedestrians.
  - (b) "Street" means and includes the entire width between the boundary lines of every street, road, roadway, highway, way of public nature, avenue, boulevard, court, Public Square, alley, lane, drive, bridge and any other place when any part hereof is used by the general public for the passage of vehicles.
  - (c) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a street excepting devices moved by human power or used exclusively upon stationary rails or tracks.
2.
  - (1) No person shall erect or maintain any building or structure on or over a street or sidewalk.
  - (2) The Council may upon application authorize any person to erect or maintain a marquee, awning or other shelter over a street or sidewalk in such manner not to interfere with the use of the street or sidewalk or endanger persons using them.
  - (3) No authorization shall be given to erect or maintain an awning which is not to be fastened to and wholly supported by a building or which at its lowest point is not less than seven feet above the street or sidewalk or which extends beyond the outer edge of the sidewalk.
  - (4) The Building Inspector shall give to any person who erects or maintains a building or structure contrary to this section three days' notice in writing to remove the same or such portion thereof as may be within or over a street or sidewalk and if such person fails to obey such notice, the Building Inspector shall report the facts and circumstances to the Council.
  - (5) The Council, upon receiving such report from the Building Inspector, may by resolution order the removal of such building or structure or portion thereof at the expense of the person erecting or maintaining the building or structure.
3. No person shall place, erect, affix or maintain or cause to be placed, erected, affixed or maintained upon a building within the Village any sign, pole, luminaire, advertising device or any goods, wares or merchandise which project over a street or sidewalk without the written permission of the Building Inspector.

4. Sections 2 and 3 of this By-law shall not apply to buildings, structures, marquees, awnings, shelters, signs, poles, luminaries, or advertising devices existing at the date of enactment of this By-law unless expressly declared by the Council by resolution to be unsafe.
5. No person other than an employee of the Village duly authorized shall dig or make an excavation in a street or sidewalk without having first obtained permission in writing from the Building Inspector.
6. No person shall permit any excavation made by him in a street or sidewalk or on lands adjacent to a street or sidewalk to remain open longer than is necessary for the purpose for which it was made and such person shall erect and maintain a suitable fence or guardrail not less than four feet in height around such excavation and maintain such danger lights thereon between sunset and sunrise as may be reasonably necessary to prevent injury or damage to persons or property.
7. Subject to the provisions of section 8, no person shall place or cause to be placed on a street or sidewalk,
  - (a) any lumber, stone, brick, lime, building material, earth, ashes, cinders, firewood or containers;
  - (b) any goods, wares or merchandise occupying more than one foot of sidewalk adjacent to a building.
8.
  - (1) When the construction, repair or alteration of a building abutting on a street necessitates the occupancy of a sidewalk, street or roadway in front of such building, the Building Inspector may issue a permit therefore.
  - (2) A permit shall specify the portion of the sidewalk, street or roadway not exceeding twenty feet in width in all which may be occupied for the purposes mentioned in subsection (1).
  - (3) When more than one-half of the width of a sidewalk is required, the permit shall contain the condition that the person obtaining the permit shall erect and maintain to the satisfaction of the Building Inspector a well protected passageway on such sidewalk for the use of pedestrians.
  - (4) A person obtaining a permit shall at his own cost and expense comply with all directions of the Building Inspector with respect to the use of the street or sidewalk and shall keep and maintain a sufficient number of danger lights displayed during the night time and shall not perform any work on or over a street or sidewalk which is dangerous or offensive to persons using such street or sidewalk and shall at the expiration of the time specified in the permit promptly remove all material and rubbish from the street or sidewalk and leave it in as good a state of repair as before the permit was issued.
9. No person shall blast rock, stone, or earth with dynamite or other explosive substance in or near my street without providing and at all times maintaining a proper shield, guard or covering for such rock, stone or earth sufficient to prevent any part thereof from being thrown by the force of an explosion into or over a street.
10. No person shall drive a vehicle on a curb or sidewalk without protecting such curb or sidewalk from damage.

11. No person shall construct or permit to remain a barbed wire fence along any street or sidewalk.
12. No person shall fill up or obstruct any public drain, gutter or watercourse or the natural drain on any public or private property within the Village.
13. (1) The owner of a building situated within ten feet of a street or sidewalk and having a roof sloping towards such street or sidewalk shall keep such roof free from snow and ice.  
(2) Every person while engaged in removing snow or ice from the roof of a building shall exercise due precautions to prevent injury or damage to persons or property on the street or sidewalk.
14. No person shall deposit upon a street or sidewalk snow or ice removed from any lot or building.
15. No person shall permit water to fall upon a sidewalk from the roof of a building owned or occupied by him.
16. (1) No person shall distribute or scatter handbills or other advertising material on a street or sidewalk.  
(2) No person shall place any waste material or paper where it may be carried by the wind into or along a street or sidewalk.
17. (1) In this section:
  - (a) "litter" means throw, drop, deposit, or distribute any glass bottles, glass, nails, tacks, cans, or scraps of metal, or any rubbish, refuse or waste whether paper or otherwise.
  - (b) "public place" includes park, schoolyard, churchyard, burial ground, camping ground, picnic ground, playground playing field, parking lot, beach, swimming area, tenting ground.
  - (c) "street" is not restricted to the travelled portion of the street as defined in section 1 (b) of this By-law but includes any portion of the right-of-way of the street.
  - (2) No person shall litter a street sidewalk or public place.
  - (3) A person who litters a street, sidewalk or public place shall immediately remove the material so deposited in the street, sidewalk or public place.
  - (4) A person who removes a wrecked or damaged vehicle from a street shall remove glass or other injurious substances or things deposited upon the street or sidewalk from the vehicle.
  - (5) No person (whether on foot or in or on a vehicle of any kind or description)
    - (i) while travelling on or over a street, sidewalk or public place, or
    - (ii) while stopped, standing or parked or otherwise on or about a street, sidewalk or public place shall throw, drop, deposit or distribute or cause to be distributed any glass bottles, glass, nails, tacks, cans, or scraps of metal, or any rubbish, refuse or waste whether paper or otherwise on, onto, into, upon or at the lands and premises adjacent to such street, sidewalk or public place.
18. No person shall place or string across any street an advertising device without the permission in writing of the Mayor or for a longer period than is permitted by the Mayor.

19. (1) Subject to subsection (2) no person shall advertise by the blowing of a horn or the use of a public address system in a street or on property abutting on a street so that any person may be disturbed or annoyed thereby.
  - (2) A person may with the written permission of the Chief of Police advertise by means of a mobile public address system in a street.
20. No person shall unpack, sell or offer for sale any goods, wares or merchandise on a street or sidewalk except with the permission of the Council.
21. (1) In this section “snowmobile” includes “motorized toboggan” and means a vehicle that;
  - (a) is not equipped with wheels, but in place thereof is equipped with tractor treads and skies, or with skies and a propeller, or is a toboggan equipped with tractor treads or a propeller; and
  - (b) is designed primarily for operating over snow, and is used exclusively for that purpose.(2) No person shall drive, operate or otherwise use a snowmobile;
  - (a) on any street or sidewalk in the Village;
  - (b) on the grounds of the MacLean Memorial Hospital or any other hospital or so near to any hospital as to disturb the patients therein;
  - (c) in or on any public place as defined in section 17, subsection (1), clause (b) or this By-Law unless permission to do so is given by the Council, Chief of Police or the owner of such public place (or is or its authorized representative);
  - (d) within five hundred (500) feet of a dwelling house in the Village between the hours of 10.00 o’clock in the evening and 7.00 o’clock in the morning, if by so doing an occupant of such swelling house is likely to be disturbed.
22. Any person convicted of a violation of any of the provisions of this By-Law shall be liable to a penalty no exceeding Fifty Dollars. (\$50.00)

Signed by the Village Clerk

Marjorie O’Keefe

First Reading:	January 10, 1970
Second Reading:	January 17, 1970
Third Reading:	January 17, 1970
Passed:	January 17, 1970