

THE CORPORATION OF THE VILLAGE OF ST. CLAIR BEACH

BY-LAW NO. 2074

BEING a By-Law to prohibit and provide for the removal of fences, obstructions, doorsteps, porches or other erections or things projecting into, over or on any highway under the jurisdiction of the Village of St. Clair Beach.

WHEREAS Section 314 (3) of The Municipal Act, R.S.O. 1990, chapter M.45 and amendments thereto authorizes Councils of all Municipalities to pass By-Laws for requiring doorsteps, porches or other erections or things projecting into or over any highway to be removed by the owner or occupant of the land in connection with which the exist;

AND WHEREAS and Section 314 (4) of The Municipal Act, R.S.O. 1990, chapter M.45 and amendments thereto authorizes Councils of all Municipalities to pass By-Laws for prohibiting the building and maintaining of fences on any highway or the placing or depositing of firewood or any other thing calculated to obstruct it or to obstruct or interfere with public travel on it, on any highway or bridge, and for requiring the removal of them by the person by whom the same are or were so built, maintained, placed or deposited;

AND WHEREAS the Council of The Corporation of the Village of St. Clair Beach deems it expedient to enact such a By-Law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF ST. CLAIR BEACH enacts as follows:

1. In this By-Law,
 - a) "Corporation" means the Corporation of the Village of St. Clair Beach.
 - b) "Highway" means a common and public highway, street, road and bridge forming part of a highway or lands on, over or across which a highway passes and means all that part of any road allowance, including both the travelled portion and untravelled portion, vested in the Corporation.
2. No person shall build or maintain or cause to build or maintain, any fence on any highway or place or deposit firewood or any other thing calculated to obstruct any highway or bridge or to obstruct or interfere with public travel on any highway or bridge.
3. The Corporation may require that all fences, obstructions, doorsteps, porches or other erections or things projecting into, over or on any highway to be removed by the owner or occupant of the land in connection with which they exist, at their own expense, within ten (10) days after serving the said owner or occupant of the land, written notice requiring such removal.
4. If the owner or occupant of the land fails to remove such fences, obstructions, doorsteps, porches or other erections or things within the time limit prescribed in paragraph 3, the Corporation, in addition to other remedies available to the Corporation, may direct the removal of such fences, obstructions, doorsteps, porches or other erections or things, pursuant to Section 326 of The Municipal Act, R.S.O. 1990, chapter M.45 as amended, and may recover such expenses incurred in so doing in the like manner as municipal taxes.
5. Every person who contravenes any provision of this By-Law shall upon conviction be liable to a fine of not more than the maximum amount \$1,000.00 dollars, exclusive of costs, for each offence, and every such penalty shall be recoverable under the provisions of the Provincial Offences Act, R.S.O., 1990, chapter P.33 as amended from time to time.

6. This By-Law shall come into force and take effect on the day of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

27th DAY OF June 1994.



REEVE

"SEAL"



CLERK-ADMINISTRATOR