

THE CORPORATION OF THE TOWN OF DESERONTO

BY-LAW NUMBER 6-88

BEING A BY-LAW TO GOVERN THE USE OF THE STREETS, HIGHWAYS AND SIDEWALKS AND PREMISES ADJACENT THERETO

The Council of the Corporation of the Town of Deseronto ENACTS as follows:

SALES ON OR NEAR HIGHWAY

1. No person shall on any highway, sidewalk, or on any vacant lot adjacent thereto or in any park in the Town of Deseronto, sell any meat, fish, vegetables, grain, hay, fruit, flowers, beverages, small wares or other articles whatsoever whether similar to the aforementioned articles or not.
2. Paragraph 1 shall not apply to prohibit a lawn sale on premises in a residential zone by an occupant thereof provided that;
 - (a) Such lawn sale is not conducted on the highway or sidewalk
 - (b) Such lawn sale does not last for more than two days
 - (c) No lawn sale has been held on such premises previously in the calendar year,
 - (d) The lawn sale is not conducted in such a way as to impede the orderly movement of traffic, and
 - (e) The lawn sale is of goods belonging to that occupant which are surplus to his requirements and not purchased by him for resale.
 - (f) Lawn sale shall also mean any yard, garage, porch or rummage sale.
3. Paragraph 1 shall not apply to the sale by retail by an occupant of a store in a commercial zone on a strip of land extending 18 inches from the front of such store.
4. Paragraph 1 shall not apply to the sale by retail of vegetables, fruit, flowers, maple syrup or Christmas trees at the fourteen (14) parking spaces located on the south side of Edmon Street (west of Centre Street), between 9 A.M. and 6 P.M. local time, provided that such operations shall not interfere with the orderly movement of pedestrian and vehicular traffic and provided that payment is made for the time such locations are in use. (Arrangements and payments to be made with the Clerk-Treasurer)
5. No person shall sell goods, wares or merchandise by auction on any highway or park within the Town of Deseronto.

USE OF HIGHWAY

6. No person shall obstruct, encumber, injure, paint, deface or foul any highway, park or other public place, or any tree, pole, hydrant or other object, in the Town of Deseronto and without limiting the generality of the foregoing, no person shall;
 - (a) Erect any booth or platform or expose for sale any goods on a highway except as provided by clauses 3 or 4.
 - (b) Deposit, throw or allow to be deposited or thrown any garbage, dirt, paper, waste, filth, glass, handbills, litter, water or other liquid or other rubbish or refuse or the carcass of any animal, on a highway, sidewalk, bridge, park or other public place, but this paragraph shall

not apply to prohibit the application of clean sand or salt in reasonable quantities to ice and snow on the sidewalks,

- (c) Obstruct any ditch or culvert upon a highway,
 - (d) Build or maintain a fence on any highway,
 - (e) Place or deposit on a highway any firewood or any other thing calculated to obstruct the highway or obstruct or interfere with public travel thereon,
 - (f) Be the owner of or have the custody, care or control of a dog which deposits litter on any highway or yard adjacent thereto or on any park or other public place,
 - (g) Drive cattle, sheep, pigs or other animals along or on any highway in the Town of Deseronto
 - (h) Remove or cut down or injure any tree growing on a highway or park,
 - (i) Burn any combustible matter or set off fireworks on a highway or park.
 - (j) Place or deposit snow on a sidewalk or travelled portion of a highway.
7. No person shall paint, mark or deface a highway, tree, pole, hydrant, sign/or any other public work thereon.
8. No person shall coast or toboggan on any highway in the Town of Deseronto.

FENCES

9. No person shall erect a fence made wholly or partly of barbed wire or any other barbed wire material along a highway in the Town of Deseronto.
10. All fences along highways in the Town of Deseronto shall be kept in good and substantial repair by the owner or occupant of the lands enclosed thereby.

SIGNS AND HANDBILLS

11. No person shall post or exhibit placards, play bills, posters, writing, pictures or drawings which are indecent or may tend to corrupt or demoralize, on any wall or fence or elsewhere on a highway or public place within the Town of Deseronto.
12. No person shall nail or otherwise attach or cause to be nailed or otherwise attached, any object or thing to any tree or pole located on or immediately adjacent to any highway in the Town of Deseronto, or in any public park except with the consent of the Clerk of the Town of Deseronto.
13. No person shall pull down or deface any sign or other advertising device or notice lawfully affixed.

SNOW AND ICE REMOVAL

14. The owners and occupants of buildings within the Town of Deseronto shall clear away and remove all snow and ice from the roofs of any buildings which may be located in such a position that if snow and ice were to fall it would land on or near the highway or sidewalk, such removal to be effected within 24 hours of the accumulation thereof.
15. The owners and occupants of buildings within the Town of Deseronto shall clear away and remove snow and ice from any sidewalks on the highways in front of, alongside or at the rear of such buildings within 24 hours of the accumulation thereof.
16. The obligations under paragraphs 14 and 15 are joint and severable obligations of all owners and occupants.

17. Where snow and ice are not cleared away from the roofs of unoccupied buildings as required, or where snow and ice are not cleared away from the sidewalks in front of or alongside, at the rear of any buildings or vacant lands, the Corporation of the Town of Deseronto may do so and may collect or recover the expenses incurred in so doing in any manner including .the manner provided in section 325 of the Municipal Act.

INTERPRETATION

18. In this by-law, the term "highway" shall have the meaning assigned to it in The Municipal Act and in addition shall include a sidewalk, boulevard and square.

ENCROACHMENTS

19. Doorsteps, porches, eaves, cornices, awnings, awning covers, sills, signs and other erections or things projecting into or over any highway in the Town of Deseronto shall be removed by the owner or occupant of the land in connection with which they exist unless such owner or occupant has entered into a valid encroachment agreement with the Corporation of the Town of Deseronto permitting such encroachment.

PENALTY

20. Any person violating any of the provisions of this by-law shall be guilty of an offence and upon conviction shall be liable to a fine of not more than \$1,000.00 inclusive of costs, which fine shall not be less than;
- (a) \$100.00 for a first offence in any calendar year
 - (b) \$250.00 for a second offence in any calendar year
 - (c) \$500.00 for a third offence in any calendar year.
21. Notwithstanding any of the above the Council of the Corporation of the Town of Deseronto reserves the right to grant exceptions to any of the above regulations.
22. By-Law No. 317 is hereby rescinded.

Read a first and second time May 24 , 1988

Read a third time and finally passed May 24, 1988