

Appendix D – Winter Control Measures

Pursuant to section 44 of the *Municipal Act, 2001*, municipalities are required to maintain sidewalks and roads within their jurisdiction in a reasonable state of repair.

Under Ontario Regulation 239/02 known as the Minimum Maintenance Standards (MMS) the city has legislated responsibilities to meet in regards to winter maintenance of sidewalks and roadways that are required to be conducted for the purpose of section 44 of the Municipal Act, 2001. This includes monitoring and inspecting snow and ice accumulation on all sidewalks and roadways and deploying resources to ensure they are cleared within specified time limits.

The current patio configurations that were approved and put in place do not allow for mechanical snow clearing. It is strongly recommended that the current roadway set ups that block parking or the roadway be removed after Nov 15th. There is insufficient room for snow storage (the windrow of snow that comes off of the plow blade) and significant risk of damage to fencing and other structures in place. Suggested timeframe for removals is Nov 16th to 19th.

Further it is recommended that all sidewalks be open for mechanical snow clearing to meet the city's obligations and reduce liability. This is consistent with the both Oakville and Hamilton's policy framework.

Currently there are tents that have been erected on the edge of the sidewalk. This is problematic as there needs to be room for snow storage. It is recommended that 1 m or 3 ft of clearance be established.