

BY-LAW NO. 2024-XX

A by-law of the City of Ottawa to amend By-law No. 2002-189, as amended, with respect to the licensing and regulation of Snow Plow Contractors.

The Council of the City of Ottawa enacts as follows:

1. Section 1 of By-law No. 2002-189, entitled “A by-law of the City of Ottawa respecting the licensing, regulating, and governing of certain businesses”, as amended, is amended by adding the following definition:

“accessible parking space” means a part of the surface of the roadway, private property, or City property designated for the purpose of vehicle parking for those with an accessible parking permit as defined in the Traffic and Parking By-law;

“snow plow plate” means the numbered metal plate issued by the City of Ottawa to be affixed to the snow plow as required under this by-law;

2. Section 1 of said By-law No. 2002-189 is further amended by repealing the definitions of “snow plow”, “Snow Plow Contractor”, and “snow plow driveway marker” and replacing them with the following definitions:

“snow plow” means:

- (a) a motor vehicle as defined in the Highway Traffic Act (Ontario) equipped with a snow blower or other snow clearing device, or
- (b) a self-propelled vehicle of a design commonly used for snow clearing or snow removal, which may be equipped with a snow blower or other snow clearing device, including but not limited to a tractor, loader, skid steer, or a backhoe;

“Snow Plow Contractor” means a person who is engaged in the business of contracting for the clearing or removal of snow on or from private property by means of a snow plow;

“snow plow driveway marker” means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private property or a highway that serves to mark the edge of a driveway for a licensed Snow Plow Contractor, and which is permitted under and complies with Schedule 4 of this by-law;

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3. Said By-law No. 2002-189 is further amended by repealing Schedule No. 4 and replacing it with the attached Schedule No. 4, relating to Snow Plow Contractors, immediately after Schedule No. 3.

4. Schedule "A" of the said By-law No. 2002-189 is further amended by repealing "Snow Plow Contractor" and "for each additional vehicle plate" from the types of licenses, repealing the corresponding License Fees and replacing them with the following items:

Column 1	Column 2	Column 3
TYPES OF LICENSES	2024 LICENSE FEE \$	EXPIRY DATE
Snow Plow Contractor	\$381.00	October 31
Each additional Snow Plow Contractor vehicle plate	\$56.00	October 31

ENACTED AND PASSED this XXth day of [month][year].

CITY CLERK

MAYOR

**SCHEDULE NO. 4
Relating to Snow Plow Contractors**

LICENCE REQUIRED

1. Every Snow Plow Contractor shall obtain a Snow Plow Contractor's licence.

EXEMPTIONS

2. This schedule does not apply to:
 - (a) persons engaged in the business of clearing snow with a hand-held snow shovel or snow-blowing equipment that does not require a vehicle for operation, or
 - (b) bona fide farmers clearing or removing snow in the rural area as a normal farm practice.

CONDITIONS OF ISSUANCE AND RENEWAL OF A SNOW PLOW CONTRACTOR LICENCE

3. No Snow Plow Contractor's licence shall be issued or renewed unless the applicant:
 - (a) is at least eighteen (18) years of age;
 - (b) has provided an address within the National Capital Region accessible from the street to which the public has reasonable access to make inquiries in person about the business;
 - (c) has filed proof of insurance for each snow plow to be used in the business in accordance with the requirements of Sections 5 and 6;
 - (d) has registered each snow plow used in the business by filing a list indicating for each snow plow, the make, model, year, and the Motor Vehicle Plate Number or, where a Motor Vehicle Plate is not issued pursuant to the Highway Traffic Act (Ontario), the Vehicle Identification Number;
 - (e) has filed proof of good repair for each snow plow used in the business; and
 - (f) has completed and filed an application prescribed by the Chief License Inspector.

INDEMNIFICATION

4. Every licensee under this Schedule agrees to indemnify and save harmless the City of Ottawa from any and all claims, demands, causes of action, losses, costs or damages that the City of Ottawa may suffer, incur, or be liable for resulting from the performance or non-performance by the applicant or licensee of the requirements and obligations under this by-law, whether with or without negligence on the part of the applicant or licensee, their employees, directors and agents

INSURANCE

5. With respect to every vehicle required to be licensed under the Highway Traffic Act (Ontario), every Snow Plow Contractor shall file proof of Motor Vehicle Liability insurance coverage subject to a limit of not less than two million dollars (\$2,000,000.00); such insurance coverage shall be inclusive per occurrence for bodily injury, death, accident benefits and including damage to property occasioned by any accident arising out of the plowing operation of any licensed motor vehicle to be used in the business in respect of which a licence is applied for.

6. With respect to vehicles and equipment not required to be licensed under the Highway Traffic Act (Ontario), every Snow Plow Contractor shall file proof of Comprehensive/Commercial General Liability insurance coverage subject to a limit of not less than two million dollars (\$2,000,000.00); such insurance coverage shall be inclusive per occurrence for bodily injury, death, accident benefits and including damage to property occasioned by any accident arising out of the plowing operation of any unlicensed vehicle and equipment to be used in the business in respect of which a licence is applied for.

PRODUCTION OF LICENCE

7. Every Snow Plow Operator shall surrender their driver's licence or vehicle permit issued under the Highway Traffic Act (Ontario) or under the law of another jurisdiction for inspection when requested by the Chief License Inspector or their designate, Municipal Law Enforcement Officer, or police officer.

REGISTRATION OF SNOW PLOWS

8. (1) Every licensee shall register additional snow plows or remove a snow plow from the register referred to in clause 3(d) by complying with the requirements set out in clauses 3(c), 3(d), and 3(e) for issuance or renewal.
- (2) Every licensee shall ensure that every snow plow used in the business is registered with the Chief License Inspector pursuant to clause 3(d) or subsection 8(1).

SNOW PLOW PLATE

9. Upon issuance of a Snow Plow Contractor's licence, the Chief License Inspector shall furnish to the licensee one (1) snow plow plate and validation sticker bearing the year of issuance for each snow plow registered under subsection 3(d) or added to the register under subsection 8(1).

10. Upon renewal of a Snow Plow Contractor's licence, the Chief License Inspector shall furnish to the licensee one (1) validation sticker bearing the appropriate licensing year for each snow plow registered under subsection 3(d) or added to the register under subsection 8(1).

11. Every licensee who removes a snow plow from the register pursuant to subsection 8(1) shall return the snow plow plate furnished by the Chief License Inspector.

12. Every licensee shall return the plate furnished by the Chief License Inspector for each snow plow that is no longer in service or used in the licensee's business.

13. All snow plow plates remain at all times the sole and exclusive property of the City of Ottawa and shall be removed and returned to the City at the request of the Chief License Inspector.

14. Any licence, snow plow plate, or validation sticker issued under this by-law is not transferable.

15. Every licensee shall ensure that the snow plow plate bearing the appropriate validation sticker furnished pursuant to Section 9 or is securely attached to the rear of the snow plow so as to be clearly visible to the public during the currency of the licence.

16. Every licensee shall ensure the snow plow plate bearing the appropriate validation sticker is clearly visible to the public at all times.

TRANSACTION RECORDS

17. (1) Every licensee shall ensure that a record is made in a ledger book with the entries transcribed in ink in a clear and legible manner, or in a recording system approved by the Chief License Inspector, indicating:

- (a) the municipal address of every site for which a snow plowing or snow removal contract has been entered into;

- (b) the name and address of the person who entered into the snow plowing or snow removal contract referred to in clause 17(1)(a);
 - (c) the day, month, year, and time of every snow plowing or snow removal activity;
 - d) the Snow Plow Operator performing the snow plowing or snow removal activity; and
 - (e) the snow plow plate number of the snow plow used in performing the snow plowing or snow removal activity.
- (2) Every licensee shall ensure that the records referred to in subsection 17(1) are retained for a period of ninety (90) days.
- (3) Every licensee shall ensure that, when requested by the Chief License Inspector at any time during business hours, the records referred to in subsection 17(1) are produced for inspection and that the Chief License Inspector is permitted to remove any transaction record from the premises for the purpose of photocopying or for use in any court or other proceedings.

VEHICLE SIGNAGE STANDARDS

18. Every snow plow shall have attached to or painted on both sides a sign clearly showing the name and telephone number of the business in letters and figures not less than fifteen centimetres (15 cm) in height, in a colour contrast ratio of at least 2:1 with the vehicle's colour, and in an Arial font.

19. Every licensee shall ensure that the information on the sign referred to in Section 18 is clearly visible to the public at all times.

GENERAL REGULATIONS

20. No licensee shall permit or allow any snow plow that is not registered with the Chief License Inspector to be used in their business.

21. No licensee shall use any snow plow that is not registered with the Chief License Inspector in the Snow Plow Contractor's business.

22. (1) No licensee shall throw, push, plow, dump, or otherwise deposit snow or ice on a highway, in a park, or on any other City of Ottawa property.

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- (2) Every licensee shall ensure that any Snow Plow Operator working in their licensed business does not throw, push, dump, or otherwise deposit snow or ice on a highway, in a park, or on any other City of Ottawa property.
- (3) No licensee shall throw, push, dump, or otherwise deposit snow or ice on private property other than their client's property or at an authorized snow disposal site.
- (4) Every licensee shall ensure that any Snow Plow Operator working in their licensed business does not throw, push, dump, or otherwise deposit snow or ice on private property other than their client's property or at an authorized snow disposal site.
- (5) No licensee shall throw, push, dump, or otherwise deposit snow or ice on an accessible parking space.
- (6) Every licensee shall ensure that any Snow Plow Operator working in their licensed business does not throw, push, dump, or otherwise deposit snow or ice on an accessible parking space.
- (7) No licensee shall fail to remove or ensure the removal of any snow or ice that has been deposited in contravention of subsections 22(1), 22(2), 22(5), or 22(6), immediately upon becoming aware of it or within 4 hours of a request to do so by the Chief License Inspector.

23. Every Snow Plow Contractor shall provide their client with a copy of Schedule No. 4 of By-law No. 2002-189, as amended either in written form or through a link to the City of Ottawa's website, as provided by the Chief License Inspector.

CONDITIONS FOR INSTALLATION OF DRIVEWAY MARKERS

24. No Snow Plow Contractor shall place or permit to be placed a snow plow driveway marker on a property unless the following requirements are met:

- (a) Placement of snow plow driveway markers shall occur no earlier than October 20 and removal shall occur no later than April 30.
- (b) Snow plow driveway markers shall not be placed between a sidewalk and the travelled portion of the street.
- (c) Snow plow driveway markers, including any part used to support snow plow driveway markers, shall not be composed of materials other than (i) wood; (ii) plastic; (iii) fiberglass, (iv) metal, or (v) a combination of the above materials.

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- (d) Where there is a sidewalk, snow plow driveway markers shall be placed a minimum of 1.5 metres (5 feet) from the sidewalk.
- (e) Where there is no sidewalk, snow plow driveway markers shall be a minimum of 2.1 metres (7 feet) from the travelled portion of the street.
- (f) The maximum height of a snow plow driveway marker shall not exceed 1.22 metres (4 feet) when measured from the ground.
- (g) Snow plow driveway markers that contain plastic, wood, or fiberglass material shall not exceed a width of 10.1 centimetres (4 inches).
- (h) Snow plow driveway markers that contain metal material shall not exceed 10 millimeters (0.4 inches) in diameter.
- (i) Snow plow driveway markers that contain metal material and are not entirely covered by a sleeve shall be equipped with a cap or guard on the end of any exposed metal to prevent injury.
- (j) Subject to subsection (l), a maximum of two (2) snow plow driveway markers are permitted on a driveway with one on either side of the driveway.
- (k) Subject to subsection (l), snow plow driveway markers shall contain no advertising or other information except for the logo and/or telephone number of a Snow Plow Contractor.
- (l) Despite subsections (j) and (k), two additional snow plow driveway markers are permitted on private property provided that the two additional snow plow driveway markers do not contain any advertising or other information, including the logo and/or phone number of a Snow Plow Contractor.

25. Every licensee shall remove a damaged snow plow driveway marker, including any pieces of it and any supporting material, from the private property or highway immediately upon becoming aware of it or when requested by the Chief License Inspector.

26. Every property owner shall ensure a damaged snow plow driveway marker, including any pieces of it, and any supporting material, installed on their property is removed from the private property or highway immediately upon becoming aware of it or when requested by the Chief License Inspector.