

THE CORPORATION OF THE MUNICIPALITY OF GREENSTONE

BY-LAW 24-40

Being a By-law of the Municipality of Greenstone to adopt a new Snow Windrow Removal Program for Eligible Low Income Persons Policy

WHEREAS Section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, grants a municipality the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the *Act* or any other Act;

AND WHEREAS Subsection 5(3) of the said Act, as amended, provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Council deems it advisable to enact a By-law to establish a Snow Windrow Removal Program for Eligible Low Incomes Persons Policy to provide a snow windrow removal service to eligible low-income senior and disabled residents of Greenstone;

NOW THEREFORE the Council of the Corporation of the Municipality of Greenstone **ENACTS AS FOLLOWS:**

1. **THAT** Council adopts the Snow Windrow Removal Program Policy as per Schedule "A" attached hereto and forming part of this By-law.
2. **THAT** the previous Snow Windrow Removal Program Policy authorized via Resolution 17-43 is hereby rescinded.
3. **THAT** this By-law shall come into force and take effect immediately upon the passing thereof.

PASSED AND ENACTED this 24th day of June 2024.



Original signed and sealed by K. Miousse
June 24, 2024

Kristina Miousse, Clerk

Original signed by J. McPherson
Resolution 24-222

James McPherson, Mayor



MUNICIPALITY OF
GREENSTONE

Municipality of Greenstone Policy Manual

Subject: Snow Windrow Removal Program for Eligible Low Income Persons	
Number: 24-40	Section: Public Services
Original Effective Date: June 24, 2024	Last Revised/Approved Date: June 24, 2024
Approval Authority: Council	

Purpose:

To provide a snow windrow removal service to eligible low income senior and disabled residents of Greenstone.

Application:

This policy applies to senior or disabled residents that are receiving payments under the Guaranteed Income Supplement or the Ontario Disability Support Program.

Policy Statement/s:

The Municipality's foremost priority with respect to levels of service for its municipal roads during the winter is to abide by its Minimum Maintenance Standards for Municipal Roads Policy. The Municipality of Greenstone will deliver a snow windrow removal program as a lesser priority.

While the estimated time to respond to snow windrow removal service is within 48 hours of a snowfall event, continuous snowfall may result in program service delays while the snow removal priority remains with maintaining roads. Delays in windrow program service can also be expected if the Municipality declares a Significant Weather Event.

The Director of Public Services or their designate shall provide guidance to residents on program eligibility.

Applications for the Snow Windrow Removal Program shall be received by Administration at any of the Ward Offices, directed to the attention of the Director of Public Services for approval by October 1st of each year.

Approved applications will be forwarded to the Manager of Public Works to distribute the service list to Public Works staff or Contractors, as may be appropriate.

The Director of Public Services shall manage the program budget and coordinate operational service delivery, and shall periodically review this policy and make recommendations for Council's consideration as per best practice.

Amendments:

This policy repeals the program of the former snow windrow removal program policy adopted via RES 17-43.

Definitions:

"Low Income Person" means a person who is in receipt of an increment paid under the Guaranteed Income Supplement or an increment paid under the Ontario Disability Support Program Act.

"Disability" - As per the Ontario Human Rights Code, disability means:

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
 - (b) a condition of mental impairment or a developmental disability,
 - (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
 - (d) a mental disorder, or
 - (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act.;
- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
 - (b) a condition of mental impairment or a developmental disability,
 - (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
 - (d) a mental disorder, or

(e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act.

"Disabled Resident" a person who can provide a valid medical certificate as proof of disability. Examples include a handicapped parking pass, a doctor's medical note.

"Municipality" means the Municipality of Greenstone.

"Municipal Highway" is defined by Ontario Regulation 239/02 Minimum Maintenance Standards for Municipal Highways (the "Maintenance Standards") under the Municipal Act, 2001, S.O. 2001, c. 25.

"Senior Person" a person who is age 65 or older.

"Service Provider" means either Contractors or Municipal Public Works staff.

"Significant Weather Event" means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality.

"Snow Windrow" refers to the linear accumulation of snow resulting from municipally organized snow plowing activity conducted on municipal roads, boulevards and sidewalks.

Policy:

Entitlement to Program Services

- The Snow Windrow Removal Program is intended as a form of assistance for senior or disabled residents who demonstrate financial need.
- Registration to the windrow removal program qualifies the applicant for windrow removal service for one season (October to April of the following year).
- The service shall provide snow windrow removal one car width in length, in the center portion of the driveway entrance. Windrow removal service does not include the cleaning of snow from private approaches to residences or driveways.
- The service applies to primary residences only. House or lot numbers must be kept visible.
- The target for windrow removal service is within 48 hours of a snowfall that prompts winter road maintenance response. The Municipality reserves the right as to when windrow removal activity is performed and the order of service.
- The Director of Public Services is authorized and directed to allow a resident of Greenstone to receive program services provided that:

1. The program applicant is in receipt of a payment under the Ontario Disability Support Program Act on or before the snow windrow program application deadline of October 1 of the current year;

2. The program applicant is in receipt of a payment under the Guaranteed Income Supplement Act on or before the snow windrow program application deadline of October 1 of the current year.

Responsibility for Damages

Program registrants shall ensure obstructions at the driveway entrance are removed. The Municipality shall not be held liable for any damage to property as a result of windrow removal service delivery.

Discontinuance of Program Services

Municipal snow windrow removal services to a property will cease when:

1. The program service term expires on April 30.
2. Regular snow removal for the driveway is not occurring.
3. Obstruction(s) impeding windrow removal operations have not been removed.
4. The Municipality has verified that the program applicant is no longer residing at the address for which services were applied for.

Applications

Any qualifying resident who wishes to obtain snow windrow removal services shall submit a duly completed application, in a form set by the Director of Public Services.

The application shall be received by the Director of Public Services within the application intake period from September 1 to October 1 for service in the upcoming winter season.

Applications need to be completed each year to qualify for services.

The program applicant may only submit an application for one residential property which must be the applicant's primary residence.

The program applicant shall specify which driveway entrance is to be serviced in the event the property has more than one entrance.

Legislative Requirements:

None.