

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BYLAW NO. 2017.43

BEING A BYLAW TO REGULATE THE CONSTRUCTION AND MAINTENANCE
OF DRIVEWAY ENTRANCES AND TO CONTROL THE USE
AND OCCUPANCY OF BOULEVARDS

WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 9 provides municipalities the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 11, s (1) a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 27, s (1), provides for a Municipality to pass bylaws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 391, s.(1)(a) provides for a Municipality to impose fees and charges for services or activities provided or done by or on behalf of it;

AND WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 391, s.(1)(c) provides for a Municipality to impose fees and charges for the use of its property including property under its control;

AND WHEREAS the Municipal Act S.O. 2001, Chapter 25, Section 425, provides that a person who contravenes a bylaw is guilty of an offence;

NOW THEREFORE be it resolved that the Council of the Corporation of the Township of Ramara hereby enacts the following:

1.0 DEFINITIONS

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|----------------|---|
| a) "Applicant" | means a person being the owner of a lot or his Authorized agent applying for an Entrance Permit |
| b) "Boulevard" | means any part of the street where grass is grown or which is not intended for use of vehicles, which is located either between the curb or outside edge of the shoulder of roadway and the street line, inclusive of the area covered by a sidewalk or footpath or a |

- centre portion of a street not intended for vehicular traffic.
- c) "Council" means the Council of The Corporation of the Township of Ramara
- d) "Entrance" means that part of a street which is used to gain access to private property
- e) "Entrance Permit" means a permit issued by the Manager of Municipal Works
- f) "Street" means a public highway or road other than a lane, right-of-way or private road, that is maintained by a public road authority and that is open and passable to the public
- g) "Manager of Municipal Works" means the Manager of Municipal Works of the Township of Ramara or their designated representative
- h) "Owner" means the owner of the property or lot where the entrance is used to gain access
- i) "Street Line" means the lot line dividing the lot from the street and is the limit of the street allowance.
- j) "Structure" means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground and used for the shelter or accommodation of person, animals or goods.
- k) "Township" means The Corporation of the Township of Ramara

2.0 **NO WORK WITHOUT AN ENTRANCE PERMIT**

2.1 No person shall establish, construct, repair, alter or relocate an entrance upon a street under the jurisdiction of the Township except under authority of an Entrance Permit.

2.2 No person shall:

- a) Change a temporary entrance to a permanent entrance;

- b) Create a structure on a street;
- c) Apply asphalt, concrete or any other road surfacing material to an entrance
- d) Install a headwall without first having obtained an Entrance Permit.

3.0 **ENTRANCE PERMITS**

3.1 The Manager of Municipal Works may issue an Entrance Permit to an applicant having regard to the following requirements:

- a) location, width and proposed use of the entrance;
- b) sight distance along the road;
- c) location of trees and public utility services;
- d) the payment of the applicable fee as set out in the Bylaw to Set Fees and Charges; and,
- e) The type, location and height of a headwall

3.2 Property under site-plan control will require site-plan approval prior to an entrance permit review.

3.2 The entrance permit application must include the name of the company doing the installation, their WSIB, liability insurance and traffic plan.

3.3 The Manager of Municipal Works in his/her sole discretion shall determine the size and length of the culvert.

4.0 **CONSTRUCTION OF ENTRANCE**

4.1 Once a permit is issued for the construction of an entrance, the owner shall schedule an inspection, with the Township. A Township inspector will attend during installation to ensure all Township requirements are met.

4.2 Should the culvert or entrance be damaged during the construction of any dwelling, building or structure on the lot, the culvert and entrance shall be repaired by the owner at the expense of the property owner and will require an additional permit and inspection.

5.0 **ENTRANCE STANDARDS**

5.1 All new installations, repairs, replacements, extensions, relocations and maintenance of entrance culverts shall be in conformity to the Township's Design

Criteria and Standard Drawings as adopted by Council and to Schedule "A" attached hereto.

- 5.2 Notwithstanding Section 5.1, all new installations and replacement culverts in plans of subdivision where a subdivision agreement is registered on title and the said agreement has provision for the installation of culverts, such provisions as established by the agreement shall prevail.
- 5.3 Notwithstanding Section 5.1 and 5.2 and to the contrary, all entrances in the subdivisions known as Bayshore Village, Davy Drive, Heritage Farms and Val Harbour shall have entrances installed at a width of 30 feet.
- 5.4 Headwalls, curbs or guards are permitted provided such are not above the finished height of the driveway as to interfere with snowplowing operations.
 - a) Repairs, maintenance and replacement of headwalls, curbs and guards are the sole responsibility of the property owner.
 - b) Damage to headwalls, curbs, guards and snow plow vehicles as a result of plowing operations are the sole responsibility of the property owner.
 - c) Headwalls must be constructed back of the invert and exvert of the culvert as to not impede drainage flows.
- 5.5 Temporary entrances are not permitted.

6.0 **ENTRANCE CULVERT REPAIRS**

- 6.1. The property owner is responsible for all maintenance and repair of their entrance culverts.
- 6.2 Notwithstanding Section 6.1 existing entrance culverts, installed by the Township with a valid permit may be maintained for a period of up to 15 years from the date of installation, with a one-time only replacement by the Township.
- 6.3 Notwithstanding Section 6.1 and 6.2 any damage caused to an entrance or entrance culvert by forces other than the Township, shall be repaired by the owner at the expense of the owner, person or company causing such damage.
- 6.4 Notwithstanding Section 6.1, 6.2 and 6.3 any culvert requiring maintenance shall be done by the property owner immediately upon written notice from the Township.
- 6.5 Works not completed as ordered may be carried out by the Township at the full cost of the property owner. Such costs, if not paid, shall be collected in a like manner as taxes.
- 6.6 The Township may cover the cost of entrance culvert replacement when it is part of a Township initiated project.

6.7 Nothing in this bylaw shall be construed as placing an obligation upon the Township for maintenance of the driving surface on any part of any driveway.

6.8 Nothing in this bylaw shall be construed as placing an obligation upon the Township to repair or replace headwalls as a result of culvert replacement. All costs associated with headwalls are the responsibility of the property owner.

7.0 **WORK ON A STREET**

7.1 No person shall perform any works upon a street under the control of the Township without the prior written consent of the Manager of Municipal Works.

8.0 **OBSTRUCTIONS PROHIBITED**

8.1 No person shall tile or enclose a ditch within a boulevard, other than the specified entrance, except under authority of and in accordance with the conditions of an Entrance Permit.

8.2 No person shall obstruct any drain, ditch or watercourse situated on any street under the jurisdiction of the Township.

8.3 No person shall install plantings or place any structures of any design within Township road allowances.

8.4 Notwithstanding Section 8.3, rural mailboxes may be installed on a street in accordance with Bylaw No. 2005.68 being a Bylaw to Regulate the Placement of Rural Mail Boxes on Township Roads.

9.0 **ADMINISTRATION AND ENFORCEMENT**

9.1 Every person who contravenes this Bylaw is guilty of an offence and upon conviction is liable to a fine or penalty as provide in the Provincial Offences Act.

9.2 The Manager of Municipal Works, Works Foreperson, Bylaw Enforcement Officer and any other person appointed by Council, be and are hereby authorized to enforce this bylaw.

10.0 **SHORT TITLE**

10.1 This Bylaw may be cited as the "Roadway Entrance Bylaw".

11.0 GENERAL

- 11.1 Should any section, subsection, clause, paragraph or provision of this bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole or any part thereof, other than the provisions so declared to be invalid.
- 11.2 In this bylaw, words in the singular include the plural, words in the plural include the singular and words importing the masculine gender include the feminine and neuter genders where the context so requires.
- 11.3 Schedules "A" and "B" attached hereto shall be and do form part of this bylaw.
- 11.4 That Bylaws 2007.66, 2012.62 and 2017.04 are hereby repealed.
- 11.5 This bylaw shall come into force and take effect on the date of passing.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 26TH day of JUNE 2017.



BASIL CLARKE, MAYOR



JENNIFER CONNOR, CLERK

SCHEDULE "A" TO BYLAW 2017.43

"ROADWAY ENTRANCE BYLAW"

ENTRANCE STANDARDS <i>IN ADDITION TO THE TOWNSHIP'S DESIGN CRITERIA AND STANDARD DRAWINGS.</i>				
	Size	Plastic Requirement	Steel Requirement	Length – All Sizes
RESIDENTIAL	Less than 24" diameter	- Boss 2000, CSA certified with a wall thickness of 320 kpa.	16 gauge	Minimum - 6 metres (20 feet) Maximum - 9 metres (30 feet)
	Greater than 24" diameter	- All fasteners must be the same gauge as the pipe they fit onto and be supplied with fasteners. - all fasteners shall be two foot wide for 400 mm to 800 mm culverts.	14 gauge	
AGRICULTURAL COMMERCIAL INDUSTRIAL	Less than 24" diameter	- Boss 2000, CSA certified with a wall thickness of 320 kpa.	16 gauge	Minimum - 6 metres (20 feet) Maximum -15 metres (50 feet)
	Greater than 24" diameter	- All fasteners must be the same gauge as the pipe they fit onto and be supplied with fasteners. - all fasteners shall be two foot wide for 400 mm to 800 mm culverts.	14 gauge	

SCHEDULE "B" TO BYLAW 2017.43

"ROADWAY ENTRANCE BYLAW"

SHORT FORM WORDING			
No.	Description of Offence	Section	Set Fines
1.	Perform work without a permit	2.1	\$500.00
2.	Change a temporary entrance to a permanent entrance without a permit	2.2	\$100.00
3.	Create a structure on a street	2.2	\$500.00
4.	Apply a road surface without a permit	2.2	\$100.00
5.	Perform work upon a street without consent	7.0	\$500.00
6	Obstruct a ditch, drain or watercourse	8.2	\$500.00