

Bylaw 6 -2011
The Corporation of the Municipality of Central Huron

Being a bylaw to regulate the construction or alteration of any entranceways, private roads or access to a Municipal road.

WHEREAS it is deemed necessary and desirable to regulate the construction and alteration of entranceways, private roads or other facilities that permit access to Municipality of Central Huron roads;

AND WHEREAS Subsection (1) of Section 27 of the Municipal Act, 2001, S.O. 2001, as amended, provides that a Municipality may, with respect to the roads under its jurisdiction and control, by By-law prohibit or regulate the construction or alteration of any private road, entranceway, gate or other structure of facility that permits access to a road; and any change in use of any private road, entranceway, gate or other structure or facility that permits access to a road;

AND WHEREAS Section 391 of the Municipal Act, 2001, S.O. 2001, as amended, provides that a By-law passed for this purpose may provide for the issuance of a permit for any of the Acts that may be regulated under this section and may prescribe the form, terms and conditions of the permit and the fees to be paid for it, and may prescribe penalties for contravention of the By-law;

AND WHEREAS the Council of the Corporation of the Municipality of Central Huron deems it expedient to control entranceways onto Municipal roads and provide for the issuing of permits related thereto;

NOW THEREFORE, the Council of the Municipality of Central Huron enacts as follows:

1. THAT in this By-Law:
 - a) "Council" shall mean the Council of the Corporation of the Municipality of Central Huron,
 - b) "Municipal road" shall mean all highways and roads in which the Municipality of Central Huron has jurisdiction over .
2. THAT no person shall construct or alter or cause to be constructed or altered any private road, gate or other structure of facility that permits access to any Municipal road, unless such access has been approved by an authorized Municipal officer as evidenced by the issuance of an access permit.
3. THAT no person shall make or permit any change of use of any private road, entranceway, gate or other structure of facility that permits access to any Municipal road, unless such access has been approved by an authorized Municipal officer as evidenced by the issuance of an access permit.
4. THAT an access permit may be issued by the Roads Manager or designate in accordance with the standards, policies and fees set out in Schedule "B" of this By-law.
5. THAT any such access constructed, altered, or the use of which has been changed, under the provisions of this By-law shall conform to the standards and principles set out in the policies in Schedule "B" of this By-law and shall further comply with all terms and conditions attached to any access permit issued hereunder.
6. THAT all costs associated with an access permit and construction of the entrance access in accordance with the terms of the permit will be the responsibility of the applicant.
7. THAT the access permit be in the form set out in Schedule "A" attached hereto and forming part of this By-law and that the permit, where necessary, shall include the terms and conditions for the construction of the said entrance or access as required by the authorized officer issuing the said permit.

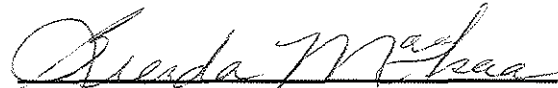
8. THAT every person who contravenes any provision of this By-law shall upon conviction be liable to payment of a fine of at least \$1,000.00 for a first offence and \$2,000.00 for a second or succeeding offence, exclusive of costs and every such penalty shall be recoverable under the provisions of the Provincial Offences Act as amended from time to time.
9. THAT the Roads Manager or designate be authorized to remove any unauthorized access from the Road Allowance.
10. THAT this By-law shall come into force and take effect upon the final passing thereof.

Read a first and second time this 7th day of February, 2011.

Read a third time and finally passed this 7th day of February, 2011.



Reeve, Jim Ginn



Clerk Brenda MacIsaac

THE MUNICIPALITY OF CENTRAL HURON

APPLICATION FOR A NEW ENTRANCE

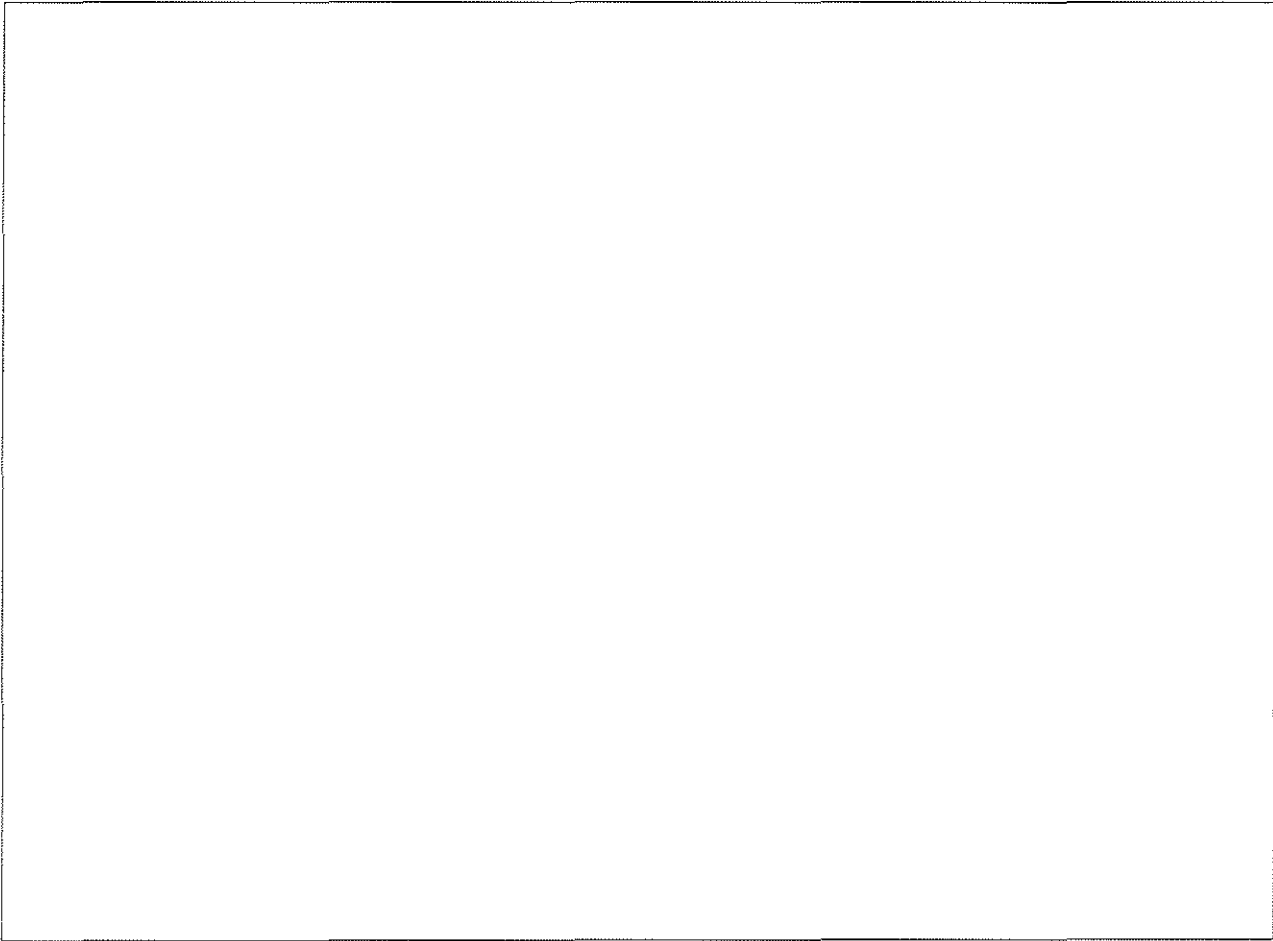
(Includes modifications to an existing entrance).

DATE: _____

NAME OF APPLICANT: _____

MAILING ADDRESS:

TELEPHONE:
Res: _____
Bus: _____
Fax: _____



- Sketch to include:*
- approx. total length of frontage (also show buildings).
 - any other entrances to property.
 - distances between existing and proposed entrances
 - including any nearby entrances on other properties.
 - other features: i.e. intersections, curves, etc.

SCHEDULE "A"

to BY-LAW NO. 6-2011

**THE MUNICIPALITY OF CENTRAL HURON
ENTRANCE POLICIES**

Authority is granted to _____ of
Owner / Applicant

_____ *Address* _____ *Postal Code* _____ *Telephone*

to construct a _____ entrance to serve
Type

Lot _____ Concession _____ Geographic Township of _____

or Lot _____ Registered Plan No. _____ Town/Village/Hamlet of _____

on the _____ side of Municipal Road _____.

Requirements for the Entrance:

Top Width _____ m

Surface Type

'A" Gravel

Length of Pipe _____ m

Diameter of Pipe _____ mm

Asphalt

Pipe Extension _____ m

Conditions:

Locates are to be done by installer. All work is to abide by Provincial Health & Safety Regulations. Traffic control as per Book 7.

Special Conditions:

Note: This entrance permit grants authority to the owner/applicant to access the travelled portion of the Municipal Road from the adjacent property line. It is the responsibility of the property owner to obtain approvals from all other agencies having jurisdiction outside the Municipal R.O.W.

_____ *per* _____
Date of Issue: _____ Roads Manager

SCHEDULE "B"

to BY-LAW NO. 6-2011

THE MUNICIPALITY OF CENTRAL HURON

ENTRANCE POLICIES

The Municipal Roads Department shall consider the following criteria when reviewing all applications for new entrances or alterations to entrances:

- a) protection of the public through the orderly control of traffic movement onto and from Municipal roads.
- b) maintenance of the traffic carrying capacity of the Municipal road network.
- c) protection of the public investment in Municipal road facilities.
- d) minimizing Municipal expenditures on maintenance of private entrance ways.
- e) providing legal access onto Municipal roads from adjacent private property.

Definitions

- Field Entrance:** provides access to agricultural fields
- Farm Entrance:** provides access to farm buildings and agricultural lands
- Residential Entrance:** provides access to residential facilities of four units or less.
- Commercial/Industrial Entrance:** provides access to a development where goods are manufactured or sold to the public. It also includes residential facilities of five or more units and Wind turbines.
- Temporary Entrance:** provides access to properties for a limited period not to exceed one year for the purpose of construction, repairs or improvement on that property or to facilitate a staged development.

Location of Accesses

The Municipality may restrict the placement of an access onto the Municipal road in the interest of public safety. New accesses must be located so as to provide:

- a) no undue interference with the safe movement of public traffic, pedestrians, or other users of the highway.
- b) favourable vision, grade, and alignment conditions for all traffic using the proposed access to the Municipal road.

In general, new entrances will not be permitted at the following locations:

- a) along a lane which is identified for the purpose of an exclusive vehicular turning movement.
- b) in close proximity to intersections.
- c) within daylight triangles at intersections.
- d) where the following minimum sight distance requirements are not met in the rural area;

<u>Speed Limit</u>	<u>Minimum Sight Distance</u>
50 km/hr. (Rural)	135 metres
60 km/hr.	165 metres
70 km/hr.	180 metres
80 km/hr.	200 metres
90 km/hr.	210 metres

Note: Sight distance shall be measured from an eye height of 1.05 metres measured 3.0 metres from outer edge of the traffic lane to passenger car lights designated as 0.60 metres above the roadway surface.

Design Standards

Entrance Grade: The finished surface of the access must drop away from the edge of the highway driving surface at a slope of not less than 2% to at least the edge of shoulder rounding.

Field Entrance: Shall be surfaced with at least 150 mm (6") crushed gravel (Gran."A"), and where a culvert is required its length must be sufficient to provide a 1:1 slope up from the ditch invert to an entrance width of 8.0 metres.

Farm or Residential Entrance: Shall be surface with at least 150 mm (6") crushed gravel (Gran."A"), and where a culvert is required its length must be sufficient to provide a 1:1 slope up from the ditch invert to an entrance width of 8.0 metres.

With written approval of the Municipal Engineer, the owner may be permitted to pave the entrance with hot-mix asphalt. Under no circumstances shall concrete or interlocking brick be permitted within the Municipal right-of-way.

Where concrete or interlocking brick have been used in the past within the Municipal right-of-way, any damage to the driveway or Municipal equipment during road construction and/or maintenance shall be repaired at the expense of the landowner. In addition, the landowner shall be responsible for all increased maintenance costs caused by the concrete or interlocking brick driveways. If deemed necessary by the Municipal Engineer, the entire concrete or interlocking brick driveway shall be removed in its entirety at the landowner's expense.

Commercial/Industrial Entrance: Shall be surfaced with hot-mix asphalt for any entrance onto a asphalt road and where a culvert is required its length will be dictated by the entrance design, which will be specific having regard for number and type of vehicles expected to utilize the entrance. The standard entrance width shall be 10 metres. A site plan will be required for entrance widths greater than 10 metres.

Curbs and/or Headwalls: No curb or headwall can extend above the surface of the roadway shoulder within the limits of the shoulder and it's rounding. All curbs and headwalls are constructed and maintained at the sole expense and risk of the applicant.

Maintenance of Entrances: Property owners having access to a Municipal road are fully responsible for the maintenance of the access including the removal of snow and ice and keeping the portion of the access within the highway in a safe condition for vehicular traffic.

A culvert installed under the terms of the access permit shall become the property of the Municipality upon acceptance of the work and all subsequent maintenance, repairs, alterations, etc. shall be the responsibility of the Municipality except where the culvert crosses a municipal drain in which case the maintenance will be the responsibility of the Township with costs shared in accordance with the By-law.

Municipality

Curb and Gutter: Where curb and gutter exists at the location of the proposed entrance, the applicant will be required to construct a curb cut at the entrance location if required. The existing curb shall be removed and replaced using material acceptable to the Municipal Engineer or altered in accordance with the Engineer's requirements. The area between the curb and sidewalk is to be paved with hot-mix asphalt in accordance with the Engineer's requirements. If there is no sidewalk, the entrance is to be paved with hot mix asphalt for a distance of 3 metres behind the curb.

Number and Width of Accesses:

- (a) It will be the policy of the Municipal Roads Department to limit the width of accesses to discourage the construction of entrances wider than that required for the safe and reasonable use of the entrance.

Limit the number of accesses to a property to the number required for the safe and reasonable access to the Municipal Road and in general conformity with the following:

Residences	one per property
Farm Buildings	one per farm
Farm Field	Minimum one field entrance per farm with additional field entrances where natural obstructions within the field prevent reasonable access across the field.
Commercial/Industrial	Two with a minimum spacing of 30 metres between entrances.

Refundable Deposit:

A refundable deposit in the amount of **\$1000** shall be collected prior to issuance of the permit. This deposit shall be refunded to the applicant within ten (10) days of approving the entrance by the Municipality less any amounts expended to bring the entrance up to Municipal Standards.

Permit Fee:

That a Fee in the amount of **\$250** be collected prior to issuance of the permit for Residential, Farm Buildings and Farm Field entrances and **\$500** for commercial/industrial entrances.

Cancellation of Permit:

Where the entrance has not been constructed and accepted by the Municipality within one year of the date of the Permit, then the Permit shall be null and void.