

**THE CORPORATION OF THE TOWNSHIP OF KILLALOE, HAGARTY AND
RICHARDS**

BY-LAW 10-2003

Being a By-Law for the purpose of regulating the installation of entranceways upon all municipal roads in the Township of Killaloe, Hagarty and Richards.

WHEREAS the Municipal Act, 2001 provides that the Councils of all municipalities may pass by-laws respecting highways under their jurisdiction, and may exercise its powers as authorized under the “drainage and flood control” sphere of jurisdiction, pursuant to the Municipal Act, 2001;

AND WHEREAS it is deemed expedient to regulate the installation of entrance ways over ditches and watercourses upon any public highway forming part of the township road system of the Corporation of the Township of Killaloe, Hagarty and Richards;

NOW THEREFORE the Council of the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

1. That an “entrance way” for the purpose of this by-law is any driveway, laneway, private road, entrance or other structure or facility constructed or used as a means of access to an open township road, and includes the tiling and covering or filling in of a roadside ditch for the purpose of improving a lawn or other frontage. For the purpose of this by-law, the definition of an entrance for logging, agricultural or aggregate purposes is one that is used occasionally, on an annual basis, exclusively for logging, agriculture or aggregate extraction.
2. That no other person shall construct an entrance way for any purpose without first obtaining a permit from the corporation of the Township, attached as Schedule “A” to this by-law. That the construction of all entranceways shall be carried out under the direction or supervision of the Works Superintendent.
3. That, notwithstanding the provisions of Section #1 of this by-law, all existing entranceways and laneways that have been established for agricultural, logging or aggregate purposes, cannot be converted to residential or commercial use unless the applicant first complies with Section #2 of this by-law.
4. A ratepayer who requests a second entranceway to their property must first file a detailed report with the Council for the Township of Killaloe, Hagarty and Richards, outlining the reasons for his/her request. A detailed diagram of the property showing the location of the present entranceway, measurements and distances of the proposed entranceway, and visibility to approaching traffic on the municipal road, will be required.
5. That all entrances shall require a new 18” culvert, or one of sufficient size, to be determined by the Works Superintendent, to accommodate the flow of water.
6. That the location of the entranceway must first be approved by the Works Superintendent to ensure maximum safety, visibility, and to minimize the possibility of interference with the road or the creation of a maintenance problem. The minimum sight distance requirements must be satisfied in both directions.

7. That sightlines for entranceways shall be based on a measurement of 4' (vertical) from the ground. The following horizontal sightline distances shall be classed by road category taken from the Township of Killaloe, Hagarty and Richards Roadway Service Standards By-Law No. 2-2003.

Residential:

Class 6 A & B	225'
Class 5	250'
Class 4	275'

Commercial:

Class 6 A & B	250'
Class 5	300'
Class 4	350'

8. That every applicant shall obtain an entrance permit at a cost of \$650.00 for residential and \$850.00 for commercial. Said permit fee shall be deposited at the municipal office prior to the issuance of the permit. Upon completion of the entranceway to the satisfaction of the Works Superintendent, the deposit shall be reimbursed to the applicant. If the entranceway is not completed within one year of the date of the application, the deposit shall be used by the township to install an entranceway as per the provisions of this by-law.
9. That the responsibility and the cost of constructing all entrances shall be borne by the owner of the subject property, or applicant.
10. That any person who contravenes any of the provisions or part of this by-law is guilty of an offence and shall, upon conviction therefore, be liable to a fine as provided under the Provincial Offences Act. Such penalty shall be recoverable pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990.
11. That the Works Superintendent shall keep accurate records of where the culvert is placed and have entrance permits numbered consecutively.
12. That this by-law shall repeal By-Laws numbered 14-94, 26-96 and 17-97 of the former Township of Hagarty & Richards.
13. That this by-law shall come into force and take effect upon final passing thereof.

Read a first and second time this _____ day of _____, 2003.

Read a third time and passed this _____ day of _____, 2003.

MAYOR

CAO CLERK-TREASURER