

# BY-LAW

Number 91-176

## "PROPERTY ACCESS LICENCE BY-LAW"

A by-law to regulate and control the use  
of untravelled portions of highway for  
entrance to adjoining property

WHEREAS the Municipal Act, R.S.O. 1980, Chapter 302, Section 310 provides, inter alia, authority for council to license the use of untravelled portions of highways under the jurisdiction of council to the owners or occupants of adjoining property for such consideration and upon such terms and conditions as may be agreed and for regulating and controlling the use thereof; and

WHEREAS Section 208(17) provides authority for permitting and regulating the size and mode of construction of culverts on a highway under the jurisdiction of the municipality.

NOW THEREFORE BE IT RESOLVED THAT:

1. Authority

All highways described in the Municipal Act, R.S.O. 1980, Chapter 302, Section 257 are subject to this by-law except highways within the municipality under the jurisdiction of other municipal authorities.

2. Licence Requirements

No person shall use any road, street or highway to construct an entranceway or access or change an existing entranceway or access to an adjoining property without first obtaining a licence according to the following requirements set out hereto.

3. Definitions

In this By-Law the following definitions apply:

**"Applicant"** means the person applying for the Entrance Permit.

**"Director"** means the Director of Public Works of the Amalgamated Town or his designated representative.

**"Entrance"** means any private road, gate, entranceway or other structure or facility constructed as a means of access to a municipal road.

**"Boulevards"** means any part of the highway where grass is grown and which is not intended for use of vehicles between the curb or outside edge of the shoulder and the street line, inclusive of the area covered by a sidewalk or footpath.

6. Specifications Cont'd.b) Culverts Cont'd.

iii) All culverts and entranceways must not have raised concrete head walls, stone or wooden ends, unless approved and if approved may not be higher than the level of the road shoulder. Any approved head walls shall be the responsibility of the applicant/owner at all times.

c) Curb Cuts

Costs will be estimated by the Director and the sum must be paid to the Town prior to approval of the Licence or commencement of the works.

7. Visibility Requirements

a) Entranceways in areas where the speed limit is 80 kilometres per hour must be located a minimum of 91 metres (300') from the end of a bridge deck or from its nearest part of the structure which interferes with the clear vision of traffic using the entrance.

b) In areas where the speed limit is less than 80 kilometres per hour, the location of an entrance to that distance from the bridge or other structure may be less as deemed by the Director.

c) Entranceways will not be permitted where favourable vision and grade alignment conditions are not adequate as per sight distance schedule.

d) Minimum Sight Distances:

<u>Speed Limit</u>	<u>Sight Distances</u>
50 km/hr (30 mph)	120 metres (400 feet)
60 km/hr (35 mph)	140 metres (465 feet)
70 km/hr (40 mph)	160 metres (530 feet)
80 km/hr (50 mph)	180 metres (600 feet)

The distance is measured from the point of the entrance onto the travelled portion of the road at a height of 1.05m (3.44') above ground which represents the driver's eye level and 3.0m (10') from the edge of pavement and a height of object (roof of vehicle) measured 1.3m (4.26') above the road.

8. Entranceway Licence and Installation

All costs associated with an entrance access licence shall be the responsibility of the applicant. These costs include all costs for the construction and alteration of an entrance such as labour and materials for the entrance itself, alteration to the roadway, legal costs, etc.

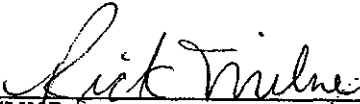
16. Obstruction Removal

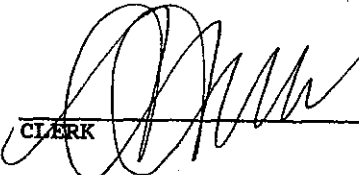
Any obstruction or property access built without a licence will be removed by the Director.

17. This by-law shall come into force and take effect on the date of final passing thereof.

18. This by-law shall be cited as the "Property Access Licence By-law".

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5TH DAY OF NOVEMBER, 1991.

  
MAYOR

  
CLERK