# CORPORATION OF THE TOWNSHIP OF CARLING

## BY-LAW NO. 96-4

Being A By-Law To Regulate the Location of Entrances to Private Lands and to Provide for a Security Deposit to Cover the Cost of Damage to Municipal Roads

**WHEREAS** Section 210, Subsection (80) of The Municipal Act, Chapter M-45, R.S.O. 1990, authorizes the Council of a Municipality to pass a by-law for requiring and regulating the filling up, draining, cleaning, clearing of any grounds, yard and vacant lots and altering, relaying, or repairing of private drains;

**AND WHEREAS** Section 314, Subsection (1), Paragraph 2, of The Municipal Act, Chapter M-45, R.S.O. 1990, authorizes a municipality to pass by-laws regulating the crossing of curbings, sidewalks or paved boulevards and requiring the payment of deposits to meet the cost of damages to curbing, sidewalks or paved boulevards, or to any water service box;

**AND WHEREAS** the Council of the Township of Carling deem it appropriate to regulate entrances to private lands;

**NOW THEREFORE** be it enacted as a By-law of the Corporation of the Township of Carling as follows:

1. That no person shall install, alter or repair any entrance to private lands, or place or cause to be placed on any municipal road or road allowance or in any ditch or on any part of a public road any culvert, dirt, gravel, crushed rock or other fill material without first obtaining an entrance permit from the municipality, and in accordance with the requirements set out in the entrance approval.

2. That an application for an entrance permit shall be submitted on the form prescribed by the municipality, attached to this By-law as Schedule "A.

3. That the municipality will grant an entrance permit after it is satisfied that the proposed entrance location is the most suitable location having regard to matters of safety and providing that drainage of municipal roads is not adversely affected.

4. That the owner of land abutting a sidewalk, curbing or paved boulevard, upon any application to install, alter or repair an entrance to private property is hereby required to pay the municipality a deposit of $500.00 to meet the cost of repairing any damage to the sidewalk, curbing or paved boulevard or to any other service therein caused by such works.

5. That upon the completion of the installation, alteration, or repair of the entrance to the land abutting such sidewalk, curbing or paved boulevard, and upon application by the person by whom the deposit was paid, the amount by which the sum deposited exceeds the cost of such repairs shall forthwith be refunded.

6. That prior to the refund of any portion of the deposit, an inspection form shall be completed by the Road Superintendent or his designate certifying that the condition of the curbing, sidewalk or roadway is satisfactory, or recommending that certain repair work be carried out at the expense of the abutting property owner.

7. That the municipality shall be the sole judge of damage and for determining charges for repairs to be charged against security.

8. That in the event that the amount of the deposit fails to cover the amount of the damages, the person who paid the initial deposit shall be issued an invoice for the balance of the costs.

9. By-law 78-19 is hereby rescinded.

10. Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine not exceeding the maximum provided under the Provincial Offences Act, exclusive of costs, and every such fine shall be recoverable under the Provincial Offences Act.

Read a First and Second time in Council this 6th day of August, 1996.

A.W. Reekie , Reeve

Susan Murphy, Clerk-Administrator

Read a Third and Final time and passed in Council this 6th day of August, 1996.

A.W. Reekie , Reeve

Susan Murphy, Clerk-Administrator

This is Schedule "A" to By-law 96-4

# TOWNSHIP OF CARLING
# APPLICATION FOR ENTRANCE TO PRIVATE LANDS

*IN ACCORDANCE WITH BY-LAW 96-4*

NAME: _____ PHONE: _____

ADDRESS: _____

PROPERTY: _____ TOWNSHIP ROAD: _____

SURFACE:_____ COMMERCIAL _____ RESIDENTIAL _____ VACANT _____

1. Use the reverse of this page to sketch a plot plan showing all buildings and the location of the proposed entrance. On the site, clearly mark the entrance location so an inspection can be made.

2. Do not install any entrance without contacting the Road Superintendent for an inspection of the proposed location. Installation must be supervised by the Road Superintendent.

3. Culverts must be installed in accordance with Ontario Provincial Standards. Culverts installed with a 3 metre or greater cover shall be asphalt coated Corrugated Steel Pipe or approved concrete. The Road Superintendent shall determine compliance with installation and construction standards.

4. Entrances must be located so that a traffic hazzard is not created because of limited sight lines on curves and grades.

5. If the location of an entrance interferes with proper drainage of a Township Road, then a culvert having a minimum size of 20' x 15" must be installed.

6. The applicant is liable for all costs and for repair of any damage caused to municipal roads in connection with installation of culverts and construction of entrances. Damage shall be repaired to the satisfaction of the Road Superintendent, or shall be repaired by the municipality and the cost of such repair charged to the applicant.

7. On SURFACE TREATED ROADS $500 must be deposited with the municipality. Once the entrance has been installed, if there is no damage to the municipal road, the deposit will be refunded.

_____ _____

Signed (Applicant) Date

# PLOT PLAN

Deposit Required: _____ Culvert Size Required: _____

Comment: _____

_____

Approved: _____ _____
Road Superintendent Date