

COUNTY OF RENFREW

BY-LAW NUMBER 32-98

**A BY-LAW TO AMEND BY-LAW NO. 20-97, BEING
A BY-LAW TO REGULATE THE CONSTRUCTION OR
ALTERATION OF ANY ENTRANCEWAYS, PRIVATE ROADS
OR ACCESS TO A COUNTY ROAD**

WHEREAS Subsection 1 c) and d) of Section 63 of the Public Transportation and Highway Improvement Act, R.S.O. 1990, Chapter P.50 and amendments thereto provides that a County 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 or 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 Subsection 2 of Section 63 of the Public Transportation and Highway Improvement Act, R.S.O. 1990, Chapter P.50 and amendments thereto 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 County of Renfrew deems it necessary and desirable to regulate the construction and alteration of entranceways, private roads, or other facilities that permit access to County roads and to provide for the issuing of permits related thereto;

THEREFORE the Council of the Corporation of the County of Renfrew hereby enacts:

1. **THAT** in this By-Law:
 - a) "Council" shall mean the Council of the Corporation of the County of Renfrew;
 - b) "County road" shall mean all roads included in the County of Renfrew road system as defined in By-Law 31-89 *and Amending By-Law 8-98* of the Corporation of the County of Renfrew and any amending or successor By-Laws thereto.
2. **THAT** no person shall construct or alter or cause to be constructed or altered any private road, gate or other structure or facility that permits access to any County road, unless such access has been applied for in a form as set out in Schedule "A" attached and has been approved by an authorized officer as evidenced by the issuance of an access permit of a form as set out in Schedule "B" attached hereto.

3. **THAT** no person shall make or permit any change of use of any private road, entranceway, gate or other structure or facility that permits access to any County road, unless the change in use of such access has been applied for in a form as set out in Schedule "A" attached and has been approved by an authorized officer as evidenced by the issuance of an access permit of a form as set out in Schedule "B" attached hereto.
4. **THAT** an entrance permit may be issued by the County Engineer and Road Superintendent in accordance with the entrance policies and design guidelines as established by the Roads Department.
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 policies and design guidelines of the Roads Department and shall further comply with all terms and conditions attached to any entrance permit issued hereunder.
6. **THAT** the functional classification of all County Roadways shall be as set out in Schedule "C", *as amended*, attached hereto.
7. **THAT** all costs associated with an entrance permit, construction, and maintenance of the entrance access in accordance with the terms of the permit will be the responsibility of the applicant.
8. **THAT** the fees associated with acquisition of an entrance permit shall be as set out in Schedule "D" attached.
9. **THAT** the ownership of the entrance and ancillary components shall remain that of the property owner, his heirs and successors whose responsibility it shall be for the proper maintenance including replacement of the entrance and ancillary components.
10. **THAT** every person who contravenes any provision of this By-Law shall upon conviction be liable to payment of a fine of not less than \$500.00 nor more than \$1,000.00 for a first offence and not less than \$1,000.00 nor more than \$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.

11. **THAT** the Engineer be authorized to remove any unauthorized access from the road allowance.
12. **THAT** By-Law Number 20-97 is hereby repealed.
13. **THAT** this By-Law shall become effective on the day it is passed.

READ a first time this 24th day of June, 1998.

READ a second time this 24th day of June, 1998.

READ a third time and finally passed this 24th day of June, 1998.



DAVID J. STEWART, WARDEN



NORM LEMKE, CLERK