

**THE CORPORATION OF THE TOWNSHIP OF CARLOW/MAYO**

**BY-LAW NO. 22-2009**

**BEING A BY-LAW TO AMEND BY-LAW NO. 32-2007, BEING A BY-LAW TO REGULATE THE ESTABLISHING OF ENTRANCES TO TOWNSHIP ROADS.**

**WHEREAS** it is deemed expedient to regulate the establishing of entrances to Township Roads;

**AND WHEREAS** authority is granted under Part III, Sub-Section 96 of the Municipal Act 2001, S.O. 2001, c25 for the purpose of preventing damage to property in the municipality as a result of flooding, exercise its powers in relation to flood control in the municipality;

**NOW THEREFORE the Township of Carlow/Mayo ENACTS AS FOLLOWS:**

1. An entrance for the purpose of this By-Law is a private road, entranceway, gate or other structure or facility constructed or used as a means of access to a public roadway under the jurisdiction of the Township of Carlow/Mayo and includes the tiling and covering or filling in of a roadside ditch for the purpose of improving lawn frontage.
2. No person shall in any manner place obstructions of any nature in any watercourse, stream, creek, ditch, drain, culvert or bridge situated in the Township of Carlow/Mayo.
3. Standard pipe, culverts and materials approved by the Township Road Superintendent must be used, and, if the entrance is such that a bridge is required the design of the bridge is subject to the approval of the Township Road Superintendent. All pipes shall be installed to the proper grade so as to provide for the free and unimpeded flow of water through the pipe.
4. In no case shall a property owner or tenant be permitted to construct a driveway which in any way interferes with the free flow of water in the ditch, drain or watercourse.
5. The use of hot water tanks, barrels, concrete blocks, or badly deteriorated corrugated iron pipe in place of standard material shall be strictly prohibited.
6. Persons desiring a driveway across any ditch, drain or watercourse shall make application to the Township Road Superintendent who will investigate the application and advise the size, type, length and location of the culvert if required. The length of the culvert shall be at the discretion of the Road Superintendent. The size of the culvert and its location in the watercourse, drain or ditch, shall at all times be subject to the approval of the Township Road Superintendent. The applicant shall be responsible for the purchasing and the installation of the culvert. All future maintenance/replacement costs regarding the culvert shall be borne by the applicant.
7. An entrance permit is required for all entrances even if the Road Superintendent determines a culvert is not required.
8. A non-refundable filing fee of \$100.00 is applicable and must accompany the entrance permit application at the time of filing.
9. Any entrance established without first obtaining an entrance permit may be removed by the Township and the cost of such removal shall be borne by the owner.
10. Every person who contravenes the provisions of this By-Law is guilty of an offence and on summary conviction is liable to a fine of not less than \$50.00 and not more than \$500.00.
11. Entrance Application/Permit attached hereto as Schedule "A" forming part of this By-Law.

**THAT** this By-Law repeals all previous By-Laws and/or Motions of Council pertaining to same.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 5<sup>TH</sup> DAY OF AUGUST 2009.**

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**David A. Panabaker, Reeve**

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**Arlene Cox, Clerk-Administrator**

