

THE CORPORATION OF THE TOWNSHIP OF ERAMOSA

ENTRANCE  
PERMITS

By-law No. 47-93 as amended by By-law 32-96 and  
By-law 22-97

Being a by-law to regulate the location of driveway  
entrances to private lands from Township public roads  
and to prohibit the deposit of any earth, debris or  
excavated material within the limits of a road.

**WHEREAS** Section 104 of the Public Transportation and Highway Improvement Act, R.S.O. 1990, Chapter P50, as amended, prohibits the deposit of earth, debris or excavated material within the limits of a road without permission in writing to do so from the road authority responsible for the maintenance of the road;

**AND WHEREAS** Section 326 of the Municipal Act, R.S.O. 1990, Chapter M45, as amended, states that where a Council has authority to direct or require by by-law or otherwise that any matter or thing be done, the Council may by the same or by another by-law direct that, in default of it being done by the person directed or required to do it, such matter or thing shall be done at his/her expense, and the Corporation may recover the expense incurred in doing it by action or the same may be recovered in like manner as municipal taxes;

**AND WHEREAS** the Council of the Corporation of the Township of Eramosa deems it to be in the public interest to enact regulations to maintain the proper drainage of Township roads and other ditches within the Township.

**NOW THEREFORE** the Council of the Corporation of the Township of Eramosa hereby enacts as follows:

1. For the purposes of this by-law, the definitions and interpretations given in this section shall govern. Words used in the present tense include the future, words used in the singular include the plural and words in the plural include the singular number. The word "shall" is mandatory and not directory. In this by-law the following definitions shall apply:
  - (a) "Person" shall include an individual, association, firm, partnership, corporation, trust incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the same can apply according to law.
  - (b) "Road" means a municipal common and public roadway whether opened or unopened including, without limiting the generality of the foregoing, any roadway assumed by the Municipality for maintenance purposes whether such roadway has been deeded or not to the Municipality.
  - (c) "Roads Superintendent" means any person so designated by the Municipality by by-law to act as a roads superintendent.
  - (d) "Corporation" means the Corporation of the Township of Eramosa
  - (e) "Debris" shall mean debris, refuse, and garbage of any nature or kind including but without limiting the generality of the foregoing all organic or inorganic materials including dirt, stones, gravel, rock, tree limbs and/or branches.
2. No person shall deposit debris within the limits of a road including either the travelled or untravelled portion thereof.
3. No person shall construct or place or cause to be constructed on any road any dirt, stones, gravel, crushed rock or other fill material without first obtaining written permission of the Corporation as represented by the Roads Superintendent.
4. No person shall construct any driveway, laneway or other form of access from a road to either public or private property without first obtaining an entrance permit.
5. No entrance permit shall be granted until all requirements, as set forth in Schedules "A", "B", "C", "D", "E", "F" attached to and forming part of this by-law, are complied with.

6. Approval in writing be obtained from the Superintendent of Public Works for any driveway, laneway or culvert installed in accordance with subsection 5 of this by-law prior to the issuance of a building permit.
7. In the event that any person is in contravention of Sections 2, 3, 4, or 6 of this by-law, then the Council of the Corporation may by resolution direct the removal and/or clean up of any debris, material and/or culvert and the costs of all such works shall be paid for through the deposit funds and/or be added to the Collector's Roll and collected in a like manner as municipal taxes against any property owned by that person in the Municipality. Provided further that this section shall in no way limit any other action or legal remedy that may be available to the Corporation.
8. The Township intends that any section or sections of this by-law which may be held to be invalid shall be severable from the remainder and not be deemed to have persuaded or influenced Council to pass the remainder of the By-law.
9. Where the provisions of any other by-law, resolution, or action of Council are inconsistent with the provisions of this by-law, the provisions of this by-law shall prevail.
10. This by-law shall come into effect on the date of passing.

TAKEN AS READ A FIRST AND SECOND TIME THIS 18th DAY OF NOVEMBER, 1996.

Mark Thomsen  
Head of Council

Virginia Sinnott  
Clerk-Administrator

READ A THIRD AND FINAL TIME, PASSED, SIGNED AND SEALED IN OPEN COUNCIL

THIS 18th DAY OF NOVEMBER, 1996.

Mark Thomsen  
Head of Council

Virginia Sinnott  
Clerk-Administrator

SCHEDULE "A" TO BY-LAW 47-93, as amended by By-law 22-97

APPLICATION FOR A PERMIT TO INSTALL A \_\_\_\_\_ ENTRANCE  
(Classification)  
ON THE \_\_\_\_\_ OF ERAMOSA

To the Superintendent of Public Works of the Township of Eramosa.

The undersigned applicant, being either the owner or the occupant of the property to which an entrance is desired, hereby begs leave to install a \_\_\_\_\_.

Entrance from Township Road \_\_\_\_\_ to

LOT \_\_\_\_\_ CONCESSION \_\_\_\_\_ TOWNSHIP  
OF \_\_\_\_\_

FOR A PROPERTY HAVING A FRONTAGE OF \_\_\_\_\_ ALONG THE ROAD.

I have read the restrictions regarding entrances and the standards for entrances and shall comply with same. It is understood that the Township of Eramosa will specify, on the permit, the size, type and length of culvert required for this entrance. I will clearly mark the location of this entrance by means of a stake.

I understand that all materials will be supplied by and all work will be done by me at my expense to the satisfaction of the Township of Eramosa and will be subject to inspection after installation. I also understand that I must correct any faults within a period of ten days after inspection or remove the entire entrance not more than one week later if so ordered.

I further understand that if I fail to correct or remove the entrance within 10 days, the Township may remove the entrance at my cost. All such works will be paid for through the deposit funds and/or be added to the Collector's Roll and collected in a like manner as municipal taxes against any property owned by me in the Municipality.

I agree not to commence any work on this entrance until such time as a permit has been issued by the Township of Eramosa.

DATE OF THIS APPLICATION \_\_\_\_\_  
APPLICANT (PLEASE PRINT) \_\_\_\_\_  
SIGNED \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_

Please return this form with a deposit in the amount of \$ \_\_\_\_\_ to the

Township of Eramosa Public Works Department  
R.R.#1 ( 8348 Highway 24 N at Brucedale)  
Rockwood, Ontario  
NOB 2K0  
(519) 856-9951 or (519) 856-9880

This is Schedule "A" to By-law 47-93, as amended by By-law 22-97  
passed this 5th day of May, 1997

Richard F. Hughes V. Sinnott  
Reeve Clerk

SCHEDULE "B" TO BY-LAW 47-93

PERMIT TO INSTALL A \_\_\_\_\_ ENTRANCE  
(Classification)

PERMIT: -

TO INSTALL A \_\_\_\_\_ ENTRANCE TO PRIVATE  
(Classification)

PROPERTY FROM THE TOWNSHIP OF ERAMOSIA \_\_\_\_\_, as follows:

Lot No. \_\_\_\_\_ Concession No. \_\_\_\_\_, Township of \_\_\_\_\_

NAME OF OWNER OR APPLICANT: \_\_\_\_\_

PRESENT ADDRESS OF APPLICANT: \_\_\_\_\_

SIZE OF CULVERT TO BE INSTALLED: \_\_\_\_\_

TYPE OF CULVERT TO BE INSTALLED: \_\_\_\_\_

LENGTH OF CULVERT TO BE INSTALLED: \_\_\_\_\_

MINIMUM COVER OVER CULVERT SHALL BE 12 INCHES. SURFACE MATERIAL ON ENTRANCE SHALL BE GRAVEL OR ASPHALT.

Installation shall comply with the restrictions regarding entrances and the standards for entrances.

All work shall be done at the Applicant's expense and shall be to the satisfaction of the Township of Eramosa.

This entrance will be subject to inspection after installation and any faults must be corrected within a period of ten days after said inspection. If not corrected, the Township may remove this entrance after the applicant has been so notified.

All work must be completed before the date of expiry indicated on this permit.

DATE OF PERMIT: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
FOR THE TOWNSHIP OF ERAMOSIA

DATE PERMIT EXPIRES: \_\_\_\_\_

Date of Inspection after Installation: \_\_\_\_\_

1 - Approved as installed: (Signed) \_\_\_\_\_  
Superintendent of Public Works

OR

2 - Approval Denied for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_

(Signed) \_\_\_\_\_  
Superintendent of Public Works

Note: On completion of installation and inspection, the Township Superintendent of Public Works will sign EITHER 1 or 2 above, and return one copy so signed to the Township. He should also sign the owner's copy at that time if possible and leave same with the owner, and should keep a record of same for his own later reference.

This is Schedule "B" to By-law 47-93 passed this 16th day of August, 1993.

J.C. Leverne Harris  
Reeve

V. Sinnott  
Clerk

CLASSIFICATION OF ENTRANCES

Motoring-Service Entrance (Commercial)

A Motoring-Service entrance is an entrance opening onto a Township Road from a commercial undertaking established to provide the motoring public with fuel, food minor repairs or overnight accommodation.

Business Entrance (Commercial)

A Business entrance is an entrance opening onto a Township Road from a business enterprise or undertaking not covered by Category 1, ie. Motoring-Service Entrance.

Some examples are:

- (a) Shopping Centre
- (b) Grocery store
- (c) Apartment house or multi-family dwelling containing six or more separate self-contained dwelling units.
- (d) Industrial Development
- (e) Community Hall
- (f) School

Residential Entrance

A Residential Entrance is an entrance opening onto a Township Road from a private residence or from a multi-family dwelling containing not more than five separate self-contained dwelling units.

Farm Entrance

A Farm Entrance is an entrance opening onto a Township Road from a farm. It may be used for access to barns out buildings or farm residences.

Farm: A farm is defined as a holding of arable land of more than 10 acres.

Field Entrance

A Field Entrance is an entrance opening onto a Township Road from a field forming part of a farm. It shall be used only for the passage of animals and crops, and for other agricultural purposes but not for access to buildings of any type. Generally, a maximum of one entrance per field fronting the Township Road will be granted.

Pedestrian Entrance

A Pedestrian Entrance is an entrance onto a Township Road for the sole use of pedestrians.

Public Entrance

A Public Entrance is an entrance onto a Township Road from a registered subdivision, public road or street.

This is Schedule "C" to By-law 47-93 passed this 16th day of August, 1993.

J.C. Leverne Harris  
Reeve

V. Sinnott  
Clerk

RESTRICTIONS REGARDING ENTRANCES

A permit is required for each entrance onto a Township Road that is constructed by parties other than the Township.

The design and construction of a Public Entrance to a Township Road from a registered plan of subdivision is subject to the approval of the Township.

The owner of the subdivision planning to construct a Public Entrance from a subdivision to a Township Road must obtain a permit from the Township before work commences within the limits of the road allowance of a Township Road on the entrance or any works related thereto.

Residential or commercial access from a Township Road from properties adjoining a traffic channelization is prohibited.

A Residential, Farm or Field Entrance shall be constructed in accordance with the standards of the Township.

A Commercial Entrance shall be constructed in accordance with the standards of the Township.

A Permit will not be issued for any entrance that would open upon or cross a daylighting area.

All entrances shall be restricted as follows:

- (a) An entrance in an area where the speed limit is 80 km per hour is prohibited in any location where the clear vision is less than 165 m in each direction from which traffic may approach on a Township Road or at the discretion of the Township Superintendent of Public Works.
- (b) An entrance in an area where the speed limit is less than 80 km per hour is prohibited in any location where the clear vision is less than 100 m in each direction from which traffic may approach on a Township Road or at the discretion of the Township Superintendent of Public Works.
- (c) Hidden entrance signs are to be paid for by the applicant at a current cost if said sign is requested by applicant.

ENTRANCE AT APPROACH TO BRIDGE

An entrance adjacent to a bridge or other structure which may interfere with the clear vision of traffic using the entrance must be located as follows:

- (1) A Commercial Entrance in an area where the speed limit is 80 km per hour must be located at least 150 m from the end of the deck of the bridge or from the nearest part of the structure which actually interferes with the clear vision of traffic using that entrance.
- (2) A Residential, Farm, or Field Entrance in an area where the speed limit is 80 km per hour must be located at least 35 m from the end of the deck of the bridge or from the nearest part of the structure which actually interferes with the clear vision of traffic using that entrance.

In areas where the speed limit is more than 80 km per hour, the Township may restrict the location of an entrance to that distance from the bridge or other structure which it deems desirable.

SCHEDULE "D" TO BY-LAW 47-93 continued

SPECIFICATIONS FOR ENTRANCE, PIPE, CULVERT, ROADWAY, ETC.

The minimum width of a roadway pertaining to an entrance is 6 m. The minimum length of a pipe or culvert pertaining to an entrance is 9 m. The minimum size or diameter of a pipe or culvert is 450 mm. or equivalent. Where the flow of water or width of a ditch is such as to make the use of a pipe or culvert too costly, the Township Superintendent Public Works may approve the construction of a bridge. The design of the bridge structure is subject to the approval of the Township Superintendent of Public Works. Standard pipe, culvert and construction materials approved by the Township must be used.

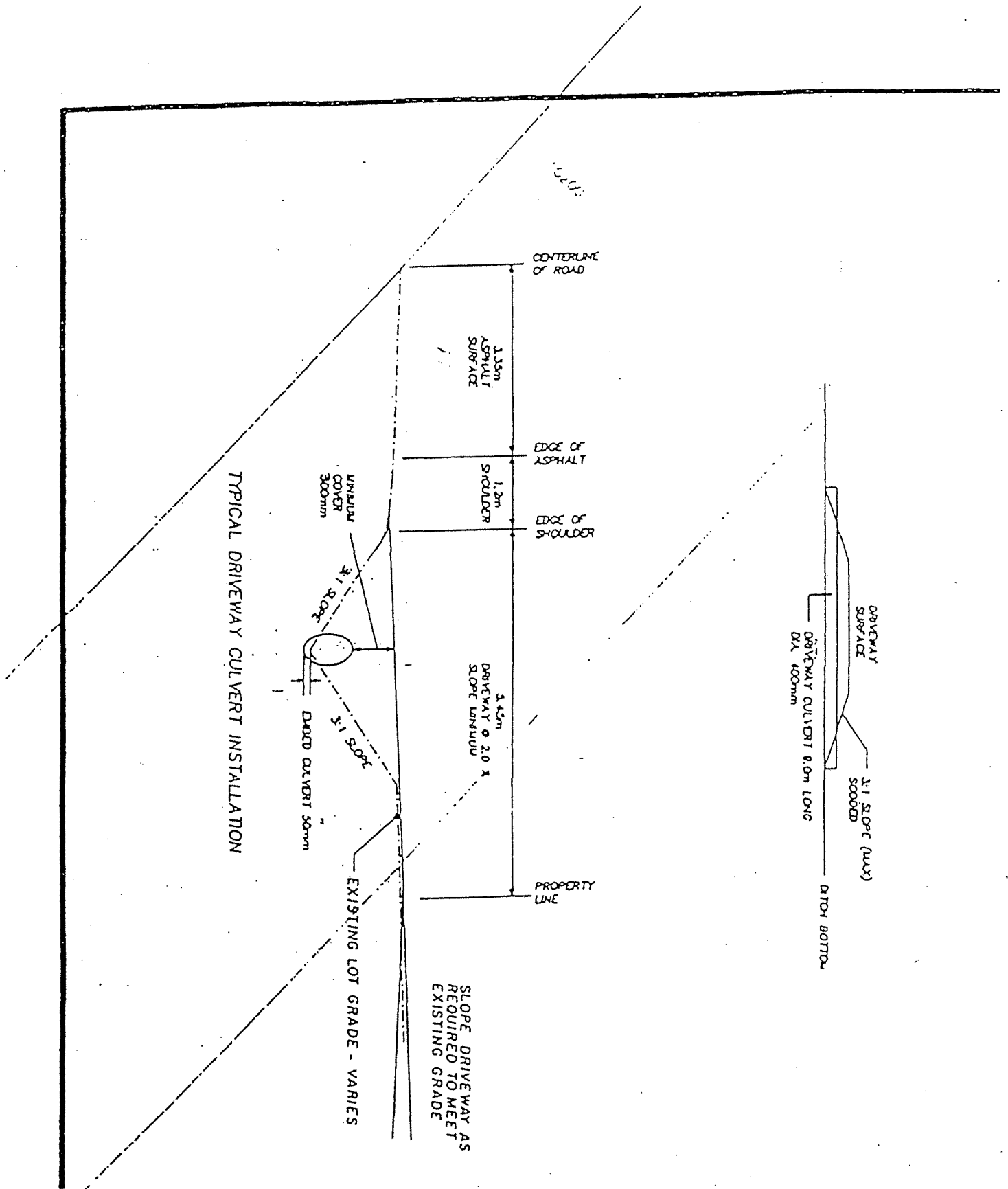
Each entrance to a Township Road must be designed, constructed and maintained in a manner that will prevent surface water from the entrance-way or from the adjoining property being discharged via the entrance onto the travelled portion of the Road.

**NOTE: Use "Typical Driveway Installation" , Schedule E as a guide**

This is Schedule "D" to By-law 47-93  
passed this 16th day of August, 1993.

J.C. Leverne Harris  
Reeve

V. Sinnott  
Clerk



This is Schedule "E" to By-law 47-93

passed this 16th day of August, 1993.

*[Signature]*  
Reeve

*[Signature]*  
Clerk



REQUIREMENTS FOR FINAL APPROVAL OF AN ENTRANCE PERMIT

1. A completed application for an entrance permit in the required form as approved by Council.
2. The proposed location of the driveway shall be staked out and an inspection of the site must be completed by the Roads Superintendent.
3. The permit fee, as determined by Council resolution from time to time, shall be paid.
4. Guidelines per Schedule "D" must be followed.

This is Schedule "F" to By-law 47-93, as amended by By-law 22-97  
passed this 5 th day of May, 1997.

Richard F. Hughes  
Reeve

V. Sinnott  
Clerk