

THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY

**BY-LAW NUMBER 2005-51**

Being a by-law to establish road maintenance standards and road classifications for highways within the jurisdiction of the Township of Madawaska Valley and delegation to the Operations Manager with respect to temporary road closures.

**WHEREAS** Sections 27 and 28 of the Municipal Act 2001, S.O. 2001 c.25 and related regulations thereto authorizes a municipality to pass bylaws in respect of highways over which it has jurisdiction;

**AND WHEREAS** the Council for the Township of Madawaska Valley deems it necessary to pass a by-law respecting the classification and maintenance of highways under its jurisdiction;

**AND WHEREAS** pursuant to Section 42 of the Municipal Act 2001, S.O. 2001 c.25 a municipality may delegate to a committee of council or to an employee of the municipality, subject to any conditions, which the municipality may impose, the power to close a highway temporarily for any purpose specified in the by-law.

**NOW THEREFORE** the Council for the Township of Madawaska Valley enacts as follows:

1. THAT for the purposes of this by-law, "highway" is defined as those roadways that are municipally maintained and as described and classified as set out in Schedule "A", attached hereto and forming part of this by-law.
2. THAT Regulation 239/02 made under the Municipal Act 2001, defining minimum maintenance standards for highways with classifications of 1, 2, 3, 4, and 5, is hereto attached as Schedule "B" and forms part of this by-law.
3. THAT "Class 6" highway standards as outlined in Schedule "C" attached hereto and forms part of this by-law.
4. THAT pursuant to Section 42 of the Municipal Act, 2001, S.O. 2001 c.25, the Council for the Township of Madawaska Valley hereby delegates authority to the Operations Manager of the Township of Madawaska Valley to temporarily close a highway under the jurisdiction of the municipality in the case of emergency or for maintenance or construction activities, these to be determined by the Operations Manager, and for special events as approved by council from time to time.
5. THAT winter maintenance on highways under the jurisdiction of the municipality shall be conducted annually beginning on October 15th and continuing to, and including, April 14th.
6. THAT any prior by-laws relating to road maintenance standards or road classifications of the former Township of Radcliffe, Village of Barry's Bay and Township of Sherwood, Jones and Burns, are hereby repealed.
7. THAT this by-law shall come into force and take effect upon final passing thereof.

**READ A FIRST AND SECOND TIME THIS 15<sup>th</sup> DAY OF August, 2005.**

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**REEVE – John Hildebrandt**

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**CAO/CLERK – Pat Pilgrim**

**READ A THIRD TIME AND FINALLY PASSED THIS 15th DAY OF August, 2005.**

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**REEVE – John Hildebrandt**

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**CAO/CLERK – Pat Pilgrim**

**SCHEDULE “A”**

**to By-Law Number 2005-51**

<b>Road Name</b>	<b>Description</b>	<b>Class</b>	<b>Kms</b>
Airport Road	Hwy 60 to Country Forest Lane/Yeretch Road	4	1.76
Annie Mayhew Road	Maika Road to 130	4	0.64
Antoine Road	Winnie Road 83 to 223	4	0.69
Arbor Vitae Road	Hwy 60 to 764	4	3.81
Arbor Vitae Road into 522A-B	Arbor Vitae Rd to 522A-B houses	4	0.11
Arena Road	Hwy 60 to 65 Arena Road	4	0.99
Babinski Road	Siberia Road to 354	6B	1.77
Basin Depot Road	Gunns Road to 200 (Camp Edlau Lane)	4	1.00
Bay Street	Kitts Street to Lakeshore Drive	5	2.27
Beanish Street	Casey Street for 0.10 km	5	0.10
Biernacki Mountain Road	Siberia Road to Kubishack Lane	4	2.48
Biernacki Street	Siberia Road to Wilno Street	5	0.70
Birchview Drive	Sprucedale Avenue to Lakeview Parkway	5	0.21
Blackfish Bay Road	Combermere Road to 260	4	1.29
Bleski Road	Kartuzy Road to 276	4	1.37
Borutski Street	Wilno South Road to Burchat Street	5	0.14
Brady Street	Stafford Street to 17	5	0.08
Brotton Road	Peplinski Homestead Road for 0.35 km	6C	0.35
Burchat Street	Hwy 60 to 74	5	0.36
Cameron Track Road	Hwy 60 to 294	4	1.46
Carmel Hill Road	Dafoe Road to 114	4	0.56
Carson Grove Road	Carson Heights Road to 62	4	0.30
Carson Heights Road	Hwy 60 to 148	4	0.73
Casey Street	Siberia Road to 133	5	2.00
Cemetery Lane	Siberia Road to Mask Island Drive/Island Lane	4	0.29
Chanonhouse Road	Long Lake Road to 286	4	1.42
Chapel Road	Kopernik Road to 25	4	0.12
Chapeski Mill Drive	Paugh Lake Road to 1150	4	5.74
Chapeski Mill Drive into 704	Chapeski Mill Drive to turnaround just before gate of 704	4	0.35
Chapeskie Road	Combermere Road to 3052	4	0.26
Chippawa Road	Combermere Road to 878	4	2.89
Chris Mullin Lane	Arbor Vitae Rd to 88	5	0.43
Conway Street	Opeongo Line to Inglis Street	5	0.40
Coulas Road (Radcliffe)	Dafoe Road to 147	4	0.73
Coulas Road (Sherwood)	Cybulski Road to 726	4	1.12
Country Forest Lane	Airport Road to 150	4	0.74
Coveleski Street	Biernacki Street to 39	5	0.61
Cranberry Creek Road	Wilno North Road to 150	4	0.74
Cranberry Creek Road	150 to 310	6B	0.80
Cybulski Road	Hildebrandt Street to 1158	4	5.78
Cybulski Road into 661A-B	Cybulski Road into 661A-B	4	0.20
Dam Lake Road	Stanley Olsheski Road to 614	4	3.07
Dawson Street	Inglis Street to 21	5	0.31
Diamond Lake Road	Rockingham Road to 286	4	1.43
Dombroskie Road	Hopefield Road to 962	4	1.31
Dovetail Road	Rockingham Road to Prince Road	4	0.96
Drevniok Road	Combermere Road to 81A-B	4	0.41
Drohan Street	Opeongo Line to Peter Street	5	0.99
Etmanski Road	Peplinski Homestead Road to Paugh Lake Road	4	1.31
Farmer Road	Mill Street to Combermere Road	5	0.43
Finch Road	Palmer Road 1 to 426	4	2.13
Finch Road	426 to 486	6A	0.30
Frank Street	Peter Street to 15	5	0.24
Fran-Stell Drive	Rockingham Road to 80	5	0.40
Grouse Road	(John Watson Road) 39 to 508	4	2.35
Grunwald Road	Old Barry's Bay Road to 274	4	1.37
Guiney Road	(Upper Rosenthal Road) 2000 to 2253	4	1.26
Hildebrandt Street	Paugh Lake Road to 124	5	0.62
Hopefield Road	Old Barry's Bay Road to Opeongo Road	4	6.39
Hwy 60 Connecting Link <i>See Opeongo Line</i>	Old Barry's Bay Road to Mintha Street		
Inglis Street	Stafford Street to 123	5	1.86
Island Lane	Lakeshore Drive to Mask Island Drive	4	0.31
Jackpine Street	Sprucedale to 40	5	0.40
Jewellville Road	589 to Guiney Road <i>By agreement, TMV does summer maintenance, BLR does winter maintenance.</i>	4	2.54
Karol Woytyla Street	Bay Street to Siberia Road/Dunn Street	5	0.68
Kartuzy Road	Siberia Road to 1073 Bangor township Line	4	5.36
Kedroski Road	Chapeski Mill Drive/Yandreski Road to 124	4	0.62
Kelly Street	Opeongo Line to Paugh Lake Road	5	1.37
Kitts Street	Bay Street to Dunn Street	5	0.10

Kopernik Road	Hopefield Road to Old Barry's Bay Road	4	1.64
Kosnaski Road	Hwy 60 to Hwy 60	4	0.49
Kowal Road	Dafoe Road to 110	4	0.54
Krezel Road	Hwy 60 to Opeongo Road	4	0.84
Kubesheski Road	Siberia Road to 156	4	0.77
Kuiack Lake Road	Hopefield Road to 178 (Silas Lane)	4	0.88
Kuiack Road	Wilno South Road to 1376	4	1.88
Kurelek Road	Palmer Road to 120	4	0.59
Lakeshore Drive	Combermere Road to Island Lane/Bay Street	5	1.00
Lakeview Parkway	Sprucedale Avenue to 100	5	0.49
Lane Street	Paugh Lake Road to 50	5	0.24
Lehovitch Road	Old Barry's Bay Road to 277	4	1.39
Lepinski Road	Old Barry's Bay Road to Hwy 60	5	0.16
Long Lake Road	Combermere Road to 682	4	3.41
Long Lake Road	682 to 758	6A	0.36
Lorbetski Road	Old Barry's Bay Road to 98	4	0.48
Lower Craigmont Road	1159 to 1920 (Dafoe Road)	4	3.80
Luckovitch Road	Old Barry's Bay Road to 126A-B	4	0.62
Madawaska River Drive	Ohio Road to 912	4	0.06
Madawaska River Drive	912 to 936	6C	0.11
Mahon Street	Stafford Street to 23	5	0.09
Maika Road	Lower Craigmont Road to Malovic Lane	4	0.63
Martin Recoskie Road	Dam Lake Road to 367	4	1.84
Martin Siding Road	Hwy 60 to Cybulski Road	4	1.90
Martin Street	Opeongo Line to Inglis Street	5	0.30
Mask Island Drive	Island Lane/Cemetery Lane to 70	5	0.34
Matcheski Road	Siberia Road to 416 (Wiltom Drive/Weglarz Road)	4	2.07
McPhee Bay Road	Palmer Road to 338	4	1.68
Meadowlark Road	Combermere Road to 54	4	0.18
Micks Road	Dafoe Road to 40	4	0.20
Mill Street	Combermere Road to Farmer Road	5	0.35
Mintha Street	Hwy 60 to 104	5	0.52
Mitchell Road	Hwy 60 to 782	4	0.90
Mullen Road	Combermere Road to @65 <i>By agreement</i>	4	0.40
Mullen Road	216 to Perrier Road <i>By agreement</i>	4	0.35
Murack-Flis Road	Wilno North Road to 424	4	2.11
Murray Drive	Rock Lane to 22	5	0.33
Murray Park Street	Paugh Lake Road to 96	5	0.47
Needham Street	Bay Street to 89	5	1.36
Norlock Road	1 to 205	4	1.25
Oak Street	Wilno Street to 56	5	0.83
Ohio Road	Combermere Road to 926	4	4.62
Old Barry's Bay Road	Combermere Road to Opeongo Line	4	18.85
Olsheski Road	Old Barry's Bay Road to 394	4	1.96
Olsheski Service Road	Highway 60 to 30	5	0.14
Ontario Street	Ohio Road to 224	4	0.11
Opeongo Line <i>Highway 60 Connecting Link</i>	Old Barry's Bay Road to Mintha Street	3	1.49
Opeongo Road	Wilno South Road to Hwy 60	4	8.03
Opeongo Road	15001 to 15464	4	2.31
Opeongo Square	Opeongo Line to Stafford Street	5	0.11
Parcher Road	Chippawa Road to 150	4	0.74
Parcher Road	150 to Bangor #748 A-C <i>By agreement</i>	4	2.86
Paugh Lake Road	Opeongo Line to Basin Depot Road	4	25.58
Paugh Lake Road	Into 1217	6A	0.15
Paugh Lake Road	Into 1719 A-B	4	0.10
Pecarski Road	Hwy 60 to 147	4	0.74
Peplinski Homestead Road	Wilno North Road to Paugh Lake Road	4	5.11
Peplinskie Road	Dafoe Road to 223 (Bangor Twp Line)	4	1.11
Perrier Road	Dafoe Road to 490 (Mullen Road)	4	2.45
Peter Street	Paugh Lake Road to 99	5	0.45
Peterson Place	Palmer Road to 46	4	0.23
Philip Street	Paugh Lake Road to 41	5	0.20
Pine Cliff Road	Combermere Road to 162	4	0.80
Pinecrest Avenue	Sandhill Drive to 38	5	0.20
Pioneer Road	Cybulski Road to 246	4	1.23
Plebon Street	Sherwood Drive to 20	6B	0.30
Prince Road	501 to 814 (Brudenell Twp Boundary)	4	1.61
Queen Street	Stafford Street to Dunn Street	5	0.20
Ritza Road	Old Barry's Bay Road to 36	6C	0.18
Riverside Drive	501 to 864	4	1.81
Rock Lane	Third Street to Murray Street	5	0.31

Rocky Ridge Road	Stanley Olsheski Road to 148	4	0.74
Rubyville Road	Combermere Road to @110	4	0.55
Rumleski Road	1 to 268	4	1.25
Sandhill Drive	Opeongo Line to Yantha Crescent	5	0.83
Schweig Road	Combermere Road to 172	4	0.86
Serran Road	Dafoe Road to 102	4	0.51
Shalla Street	Smaglinski-Stoppa Parkway to 14	4	0.06
Sherwood Drive	Hwy 60 to 26	5	0.12
Skidder Trail Road	Stanley Olsheski Road to 56	6A	0.27
Smaglinski-Stoppa Parkway	Wilno North Road to Hwy 60	4	3.52
Spectacle Lake Road	Hwy 60 to 257 (South Algonquin portion) <i>By agreement with South Algonquin, every other year</i>	4	1.28
Spectacle Lake Road	257 to 442 (Madawaska Valley portion) <i>By agreement with South Algonquin, every other year</i>	4	0.93
Sprucedale Avenue	Sandhill Drive to Yantha Crescent	5	0.50
St Francis Memorial Drive	Siberia Road to 52	5	0.26
Stafford Street	Hwy 60 to Lakeshore Drive	5	0.80
Stanley Olsheski Road	Old Barry's Bay Road to 815	4	4.08
Stans Cottage Road	Palmer Road to 68	4	0.34
Steffan Road	Chapeski Mill Drive to 173	6B	0.87
Stoppa Street	Paugh Lake Road to 1534	4	0.18
Sunny Hill Road	Siberia Road to 532	4	2.66
Szczypior Street	Wilno North Road to 26	4	0.12
Tamarack Road	Chippawa Road to 966	4	2.32
Theresa Trail	Bleski Road to 36	4	0.17
Third Street	Paugh Lake Road to Rock Lane	5	0.07
Tilleman Road	Palmer Road to Kunkle Lane	4	0.61
Trader Lane	Siberia Road to 59	4	0.30
Trebinski Road	Paugh Lake Road to 213	4	1.97
Turners Road	KHR Border to Gunns Road	4	0.15
Upper Rosenthal Road	Jewellville Road to Guiney Road	4	4.56
Vistula Road	Old Barry's Bay Road to 190	4	0.94
Walker Street	Old Barry's Bay Road to 62	5	0.30
Weglarz Road	Matcheski Road/Wiltom Drive to 440	4	0.31
Wernham Road	1 to 28	6C	0.14
White Pine Crescent	Combermere Road to Combermere Road	4	0.29
Wigry Road	Chippawa Road to 366	4	1.33
William Street	Old Barry's Bay Road to 115	5	0.39
Wilno North Road	Hwy 60 to 1909 (Winnie Road) <i>By agreement with KHR every other year</i>	4	4.10
Wilno North Road	Winnie Road to Paugh Lake Road	4	7.84
Wilno Street	Dunn Street to 89	5	0.39
Wiloski Drive	Paugh Lake Road to 1496	4	7.47
Wiltom Drive	Matcheski Road to 336	4	1.67
Winnie Road	Wilno North Road to 87	4	0.43
Yakabuski Road	1 to 208 (Siberia Road)	4	1.08
Yandreski Road	Chapeski Mill Drive/Kedroski Road to 1660	4	2.55
Yantha Crescent	Sprucedale Avenue to Lakeview Parkway	4	0.48
Yeretch Road	Airport Road to 118	4	0.58
Yeretch Road	118 to 280	6A	0.82
Zaluska Road	Cybulski Road to 130	6B	0.65
Zappa Road	Old Barry's Bay Road to 288	6C	1.43
Zilney Street	Paugh Lake Road to 78	5	0.39

Total kilometres referenced 272.60 Kms  
(Last Revised: June 11, 2007)

ONTARIO REGULATION 239/02

made under the  
**Municipal Act**

Made: July 23, 2002

Filed: August 8, 2002

*Amended to O. Reg. 288/03*

**MINIMUM MAINTENANCE STANDARDS  
FOR MUNICIPAL HIGHWAYS**

INTERPRETATION AND APPLICATION

**Definitions**

1. (1) In this Regulation,

"cm" means centimetres;

"day" means a 24-hour period;

"motor vehicle" has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*, except that it does not include a motor assisted bicycle;

"non-paved surface" means a surface that is not a paved surface;

"paved surface" means a surface with a wearing layer or layers of asphalt, concrete or asphalt emulsion;

"roadway" has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*;

"shoulder" means the portion of a highway that provides lateral support to the roadway and that may accommodate stopped motor vehicles and emergency use;

"surface" means the top of a roadway or shoulder. O. Reg. 239/02, s. 1 (1).

(2) For the purposes of this Regulation, every highway or part of a highway under the jurisdiction of a municipality in Ontario is classified in the Table to this section as a Class 1, Class 2, Class 3, Class 4, Class 5 or Class 6 highway, based on the speed limit applicable to it and the average annual daily traffic on it. O. Reg. 239/02, s. 1 (2).

(3) For the purposes of subsection (2) and the Table to this section, the average annual daily traffic on a highway or part of a highway under municipal jurisdiction shall be determined,

(a) by counting and averaging the daily two-way traffic on the highway or part of the highway for the previous calendar year; or

(b) by estimating the average daily two-way traffic on the highway or part of the highway in accordance with accepted traffic engineering methods. O. Reg. 239/02, s. 1 (3).

TABLE  
CLASSIFICATION OF HIGHWAYS

Average Annual Daily Traffic (number of motor vehicles)	Posted or Statutory Speed Limit (kilometres per hour)						
		90	80	70	60	50	40
15,000 or more	1	1	1	2	2	2	2
12,000 – 14,999	1	1	1	2	2	3	3
10,000 – 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	3	3
5,000 - 5,999	1	2	2	3	3	3	3
4,000 - 4,999	1	2	3	3	3	3	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	4	4
1,000 - 1,999	1	3	3	3	4	4	5
500 – 999	1	3	4	4	4	4	5
200 – 499	1	3	4	4	5	5	5
50 – 199	1	3	4	5	5	5	5
0 – 49	1	3	6	6	6	6	6

O. Reg. 239/02, s. 1, Table.

**Application**

**2.** (1) This Regulation sets out the minimum standards of repair for highways under municipal jurisdiction for the purpose of clause 44 (3) (c) of the Act. O. Reg. 288/03, s. 1.

(2) The minimum standards of repair set out in this Regulation are applicable only in respect of motor vehicles using the highways. O. Reg. 239/02, s. 2 (2).

(3) This Regulation does not apply to Class 6 highways. O. Reg. 239/02, s. 2 (3).

## Minimum Standards

### Routine patrolling

3. (1) The minimum standard for the frequency of routine patrolling of highways is set out in the Table to this section. O. Reg. 239/02, s. 3 (1).

(2) Routine patrolling shall be carried out by driving on or by electronically monitoring the highway to check for conditions described in this Regulation. O. Reg. 239/02, s. 3 (2).

(3) Routine patrolling is not required between sunset and sunrise. O. Reg. 239/02, s. 3 (3).

TABLE  
ROUTINE PATROLLING FREQUENCY

Class of Highway	Patrolling Frequency
1	3 times every 7 days
2	2 times every 7 days
3	once every 7 days
4	once every 14 days
5	once every 30 days

O. Reg. 239/02, s. 3, Table.

## Snow accumulation

4. (1) The minimum standard for clearing snow accumulation is,

(a) while the snow continues to accumulate, to deploy resources to clear the snow as soon as practicable after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the Table to this section; and

(b) after the snow accumulation has ended and after becoming aware that the snow accumulation is greater than the depth set out in the Table to this section, to clear the snow accumulation in accordance with subsections (2) and (3) or subsections (2) and (4), as the case may be, within the time set out in the Table. O. Reg. 239/02, s. 4 (1).

(2) The snow accumulation must be cleared to a depth less than or equal to the depth set out in the Table. O. Reg. 239/02, s. 4 (2).

(3) The snow accumulation must be cleared from the roadway to within a distance of 0.6 metres inside the outer edges of the roadway. O. Reg. 239/02, s. 4 (3).

(4) Despite subsection (3), for a Class 4 highway with two lanes or a Class 5 highway with two lanes, the snow accumulation on the roadway must be cleared to a width of at least 5 metres. O. Reg. 239/02, s. 4 (4).

(5) This section,

(a) does not apply to that portion of the roadway designated for parking; and

(b) only applies to a municipality during the season when the municipality performs winter highway maintenance. O. Reg. 239/02, s. 4 (5).

(6) In this section,

"snow accumulation" means the natural accumulation of new fallen snow or wind-blown snow that covers more than half a lane width of a roadway. O. Reg. 239/02, s. 4 (6).

TABLE  
SNOW ACCUMULATION

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

O. Reg. 239/02, s. 4, Table.

**Icy roadways**

5. (1) The minimum standard for treating icy roadways is,

(a) to deploy resources to treat an icy roadway as soon as practicable after becoming aware that the roadway is icy; and

(b) to treat the icy roadway within the time set out in the Table to this section after becoming aware that the roadway is icy. O. Reg. 239/02, s. 5 (1).

(2) This section only applies to a municipality during the season when the municipality performs winter highway maintenance. O. Reg. 239/02, s. 5 (2).

TABLE  
ICY ROADWAYS

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

O. Reg. 239/02, s. 5, Table.

## Potholes

6. (1) If a pothole exceeds both the surface area and depth set out in Table 1, 2 or 3 to this section, as the case may be, the minimum standard is to repair the pothole within the time set out in Table 1, 2 or 3, as appropriate, after becoming aware of the fact. O. Reg. 239/02, s. 6 (1).

(2) A pothole shall be deemed to be repaired if its surface area or depth is less than or equal to that set out in Table 1, 2 or 3, as appropriate. O. Reg. 239/02, s. 6 (2).

TABLE 1  
POTHOLES ON PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1000 cm <sup>2</sup>	8 cm	7 days
4	1000 cm <sup>2</sup>	8 cm	14 days
5	1000 cm <sup>2</sup>	8 cm	30 days

O. Reg. 239/02, s. 6, Table 1.

TABLE 2  
POTHOLES ON NON-PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
3	1500 cm <sup>2</sup>	8 cm	7 days
4	1500 cm <sup>2</sup>	10 cm	14 days
5	1500 cm <sup>2</sup>	12 cm	30 days

O. Reg. 239/02, s. 6, Table 2.

TABLE 3  
POTHOLES ON PAVED OR NON-PAVED SURFACE OF SHOULDER

Class of Highway	Surface Area	Depth	Time
1	1500 cm <sup>2</sup>	8 cm	7 days
2	1500 cm <sup>2</sup>	8 cm	7 days
3	1500 cm <sup>2</sup>	8 cm	14 days
4	1500 cm <sup>2</sup>	10 cm	30 days
5	1500 cm <sup>2</sup>	12 cm	60 days

O. Reg. 239/02, s. 6, Table 3.

### Shoulder drop-offs

7. (1) If a shoulder drop-off is deeper, for a continuous distance of 20 metres or more, than the depth set out in the Table to this section, the minimum standard is to repair the shoulder drop-off within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 7 (1).

(2) A shoulder drop-off shall be deemed to be repaired if its depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 7 (2).

(3) In this section,

"shoulder drop-off" means the vertical differential, where the paved surface of the roadway is higher than the surface of the shoulder, between the paved surface of the roadway and the paved or non-paved surface of the shoulder. O. Reg. 239/02, s. 7 (3).

TABLE  
SHOULDER DROP-OFFS

Class of Highway	Depth	Time
1	8 cm	4 days
2	8 cm	4 days
3	8 cm	7 days
4	8 cm	14 days
5	8 cm	30 days

O. Reg. 239/02, s. 7, Table.

## Cracks

8. (1) If a crack on the paved surface of a roadway is greater, for a continuous distance of three metres or more, than both the width and depth set out in the Table to this section, the minimum standard is to repair the crack within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 8 (1).

(2) A crack shall be deemed to be repaired if its width or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 8 (2).

TABLE  
CRACKS

Class of Highway	Width	Depth	Time
1	5 cm	5 cm	30 days
2	5 cm	5 cm	30 days
3	5 cm	5 cm	60 days
4	5 cm	5 cm	180 days
5	5 cm	5 cm	180 days

O. Reg. 239/02, s. 8, Table.

**Debris**

9. (1) If there is debris on a roadway, the minimum standard is to deploy resources, as soon as practicable after becoming aware of the fact, to remove the debris. O. Reg. 239/02, s. 9 (1).

(2) In this section,

"debris" means any material or object on a roadway,

(a) that is not an integral part of the roadway or has not been intentionally placed on the roadway by a municipality, and

(b) that is reasonably likely to cause damage to a motor vehicle or to injure a person in a motor vehicle. O. Reg. 239/02, s. 9 (2).

## Luminaires

10. (1) For conventional illumination, if three or more consecutive luminaires on a highway are not functioning, the minimum standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 239/02, s. 10 (1).

(2) For conventional illumination and high mast illumination, if 30 per cent or more of the luminaires on any kilometre of highway are not functioning, the minimum standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 239/02, s. 10 (2).

(3) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles are not functioning, the minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 239/02, s. 10 (3).

(4) Despite subsections (1), (2) and (3), for conventional illumination and high mast illumination, if more than 50 per cent of the luminaires on any kilometre of a Class 1 highway with a speed limit of 90 kilometres per hour or more are not functioning, the minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 239/02, s. 10 (4).

(5) Luminaires shall be deemed to be repaired,

(a) for the purpose of subsection (1), if the number of non-functioning consecutive luminaires does not exceed two;

(b) for the purpose of subsection (2), if more than 70 per cent of luminaires on any kilometre of highway are functioning;

(c) for the purpose of subsection (3), if one or more of the luminaires on consecutive poles are functioning;

(d) for the purpose of subsection (4), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 239/02, s. 10 (5).

(6) Subsections (1), (2) and (3) only apply to,

(a) Class 1 and Class 2 highways; and

(b) Class 3, Class 4 and Class 5 highways with a posted speed of 80 kilometres per hour or more. O. Reg. 239/02, s. 10 (6).

(7) In this section,

"conventional illumination" means lighting, other than high mast illumination, where there are one or more luminaires per pole;

"high mast illumination" means lighting where there are three or more luminaires per pole and the height of the pole exceeds 20 metres;

"luminaire" means a complete lighting unit consisting of,

(a) a lamp, and

(b) parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply. O. Reg. 239/02, s. 10 (7).

TABLE  
LUMINAIRES

Class of Highway	Time
1	7 days
2	7 days
3	14 days
4	14 days
5	14 days

O. Reg. 239/02, s. 10, Table.

## Signs

**11.** (1) If any sign of a type listed in subsection (2) is illegible, improperly oriented or missing, the minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair or replace the sign. O. Reg. 239/02, s. 11 (1).

(2) This section applies to the following types of signs:

1. Checkerboard.
2. Curve sign with advisory speed tab.
3. Do not enter.
4. One Way.
5. School Zone Speed Limit.
6. Stop.
7. Stop Ahead.
8. Stop Ahead, New.
9. Traffic Signal Ahead, New.
10. Two-Way Traffic Ahead.
11. Wrong Way.
12. Yield.
13. Yield Ahead.
14. Yield Ahead, New. O. Reg. 239/02, s. 11 (2).

### Regulatory or warning signs

**12.** (1) If a regulatory or warning sign other than a sign listed in subsection 11 (2) is illegible, improperly oriented or missing, the minimum standard is to repair or replace the sign within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 239/02, s. 12 (1).

(2) In this section,

"regulatory sign" has the same meaning as in the *Manual of Uniform Traffic Control Devices* published in 1985 by the Ministry of Transportation;

"warning sign" has the same meaning as in the *Manual of Uniform Traffic Control Devices* published in 1985 by the Ministry of Transportation. O. Reg. 239/02, s. 12 (2).

TABLE  
REGULATORY AND WARNING SIGNS

Class of Highway	Time
1	7 days
2	14 days
3	21 days
4	30 days
5	30 days

O. Reg. 239/02, s. 12, Table.

## **Traffic control signal systems**

**13.** (1) If a traffic control signal system is defective in any way described in subsection (2), the minimum standard is to deploy resources as soon as practicable after becoming aware of the defect to repair the defect or replace the defective component of the traffic control signal system. O. Reg. 239/02, s. 13 (1).

(2) This section applies if a traffic control signal system is defective in any of the following ways:

1. One or more displays show conflicting signal indications.
2. The angle of a traffic control signal or pedestrian control indication has been changed in such a way that the traffic or pedestrian facing it does not have clear visibility of the information conveyed or that it conveys confusing information to traffic or pedestrians facing other directions.
3. A phase required to allow a pedestrian or vehicle to safely travel through an intersection fails to occur.
4. There are phase or cycle timing errors interfering with the ability of a pedestrian or vehicle to safely travel through an intersection.
5. There is a power failure in the traffic control signal system.
6. The traffic control signal system cabinet has been displaced from its proper position.
7. There is a failure of any of the traffic control signal support structures.
8. A signal lamp or a pedestrian control indication is not functioning.
9. Signals are flashing when flashing mode is not a part of the normal signal operation. O. Reg. 239/02, s. 13 (2).

(3) Despite subsection (1) and paragraph 8 of subsection (2), if the posted speed of all approaches to the intersection or location of the non-functioning signal lamp or pedestrian control indication is less than 80 kilometres per hour and the signal that is not functioning is a green or a pedestrian "walk" signal, the minimum standard is to repair or replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3).

(4) In this section and section 14,

"cycle" means a complete sequence of traffic control indications at a location;

"display" means the illuminated and non-illuminated signals facing the traffic;

"indication" has the same meaning as in the *Highway Traffic Act*;

"phase" means a part of a cycle from the time where one or more traffic directions receive a green indication to the time where one or more different traffic directions receive a green indication;

"power failure" means a reduction in power or a loss in power preventing the traffic control signal system from operating as intended;

"traffic control signal" has the same meaning as in the *Highway Traffic Act*;

"traffic control signal system" has the same meaning as in the *Highway Traffic Act*. O. Reg. 239/02, s. 13 (4).

#### **Traffic control signal system sub-systems**

**14.** (1) The minimum standard is to inspect, test and maintain the following traffic control signal system sub-systems every 12 months:

1. The display sub-system, consisting of traffic signal and pedestrian crossing heads, physical support structures and support cables.
2. The traffic control sub-system, including the traffic control signal cabinet and internal devices such as timer, detection devices and associated hardware, but excluding conflict monitors.
3. The external detection sub-system, consisting of detection sensors for all vehicles, including emergency and railway vehicles and pedestrian push- buttons. O. Reg. 239/02, s. 14 (1).

(2) The minimum standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice a year. O. Reg. 239/02, s. 14 (2).

(3) In this section,

"conflict monitor" means a device that continually checks for conflicting signal indications and responds to a conflict by emitting a signal. O. Reg. 239/02, s. 14 (3).

### Bridge deck spalls

15. (1) If a bridge deck spall exceeds both the surface area and depth set out in the Table to this section, the minimum standard is to repair the bridge deck spall within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 15 (1).

(2) A bridge deck spall shall be deemed to be repaired if its surface area or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 15 (2).

(3) In this section,

"bridge deck spall" means a cavity left by one or more fragments detaching from the paved surface of the roadway or shoulder of a bridge. O. Reg. 239/02, s. 15 (3).

TABLE  
BRIDGE DECK SPALLS

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1,000 cm <sup>2</sup>	8 cm	7 days
4	1,000 cm <sup>2</sup>	8 cm	7 days
5	1,000 cm <sup>2</sup>	8 cm	7 days

O. Reg. 239/02, s. 15, Table.

**Surface discontinuities**

16. (1) If a surface discontinuity, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the minimum standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 16 (1).

(2) If a surface discontinuity on a bridge deck exceeds 5 cm, the minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the surface discontinuity on the bridge deck. O. Reg. 239/02, s. 16 (2).

(3) In this section,

"surface discontinuity" means a vertical discontinuity creating a step formation at joints or cracks in the paved surface of the roadway, including bridge deck joints, expansion joints and approach slabs to a bridge. O. Reg. 239/02, s. 16 (3).

TABLE  
SURFACE DISCONTINUITIES

Class of Highway	Height	Time
1	5 cm	2 days
2	5 cm	2 days
3	5 cm	7 days
4	5 cm	21 days
5	5 cm	21 days

O. Reg. 239/02, s. 16, Table.

Review of Regulation

**Review**

17. (1) The Minister of Transportation shall conduct a review of this Regulation every five years. O. Reg. 239/02, s. 17 (1).

(2) The first review shall be started before the end of 2007. O. Reg. 239/02, s. 17 (2).

18. This regulation comes into force on November 1,2002.

NORMAN W. STERLING  
Minister of Transportation

Dated on July 23,2002

## ROAD MAINTENANCE STANDARDS FOR CLASS 6 ROADS

### DESCRIPTION OF CLASSES

- Class 6A Summer maintenance only, beginning on April 15th and continuing to, and including, October 14<sup>th</sup> as per the standards below.
- Class 6B Summer maintenance and Winter maintenance as per the standards below.
- Class 6C Summer maintenance as per the standards below; Winter maintenance to be performed upon request, within reason, if resources are available.

### ROUTINE PATROLLING FREQUENCY

Class of Highway	Patrolling Frequency
6A	1 time every 60 days, April 15 to October 14
6B	1 time every 60 days
6C	1 time every 60 days, April 15 to October 14

### SUMMER MAINTENANCE

#### Potholes on Paved Surface of Roadway

Surface area 1500 cm<sup>2</sup>  
Depth 10 cm  
Time 90 days

#### Potholes on Non Paved Surface of Roadway

Surface area 2000 cm<sup>2</sup>  
Depth 14 cm  
Time 3 months or 90 days

#### Potholes on Paved or Non Paved Surface of Shoulders

Surface area 2000 cm<sup>2</sup>  
Depth 14 cm  
Time 3 months or 90 days

#### Shoulder Drop – offs

Depth  
Time 14 cm  
3 months or 90 days

#### Cracks

Width 8 cm  
Depth 10 cm  
Time 180 days

#### Luminaries

Time 28 days

#### Regulating and Warning Signs

Time 90 days

#### Bridge Deck Spalls

Surface area 1500 cm<sup>2</sup>  
Depth 10 cm  
Time 21 days

#### Surface Discontinuities

Height 10 cm  
Time 60 days

ROAD MAINTENANCE STANDARDS FOR CLASS 6 ROADS - Continued

**WINTER MAINTENANCE**

Class 6A No Winter maintenance

Class 6B Snow Accumulation

Depth - 30 cm

Time - 3 weeks

Icy Roadways

2 weeks or 14 days

Class 6C Requests for winter maintenance on Class 6C roads will be dealt with on "a reasonable request" basis, and will be carried out dependant upon the availability of road equipment and personnel. Requests must be made to the Operations Manager at least 48 hours prior to the commencement of requested maintenance.

## **BY-LAW NUMBER 2005-51**

### **Amendments to Schedule “A”**

#### **First Amendment:**

#### **Council Meeting of September 19, 2005**

#### **Item #14.3 Operations Manager Update**

- a) Amendment to By-Law # 2005-51 – Road Maintenance Standards  
- Resolution required to added Meadowlark Road as Class 4 (.18km) and Carson Grove Road as Class 4 (.3km).

#### **RESOLUTION:**

Moved By: Sylvie Yantha

Seconded By: Al Burant

THAT: Council add Meadowlark Road as a Class 4 (.18km) and Carson Grove Road as a Class 4 (.3km) be added to By-Law #2005-51 Roads Maintenance Standards.

CARRIED.

#### **Second Amendment:**

#### **Council Meeting of November 7, 2005**

#### **Item #14.8 (d) Operations Manager Update**

- a) Amendment to By-Law # 2005-51 – Road Maintenance Standards  
- Resolution required to amended Carson Heights Road from a Class 6A to a Class 4 level of service.

#### **RESOLUTION:**

Moved By: Sylvie Yantha

Seconded By: Al Burant

THAT: Council approve amendment to By-Law #2005-51 Road Maintenance Standards to change “Carson Heights Road” from a Class 6A to a Class 4 level of services.

CARRIED.

#### **Third Amendment:**

#### **Council Meeting of May 22, 2007**

#### **Item #10.3 (4.) Roads, Property & Planning Report dated May 14/07**

- a) Amendment to By-Law # 2005-51 – Road Maintenance Standards  
- Resolution required to reinstate Skidder Trail Road as a Class 6A level (0.27km) service.

#### **RESOLUTION:**

Moved By: Bonnie Mask

Seconded By: Sylvie Yantha

THAT: Council approve the Roads, Property and Planning Report dated May 14, 2007 and that the recommendation 4. approved THAT: Skidder Trail Road be reinstated in the Municipal Roads Standards as Level 6.

CARRIED.