

The Corporation of The Village of Cobden

By-Law 1990-16

A By-Law to Regulate Boulevards, Culverts, And Ditches Within  
The Village of Cobden

WHEREAS pursuant to the provisions of Section 309, Subsections 1 and 2 of the Municipal Act being R.S.O. 1980, Chapter 302 and amendments thereto the Corporation is empowered to enact by-laws regulating the construction, maintenance and protection of boulevards abutting highways in the said Municipality;

AND pursuant to the provisions of Section 315, Subsection 6, Section 208, Subsection 16 and Section 207, Subsection 17 of the Municipal Act The Corporation is empowered to enact by-laws prohibiting the obstruction of ditches, culverts, drains and watercourses on highways and to regulate the size and mode of construction of culverts that cross any drain, ditch or watercourse situate on a highway under its jurisdiction.

NOW THEREFORE the Council of the Corporation of the Village of Cobden enacts as follows:

1. WORK ON A PUBLIC ROAD ALLOWANCE

No person, firm or corporation shall construct any boulevard or do any work on a public road allowance within the boundaries of the Village of Cobden without first obtaining the consent of the Road Superintendent and such person shall be responsible for completing the construction or doing the work in accordance and conformance with the conditions and provisions of the Road Superintendent's consent.

2. OBSTRUCTION OF DITCHES, DRAINS, WATERCOURSES AND CULVERTS

No person shall in any way obstruct any drain, watercourse, ditch or culvert within the limits of the Village of Cobden.

3. INSTALLATION OF ENTRANCE CULVERTS

(a) Responsibility of Owner-

The owner of any lands requiring a private driveway and/or walkway leading to a public highway which has a surface drainage system and which is located in the Village of Cobden shall be responsible for the cost of installation of a new galvanized corrugated steel culvert.

(b) Entrance Culvert Specifications

All Entrance culverts shall be installed by the owner and shall:

- (i) be supplied by the owner
- (ii) be of new galvanized corrugated steel, 17 gauge or 1.3mm
- (iii) have a minimum length of 6 m excepting walkway culverts which shall have a minimum length of 1.8 m.
- (iv) have a minimum diameter of 300 mm
- (v) maximum length of a residential driveway culvert is 9 m. Business maximum length to be negotiated with Council.
- (vi) The requirement for the installation of an entrance culvert shall be determined by the Roads Superintendent.

(c) Relocation or Replacement of Existing Culverts

- (i) The Corporation shall assume the costs of relocating and/or replacing existing entrance culverts which have been installed in accordance with paragraph 3 (b) hereof and which at the time of relocating or replacing are in a reasonable condition as determined by the Village Road Superintendent; save and except the Village shall not be responsible for replacing end walls or pavement unless such relocation or replacement are necessitated by and in accordance with the Village Road Superintendent's direction.

4. AUTHORITY TO ENFORCE BY-LAW

The Municipal Road Superintendent shall enforce this by-law at all times.

5. RESPONSIBILITY OF THE CORPORATION


The Village shall maintain flow through driveway culverts where the same are in good condition. Culverts which have been damaged to such an extent as to prevent such flow (other than those culverts damaged by the employees of the municipal corporation) shall be repaired or replaced by the Corporation at the owner's cost. In the event that the owner does not make arrangements with the Village Road Superintendent for the work within fourteen (14) days on receipt of notification from the Village Road Superintendent of the necessity of such work, the Village may remove the culvert in order to maintain drainage.

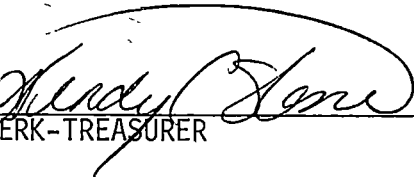
6. CONTRAVENTION OF THIS BY-LAW

Any person, firm or corporation contravening any provision of this by-law shall be guilty of an offence and liable upon summary conviction to a penalty of not less than \$200.00 exclusive of costs.

This by-law shall come into force and take effect on the date of the final passing thereof.

Read a first and second and passed on the third reading this 28<sup>th</sup> day of August 1990

  
REEVE

  
CLERK-TREASURER