

BY-LAW NUMBER 2005-11

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

BEING a By-Law to amend By-Law Number 2002-86 to adopt the following Policy Statements:

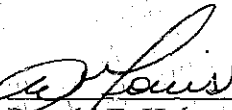
- Roadside Clearing, Grubbing and Ditching
- Entrance Off a Township Road
- Private Signs on Township Property
- Beaver Control

WHEREAS it is deemed necessary to amend the above-noted Policy Statements;

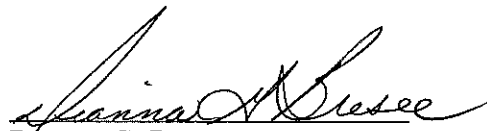
NOW THEREFORE the Council of The Corporation of the Township of Rideau Lakes enacts as follows:

1. That the Policy Statements, as noted herein, be approved and adopted:
2. That any other By-Laws, Resolutions, Motions, Actions of Council that are in contravention of this By-Law are hereby repealed – 2002-86

Read a first and second time this 21ST day of FEBRUARY 2005.

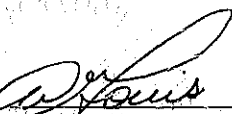


Ronald E. Holman William Morris
Mayor - DEPUTY

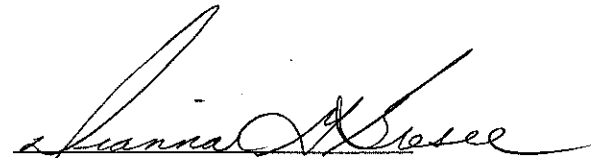


Dianna G. Bresee
Clerk

Read a third time and finally passed this 21ST day of FEBRUARY 2005.



Ronald E. Holman William Morris
Mayor - DEPUTY



Dianna G. Bresee
Clerk

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

POLICY

SUBJECT: Roadside Clearing, Grubbing and Ditching

SITUATION:

In the course of Township normal roadside maintenance operations and construction, in order to widen our right-of-ways, clearing, grubbing and ditching takes place to improve drainage, remove brush and debris and to improve visibility, etc.

POLICY:

It shall be the policy of the Township of Rideau Lakes Public Works Department that clearing, grubbing and ditching of roadsides shall be subject to the following provisions:

1. Where the Township has a written or verbal agreement with one owner of the adjacent property, usually as a result of road widening, the terms of the said agreement shall be strictly adhered to.
2. When there is no agreement and where the clearing, grubbing and ditching is located within the road allowance, the Township of Rideau Lakes shall place all of the material removed at a place where the Public Works Manager or delegated employee, has made arrangements. The soil, if suitable, can be placed on any Township property, road allowance or designated property.
3. In the case of a contractor, in the process of clearing, grubbing or ditching on behalf of the Township, all materials must be hauled and placed in the appropriate area, as designated by the Public Works Manager or delegated employee.
4. Private individuals are not permitted to carry out any clearing, grubbing or ditching or road right-of-ways/allowances.
5. The Public Works Manager may use his own discretion when implementing or varying this policy.

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

REPEALED by 2010-46 POLICY

SUBJECT: Entrance off a Township road

DEFINITION:

Residential - An "entrance" is any driveway, laneway, private road, or other structure or facility constructed or used as a means of access to a Township road or street and includes the piping and covering or filling in of a roadside ditch for the purpose of improving a lawn or frontage.

Commercial - An "entrance" is any driveway to a business or other structure or facility constructed or used as a means of access to a Township road or street and includes the piping and covering or filling in of a roadside ditch for the purpose of improving a lawn or frontage.

POLICY:

1. A permit is required prior to any installation. A fee will be set for the permit. The permit will be issued once monetary advance has been paid for the entrance to the Township.
2. The location of the entrance shall be approved by the Public Works Manager or Designee to ensure maximum visibility, free flow of traffic and to minimize the possibility of interference with the road or cause a future maintenance problem
3. The construction of all entrances shall be carried out by the property owner under the direction of the Public Works Manager or Designee.
4. Residential - the actual diameter, gauge, length and type of culvert to be used shall be determined by the Manager of Public Works or Designee, but in no case shall the culvert be less than fifteen inches (15") in diameter and twenty-four feet (24') in length.
5. Commercial – the actual diameter, gauge, length and type of culvert to be used shall be determined by the Public Works Manager but in no case shall the culvert be less than fifteen inches (15") in diameter and fifty feet (50') in length.
6. The surface of a Commercial entranceway shall be consistent with the Site Plan Application.
7. Where a Residential or Commercial Entrance culvert in excess of fifty feet (50') in length is requested, the owner shall be required to pay the entire cost of constructing as many catch basins as may be necessary in the opinion of the Public Works Manager or Designee to facilitate surface and roadside drainage on adjacent properties.

Policy for Entrance off a Roadway

8. If existing entranceways, constructed prior to the passage of any By-Laws, are in the Public Works Managers opinion, obstructing a ditch, culvert or water course on a Township road, the owner of the property serviced by the existing entranceway shall, within fourteen (14) days of receipt by him/her of a notice in writing to do so, make whatever modifications to the entranceway as advised to be deemed necessary by the Public Works Manager or Designee, or the owner may, within fourteen (14) days, apply to the Municipality for a permit to have a proper entranceway installed, the fee for which shall be determined by the Public Works Manager. Notice shall be registered mail addressed to the last known address of the owner, and the fourteen (14) days shall run from the date of the mailing of such registered notice. The entire cost of the modifications shall be paid by the owner.
9. The Municipality shall maintain and replace from time to time, as required culverts installed under the provisions of any By-Law. The maintenance of the driving surface of all entrances shall be the responsibility of the property owner.
10. No person shall apply asphalt or other hard surface to that portion of an entrance on the road allowance of a Township Road, except under a permit issued by the Public Works Manager or Designee. No concrete surfaces are permitted on the right-of-way.
11. Any contravention of any provisions of the Entrance Policy will result in appropriate legal action being taken by the Municipality.

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

POLICY

SUBJECT: Private Signs on Township Property

POLICY:

It shall be the policy of The Corporation of the Township of Rideau Lakes that no private signs are permitted on or within the right-of-way of any Township Road except as follows:

1. Temporary real estate "For Sale" signs for adjacent properties will be permitted under the following conditions:
 - a) Signs shall be removed when the property has been sold
 - b) Real Estate signs directing prospective clients to some other location remote from the subject property will not be permitted
 - c) The sign shall not be placed within 3 meters of the traveled portion of the road.
 - d) The size of the sign shall be limited to 600mm by 600mm unless otherwise approved by the Township.

2. In tourist areas, signs directing tourists to their destinations will be permitted on the right-of-way under the following conditions:
 - a) Signs shall be removed when the tourist facility is not in operation
 - b) Signs shall not contain any field advertising messages
 - c) The signs shall have a size appropriate for the location and be approved by the Public Works Manager.
 - d) Tourist signs include private signs indicating cottages, farms or other non-commercial destinations.
 - e) Where a suitable location on adjacent private property does not exist

3. Special signs or Banners requested by public or charitable organizations, which promote services or events of public interest, may be permitted where the Public Works Manager approves their installation.

4. Temporary signs for roadside fruit, vegetable or home produce stands may be permitted during the season but only if the stand is being used on a fulltime basis. Placement of the stand shall not be closer than 3 meters to the traveled portion of the road.

5. Election signs are permitted and must be removed by the candidate within two weeks after the election.

GENERAL REQUIREMENTS:

- All signs permitted on the right-of-way shall conform to the following conditions:
- a. All signs shall be maintained in good condition by the owner of the sign
 - b. No sign shall be installed in a location which obscures visions for vehicles along the road

- c. No private sign shall be attached to sign post installed by the Township Public Works Department or a public utility pole without the written consent of the operating or road authority.

IMPLEMENTATION

The Township Public Works Department shall remove and dispose of any sign installed on lands owned or controlled by the Township that are in violation of this policy. The Township is not required to contact the owner of the sign.

The Township Public Works Department may contact the owner of the sign not in compliance with this policy and provide them with a period of time, not to exceed fourteen (14) days, to remove or relocate the sign or otherwise bring the sign into compliance.

THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES

POLICY STATEMENT

SUBJECT: BEAVER CONTROL

SITUATION:

Beaver problems within the area of a Designated Municipal Drain, created under the Provincial Drainage Act, are removed under the authority of the Drainage Superintendent. The costs are recoverable through assessment to all upstream property owners' within the Municipal Drain Catchment.

SITUATION:

Beaver problems adjacent to traveled Municipal Roads are removed under the authority of the Public Works Manger/Roads Supervisor. They shall be removed as deemed necessary for the maintenance of the roadway, giving full consideration to fish habitat and the urgency of the matter.

1. Drainage problems on private owned property affecting the Municipal Roadway, are handled in the following manner:

Drainage Act, Section 80(1)(2) and 81.

2. The Public Works Manager, with the Approval of the Township Council, can enter into an agreement with the owner of any land adjacent to the Township Road, to have the beaver (s) or beaver dam (s) removed by the Landowner, within a designated time.

Should the owner of said land fail to comply with the terms of the agreement, the Public Works Manager can enter onto the landowner's property and remove the beaver(s) or beaver dam(s) or other obstruction.

Upon refusal to enter onto the land affected, to remove the beaver(s) or beaver dam(s), the Public Works Manager may make an application to the Judge of the Ontario Court (General Division) to enter upon the land affected, and remove the beaver(s) or beaver dam(s), to which the application is made.

3. Beaver problems causing damages or drainage problems between two landowners, where no Municipal Drain is located, and are not directly adjacent to, and affecting a Township Road, are considered a Civil Matter between the landowners affected. The Township does not become involved in this issue.

Attached hereto are Sections 80(1)(2) and 81 of the Drainage Act

TOWNSHIP OF RIDEAU LAKES

AGREEMENT

BEAVER CONTROL

PART 1

I/We _____ of _____,
Township of Rideau Lakes, owner(s) of land described as Lot _____
Concession _____, Township of Rideau Lakes, have been contacted by
Township Official, Public Works Manager, _____, in
regards to Beaver Problems on my land, and have been given _____ days to
remove the beaver(s) and/or beaver dam(s).

Dated this _____ day of _____, 20 _____ .

Township Official

Signature of Landowner(s)

PART 2

Since I/We have been unable to do this work, within the time limit stated, I/We
give permission to the Township of Rideau Lakes to enter upon the land affected
and remove the beaver(s) and/or beaver dam(s) with respect to which the
Agreement is made.

Dated this _____ day of _____, 20 _____ .

Township Official

Signature of Landowner(s)