

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2022-29

Being a By-Law to regulate the installation of culverts placed on Municipal Road Allowances to provide access to private abutting lands.

WHEREAS Section 8 of the Municipal Act, 2001 states a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 of the Municipal Act, 2001 states a single-tier municipality may pass by-laws respecting matters within the following spheres of jurisdiction 1.) Highways, and 6.) Drainage and flood control;

AND WHEREAS it is deemed expedient for the purpose of uniform installation of all such culverts that certain regulations be established by the Municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NIPISSING ENACTS AS FOLLOWS:

1. That land owners requiring an entrance must have approval of the Township of Nipissing Operations Superintendent prior to installation. The entrance location must be approved by the Operations Superintendent.

Where a land owner's request is not approved by the Operations Superintendent, the land owner may, at their own expense, provide a Traffic Impact Study prepared by a certified Traffic Engineer, to support their proposal and submit it with the Entrance Permit Application for review.

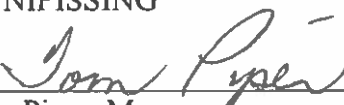
2. The Operations Superintendent will determine the need for a culvert. Should a culvert be deemed necessary, it shall conform to a Municipal standard as follows:
 - a. The culvert must be new.
 - b. Culverts must have a minimum diameter of 400 mm unless otherwise agreed upon.
 - c. Culvert length must be a minimum of nine (9) metres.
 - d. The Operations Superintendent may require a larger and or longer culvert if they feel it is warranted.
 - e. The culvert must be new corrugated steel construction and conform to OPSS 1801 specifications OR new Polyethylene smooth walled pipe, OPSS 1840. The type of pipe to be determined by the Operations Superintendent.
 - f. The land owner shall purchase and install their own culvert in accordance with the attached "Schedule A". Please note that driveway entrances must have a crown with 2% slope to allow for drainage to municipal ditches. Driveway entrances must not be higher than the grade of the road where they intersect.
 - g. The Township of Nipissing will no longer restore driveways beyond a granular "A" surface within the municipal right of way due to culvert replacement or maintenance of entrance. The Township reserves the right to change or alter any entrance at any time. Any finished work, i.e. interlocking brick, paving, clear stone will be the responsibility of the land owner.
 - h. Should the Township request the culvert be replaced due to damage caused by the Owner or parties acting on behalf of the Owner at the expense of the Owner, a time frame will be provided for the work to occur to ensure the safety of the attached roadway. If the replacement is not installed by that specified date, the work shall be performed and the Owner shall be responsible for the costs. Invoices not paid within thirty (30) days shall be placed upon the Property Tax Account.

- i. The required form for an Entrance Permit must be properly filled out and submitted to the Township Office along with the prescribed Fee as set out in the current User Fee By-Law in effect. Copy of the Entrance Permit Application is attached as "Schedule B".
 - j. There will be no municipally issued entrance permit required for an entrance onto a provincial highway. A copy of the Ministry of Transportation permit must be submitted to the Township Office in order for a 911 service address number and sign can be issued. The fee required for a 911 sign will be as per the User Fee By-Law in effect.
 - k. One entrance per residential dwelling is allowed and is to be approved by the Operations Superintendent as indicated on the entrance permit application.
 - l. Upon completion of the entrance installation, please notify the Township Office for the final inspection to be completed. This may take up to one (1) week for final approval.
Note: Entrance applications and final inspection requests submitted in the winter months may require a spring inspection.
3. It is the applicant's responsibility to assure compliance with this policy. Failure to comply within fifteen (15) days after written notification of the problem has been sent will result in the Township hiring a contractor to do the work at the expense of the applicant.
4. Driveways requesting entrance to a municipal roadway from an elevated property above roadway grade must have adequate ditching and drainage down both sides of the driveway to municipal ditching in order ensure the integrity of the municipal roadway will not be affected during drainage.
- Continued maintenance of driveway ditches is the responsibility of the Owner. Any damage to municipal roadways as a result of unmaintained drainage from an elevated driveway may be the responsibility of the property owner and repair costs may be charged.
5. If damage is done to the municipal road during installation of an entrance, the property owner shall make repairs to the satisfaction of the Township within fifteen (15) days, or the Township will make the repairs and all costs will be the responsibility of the property owner. Failure to provide payment for damages as invoiced from the Township within thirty (30) days of invoice date will result in the costs being added to the property tax account.
6. Work must start within six (6) months of issuance of the entrance permit or the permit shall be void and cancelled by the Township. The entrance is to be completed within two (2) years from date of issue of entrance approval. A six (6) month extension may be granted by the Operations Superintendent.
7. That the effective date of this By-law shall be May 24, 2022.

By-law 2010-44 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 24TH DAY OF MAY, 2022.

THE CORPORATION OF THE TOWNSHIP
OF NIPISSING

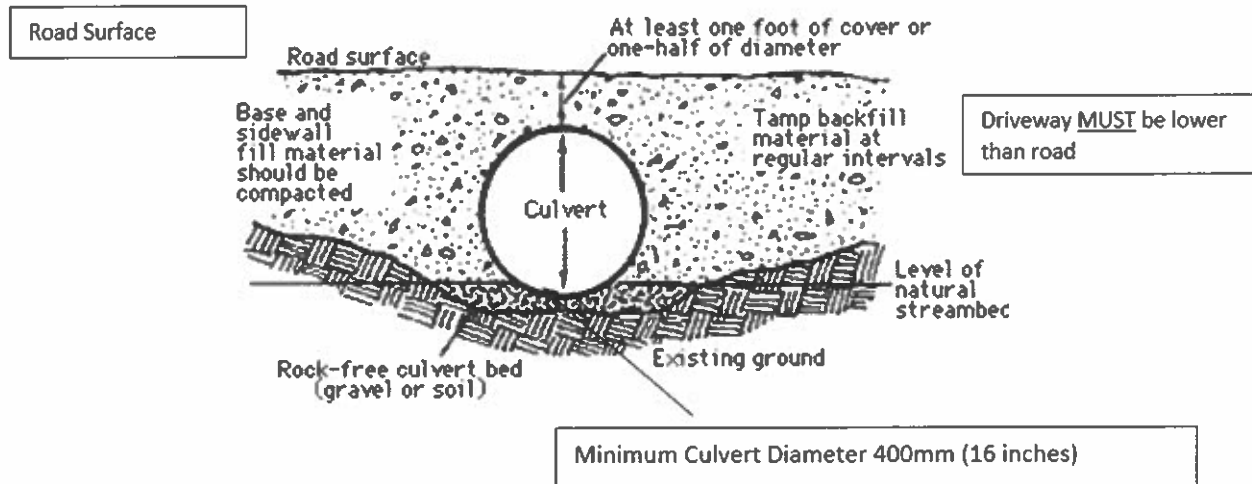


Tom Piper, Mayor



Kris Croskery-Hodgens, Municipal Administrator

CULVERT INSTALLATION



Must be Granular "A" (Minimum 600mm around pipe)

1. NO cement is allowed at the ends of culverts. The culvert must be exposed a minimum of 300mm (1 foot) at both ends.
2. Driveway entrances must have a crown with 2% slope to allow for drainage to municipal ditches. Driveway entrances must not be higher than the grade of the road where they intersect as this will result in damage to driveway during grading operations. The Township will NOT assume responsibility for damage caused as a result of this.
3. All new or altered entrances must have signed installations acceptance before acceptance will be issued by the Municipality.
4. All lengthening of existing culverts must be installed at same standards as a new entrance.



APPENDIX "B" TO BY-LAW 2022-29

**THE TOWNSHIP OF NIPISSING
ENTRANCE PERMIT**

705-724-2144 Office
705-724-2194 Garage
705-724-5385 Fax
roads@nipissingtownship.com

DESCRIPTION AND LOCATION OF PROPERTY: ROLL NO: 4971-

OWNER NAME: _____ PHONE #: _____
NAME AND ADDRESS OF OWNER(S)

OWNER SIGNATURE: _____ CELL #: _____

PROPERTY INFORMATION: LOT: _____ CONCESSION: _____

PLAN NUMBER (IF APPLICABLE) _____

ROAD INFORMATION: ROAD NAME: _____
LOCATION: NORTH SOUTH EAST WEST (of roadway)

HAS THE REQUESTED LOCATION BEEN MARKED? YES NO

IF YES, DESCRIBE MARKINGS: _____

CLASSIFICATION, USE, PURPOSE AND DETAIL OF ENTRANCE:

ACCESS REQUIRED FOR: _____
(DESCRIPTION OF TYPE OF ESTABLISHMENT SERVED BY ENTRANCE)

WIDTH OF ENTRANCE _____ METRES LENGTH OF CULVERT: _____

SIZE OF CULVERT _____ CULVERT CONSTRUCTION MATERIAL: _____

APPROXIMATE DISTANCE APPROACHING TRAFFIC IS VISIBLE FROM THE POINT OF ENTRANCE TO THE ROADWAY:

FROM THE RIGHT: _____ METRES FROM THE LEFT: _____ METRES

Elevated properties accessing municipal roadways for entrance MUST provide adequate ditching and drainage to ensure the integrity of the Municipal Roadway during spring runoff and rain.

DITCHING DOWN BOTH SIDES OF DRIVEWAY IS REQUIRED FOR PROPERTIES ELEVATED ABOVE MUNICIPAL ROADWAYS FOR ACCESS.

_____ **OWNER INITIAL TO ACKNOWLEDGE**

FOR OFFICE USE ONLY

ACTION ON APPLICATION: _____ DATE RECEIVED: _____

FEE RECEIVED: YES NO

INDICATE WHICH, IF ANY, OF THE FOLLOWING WILL BE AFFECTED:

ROADWAY DRAINAGE TREES, SHRUBS, PLANTING SIGNS GUARD RAIL NIL

APPROVED NOT APPROVED REFERRED ENGINEERED TRAFFIC STUDY

DATE _____ AUTHORIZED: _____
(SIGNATURE OPERATIONS SUPERINTENDENT)

911 NUMBER ASSIGNED: _____ SIGN ORDERED: _____
(DATE SIGN ORDERED)

FINAL INSPECTION:

APPROVED - COMPLETE WITH SIGN INSTALLED NOT APPROVED - INCOMPLETE WITH NOTES

DATE: _____ SIGNATURE: _____