

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2019-41

Being a by-Law to adopt Minimum Maintenance Standards for Municipal Highways

WHEREAS Section 44(1) of the *Municipal Act*, R.S.O. 2001, states that municipalities shall keep all highways and bridges under its jurisdiction in a state of repair that is reasonable in the circumstances including the character and location of the highway or bridge;

AND WHEREAS Section 44(4) of the *Municipal Act*, R.S.O. 2001, states that the Minister of Transportation may make regulations establishing minimum standards of repair for highways and bridges or any class of them;

AND WHEREAS the Minister has done so in Ontario Regulation 239/02 Minimum Maintenance Standards for Municipal Highways (MMS), by prescribing standards for Classes 1 through 6 highways, based on the speed limit applicable to it and the average daily traffic on it;

AND WHEREAS the Township of Nipissing passed By-Law Number 2013-39 authorizing the speed limit of sixty (60) kilometers per hour for all unposted roads under its jurisdiction;

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

Part 1 – Definitions

CITATION AND SCHEDULES: This By-Law shall be cited as the “Township of Nipissing Road Status and Maintenance By-Law”.

Schedule A, being Ontario Regulation 239/02 and any amendment thereto, is hereby incorporated by reference into this By-Law.

Schedule B showing Public Roads, average annual daily vehicle counts and the Class of various roads is annexed to and forms part of this By-Law.

Schedule C^[BA1] being the Winter Operation Plan and Deployment Procedure for the Township of Nipissing, annexed to and forms part of this By-Law.

Schedule D^[BA2] being the Winter Patrol Procedures and Winter Patrol Records for the South and North Roads, annexed to and forms part of this By-Law.

Schedule E being the Winter Operations Plow Routes for the Township of Nipissing, annexed to and forms part of this By-Law.

Schedule F being the Winter Patrol roads for the Township of Nipissing, annexed to and forms part of this By-Law.

- 1.1 **Public Road** – means a “highway” within the meaning of the *Municipal Act* of Ontario, 2001, as amended, which is under the jurisdiction of the Township of Nipissing.
- 1.2 **Public Road Allowance** – means an allowance for a road surveyed by the original Crown surveyors of the Township or subsequently conveyed and dedicated as a Public Road that is located within the Township of Nipissing and which is recorded in the records of the Land Registry Office as being owned by the Corporation of the Township of Nipissing or the municipality having jurisdiction over such road allowance.
- 1.3 **Private Road** – means a road that is neither owned nor maintained by the municipality.
- 1.4 **Significant Weather Event** – means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality.
- 1.5 **Weather Hazard** – means the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program.

Part 2 - General

- 2.1 **ROAD CLASSIFICATION:** Public Roads within the Township shall be classified as per Schedule A, based on the following two factors:
- a. Maximum speed limit – as defined by the Township’s Speed Limit on Municipal Roads By-Law 2013-39.
 - b. Vehicle Use – as defined by the Average Annual Daily Traffic (AADT), counted once every five (5) years by the Township. For roads with high seasonal vehicle use, AADT will be counted in both the summer months and in the off-season, and assigned the more restrictive class based on the higher of the two traffic counts.
- 2.2 **POLICY PRINCIPLES:** In carrying out its responsibilities to maintain Public Roads and bridges, the Township will adhere to the following:
- a. Operational activities of the Roads Department shall be directed to maintain the Township’s Public Roads to the prescribed standards herein. Care shall be taken first to assure that the standards of the MMS are maintained and secondly that such services are efficiently and effectively rendered.
 - b. Neither this Township nor its officials make any promises or assurance that Public Roads or any Public Road in particular will be maintained in excess of the minimum standards herein defined now or in the future. The fact that the Township may, and indeed hopes, to exceed those standards, when the resources available permit it to do so, does not change the standards prescribed herein.
 - c. The standards and road classifications shall be made publicly available to ratepayers and other users of the municipal road network. Council will review concerns about the standards and their implementation within a reasonable time when they are brought to its attention.
 - d. Budgets and Council priorities shall be set on the basis that the minimum maintenance standards prescribed herein must be met.
 - e. Where the Township is asked to upgrade the maintenance standards of a particular Public Road, it will generally do so on the basis that the average annual daily usage of the road has significantly increased and places it in a higher Class as prescribed in Schedule A.
 - f. Where the Township is asked to accept a Private Road into the municipal road system, and agrees in principle to do so, it will generally require the proponents to first bring the road to specified standards as to design, roadbed, and surface, at the proponents’ own expense.

2.4 **SIGNIFICANT WEATHER EVENT:** When a Weather Hazard occurs that meets the criteria for the issuance of an alert under the Public Weather Alerting Program by Environment Canada, the Operations Superintendent or Designate shall monitor the weather. (O. Reg 239/02 (4.1))

The Operations Superintendent or Designate shall have the designated authority to declare a significant weather event and deploy the public works crew as soon as practicable with regard to public and staff safety. If a Significant Weather Event is declared, the Operations Superintendent or Designate shall ensure that a Declaration Notice to advise the public of the nature of the event and expected service alteration is completed and published.

The Operations Superintendent or Designate shall continue to monitor the weather and when practicable, declare the end of the event with the completion of an End of Declared Notice being completed and published.

For the purposes of 2.4 of this By-Law, the Declared Notice and End of Declared Notice shall be completed and published the following ways:

- a. Posting on the Township website, social media pages in use and CodeRed.
(Amendment By-Law 2024-12)
- b. **Deleted. (Amendment By-Law 2024-12)**
- c. Circulation of the notice to the Nipissing Fire Department, Parry Sound Emergency Medical Services, North Bay Central Ambulance Communication Centre and the Ontario Provincial Police, Northeastern.

By-Law Number 2008-1218 is hereby repealed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 19TH DAY OF NOVEMBER, 2019.

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

Tom Piper (signed copy on file)
Mayor Tom Piper

Charles Barton (signed copy on file)
CAO-Clerk Charles Barton

Consolidated February 20, 2024

By-Law Number 2024-12

SCHEDULE B
By-Law 2019-41 Consolidated
Township of Nipissing Road Status and Maintenance By-Law

Road Length measured in metres, one way.

AADT Figures: 2008 per Roads Needs Study, TSH; 2013 per Update, Aecom; 2019 per estimate by Staff.

ROAD NAME	SURFACE	ROAD LENGTH	AADT			ROAD CLASS	NOTES:
			2008	2013	2019 *estimate		
	HT = Hard Top G = Gravel Year Round GS = Gravel Seasonal P = Private						
Alsace Road	HT and G	11,800 HT 10,616 G	150	150	150	5	
Armstrong Road	G	1,139	50	20	49	6	
Aspen Lane	G	136	50	10	20	6	
Barber Valley Road	G and GS	1,338 G 1,300 GS	50		20	6	
Barrett Road	G	6,212	50	25	30	6	
Barton Lake Road	G	690	50	10	20	6	
Bear Creek Road	HT	1,933	150	150	150	5	
Beatty Street	HT	298	150		150	5	
Bella Hill Road	G	405	50	10	15	6	
Birchgrove Drive	HT	4,220	200	200	200	5	Shared with Callander
Black Creek Road North	G	4,182	50	20	30	6	
Black Creek Road South	G and GS	1,244 G 800 GS	50	20	30	6	
Blake Street	G	104	50		20	6	
Booth Road	G	706	50	20	25	6	
Busch's Mill Road	G	346	50		20	6	
Butterfield Road	G and P	1,888 G 2,000 P	50		20	6	
Byers Road	G	430	50	10	15	6	

ROAD NAME	SURFACE	ROAD LENGTH	AADT			ROAD CLASS	NOTES:
			2008	2013	2019 *estimate		
	HT = Hard Top G = Gravel Year Round GS = Gravel Seasonal P = Private						
Chapman's Landing Road	G	1,458	50		50	5	
Culham Road	G	1,095	50	30	30	6	
Dowdall Road	G	1,048	50	5	10	6	
Front Street	G	377	50		15	6	
Granite Hill Road	G and GS	3,005 G 2,618 GS	50	10	30	6	
Green Acres Road	G and GS	3,652 G 900 GS	50	45	45	6	
Hamilton Farm Road	G and GS	544 G 2,492 GS	50	20	30	6	
Hart Road	G and P	2,000 G 2,100 P	50	50	50	5	Shared with Callander
Hazelglen Road	G	2,199	50	50	75	5	
Hemlock Road	G and P	400 G 1,800 P	100		100	5	Shared with Powassan
Hinchberger Bay Drive	HT	643	50		75	5	
Hunters Bay Road	HT	629	100	100	100	5	
Jones Road	G	538	50	50	50	5	
Kings Road	G	4,517	50	25	30	6	
Lake Nipissing Road	HT and G	2,436 HT 1,961 G	250	250	250	5	
Lakeview Drive	HT	601	50		75	5	
Lamb's Road	G	892	50	15	20	6	
Lillian Court	HT and P	192 HT 470 P	50		50	5	
Lingenfelters Road	G	1,662	50	20	30	6	
Mapleridge Road	G	154	50	10	20	6	
Marion Drive	HT	1,151	200		200	5	

ROAD NAME	SURFACE	ROAD LENGTH	AADT			ROAD CLASS	NOTES:
			2008	2013	2019 *estimate		
	HT = Hard Top G = Gravel Year Round GS = Gravel Seasonal P = Private						
McQuaby Lake Road	G	268	50	10	30	6	
Mountain View Road	G	420	50		30	6	
Muskeg Road	HT	2,050	150		200	5	
Niagara Road	G and P	1,305 G 1,071 P	50	40	49	6	
Old Nipissing Road North	G	240	50	45	45	6	
Old Nipissing Road South	G and GS and P	298 G 1,000 GS 1,000 P	50	45	45	6	
Pilgers Road	G	8,700	50	20	30	6	
Pine Drive	HT	1,092	100		150	5	
Ponderosa Road	G	4,642	50	25	30	6	
Power Plant Road	G	3,346	50	50	50	5	
Promised Land Road	G and P	200 G 555 P	50	30	30	6	
Rocky Shore Road	HT	950	80	80	80	5	
Ruth Haven Drive	HT and P	500 HT 399 P	50		40	6	
Rye Road	G and GS	4,671 G 2,300 GS	50	45	45	6	
Sandy Bay Road	G	844	50	50	50	5	
Settlers Road	G	1,015	50	10	20	6	
Simpson Hill Road	G	662	50		20	6	
Ski Hill Road	HT and G	200 HT 2,998 G	100		100	5	
South River Road	G	3,888	100		150	5	
Sprucedale Road	G and GS	944 G 856 GS	50	15	20	6	

ROAD NAME	SURFACE	ROAD LENGTH	AADT			ROAD CLASS	NOTES:
			2008	2013	2019 *estimate		
	HT = Hard Top G = Gravel Year Round GS = Gravel Seasonal P = Private						
Stillar Side Road	G	4,362	50	50	50	5	
Stone Cutters Road	G	2,048	50	50	50	5	
Stories Road	G and GS	365 G 1,800 GS	50		40	6	
Sun Valley Way	G	150	50	10	30	6	
Sunset Cove Road	HT	3,919	300		350	5	
Waltonian Drive	HT	879	200		230	5	
Westview Drive	HT	445	50		75	5	
William Road	HT	217	50		75	5	
Wolfe Lake Road	G	4,677	150	150	175	5	

Winter Operation Plan and Deployment Procedure

The purpose of this Plan and Procedure is to provide Public Works staff with a complete understanding of the Winter Operations methodology and expectations for the Township of Nipissing.

The Operations Superintendent has the authority to implement this procedure when they have determined it is required. In the absence of the Operations Superintendent, the Foreman will be deemed to have designated authority as required.

Winter Seasons

Shall start November 15th of each year and ends April 15th of the following year. Winter crews shall be on call between these months. **Patrol may be suspended or re-scheduled in accordance with weather requirements by the Operations Superintendent or designate. (Amendment By-Law 2024-12)** Notwithstanding the generally understood winter season time frame, abnormal and severe weather events have been occurring at unexpected intervals and staff will be expected to respond when needed as is practicable.

Winter Sand

Shall be mixed with 3% salt and stacked in sand dome by August 1st to ensure time to drain excess moisture from the sand.

Equipment^[BA3]

The Township shall have 3 tandem plow wing sander trucks, one grader with wing tower and a 1-ton pick-up truck with snow plow and sander. Equipment shall be ready to go into service no later than November 1st.

Winter maintenance equipment may be removed from the equipment any time after March 31st as instructed by the Operations Superintendent.

Routes

Each piece of equipment shall have an assigned route to plow/sand. When sand truck operators finish their routes, they shall assist with the sanding of the grader route as required. 1-ton truck shall plow/sand Township Office, Fire Station 1/Community Centre/Fitness Centre and Fire Station 2 yards.

Winter Operations Plow Routes map attached as Schedule E to the Township of Nipissing Road Status and Maintenance By-Law. Where routes will be followed, equipment may be changed in response to the severity of the occurrence or the nature of the work to be performed, such as the winging back of the snow banks. The Operations Superintendent or designate will have the authority to make those required changes.

Call outs

Winter crews shall be mobilized within an hour of call out time.

End of shift

Trucks and equipment shall be fueled and ready to return to service after each plow run.

Truck and equipment shall be washed within 24 hours of last use.

Sander chains shall be visually inspected after each run.

Plow equipment shall be left in heated garage when not in use.

Maintenance

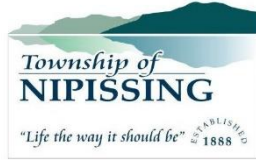
Truck and equipment shall be greased weekly and checked for any problems by each operator. Problems or concerns regarding trucks or equipment or the efficiency/safety of same, shall be reported to the Operations Superintendent immediately. In the absence of the Operations Superintendent, the Foreman shall be considered to have full authority and act in the Operations Superintendent's place.



Schedule D
By-Law 2019-41 Consolidated
Township of Nipissing Road Status and Maintenance

Winter Patrol Procedures

- Winter equipment shall be ready November 1st.
- Winter patrol shall start November 15th and shall end April 15th. *In the event of a winter weather event outside of these dates, Winter Patrol Procedures shall be provided until road conditions are considered acceptable.
- Patrol rotation shall start on **Thursday** and finish on **Wednesday** of each week. **(Amendment By-Law 2024-12)**
- Patroller shall drive to the shop each morning and pick up patrol truck.
- Patrol truck fuel tank shall never be left less than half tank of fuel.
- Patroller on duty shall start patrol at **or before 4 am in response to weather conditions. The Operations Superintendent or designate may alter patrol start times at their discretion dependent on weather conditions, current and anticipated.** *In the event of a winter weather event requiring winter maintenance operations, working hours may be extended past the scheduled shift as needed. **(Amendment By-Law 2024-12)**
- Patroller on weekend duty shall do their 4-hour patrol and go home if no action is required.
- Patroller shall track time and date of all call outs on the corresponding Patrol Sheet.
- Patroller shall fill out daily the Patrol **Tablet**. The Patrol **Tablet shows the roads in** two parts, breaking the total roads into groupings of north and south. Winter Patrol **Tablet** screens for North and South are attached to and form a part of this procedure. The Winter Patrol roads designated for North and South patrol areas are indicated on Schedule F, attached to and forming part of the Township of Nipissing Road Status and Maintenance By-Law. **(Amendment By-Law 2024-12)**
- Patroller shall patrol 10% of Township roads, with specific attention given to previously identified problem areas which are known to drift, have big hills and sharp corners, ensuring these areas are sufficiently evaluated.
- When a winter weather event occurs, the Patroller on call shall activate the winter crew once an accumulation of 5cm of snow or sleet is reached. When a winter weather event continues, roads shall be plowed and sanded every 10 hours until the event ends and roads are acceptable.
- When a winter event occurs in evening/night, the Patroller on call shall call the winter crew in as early as possible to begin plowing and sanding Township roads.
- **Weather conditions will be completed each day by entering information into Patrol Tablet using the weather app in use. To be completed by the Patroller on duty. (Amendment By-Law 2024-12)**



WINTER PATROL RECORD NORTH ROADS

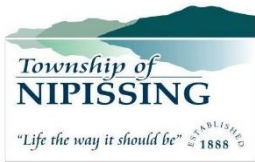
Date of Patrol:		Patrolled by: (Please Print)
Start of Patrol (Time)	End of Patrol (Time)	Signature:

	Road Classification	Bare & Dry	Bare & Wet	Track Bare	Center Bare	Snow Covered	Snow Packed	Snow Accumulation	Drifting	Ice Covered	Spot Ice	Black Ice	Frost	Slush	NO MAINTENANCE	Condition Codes:		Action Required:
																√	Observed Condition requiring a Winter Event Response	Schedule operations to comply with MMS or LOS
Roads Patrolled:																		
Sandy Bay Rd.	5																	
Sunset Cove Rd.	5																	
Jones Road	5																	
Bear Creek Rd.	5																	
Hunters Bay Rd.	5																	
Rocky Shore Rd.	5																	
Hinchberger Bay Dr.	5																	
Lakeview Drive	5																	
William Road	5																	
Lillian Court	5																	
Marion Drive	5																	
Pine Drive	5																	
Westview Drive	5																	
Waltonian Dr.	5																	
Birchgrove Dr.	5																	
Muskeg Road	5																	

Condition Codes:		Action Required:
√	Observed Condition requiring a Winter Event Response	Schedule operations to comply with MMS or LOS
X	Observed Condition No Response Required	No Action Required
N/A	Not Applicable	No Action Required

Notes:

Schedule D
By-Law 2019-41 Consolidated
Township of Nipissing Road Status and Maintenance



WINTER PATROL RECORD SOUTH ROADS

Date of Patrol:		Patrolled by: (Please Print)	
Start of Patrol (Time)	End of Patrol (Time)	Signature:	

	Road Classification	Bare & Dry	Bare & Wet	Track Bare	Center Bare	Snow Covered	Snow Packed	Snow Accumulation	Drifting	Ice Covered	Spot Ice	Black Ice	Frost	Slush	NO MAINTENANCE	Condition Codes:		Action Required:	
																√	Observed Condition requiring a Winter Event Response	Schedule operations to comply with MMS or LOS	
Roads Patrolled:																			
Armstrong Road	6																		
Bella Hill Road	6																		
Ski Hill Road	5																		
Mountain View Road	6																		
Sun Valley Way	6																		
Aspen Lane	6																		
Mapleridge Road	6																		
Alsace Road	5																		
Hemlock Road	5																		
Busch's Mill Road	6																		
Stories Road	6																		
Stillar Side Road	5																		

Notes:

Condition Codes:		Action Required:
√	Observed Condition requiring a Winter Event Response	Schedule operations to comply with MMS or LOS
X	Observed Condition No Response Required	No Action Required
N/A	Not Applicable	No Action Required

Dowdall Road	6																													
Simpson Hill Road	6																													
Wolfe Lake Road	5																													
Green Acres Road	6																													
	Road Classification	Bare & Dry	Bare & Wet	Track Bare	Center Bare	Snow Covered	Snow Packed	Snow Accumulation	Drifting	Ice Covered	Spot Ice	Black Ice	Frost	Slush	NO MAINTENANCE	<table border="1"> <thead> <tr> <th colspan="2">Condition Codes:</th> <th>Action Required:</th> </tr> </thead> <tbody> <tr> <td>v</td> <td>Observed Condition requiring a Winter Event Response</td> <td>Schedule operations to comply with MMS or LOS</td> </tr> <tr> <td>X</td> <td>Observed Condition No Response Required</td> <td>No Action Required</td> </tr> <tr> <td>N/A</td> <td>Not Applicable</td> <td>No Action Required</td> </tr> </tbody> </table>			Condition Codes:		Action Required:	v	Observed Condition requiring a Winter Event Response	Schedule operations to comply with MMS or LOS	X	Observed Condition No Response Required	No Action Required	N/A	Not Applicable	No Action Required
Condition Codes:		Action Required:																												
v	Observed Condition requiring a Winter Event Response	Schedule operations to comply with MMS or LOS																												
X	Observed Condition No Response Required	No Action Required																												
N/A	Not Applicable	No Action Required																												
Niagara Road	6																													
Ruth Haven Drive	6																													
Barrett Road	6																													
Rye Road	6																													
Booth Road	6																													
Lingenfelters Road	6																													
Granite Hill Road	6																													
Black Creek Rd. South	6																													
Black Creek Rd. North	6																													
Lamb's Road	6																													
Ponderosa Road	6																													
Butterfield Road	6																													
Sprucedale Road	6																													
Old Nipissing Rd North	6																													
Old Nipissing Rd South	6																													
Pilgers Road	6																													
Barton Lake Road	6																													

Notes:

