

Corporation of the Township of Greater Madawaska

By-Law No. 1-01

Being a by-Law to establish a minimum and desirable roadway service standard for the Township of Greater Madawaska road system.

WHEREAS authority is given to the Township of Greater Madawaska hereafter referred to as the Corporation, being a municipality authorized by Section 102 of the Municipal Act, R.S.O. 1990 to establish policy regarding municipal roadway service standards;

AND WHEREAS it is found expedient and necessary to have such standards;

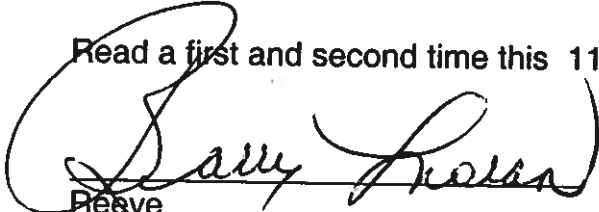
AND WHEREAS the Corporation desires to implement policy to identify certain minimum and desirable standards for roadway services on roads within the jurisdiction of this municipality subject to other authority, the standards described as follows, and attached as Schedule A hereto:

NOW THEREFORE THIS CORPORATION ENACTS AS FOLLOWS:

1. That the standards herein, and amended from time to time, be hereby adopted and come into effect on the 1st day of January, 2001.
2. That all operational activities of the road department be directed to provide desired roadway services as herein described where care is taken first to assure that the minimum standards are maintained, and second that such services are efficiently and effectively rendered.
3. That neither this corporation nor its officials make any promise or assurance that roadway services will be in excess of the minimum standard herein defined.
4. That these standards, and definitions of terminology be made available to the ratepayers and users of this public municipal road system. And that where exception is taken to the standards stated herein, or interpretation of the same, such concern may be reviewed at a meeting of this Council, or its committee for that purpose, for consideration..
5. That where situations arise or applications be made which fall outside the scope of these standards, the senior road manager shall respond as he/she may deem to be appropriate, with respect to budgetary constraint and reasonable practice.
6. And that budgets and Council priorities shall be set on the basis of provision of roadway services to desirable standards, and that where fiscal constraints are applied such desirable standards shall be redefined.
7. Where abnormal situations arise constricting the municipalities ability to perform to the desired roadway service standards, the municipality will not be liable for personal or property damages.
8. Any existing township roadway built prior to enactment of this by-law, that is not built to the desired roadway services standards will be considered exempt from the municipalities roadway services standards, until such time when funds become available for reconstruction of these roadways.

By-law No. 1 - 01
continued

Read a first and second time this 11th day of January, 2001.

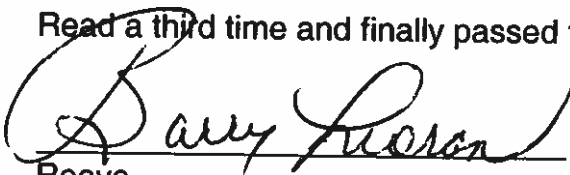


Reeve
Township of Greater Madawaska



Clerk
Township of Greater Madawaska

Read a third time and finally passed this 11th day of January, 2001.



Reeve
Township of Greater Madawaska



Clerk
Township of Greater Madawaska

REGULATION MADE UNDER THE
MUNICIPAL ACT

FILE COPY

MINIMUM MAINTENANCE STANDARDS
FOR MUNICIPAL HIGHWAYS

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.

(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.

(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.

3. A municipality shall be deemed to have complied with a minimum standard set out in a provision of this Regulation if, within the time specified in that provision, the municipality closes the affected highway or the affected part of a highway or redirects traffic.

4. (1) The minimum standard for the frequency of routine patrolling of highways is set out in the Table to this section.

(2) Routine patrolling shall be carried out by driving on or by electronically monitoring the highway to check for conditions described in this Regulation.

(3) Routine patrolling is not required to be carried out between sunset and sunrise.

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

5. (1) The minimum standard for snow removal is to deploy resources to clear the snow accumulation as soon as practicable after becoming aware that the snow accumulation on a highway is greater than the depth set out in the Table to this section.

(2) If, after the storm has ended, the snow accumulation is greater than the depth set out in the Table, the minimum standard is to clear the snow accumulation to a depth less than or equal to the depth set out in the Table and to within 0.6 metres from the edge of the roadway, within the time, after becoming aware of the fact, set out in the Table.

(3) Despite subsection (2), if, after the storm has ended, the snow accumulation on a Class 4 highway with two lanes or a Class 5 highway with two lanes is greater than the depth set out in the Table, the minimum standard is to clear the snow accumulation to a depth less than or equal to the depth set out in the Table and to a width of at least 5 metres, within the time, after becoming aware of the fact, set out in the Table.

(4) 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.

(5) 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.

TABLE
RESPONSE TIME FOR SNOW ACCUMULATION

Class of Highway	Depth	Response 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

6. (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, after becoming aware of the fact, set out in the Table to this section.

(2) This section only applies to a municipality during the season when the municipality performs winter highway maintenance.

TABLE
RESPONSE TIME FOR ICY ROADWAYS

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

7. (1) The minimum standard respecting potholes is to repair a pothole that exceeds both the surface area and depth set out in Table 1, 2 or 3 to this section, as the case may be, within the time, after becoming aware of the fact, set out in Table 1, 2 or 3, as appropriate.

(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.

TABLE 1
RESPONSE TIME FOR POTHOLES ON PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Response Time
1	1000 cm ²	8 cm	4 days
2	1000 cm ²	8 cm	4 days
3	1000 cm ²	8 cm	7 days
4	1000 cm ²	8 cm	14 days
5	1000 cm ²	8 cm	30 days

TABLE 2
RESPONSE TIME FOR POTHOLES ON NON-PAVED SURFACE OF ROADWAY

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

TABLE 3
RESPONSE TIME FOR POTHOLES ON PAVED OR NON-PAVED SURFACE OF SHOULDER

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

8. (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, after becoming aware of the fact, set out in the Table.

(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.

(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.

**TABLE
RESPONSE TIME FOR SHOULDER DROP-OFF**

Class of Highway	Depth	Response 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

9. (1) If there is a distortion on a roadway that, measured over a distance of one metre or less, is greater than that set out in Table 1 or 2 to this section, as the case may be, the minimum standard is to repair the distortion or post a temporary sign warning of the distortion, within the time, after becoming aware of the fact, set out in Table 1 or 2, as appropriate.

(2) A distortion shall be deemed to be repaired if its deviation is less than or equal to that set out in Table 1 or 2, as appropriate.

(3) In this section,

"distortion" means a vertical deviation in the roadway surface, such as a bump or depression, but does not include traffic calming measures or wheel track rutting.

TABLE 1
RESPONSE TIME FOR DISTORTIONS ON PAVED SURFACE OF ROADWAY

Class of Highway	Deviation	Response Time
1	6 cm	4 days
2	6 cm	4 days
3	8 cm	7 days
4	10 cm	14 days
5	10 cm	14 days

TABLE 2
RESPONSE TIME FOR DISTORTIONS ON NON-PAVED SURFACE OF ROADWAY

Class of Highway	Deviation	Response Time
3	12 cm	7 days
4	15 cm	14 days
5	15 cm	14 days

10. (1) If there is a crack on the paved surface of a roadway, for a continuous distance of three metres or more, that is greater 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, after becoming aware of the crack, set out in the Table.

(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.

TABLE
RESPONSE TIME FOR CRACKS

Class of Highway	Width	Depth	Response 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

11. (1) The minimum standard respecting debris on a roadway is to deploy resources, as soon as practicable after becoming aware of the fact, to remove the debris.

(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.

12. (1) If three or more consecutive luminaires on a highway are not functioning, the minimum standard is to repair the luminaires within the time, after becoming aware of the fact, set out in the Table to this section.

(2) 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, after becoming aware of the fact, set out in the Table to this section.

(3) 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.

(4) This section only applies 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.

(5) In this section,

"luminaire" means a complete lighting unit consisting of a lamp and parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply.

TABLE
RESPONSE TIME FOR NON-FUNCTIONING LUMINAIRES

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

13. (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.

(2) This section only 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.

14. (1) If a regulatory or warning sign other than a sign listed in subsection 13 (2) is illegible, improperly oriented or missing, the minimum standard is to repair or replace the sign within the time, after becoming aware of the fact, set out in the Table to this section.

(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.

TABLE
RESPONSE TIME FOR REGULATORY AND WARNING SIGNS

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

15. (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.

(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 programmed phase fails to occur.
4. There are phase or cycle timing errors.
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.

(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.

(4) For the purpose of paragraph 5 of subsection (2), there shall be deemed to be a power failure to the traffic control signal system if the incoming line of 115 VAC voltage falls below 93 VAC and, within 67 milliseconds of such a fall, it remains below 93 VAC for 50 milliseconds or longer, but subsection (1) does not apply to a power failure that is attributed to a loss of power from the power supply authority.

(5) In this section and section 16,

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

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

"indication" means a signal lens display that is activated by internal illumination;

"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;

"traffic control signal" means that part of a traffic control signal system that consists of one set of red, amber and green lenses mounted on a frame and commonly referred to as a traffic light;

"traffic control signal system" means all of the signal equipment making up the installation at any location.

16. (1) The minimum standard is to inspect, every six months, the following traffic control signal system sub-systems:

- 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, conflict monitor and associated hardware.**
- 3. The external detection sub-system, consisting of detection sensors for all vehicles, including emergency and railway vehicles and pedestrian push-buttons.**

(2) The minimum standard is to test and routinely maintain the traffic control signal system sub-systems described in subsection (1) in accordance with the manufacturer's recommendations.

(3) The minimum standard is to test conflict monitors every six months.

(4) The minimum standard is to replace a signal lamp when it has reached 80 per cent of the useful life expectancy as described in the manufacturer's specifications.

(5) In this section,

"conflict monitor" means a device that continually checks for conflicting signal indications and responds to a conflict by emitting a signal.

17. (1) The minimum standard is to repair a bridge deck spall that exceeds both the surface area and depth, measured from the paved surface of the roadway or shoulder, set out in the Table to this section, within the time, after becoming aware of the fact, set out in the Table.

(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.

(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.

**TABLE
RESPONSE TIME FOR BRIDGE DECK SPALLS**

Class of Highway	Surface Area	Depth	Response Time
1	1,000 cm	8 cm	4 days
2	1,000 cm	8 cm	4 days
3	1,000 cm	8 cm	7 days
4	1,000 cm	8 cm	7 days
5	1,000 cm	8 cm	7 days

18. (1) The minimum standard is to repair a surface discontinuity that exceeds the height set out in the Table to this section, within the time, after becoming aware of the fact, set out in the Table.

(2) A surface discontinuity shall be deemed to be repaired if its height is less than or equal to that set out in the Table.

(3) In this section,

"surface discontinuity" means a vertical discontinuity in the deck joints or expansion joints of a bridge or in the approach slabs to a bridge.

**TABLE
RESPONSE TIME FOR SURFACE DISCONTINUITIES**

Class of Highway	Height	Response 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