

THE CORPORATION OF THE TOWNSHIP OF GREATER MADAWASKA

BY-LAW 68-2023

Being a By-Law to establish Closings and Seasonal Maintenance on Certain
Municipal Highways, Road Allowances and Sidewalks within the
Corporation of the Township of Greater Madawaska

WHEREAS section 35 of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipality may pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway by an owner of land abutting a highway;

AND WHEREAS section 44 (1) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipality that has jurisdiction over a highway or bridge shall keep it 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, 2001, S.O. 2001, c. 25 provides 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 said Minister has made by regulation, O. Reg. 239/02 as minimum maintenance standards for municipal highways;

AND WHEREAS the Council of the Corporation of the Township of Greater Madawaska wishes to exercise its powers as provided hereinbefore:

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF GREATER MADAWASKA enacts as follows:

1. In accordance with the said regulation 239/02 of the Municipal Act, the highways and road allowances set out on Schedule "A" attached hereto shall be designated and named as "Seasonal Roads" and are acknowledged to be Class 6 highways and not subject to minimum maintenance standards.
2. The said highways and road allowances in Schedule "A" attached hereto shall be closed and only open to the public and maintained from the 15th day of May to the 1st day of November in each year and shall only be inspected during this time, not less than once in a 30 day period.
3. In accordance with section 35 of the Municipal Act, the right of passage of the public over sidewalks set out on Schedule "A" attached hereto shall be restricted and the sidewalks closed as provided in paragraph 2 herein.
4. The said highways, road allowances and sidewalks shall bear signage warning of no passage except during the period provided in paragraph 2 herein and that travel is otherwise at the user's risk.

By-Law No. 27-2021 is hereby repealed.

READ a first and second time this 16th day of November, 2023.

READ a third time and passed this 16th day of November, 2023.

Rob Weir
Mayor

Robin Emon
Clerk

Schedule "A"
By-Law 68-2023
Seasonally Maintained Roads

1. Clark Rd
2. Clyde Lake Rd
3. Dunavans Rd
4. Dunns Lake Rd
5. Glenfield Rd from Connemara Lane 4.6 Km.
6. Holy Well Rd
7. Kennelly Mountain Rd (from Centennial Lake Rd to the intersection of Mulvihill Farm Rd)
8. Maloney Mountain Rd (0.3 Km from the intersection of Mt. St. Patrick Rd to 5.8 Km)
9. Marchand Lacourse Rd
10. McHugh Rd (from Lower Spruce Hedge Rd intersection to 8.2 Km)
11. Milty Lake Rd (0.9 Km from Matawatchan Rd to 1.9 Km)
12. Mulvihill Farm Rd
13. Newfoundland Rd
14. Sweets Lane
15. Teeple Haley Rd (0.4 Km from Hwy 41 to 5.7 Km)
16. Wabalac Rd

SIDEWALKS

1. County Road 511 400m of concrete sidewalk.
2. Madawaska Street sidewalks on both sides of the road and Asphalt paved sidewalk.
3. Mill Street 100m of concrete sidewalk
4. Mill Street 1.3 km asphalt paved shoulder.