

MUNICIPALITY OF CHATHAM-KENT

DRIVEWAY POLICY

- 1.0 PURPOSE
- 2.0 DEFINITIONS
- 3.0 GENERAL REGULATIONS
- 4.0 PERMIT AND APPLICATION FOR ACCESS
- 5.0 PENALTIES AND COSTS
- 6.0 GENERAL REGULATIONS RELATED TO LOCATION AND WIDTH OF DRIVEWAYS
- 7.0 COMMERCIAL, INDUSTRIAL, INSTITUTIONAL PROPERTY, PUBLIC PURPOSE PROPERTY AND MULTIPLE DWELLING DRIVEWAYS
- 8.0 RESIDENTIAL DRIVEWAYS
- 9.0 FARM AND FIELD ENTRANCE DRIVEWAYS
- 10.0 CONSTRUCTION, MAINTENANCE AND REMOVAL OF DRIVEWAYS

APPENDICES

- 1. Application for Permission to Work on Municipal R.O.W.
- 2. Curb Cut/Closure Application
- 3. Schedules

1.0 PURPOSE

The purpose of this policy is to establish guidelines for the granting of access, and design criteria for new driveways.

2.0 DEFINITIONS

2.1 ACCESS: An access is the means by which vehicles are provided with ingress to or egress from a public or private property to the roadway.

2.2 APPLICANT: An applicant is a person, partnership, agency, corporation (public or private) or institution who desires to construct, alter or retain any access to a Municipality roadway.

2.3 BOULEVARD: That portion of the roadway situated between the curb line and the property line or lots abutting the roadway, but does not include a sidewalk or a shoulder.

2.4 CULVERT: means a pipe with a circular, elliptical or rectangular cross-section of steel or galvanized steel which acts as a conduit for storm water under any portion of a roadway.

2.5 FARM: means a parcel of land of more than four (4) hectares used for agricultural purposes including the raising of crops or animals.

2.6 FARM ENTRANCE: means an entrance opening on a roadway from a farm which is used only for access to barns, out-buildings or the farm residence.

2.7 FIELD ENTRANCE: means an opening on to a roadway from a field forming part of a farm which is used only for the passage of animals and crops and for other agricultural purposes, but not for access to buildings.

2.8 FRONTAGE: means the length of a street line.

2.9 FUTURE STREET LINE: means the common boundary line between a parcel of land to be later assumed by the Municipality as road widening, as determined by the

interim road widening policy or by-law or, in the case of special widenings, by the General Manager, and the adjacent private property which will remain after assumption of the parcel of land as road widening.

- 2.10 GENERAL MANAGER:** means the General Manager of Infrastructure and Environmental Services of the Municipality of Chatham-Kent.
- 2.11 PERCENT (%) GRADE:** means the rate of rise or fall with respect to the horizontal.
- 2.12 MULTIPLE RESIDENTIAL DWELLING:** means a building containing three or more dwelling units on a parcel of land abutting on a roadway where access to the parking area or areas on the land is provided by one or more private approaches.
- 2.13 MUNICIPALITY:** means the Municipality of Chatham-Kent.
- 2.14 OWNER:** means the owner in fee simple of land abutting on a roadway.
- 2.15 PRIVATE APPROACH:** means a driveway or improved surface installed, used or maintained in a roadway and within 45 metres of a roadway as a means of vehicular access for the use or benefit of the owner or occupant of private property adjacent to the roadway.
- 2.16 PRIVATE PROPERTY:** means land or any owner other than Municipality.
- 2.17 PROPERTY LINE:** means the common boundary line between two adjacent private properties.
- 2.18 PUBLIC GARAGE:** includes a retail gasoline outlet, a parking station or a parking lot or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and a building or place used for a motor vehicle repair shop or for washing or cleaning motor vehicles.
- 2.19 RETAIL GASOLINE OUTLET:** means a building or place where gasoline, oil and automobile parts and accessories are stored or kept for sale and where only minor or running repairs essential to the actual operation of a motor vehicle are performed and includes a car wash, provided that the total floor area used exclusively for car

washing does not exceed 30 square metres.

- 2.20 RURAL Roadway:** means any roadway not included in the definition of “urban roadway”.
- 2.21 SECURITY:** means cash, a certified cheque payable to the Municipality, or an irrevocable letter of credit issued by any Canadian Chartered Bank in the form as prescribed by the General Manager of Finance and Performance Services of the Municipality.
- 2.22 SINGLE FAMILY DWELLING:** means a building containing one or two dwelling units on a parcel of land abutting on a roadway.
- 2.23 STREET LINE:** means the common boundary line between any private property and the roadway adjacent to it.
- 2.24 TEMPORARY ACCESS:** means a private approach granted by the General Manager for a temporary period of time to provide access to a private property during construction, repair or improvement on that property or for any other purpose approved by the General Manager; and
- 2.25 URBAN Roadway:** means a roadway having a speed limit of 60 km/h or less, or a roadway with at least fifty (50%) percent of the total frontage on one side of the roadway being within eight hundred (800) metres of the proposed private approach location which has been zoned or developed for residential, business, commercial or industrial use.

3.0 GENERAL REGULATIONS

3.1 Requirement for Driveway Permit

Every owner who constructs a new building or structure, makes an alteration or addition to an existing building or structure, changes the nature or scope of the use of a private property, increases or decreases the frontage or area of a private property, shall apply for a permit for all private approaches serving the private property.

3.2 Exemptions from Driveway Permit Requirement (1)

Subsection 3.1 shall not apply where only minor changes are made to an existing building or structure.

3.3 Exemptions from Driveway Permit Requirement (2)

If in the opinion of the General Manager the construction, alterations, additions or changes set out in subsection 3.1 will not require changes to any existing private approach then no private approach permit will be required.

3.4 Driveway Construction Provisions

Any private approach for which a permit is required shall be constructed in accordance with the provisions of this Driveway Policy.

3.5 Driveway Construction Costs to be Borne by Applicants

All permits for private approaches shall be granted to the applicants on the express condition that all works required on the roadway in connection with the construction of the private approach shall be done at the expense of the applicants, and that the applicant shall deposit, if requested, with the General Manager of Finance and Performance Services before commencing the construction of the private approach, such sum as is estimated by the General Manager to be the cost to the Municipality of replacing curbs or sidewalks, or the alterations of manholes, pipes, conduits, wires, etc., of any public utility affected by the construction of the private approach.

3.6 Responsibility for Staking Proposed Driveway Location

The applicant is responsible for staking the location of the proposed driveway.

4.0 PERMIT AND APPLICATION FOR ACCESS

4.1 Requirement for Driveway Permit

No person shall construct, reconstruct, relocate, alter or close any temporary access or private approach, entrance way, gate, culvert or other structure **or facility unless a permit is obtained under this Driveway Policy to do so.**

4.2 Applicants for Driveway Permit

An owner or representative of the owner may apply for a permit to construct a private approach and the application shall be made in respect of all private property held by the owner and bounded on one or more sides by a Municipality road.

4.3 Municipality Construction or Reconstruction Affecting Private Driveway

- (a)** If the Municipality undertakes any construction or reconstruction work on a roadway which affects a private approach, the Municipality shall,
 - (i) where the private approach conforms to this Driveway Policy or does not conform but can not be replaced by a new private approach conforming to this Driveway Policy, do any reconstruction of the private approach made necessary by the work on the roadway; or
 - (ii) where it is possible to do so, construct a new private approach, in a location according to the design specified by the General Manager, to replace a private approach which does not conform to this Driveway Policy.
- (b)** All private approach construction under this subsection shall be done by the Municipality at no cost to the owner and in accordance with the provisions of this Driveway Policy wherever possible.

4.4 Driveway Application Forms, Plans, and Legal Survey

An application for a permit under this Driveway Policy shall be made by the owner,

or representative of the owner, on the forms prescribed by the General Manager (see Appendix) and shall be accompanied by,

- (a) a plan showing the dimensions of the private property for which for application is being made and any adjoining private property of the owner; and
- (b) if required by the General Manager, a recent legal survey plan of the private property mentioned in paragraph 4.4.(a).

4.5 Description of Existing and Proposed Driveways

An application shall state the size, type of construction and grade of each existing and proposed private approach, including,

- (a) the dimensions of any existing private approach and culverts under the existing private approaches;
- (b) the location of any controlled access designation which has been applied to the frontage; and
- (c) any 0.3 metre reserve which may exist between the private property for which the application is being made and the adjacent roadway.

4.6 Driveway Permit Fees

If the General Manager is satisfied that an application for a temporary access or private approach to a roadway complies with the provisions of this Driveway Policy, a permit shall be issued to the applicant. The fee for each permit to construct a temporary access or private approach to a roadway shall be _____ Dollars.

4.7 Expiration Period of Driveway Permit

A permit listed for a private approach shall expire if the private approach is not constructed within twelve (12) months of the date of issue of the permit or within such other longer or shorter period of time as may be specified by the General

Manager.

4.8 Security Deposit for Boulevard Paving

Where an applicant is required to pave the boulevard as provided for in subsections 7.10 and 7.11 below, the applicant shall deposit security in the amount of the estimated cost of paving the boulevard, and the security shall,

- (a) be refunded when the applicant has paved the boulevard to the satisfaction of the General Manager as required by this Driveway Policy within twelve (12) months of the date of completion of construction of the private approach or within such other longer or shorter period of time as may be specified by the General Manager.
- (b) be forfeited if the applicant has not paved the boulevard to the satisfaction of the General Manager within twelve (12) months to the date of completion of construction of the private approach or within such other longer or shorter period of time as may be specified by the General Manager.
- (c) if the permit holder does not pave the boulevard, be used by the General Manager to pave the boulevard as required by this Driveway Policy and any costs incurred by the Municipality in excess of the security shall be paid by the permit holder forthwith on demand.

5.0 PENALTIES AND COSTS

5.1 Penalty for Contravention of Driveway Policy

Any person who contravenes any provisions of this Driveway Policy is guilty of an offence and on conviction is liable to a fine of not more than _____ Dollars, exclusive of costs.

5.2 Additional Penalties which may be Imposed

When a person has been convicted of an offence under this part of this Driveway Policy,

- (a) the Ontario Court (Provisional Division) of the Municipality, or
- (b) any court of competent jurisdiction thereafter, may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

5.3 Closure of Old or Unused Driveways

The Municipality also retains the right to have any old or unused driveways closed off. Further, any expense incurred by the Municipality in connection with such driveway may be recovered from the person or Corporation in default, either by action or in the same manner as municipal taxes.

5.4 Application Costs

The costs associated with the application are defined on the forms "Application for Permission to Work on Municipal Right of Way" and "Curb Cut/Closure Application", included in the Appendices.

6.0 GENERAL REGULATIONS RELATED TO DRIVEWAY LOCATION AND STANDARDS

6.1 Driveway Location Requirements

- (1) No private approach shall be constructed within an intersection or on the corner radius of an intersection or within 1.5 metres of the point of tangency of the radius when measured at the curb or edge of the roadway, or in such a manner that the distance between the nearest limits of a private approach and the intersecting street line or its extension is less than 6 metres, except by specific exemption by the General Manager.
- (2) All requests for exemption for a private approach under this section shall be examined individually and constructed to the General Manager's detailed specifications.

6.2 Driveway Location Leading to Hazardous Conditions

Notwithstanding any other provision of this Driveway Policy

- (1) No person shall construct a private approach which, in the opinion of the General Manager, will create hazardous conditions due to inadequate sight distance, horizontal or vertical alignments or other considerations; and
- (2) The General Manager may specify a location for a private approach which, in the General Manager's opinion, will eliminate or minimize a hazardous condition.

6.3 Driveway Angle of Approach

- (1) The lateral boundary of a private approach shall intersect the centre line of the roadway as nearly as practicable at a right angle.
- (2) In no case shall the acute angle between the centre line of the private approach and the centreline of the roadway be less than seventy (70) degrees.

6.4 Driveway Ramp Requirements

The sloped or ramped portion of a private approach shall not extend into the roadway, except in the case of a temporary access.

6.5 Driveway Width Requirements

- (1) No person shall construct a private approach,
 - (a) intended for two-way vehicular traffic, that is more than 9 metres wide when measured at the street line and at the curb or the edge of the roadway; or
 - (b) intended for one-way vehicular traffic, that is more than 7.5 metres wide when measured at the street line and at the curb or the edge of the roadway,

and the width of the private approach shall not include flares, radii or wings.

- (2) Notwithstanding the provisions of subsection (1), private approaches in excess of 9 metres in width measured at the street line and at the curb or the edge of the roadway may be permitted for off-street bus loading areas, transport loading areas and stations operated by a fire department.

6.6 Driveway Construction Requirements and Schedules

- (1) Any private approach constructed or altered and any shoulder, boulevard, sidewalk, curb or ditch adjacent to a private approach, shall be graded, constructed and shaped to the satisfaction of the General Manager in accordance with the plans attached to this Driveway Policy and marked Schedules A to S inclusive.
- (2) If a conflict arises between the text and the Schedules to the Driveway Policy, the text shall prevail.

6.7 Barrier Requirements

Where there is a sidewalk, gravel shoulder, asphalt boulevard or gravel boulevard on a roadway, no area on the private property adjacent to the roadway shall be paved or otherwise improved for vehicular use unless a physical barrier is constructed and maintained by the owner of the private property, to the satisfaction of the General Manager, parallel to the street line to separate the paved area from the sidewalk, gravel shoulder, asphalt boulevard or gravel boulevard, except at the private approaches so as to prevent vehicles encroaching on the roadway.

6.8 Removal of Redundant Private Approach, Culvert, Pipe, Curb, Sidewalk or Ancillary Installation

- (1) The applicant for a permit to construct, relocate or alter a private approach shall, along frontages of the private property for which an application is being made, remove any private approach, culvert, pipe, curb, sidewalk or ancillary installation which becomes redundant and shall also remove any private approach which becomes, or is, contrary to the provisions of this Driveway Policy by reason of the construction, relocation or alteration of any private approach proposed in the application.

- (2) All work required to be done under subsection (1) shall be done at the expense of the owner of the private property, to a standard equal to, or better than that of the existing sidewalk, curb or roadway adjacent to the private approach.

6.9 Reinstatement Following Closure of Driveway

Where a private approach is closed, the shoulder, boulevard, sidewalk, curb, roadway or ditch shall be reinstated, at the expense of the owner of the private property, to a standard equal to or better than that of the existing shoulder, boulevard, sidewalk, curb, roadway or ditch adjacent to the private approach.

6.10 Culvert Requirements

- (1) Where a private approach is required to be constructed across a ditch or water course situated on a roadway, a galvanized metal culvert shall be installed. Under no circumstances will concrete pipe be permitted.
- (2) The type, shape, diameter, gauge and length of any culvert pipe required shall be determined by the General Manager, but in no case shall the diameter be less than 45 centimetres or the length less than 6 metres.

6.11 Construction Requirements on Adjacent Roadway

Where a private property has a parking area with fifty (50) or more parking spaces and, in the opinion of the General Manager, the number of vehicles entering and leaving the parking area would reduce the quality of traffic service on the adjacent roadway, the owner of the private property shall,

- (1) pay for additional roadworks required to maintain the quality of traffic service on the adjacent roadway, including channelization, deceleration lanes, weaving lanes and traffic control signal installations, which shall be constructed to the satisfaction of General Manager; and
- (2) convey to the Municipality at no cost any land required for the purposes set out in subsection (1).

6.12 Permit for Temporary Access

- (1) Notwithstanding any other provisions of this Driveway Policy, the General Manager may issue a permit for a temporary access, subject to such conditions and restrictions as the General Manager may, from time to time, deem necessary for the safe and efficient movement of pedestrians and vehicles, including the removal and reinstatement of traffic signs and traffic signals.
- (2) When any temporary access requires the hooding or removal of parking meters, the permit holder shall be responsible for the costs, including the hooding charges for meters not in use and all other work involved.
- (3) When any temporary access requires the erection, removal or relocation of any traffic control device including, but not limited to, traffic signals and traffic signs, the permit holder shall be responsible for the cost of all work involved.

6.13 Level of Structures

No person shall construct any curbing, headwalls, decorative stone work or landscaping, which extends above the level of the shoulder, boulevard and private approach or any object which would create a hazard or obstruction for winter maintenance operation.

7.0 COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, PUBLIC BUILDINGS AND MULTIPLE RESIDENTIAL DWELLING DRIVEWAYS

The design and construction of a private approach for a private property used for public, commercial, industrial or institutional purposes or multiple dwellings, shall comply with the following provisions:

7.1 Number and Type of Driveways

For private properties with a single frontage on a roadway, the maximum number and type of private approaches permitted shall be governed by the amount of frontage as follows:

- (a) less than 20 metres of frontage - one (1) two-way private approach;
- (b) 20 metres to 34 metres of frontage - one (1) two-way private approach or two (2) one-way private approaches;
- (c) 35 metres to 45 metres of frontage - two (2) two-way private approaches or two (2) one-way private approaches;
- (d) 46 metres to 150 metres of frontage - up to two (2) two-way private approaches plus one (1) two-way private approach for each additional 90 metres of frontage.

7.2 Corner Lots

On a corner lot or a lot abutting on more than one roadway, the provisions of subsection (1) shall apply to each frontage separately.

7.3 Distance between Proposed Two-way Driveway and other Driveways

The distance between the nearest limits of a private approach intended for two-way vehicular traffic and any other private approach to the same private property shall be a minimum of 9 metres measured at the street line and curb or edge of the roadway.

7.4 Distance between One-way Driveways

The distance between the nearest limits of two private approaches intended for one-way vehicular traffic on the same private property shall be a minimum of 9 metres measured at the street line, curb or edge of roadway.

7.5 Median Requirements between Driveways

Notwithstanding the provisions of subsection 7.4, where, in the opinion of the General Manager, it is desirable to provide for high volume access, the median between two private approaches intended for one-way operation shall be 2 metres.

7.6 Median Length

Where a 2 metre median is provided under subsection 7.5, the length of the median on private property shall be determined by the General Manager.

7.7 Driveway Signing

- (a) All one-way private approaches shall be designated with suitable signs erected in a conspicuous location adjacent to the roadway to indicate the direction of traffic for which the private approach is intended.
- (b) All signs shall be erected and maintained by the owner to the satisfaction of the General Manager.

7.8 Distance to Property Line

No person shall construct a private approach within 3 metres of any property line measured at the street line and at the curb or the edge of the roadway; unless the property abuts only one public road and the width of the frontage does not allow a reasonably wide access of from 3.5 metres to 9 metres in addition to the 3 metres offset from the adjoining property lines; in which case the 3 metres offset may at the discretion of the General Manager be reduced to 0.3 metres.

7.9 Paving of Inner and Outer Boulevard

When a private approach is constructed adjacent to an urban roadway, the owner of the private property shall pave, with a minimum of 75 mm of hot asphaltic material or such other material as may be approved by the General Manager, the outer boulevard, the inner boulevard and the private approach as follows:

- (a) when a sidewalk is located adjacent to the roadway, the inner boulevard or for a distance of 3 metres from the sidewalk;
- (b) when a sidewalk is located other than adjacent to the roadway, the outer boulevard and the inner boulevard or for a distance of 3 metres from the sidewalk; and
- (c) where there is no sidewalk, the outer boulevard or for a distance of 7.5 metres from the edge of the roadway, whichever is greater.

7.10 Shoulder and Outer Boulevard Paving - Rural Roadway

Where a private approach is constructed on a rural roadway, the owner of the private property shall,

- (a) where the roadway is improved; or
- (b) if directed to do so by the General Manager where the roadway is not improved,

pave the shoulder and outer boulevard or for a distance of 7.5 metres from the edge of the roadway, whichever is the lesser, with a minimum of 75mm of hot asphaltic material or such other material as may be approved by the General Manager.

7.11 Driveway Requirements - Specific Private Properties

- (a) Notwithstanding subsections (7.1), (7.3) and (7.4) , the provisions of this subsection apply to a private approach serving a parking area on private property being used for any of the following purposes:
 - (i) shopping centre;
 - (ii) public parking lot;
 - (iii) parking lot or area provided for the use of customers of a retail or wholesale business;
 - (iv) public garage (excluding a retail gasoline outlet);
 - (v) personal service; or
 - (vi) eating establishment.

- (b) Except where otherwise allowed under this Driveway Policy, no person shall construct a private approach serving a parking area with the number of parking spaces set out in Column 1 so that,
 - (i) the distance when measured at the street line, curb or edge of the roadway between that private approach and the nearest intersecting street line or its extension is less than the distance set out in Column 2; or
 - (ii) the distance between that private approach and any other private approach to the same private property is less than the distance set out in Column 3:

COLUMN 1	COLUMN 2	COLUMN 3
Number of Parking Spaces	Distance to Nearest Intersecting Street Line	Distance Between Private Approaches
1 - 49	18 metres	15 metres
50 - 99	30 metres	30 metres
100 - 199	45 metres	45 metres
200 - 299	60 metres	60 metres
300 or more	75 metres	75 metres

- (c) No person shall construct a private approach servicing a parking area with less than fifty (50) parking spaces, with a grade exceeding two (2%) within the private property for a distance of six (6) metres from the street line or future street line.

7.12 Driveway Requirements - Other Private Properties

- (a) Notwithstanding subsections (7.1), (7.3) and (7.4), the provisions of this subsection apply to a private approach serving a parking area on private property being used for any of the following purposes:
- (i) hotel;
 - (ii) office building;
 - (iii) multiple residential dwelling;
 - (iv) public purposes; or
 - (v) industrial development.
- (b) Except where otherwise allowed under this Driveway Policy, no person shall

construct a private approach serving a parking area with the number of parking spaces set out in Column 1 so that,

- (i) the distance when measured at the street line, curb or edge of the roadway between that private approach and the nearest intersecting street line or its extension is less than the distance set out in Column 2; or

COLUMN 1	COLUMN 2	COLUMN 3
Number of Parking Spaces	Distance to Nearest Intersecting Street Line	Distance Between Private Approaches
20 - 99	18 metres	15 metres
100 - 199	30 metres	30 metres
200 - 299	45 metres	45 metres
300 or more	60 metres	60 metres

- (c) No person shall construct a private approach, serving any parking area, with a grade exceeding two (2%) percent for a distance of six (6) metres within the private property from the street line or future street line.

7.13 Driveway Requirements - Corner Private Properties

On a corner private property located at a roadway intersection where the owner is unable to comply with subsections (7.11) or (7.12),

- (a) Any private approach shall be located as far as possible from the intersection;
- (b) A private approach may be permitted only on the roadway carrying the lesser volume of traffic; and
- (c) When the vehicular traffic volumes are approximately equal, a private approach may be permitted only on the roadway which allows the private approach to be located as far as possible from the intersection.

7.14 Retail Gasoline Outlet

Where a retail gasoline outlet is located on a property on which any other commercial use is or has been established, the requirements for the private approach to that property shall be those provided for a commercial use property.

8.0 RESIDENTIAL DRIVEWAYS - SINGLE FAMILY DWELLINGS

The design, construction and location of a private approach for a private property used for single family dwelling purposes, shall comply with the following provisions:

8.1 Driveway Purpose

A private approach shall be permitted only for the purpose of providing access to a parking space that is not contrary to any by-law of the Municipality.

8.2 Distance Between Driveways

The distance between the nearest limits of two private approaches to the same private property shall be a minimum of eight (8) metres measured at the street line and curb or the edge of the roadway.

8.3 Distance to Property Line

No person shall construct a private approach within 0.3 metres of any property line measured at the street line and at the curb or the edge of the roadway except:

- (a) where the written consent of the owner of the adjacent private property is obtained and filed with the General Manager; or
- (b) in the case of a combined private approach serving two adjacent private properties.

8.4 Driveway Grades

The grade on any private approach shall not exceed six (6%) percent within the private property for a distance of six (6) metres from the street line or future street line.

9.0 FARM AND FIELD ENTRANCE DRIVEWAYS

9.1 Conditions for Driveway Approval

A private approach for a farm entrance or a field entrance shall be subject to any conditions which the General Manager may, from time to time, deem necessary for the safe and efficient movement of vehicles on a roadway. The General Manager shall consider the effect of the proposed private approach on the movement and safety of vehicles and pedestrians, possible future uses of the adjacent roadway, and any other factors deemed relevant in the circumstances.

9.2 Driveway Grades - Farm Entrance

The grade on a private approach for a farm entrance shall not exceed six (6%) percent for a distance of six (6) metres from the street line or future street line.

9.3 Driveway Grades - Field Entrance

The grade on a private approach for a field entrance shall not exceed ten (10%) percent for a distance of six (6) metres from the street line of future street line.

10.0 CONSTRUCTION, MAINTENANCE AND REMOVAL OF DRIVEWAYS

10.1 General Construction Requirements

Every private approach to a roadway not requiring a culvert shall be constructed, altered, maintained or closed under the direction of the General Manager by either,

- (a) The Municipality through its servants, workmen, agents or contractors; or
- (b) a contractor employed by the owner and approved by the General Manager.

10.2 Period of Notice

Where a private approach is being constructed, altered or removed under paragraph 10.1(b), the owner shall advise the General Manager seven (7) days before starting the work.

10.3 Driveways Requiring Culverts

Every private approach to a roadway requiring a culvert shall be constructed, altered, maintained or closed under the direction of the General Manager, by the Municipality through its agents, workmen, servants or contractors.

10.4 Work done by Municipality

Any work done by the Municipality under subsections 10.1 or 10.3 shall include only,

- (a) the alteration of the curb;
- (b) the alteration of the sidewalk; and
- (c) the installation of the culvert and granular backfill to the proper grade.

10.5 Charges for Construction or Removal of Driveways

The charge for the construction or removal of any private approach shall be

determined in accordance with the rates established by the Municipality in the case of,

- (a) depression and alteration of a curb, including wings;
- (b) depression and alteration of a sidewalk, including wings; or
- (c) paving a shoulder where considered necessary by the General Manager

10.6 Installation of Culverts

- (a) Upon the issuance of a private approach permit to the owner, the Municipality shall install one access culvert for each residential and farm property.
- (b) The owner shall supply, at the owner's cost, a culvert pipe of a size, type and condition acceptable to the General Manager for the purposes of installation.
- (c) All extensions to the culvert, additional piping or additional entrance culverts shall be installed at full cost to the applicant owner.
- (d) Culverts installed by the Municipality at entrances to industrial, commercial and institutional properties shall be at full cost to the owner.

10.7 Charges for Inspection

Where work is to be performed by a contractor under paragraph 10.1(b), the owner shall pay a _____ Dollars inspection charge at the time the permit for the private approach is issued.

10.8 Road-Cut Permits and Inspection Charges

Where an owner is required by the General Manager to obtain a road-cut permit, the inspection charge referred to in subsection (10.7) shall not apply.

10.9 Notice for Removal of Unauthorized Driveways

The General Manager may give notice in writing to the owner of a private property to which an unauthorized private approach has been constructed to forthwith remove the unauthorized private approach and reinstate the roadway to the condition it was in before the unauthorized private approach was constructed.

10.10 Removal of Unauthorized Driveways

If the notice referred to in subsection (10.9) is not complied to with within ten (10) days of the sending of the notice, the General Manager may remove the private approach and reinstate the roadway at the expense of the owner.

10.11 Unauthorized Driveway - Stoppage of Work

When an unauthorized private approach is being constructed on a roadway, the General Manager may take whatever action deemed necessary to have the work stopped.