

CORPORATION OF THE COUNTY OF LAMBTON

BY-LAW NO. 142 OF 1994

**"A By-Law to Regulate the Establishing of
Entrances to County Roads"**

WHEREAS it is deemed expedient for The Corporation of the County of Lambton to regulate the establishment of entrance ways onto County Roads;

AND WHEREAS Section 207(16) of the Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto provides that the Councils of all municipalities may pass By-Laws for prohibiting the obstruction of ditches or culverts upon highways;

AND WHEREAS Section 207(17) of the Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto provides that Councils of all municipalities may pass By-Laws for permitting and regulating the mode of construction of culverts and bridges that cross any drain or watercourse situated on a highway under the jurisdiction of the municipality;

NOW THEREFORE the Council of The Corporation of the County of Lambton enacts as follows:

1. An entrance for the purpose of this By-Law is a private road, entranceway, gate or other structure or facility constructed or used as a means of access to a public highway under the jurisdiction of the County of Lambton and includes the tiling and covering or filling in of a roadside ditch for the purpose of improving lawn frontage.
2. No person, including a municipality or a local board thereof, shall construct an entrance except in accordance with the conditions of a permit issued therefor by the County Engineer and Road Superintendent.
3. The fee for the permit shall be \$25.00 payable upon the issuance of the permit and before any work is done.

4. Requirements and specifications relating to the issuance of an entrance permit are set out and specified in Schedule "A" attached hereto.
5. Any entrance established contrary to the provisions of this By-Law may be removed by the County and the cost of such removal shall be paid by the owner before an entrance permit is issued.
6. Every person who contravenes the provisions of this By-Law is guilty of an offence and shall be subject to the provisions of the Provincial Offences Act, and the penalties set forth therein, as applicable.
7. By-Law No. 1040 is hereby repealed. This By-Law supersedes any corresponding By-Law of The Corporation of the County of Lambton which, through inadvertence, may not have been repealed.
8. If any section or sections of this By-Law or parts thereof be found by any Court to be illegal or beyond the power of Council to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this By-Law shall be deemed to be separate and independent therefrom and continue in full force and effect unless and until similarly found and this By-Law shall be enacted as such.
9. The short title of this By-Law is the "Entrances to County Roads By-Law".

FINALLY PASSED this 2nd day of November, 1994.

Mary Jane Marsh
Warden

H. Wayne Kloske
Clerk