

THE CORPORATION OF THE TOWNSHIP OF AUGUSTA

BY-LAW NUMBER 2324

A BY-LAW TO REGULATE THE INFILLING OF ROAD DITCHES

WHEREAS The Municipal Act R.S.O. 1990 Chapter M.45, Section 308 provides that municipalities may pass by-laws regulating the construction, maintenance and protection of boulevards;

AND WHEREAS the Council of the Corporation of the Township of Augusta deems it advisable to pass a by-law to regulate and to establish requirements and regulations regarding the infilling of road ditches in the Township.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF AUGUSTA ENACTS AS FOLLOWS:

1. DEFINITIONS

- a) "boulevard" shall mean all parts of the highway save and except any roadway, shoulder or sidewalk and to include a roadside ditch.
- b) "corporation" shall mean The Corporation of the Township of Augusta
- c) "ditch infilling" shall mean the filling of a road ditch by installing a storm sewer system on a Local Improvement basis.
- d) "property owner" shall mean the owner of a property, a successor of the owner or agent of the owner.
- e) "roadway" shall mean the same as boulevard but shall include the travelled portion of the road.
- f) "shoulder" shall mean the part of a highway immediately adjacent to the travelled portion of the roadway and having a surface which has been improved for the use of vehicles with asphalt, concrete and gravel.
- g) "township engineer" shall mean any person or company designated by The Corporation as the Township Engineer.
- h) "Road Superintendent" shall mean the Road Superintendent or his delegate of the Corporation.
- i) "work" shall mean the installation of buried conduit in accordance with Schedule 'A'.

2. No person shall infill any ditch in the Township of Augusta without first having obtained a permit to do so.

3. SITE SPECIFIC LOCATION DITCH INFILLING

- a) A roadside ditch may be infilled at a site specific location, in accordance with the specifications outlined in Schedule "A" attached, where circumstances of safety and liability exposure prevail.
- b) A property owner, requesting site specific ditch infilling, shall complete an Application for the approval of the Road Superintendent.
- c) There shall be a non-refundable application fee of \$100.00 to cover the costs of the Township's inspections services during construction of the work.

- d) The applicant shall, when requested provide such surveys, designs and other information as may reasonably be required by the Road Superintendent.
- e) The application may not be approved by the Road Superintendent who in his sole discretion may deem it to be in the best interest of the Township to not complete the work.
- f) Upon approval of the Application the work shall be completed by an approved Contractor, as listed in Schedule 'B' (attached), retained by the property owner who shall be responsible for all costs. All work shall be completed within the hours of 7:30 a.m. to 6:00 p.m. Monday to Friday inclusive.
- g) Work within the public road allowance that is not properly completed may be removed by the Township in it's sole discretion.

4. OFFENCES AND PENALTIES:

- a) Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in Section 62 of the Provincial Offences Act.
- b) Notwithstanding any other penalty which may apply, whenever a person fails to do anything or matter required to be done pursuant to this by-law the Road Superintendent may arrange to have such thing or matter done at the expense of the person and the Corporation may recover the expense incurred by action, or the same may be recovered in like manner as municipal taxes.

5. EFFECTIVE DATE:

This By-law shall come into force and take effect on the day of it's final passing.

Read a first time this 7th day of January, 1997.

Read a second time this 7th day of January, 1997.

Read a third time and passed this 7th day of January, 1997.



REEVE



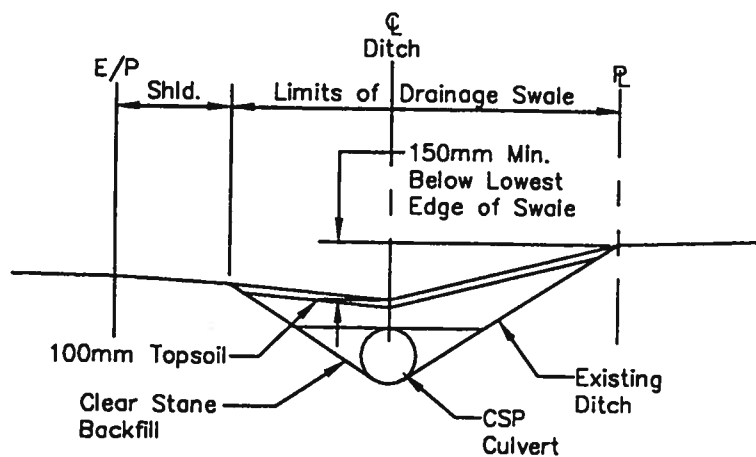
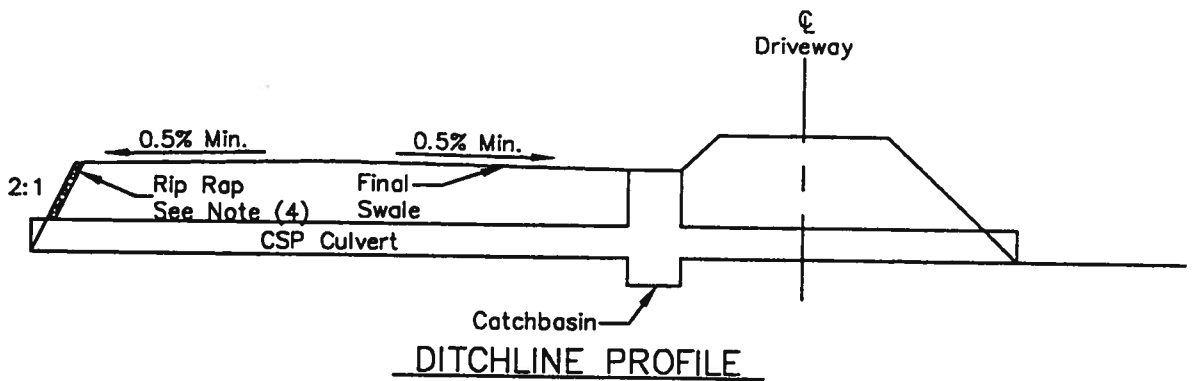
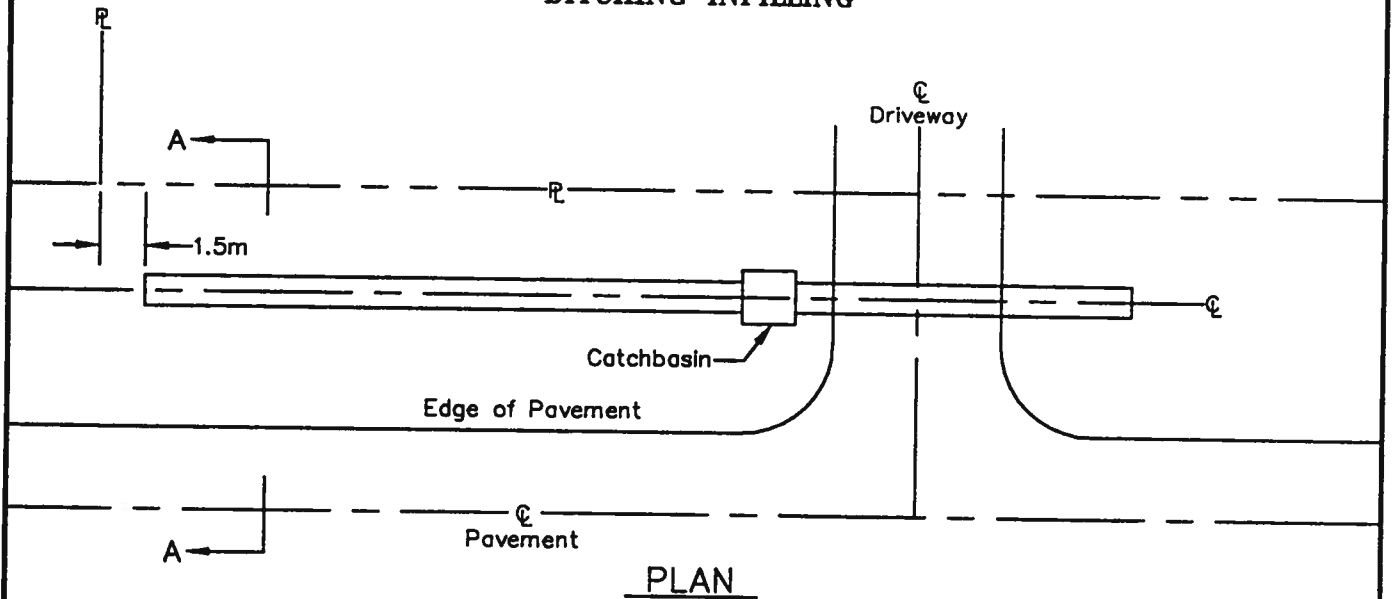
ADMINISTRATOR, CLERK/TREASURER

SCHEDULE 'A'

SPECIFICATIONS FOR INSTALLATION OF DITCH INFILLING:

1. All infill culvert piping shall be new perforated corrugated steel pipe (C.S.P.) or 320 kpa polyethylene, minimum diameter of 450 millimetres and supplied with geotextile sock.
2. Manhole catchbasin to be concrete 600 millimetres square inside diameter minimum, with a 300 millimetre sump, having a standard frame and grate cover (O.P.S.D. -400.02).
3. The distance between catchbasin openings shall be 30 metres maximum. There shall be a catchbasin placed.
4. Drainage swale to be graded, to outlet, into the catchbasin or pipe opening at 0.5% minimum.
5. Rip rap or shoring of pipe end to be carried out by property owner.
6. All disturbed areas to be topsoiled and seeded or sodded.
7. Bottom of swale to be 150 millimetres below the lowest edge of the drainage swale.
8. Trench to be backfilled with clear stone level with top of pipe.
9. Minimum depth of roadside ditch in an area to be infilled should be 1 metre below the lowest of either the shoulder of the road or the lot at the property line.
10. Maximum slope of either the road sideslope or the property side ditch backslope shall be 2:1 measured from edge to ditch to centreline of ditch.
11. Buried utility locates are the responsibility of the property owner and their Contractor.
12. All material and work to be guaranteed for 12 months.

THE CORPORATION OF THE TOWNSHIP OF AUGUSTA
 SCHEDULE 'A' TO BY-LAW NO.
 DITCHING INFILLING



SCHEDULE 'B'

APPROVED CONTRACTORS

STEVE POLITE SAND & GRAVEL

KEN MILLER EXCAVATING

G. TACKABERRY & SON

KNAPP'S PAVING & LANDSCAPING