

# THE CORPORATION OF THE MUNICIPALITY OF BROCKTON

## BY-LAW #2002-23

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BEING A BY-LAW REGULATING THE CONSTRUCTION AND MAINTENANCE OF DRIVEWAYS AND ENTRANCES

**WHEREAS** under section 260 of the Municipal Act R.S.O. 1990 (as amended) Municipal Council are empowered to pass by-laws in respect to highways under their jurisdiction.

**AND WHEREAS** the Council of the Municipality of Brockton deems it expedient to pass a by-law regulating the construction and maintenance of driveways and entrances.

**NOW THEREFORE** the Council of the Corporation of the Municipality of Brockton **ENACTS AS FOLLOWS:**

1. No person(s) shall construct an entrance or driveway onto a street or roadway under the jurisdiction of the Municipality of Brockton except with the permission and supervision of the Municipal Works Superintendent or designate.
2. Any entrance or driveway requiring a culvert shall be constructed of a new culvert supplied by the individual (property owner) requiring the entrance or driveway with the length and diameter of the culvert being determined by the Municipal Works supervisor or designate. All costs incurred during the construction of a driveway or entrance shall be the responsibility of the property owner(s).
3. (a) Driveways or entrance shall be at least 3.0 meters (9.8 feet) but not more than 7.5 meters (24.6 feet) in perpendicular width (unless approved by the Municipal Works Superintendent or designate);  
(b) The maximum width of any joint driveway or entrance measured along the street line or highway shall be 7.5 meters (24.6 feet) unless approved by the Municipal Works Superintendent or designate;  
(c) The minimum distance between a driveway or entrance and an intersection of street tag lines measured along the street line intersected by such driveway or entrance shall be 7.5 meters (24.6 feet); and  
(d) The minimum angle of intersection between a driveway and a street line shall be 45 degrees.
4. Any driveway or entrance removed during the course of road construction will be replaced by the Municipality.
5. Driveways and entrances shall be maintained to the traveled portion of the street or highway by the property owner(s).
6. Any entrance or driveway constructed without the permission and supervision of the Municipal Works Superintendent or designate may be ordered to be removed by the property owner(s). Failure to observe the order to remove a driveway or entrance within thirty (30) days will result in the driveway or entrance being removed by the Municipality. All costs incurred by the Municipality with regard to the said removal will be invoiced to the offending property owner(s). Failure to pay this invoice within the specified period of time will result in these costs being added to the property tax bill and collected in the same manner as municipal taxes.
7. This by-law shall supersede all others.
8. By-Law #99-79 is hereby recinded.

READ A FIRST AND SECOND TIME THIS 13<sup>th</sup> DAY OF May, 2002.

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MAYOR – David Thomson

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CAO/CLERK – Richard Radford

READ A THIRD AND FINAL TIME THIS 13<sup>th</sup> DAY OF May, 2002.

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MAYOR – David Thomson

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CAO/CLERK – Richard Radford