

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NUMBER 2018-04

BEING A BY-LAW TO PROVIDE FOR HIGHWAY (ROAD) CLASSIFICATIONS, DEFINITIONS, SIGNAGE, AND FOR ADOPTING OF MINIMUM MAINTENANCE STANDARDS FOR HIGHWAYS (ROADS) UNDER THE JURISDICTION OF THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

WHEREAS Section 27 (1) of the Municipal Act, S.O. 2001, c. 25 as amended, provides that a municipality may pass By-Laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS Section 44 (1) of the Municipal Act 2001, c.25 as amended, provides that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstance, including the character and location of the highway or bridge;

AND WHEREAS Section 44 (4) and (5) of the Municipal Act 2001, c.25 as amended, provides that regulations may be established by the Minister for minimum standards of repair for highways or bridges or any class of them and that the minimum standards may be general or specific in their application;

AND WHEREAS the Township of Papineau-Cameron deems it appropriate to fulfill the requirements of Ontario Regulation 239/02 (Minimum Maintenance Standards for Municipal Highways), made under the Municipal Act, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Papineau-Cameron enacts as follows:

1.0 PURPOSE

The purpose of this By-Law is to;

- 1.1 Clearly define the terms identified in the definition section of this By-Law;
- 1.2 Classify all roads within the municipality, their levels of service, the patrolling requirements and the maintenance period annually; and,
- 1.3 Identify signage where required for certain types of roads.

2.0 DEFINITIONS

For the purposes of this by-law a;

- 2.1 **“Private Road”** means a road that has not been assumed by the Municipality, which provides access by means of a registered right-of-way to private property, and of which the use, maintenance, and liability of the road are the responsibility of the abutting land owners, or the registered owner of the road itself.
- 2.2 **“Private Unassumed Road”** means a road owned by the Municipality and maintained by a separate private individual/s, organization, or company rather than by the Municipality. The general public is allowed to travel on these roads and, since these roads have not been assumed by the Municipality for maintenance purposes, the responsibility for maintenance and liability of a Private Unassumed Road is that of the private individual/s, organization or company.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.3 **“Seasonal Road – Partial Year”** means an opened road allowance used on a “courtesy” basis by the Public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives limited maintenance from June 1st through October 1st each year, and on which no winter maintenance is performed, with the exception of winter maintenance performed at the discretion of the Public Works Superintendent to avoid damage to municipal property or to repair or remove a potential threat to public health and safety. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under Ontario Regulation 239/02.
(Road Signed - Seasonal Road, Partial Year, Limited Maintenance from June 1 to October 1, Use at Own Risk)

- 2.4 **“Seasonal Road – Annual Year”** means an opened road allowance used on a “courtesy” basis by the Public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives limited maintenance from January 1st through December 31st each year. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under Ontario Regulation 239/02.
(Road Signed – Seasonal Road, Limited Maintenance, Use at Own Risk)
- 2.5 **“Access Road”** as per the Road Access Act, R.S.O. 1990, c. R.34 as amended, means a road located on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land.
- 2.6 **“Common Road”** as per the Road Access Act, R.S.O. 1990, c. R.34 as amended, means an access road on which public money has been expended for its repair or maintenance.
- 2.7 **“Resource Access Road – Crown Land”** means, a temporary road built and maintained for the purpose of providing access to lands used for resource extraction such as mining, mineral aggregates and forestry and are not intended to provide access to residential or commercial land uses. A resource access road is constructed across Crown Land and may be constructed by a Crown agency such as the Ontario Ministry of Natural Resources & Forestry or by the private sector with Crown approval. The road may be maintained by the Crown or through a maintenance agreement with the private sector. The public is able to use these Crown Land Resources Access Roads but they cannot alter the road in any way. The Municipality has not assumed ownership or for maintaining Crown Land Resource Access Roads, and therefore is used at your own risk.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.8 **“Resource Access Road – Private Land”**- means, a private non-permanent road constructed and maintained privately for the purpose of providing access to private lands used for resource development such as mining, mineral aggregates and forestry. The public are prohibited (not able) to use Private Land Resource Access Roads. The Municipality has not assumed ownership or for maintaining Private Land Resource Access Roads, and therefore is no trespassing on privately owned lands.
- 2.9 **“Forced Roads”** – means a publicly-used existing roadway on private land, usually to get around an obstacle that prevents a road from being built on the surveyed public road allowance. Only the municipality (and not the private landowner) is fully responsible and liable for any incidents or accidents that occur on forced roads. Widening Forced Roads requires the municipality to negotiate with private land owners. The municipality would need a survey, a transfer/deed from the registered owner, and a partial discharge of any mortgages affecting the private property.
- 2.10 **“Unassumed Road”** means a road not owned by the Municipality and for which the Municipality has not assumed responsibility for maintaining and therefore is used at your own risk.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.11 **“Unassumed Road Allowance”** means a road owned by the Municipality but has not assumed responsibility for maintaining and therefore is used at your own risk.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.12 **“Unopened Road Allowance”** means unopened roads found along both concession and lot lines throughout the municipality as they were originally surveyed during the Province’s early settlement. These are public highways, owned by the Municipality, but are unopened and not maintained. The Municipality has no obligation to open or assume original road allowances, or to make passage over them easier for the public. The public is however able to “use” these unopened road allowances but they cannot alter the road allowance in any way.
- 2.13 **“Year Round Road”** means a road which has been opened and assumed full responsibility by the Municipality, and maintained year round by the Municipality.

3.0 ROAD CLASSIFICATION

Classification for the purpose of this By-Law applies to Class 4, 5 and 6 Year Round and Seasonally Maintained Roads under the jurisdiction of the Municipality. Classification has been established through the Annual Average Daily Traffic (AADT) count completed in the D.M. Wills 2009 Road Needs Study, and by the Minimum Maintenance Standards for Municipal Highways Ontario Regulation 239/02, and amended thereof by the Council of Papineau-Cameron to reflect the greater population along the road, which sets the minimum standard for levels of service and patrolling requirements on each classification of road within a municipality as per the tables below:

3.1 Class 4 Roads – Patrolling frequency minimum once every 14 days

Class 4 Highway	Surface Area	Depth	Height	Response Time
Snow Accumulation	n/a	8 cm	n/a	16 hours
Icy Roadways	n/a	n/a	n/a	12 hours
Shoulder Drop-offs	n/a	8 cm	n/a	14 days
Cracks	5 cm (width)	5 cm	n/a	180 days
Debris (except snow, ice, slush)	As soon as practicable, after becoming aware			
Surface Discontinuities	n/a	n/a	5 cm	21 days
Regulatory & Warning Signs	n/a	n/a	n/a	30 days
Luminaries	n/a	n/a	n/a	14 days
		Potholes		
Paved Surface	1000 cm ²	8 cm	n/a	14 days
Non-paved Surface	1500 cm ²	10 cm	n/a	14 days
Paved & Non-paved Shoulder	1500 cm ²	10 cm	n/a	30 days
Bridge Deck Spalls	1000 cm ²	8 cm	n/a	7 days

3.2 Class 5 Roads – Patrolling frequency minimum once every 30 days

Class 5 Highway	Surface Area	Depth	Height	Response Time
Snow Accumulation	n/a	10 cm	n/a	24 hours
Icy Roadways	n/a	n/a	n/a	16 hours
Shoulder Drop-offs	n/a	8 cm	n/a	30 days
Cracks	5 cm (width)	5 cm	n/a	180 days
Debris (except snow, ice, slush)	As soon as practicable, after becoming aware			
Surface Discontinuities	n/a	n/a	5 cm	21 days
Regulatory & Warning Signs	n/a	n/a	n/a	30 days
Luminaries	n/a	n/a	n/a	14 days
		Potholes		
Paved Surface	1000 cm ²	8 cm	n/a	30 days
Non-paved Surface	1500 cm ²	12 cm	n/a	30 days
Paved & Non-paved Shoulder	1500 cm ²	12 cm	n/a	60 days
Bridge Deck Spalls	1000 cm ²	8 cm	n/a	7 days

3.3 Class 6 Roads – Ontario Regulation 239/02 does not apply to Class 6 roads. Patrolling frequency will be determined by the Road Superintendent.

4.0 ROAD LISTING

Road Name	From	To	Length (km)	Surface	Road Class	Road Type
JODOUIN	Donald	Richards	1.294	Hard Surface	4	Year Round
JODOUIN	Richards	End-South	0.940	Gravel	5	Year Round
CHENIER	Hwy 17	Richards	2.838	Hard Surface	4	Year Round & Forced Road
CHENIER	Richards	Papineau	2.025	Gravel	5	Year Round
CHENIER	Chenier	Power Line S.	0.779	Unassumed Road Allowance		
RICHARDS	McOrmond	Chenier	2.033	Gravel	4	Year Round
RICHARDS	Chenier	Jodouin	2.148	Gravel	4	Year Round
RICHARDS	Jodouin	Belanger	1.941	Hard Surface	4	Year Round
RICHARDS	Belanger	Gravelle	2.397	Gravel	6	Year Round & Forced Road
RICHARDS	Gravelle	Gravelle	0.245	Gravel	4	Year Round
RICHARDS	Gravelle	Therrien	1.254	Gravel	5	Year Round
RICHARDS	Therrien	Archambeault	0.861	Gravel	5	Year Round
THERRIEN	Richards	Papineau	0.395	Gravel	6	Year Round
PAPINEAU	Boundary	Boutz	2.094	Gravel	5	Year Round
PAPINEAU	Boutz	McOrmond	2.068	Gravel	5	Year Round
PAPINEAU	McOrmond	Chenier	2.029	Gravel	5	Year Round
PAPINEAU	Chenier	Collins	2.030	Gravel	5	Year Round
PAPINEAU	Collins	Belanger	1.946	Gravel	5	Year Round
PAPINEAU	Belanger	Sturgeon Lake	0.141	Gravel	5	Year Round
PAPINEAU	Sturgeon Lake	Gravelle	2.051	Gravel	5	Year Round
PAPINEAU	Gravelle	Therrien	1.221	Gravel	5	Year Round
COLLINS	Papineau	End - North	0.293	Gravel	6	Year Round
COLLINS	Collins - North	End - North	0.737	Unassumed Road Allowance		
BOUTZ	Papineau	End - South	5.121	Gravel	6	Year Round & Seasonal Annual
MCORMOND	Richards	Papineau	1.999	Gravel	5	Year Round
MCORMOND	Papineau	End - South	2.097	Gravel	6	Seasonal Annual
STURGEON LAKE	Papineau	Hazelwood	2.079	Gravel	5	Year Round
STURGEON LAKE	Hazelwood	End - South	4.336	Gravel	6	Seasonal Annual
HAZELWOOD	Sturgeon Lake	End - West	1.719	Gravel	5	Year Round
HAZELWOOD	Sturgeon Lake	End - East	1.408	Gravel	5	Year Round
HAZELWOOD	Hazelwood East	End - East	2.430	Unassumed Road Allowance		
BELANGER	Dorion	Richards	0.733	Hard Surface	5	Year Round
BELANGER	Richards	Vaughan	1.019	Hard Surface	5	Year Round
BELANGER	Vaughan	Vaughan	0.015	Hard Surface	5	Year Round
BELANGER	Vaughan	Papineau	0.985	Hard Surface	5	Year Round
VAUGHAN	Belanger	End - West	0.721	Gravel	6	Year Round & Forced Road
VAUGHAN	Belanger	End - East	0.680	Gravel	6	Year Round & Forced Road
BOUNDARY	Papineau	Taggart Lake	2.017	Gravel	5	Year Round
BOUNDARY	Taggart Lake	Hwy 17	2.090	Hard Surface		CALVIN TWP.
TAGGART LAKE	Boundary	Hwy 17	4.526	Gravel	5	Year Round & Forced Road
GRAVELLE	Hwy 17	Richards	1.161	Gravel	5	Year Round
GRAVELLE	Richards	Papineau	1.185	Gravel	5	Year Round
GRAVELLE	Papineau	End - South	2.027	Unassumed Road Allowance		
CHANT PLEIN LAKE	Hwy 17	Pine	1.526	Hard Surface	5	Year Round & Forced Road
CHANT PLEIN LAKE	Pine	Neault	0.598	Hard Surface	5	Year Round & Forced Road
PINE	Chant Plein Lk	End - North	0.077	Gravel	6	Forced Road
NEAULT	Old Hwy 17	Chant Plein Lk	0.573	Hard Surface	5	Year Round
NEAULT	Chant Plein Lk	Wood Point	0.291	Hard Surface	5	Year Round & Forced Road
NEAULT	Wood Point	End - West	1.065	Hard Surface	5	Year Round & Forced Road
WOODS POINT	Neault	End - North	0.220	Gravel	6	Private
OLD HWY 17	Hwy 17	Neault	0.058	Hard Surface	5	Year Round
OLD HWY 17	Neault	Hwy 17	4.096	Hard Surface	5	Year Round

LABELLE	Hwy 17	End - West	0.218	Hard Surface	6	Year Round & Forced Road
EARL LAKE	Hwy 17	Poplar	0.053	Hard Surface	5	Year Round
EARL LAKE	Poplar	End - South	0.824	Hard Surface	5	Year Round
POPLAR	Earls Lake	End - East	0.210	Gravel	6	Year Round & Forced Road
MOORES	Hwy 17	End - West	0.353	Hard Surface	6	Year Round & Forced Road
BURRITTS	Hwy 17	Cameron	1.324	Gravel	5	Year Round
BURRITTS	Cameron	Janveau	2.044	Gravel	5	Year Round
BURRITTS	Janveau	End - South	Forced & Resource Access Road – Crown Land			
BURRITTS	Hwy 17	End - North	0.204	Gravel	6	Seasonal Annual
JANVEAU	Burritts	End - West	0.988	Gravel	5	Year Round
JANVEAU	End - West	End - West	0.350	Unassumed Road Allowance		
JANVEAU	Burritts	Villeneuve	1.896	Gravel	5	Year Round
JANVEAU	Villeneuve	End - East	0.986	Gravel	6	Year Round
VELLENEUVE	Janveau	End - South	1.184	Gravel	6	Year Round & Forced Road
CAMERON	Archambeault	McMartin	1.861	Gravel	6	Year Round
CAMERON	McMartin	Burritts	2.100	Gravel	5	Year Round
McMARTIN	Hwy 17	Cameron	3.220	Gravel	5	Year Round & Forced Road
MARTEL	Hwy 17	End - South	0.125	Gravel	6	Year Round
MARTEL	End - South	Richards	0.865	Unassumed Road Allowance		
MARTEL	Hwy 17	End - North	1.360	Unassumed Road Allowance		
RAIL CORRIDOR	mile marker 70	Nip. / Renfrew	21.0	Unassumed Road Allowance		
TEE LAKE	Boutz	End - South		Resource Access Road – Crown Land		
ARCHAMBEAULT	Richards	Cameron	1.866	Unassumed Road Allowance		
ARCHAMBEAULT	Cameron	End - South	0.134	Unassumed Road Allowance		
LACELLE LANE	Burritts North	End - West	0.134	Unassumed Road Allowance		
ANITA'S LANE	McMartin	Richards	0.807	Unassumed Road Allowance		
ANITA'S LANE	Anita's Lane	Archambeault	0.743	Forced Road		
KLOCKS	Hwy 17	End - South		Resource Access Road – Crown Land		
KLOCKS	Hwy 17	Rail Corridor	1.134	Unassumed Road Allowance		

5.0 MAINTENANCE STANDARDS

- 5.1 Seasonal Roads – Limited maintenance by the Municipality. Limited maintenance is a service standard providing of minimal gravelling, grading and ditching sufficient to permit passage during the seasonal period. Since a seasonal road is maintained at a lower standard, the use of these roads is at “user’s risk”. All Seasonal roads will be “signed” by the Municipality to indicate the status of the road and the duration of Municipal maintenance services. Any individual wishing to provide winter maintenance to a Municipal Seasonal road must make written application for permission to the Corporation of the Township of Papineau-Cameron and, if approved, must enter into an Agreement and be aware that they will assume all responsibility for such winter maintenance and for any liability for damage to Municipal property as a result of the actions of private snow removal equipment.
- 5.2 Year Round Roads – Maintenance will be provided by the Municipality year round as per the Minimum Maintenance Standards for Municipal Highways, Ontario Regulation 239/02

6.0 FORCE AND EFFECT

- 6.1 THAT all previous By-Laws establishing Road Classification Definitions and Minimum Maintenance Standards for Highways (roads) be and are hereby repealed;
- 6.2 THAT this By-Law shall become ratified upon the signing thereof.

READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED BEFORE AN OPEN COUNCIL, THIS *13* DAY OF *MARCH*, 2018.


MAYOR


CLERK-TREASURER