

BY-LAW NO. 1981

BEING A BY-LAW to regulate the establishment of ramps and driveways leading to and from Highways in the City of North Bay.

WHEREAS the Municipal Council of the City of North Bay deems it expedient to regulate the size and location of ramps and driveways leading from the travelled portion of Highways to abutting properties.

THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. For the purpose of this By-law -
 - (a) "Ramp" shall mean an entrance or approach leading from the travelled portion of a Highway under the jurisdiction of the Corporation of the City of North Bay, to lands used for commercial or industrial purposes and used as an entrance to or exit from such lands by the general public in the usual course of business.
 - (b) "Driveway" shall mean an entrance or approach leading from the travelled portion of a Highway under the jurisdiction of the Corporation of the City of North Bay, to lands occupied for any other purpose.
2. From and after the passing of this By-law no person or Corporation shall construct, repair, use, or permit to be used, constructed or repaired, a ramp or driveway, without a permit obtained from the City Engineer of the City of North Bay. All applications for permits shall be in writing, and when approved, written permission shall be given the applicant over the signature of the City Engineer.
3. Ramps and driveways in use at the time of the passing of this by-law may be permitted to remain and continued use made thereof, provided, non-conforming existing ramps and driveways which require repair, reconstruction or renovation shall be altered to conform with this by-law where physically expedient, and such alteration shall also be made where streets or curbs are being constructed or repaired.
4. Not more than two ramps shall be permitted to any person or corporation in respect of any one property on any one highway and shall be constructed in accordance with the following provisions:-
 - (i) No ramp shall exceed 30 lineal feet in width at the intersection thereof with the sidewalk or where there is no sidewalk, at a point 8 feet measured at right angles from the margin of the travelled portion of the Highway.
 - (ii) The distance between ramps on any front lot line shall be at least 30 lineal feet.
 - (iii) The distance between an intersection of side limits of highways and the nearest ramp shall be at least 40 lineal feet measured from said intersection along said side highway limit.
 - (iv) The distance between the point of intersention of the front lot line and either side lot line and the nearest ramp shall be at least 10 lineal feet measured from the said intersection of lot lines along the front lot line.
 - (v) The remaining area of land between ramps or between a ramp and a front or side lot line shall be restricted to vehicular traffic by curbing or other means as directed by the City Engineer.

- (vi) The interior angle formed between the front lot line and the centre line of a ramp shall be such that the interior angle thereof shall be not less than 70o and not more than 90o.
5. A driveway, or any part thereof shall not be located nearer than:-
- (i) Thirty feet from the margin of the travelled portion of the Highway intersecting the Highway upon which such driveway is located.
- (ii) Where a driveway is permitted in respect of any one property, the driveway shall not exceed 12 feet in width at the intersection thereof with the sidewalk or where there is no sidewalk, at a point 8 feet measured at right angles from the margin of the travelled portion of the highway, and shall not exceed 15 feet in width at the intersection thereof with the margin of the travelled portion of the highway.
- (iii) Where adjoining owners apply for a permit for a joint driveway, the driveway permitted shall not exceed 18 feet in width at the intersection thereof with the sidewalk, or where there is no sidewalk at a point 8 feet measured at right angles from the travelled portion of the Highway and shall not exceed 21 feet in width at the intersection thereof with the margin of the travelled portion of the Highway.
6. All driveways opened or in use shall be surfaced with a road material suitable to the City Engineer, at the owner's expense, and shall be kept in repair by the owner at the owner's expense.
7. Notwithstanding the provisions of the foregoing, the locations, elevations and grades of all ramps and drivesays shall be in accordance with the requirements of the City Engineer.
8. The granting of a permit for the construction of a ramp or a driveway shall not be construed as conferring an easement or a license on the owner of the adjacent lands, and permission may be withdrawn on the authority of the Council.
9. All permits for ramps or driveways shall be granted to the applicants therefor and accepted by the applicants on the express condition that all works required on the Highway in connection with the construction of the ramp or driveway shall be done at the expense of the applicant, and that the applicant shall deposit, if requested, with the Treasurer of the City of North Bay before commencing the construction of the ramp or the opening of the driveway, such sum as is estimated by the City Engineer to be the cost to the City of breaking curbs or sidewalks, or of interference with pipes, conduits, wires, etc., of any public utility affected by the construction of the ramp or opening of the driveway, and upon the further express condition that the owner of the abutting land shall waive any claim of any nature whatsoever arising out of any subsequent withdrawal of permission to use the ramp or driveway. Any surplus of the deposit remaining after the work is done shall be returned to the applicant.
10. Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine not exceeding \$100.00 exclusive of costs, for each offence, and every such fine shall be recoverable under The Summary Convictions Act, and may be further subject to repetition of prosecution and application for a Court Order for abatement or permanent restraint in cases of continuing contravention. Further, any expense incurred by the Corporation of the City of North Bay in connection with such ramp or driveway may be recovered from the person or corporation in default, either by action or in the same manner as municipal taxes.

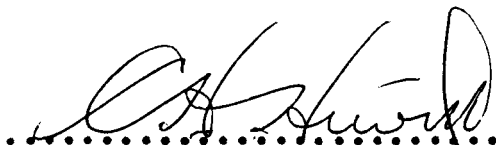
11. By-law No. 1910 is hereby repealed.


This By-law shall come into full force and effect on the final passing thereof.

READ A FIRST TIME IN OPEN COUNCIL THIS 3RD DAY OF JULY 1961.

READ A SECOND TIME IN OPEN COUNCIL THIS 21ST DAY OF AUGUST 1961.

BY-LAW READ A THIRD TIME AND PASSED THIS 21ST DAY OF AUGUST 1961.


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MAYOR *Newell*


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CITY CLERK