

"A By-Law with respect to Boulevards"

WHEREAS it is provided by The Municipal Act that By-Laws may be passed by the Council of every municipality:

1. For setting apart portions of the highways at or near the sides of them for the purpose of boulevards, and for permitting the owners of land abutting on a highway to construct, make and maintain at their own expense boulevards on that part of the highway that may be set apart for that purpose, but not so as unreasonably to confine, impede or incommode public traffic.
2. For regulating the construction, maintenance and protection of such boulevards. R.S.O. 1960, Chapter 249, Section 469, Paragraphs 1, 2;

AND WHEREAS it is deemed expedient that provision be made for the maintenance of boulevards in the City of Sarnia.

THEREFORE the Municipal Council of The Corporation of the City of Sarnia enacts as follows:

1. For the purpose of this By-Law:-
 - (a) Boulevard shall mean that portion of a highway between the curb constructed on the highway and the immediately adjacent private property.
 - (b) "Maintain" shall mean to care for the lawn or turf upon a boulevard by the watering the same and to cut such lawn or turf in the same manner and to keep the same free from ruts, holes or depressions as it would be reasonably done from time to time upon a private urban property.
 - (c) "Person" includes a Corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

2. The owner or occupant of any property in the City of Sarnia shall maintain the boulevard adjacent to such property. Provided that should the boulevard have a hard surface with the consent of the City, such hard surface shall be kept in good condition free from ruts, holes and depressions.

3. In the event that any person shall neglect or refuse to maintain a boulevard or to carry out any of the other provisions of this By-Law, and shall fail to do so after having received ten days notice in writing from the Clerk of the City of Sarnia directing and requiring such person to do so, The Corporation of the City of Sarnia may maintain such boulevard or perform such other work as was required and directed at the expense of the person directed and required to do so and The Corporation of the City of Sarnia may recover the expense incurred in doing it by action, or the same may be recovered in like manner as municipal taxes.

By-Law # 7571
Aug. 8th, 1977

4. Any person who contravenes any provision of this By-Law is guilty of an offence and, upon summary conviction thereof, shall be liable to a penalty of not more than One Thousand Dollars (\$1,000.00), exclusive of costs, for each offence, and the provisions of The Summary Convictions Act shall apply to all such penalties.

5. This By-Law shall come into force and effect upon the final passing thereof.

FINALLY PASSED this 16th day of June, 1969.



Mayor.



Clerk.

CORPORATION OF THE TOWNSHIP OF SARNIA

County of Lambton

By-Law Number 40 of 1970

A By-Law to Regulate Boulevards, Culverts
and Ditches within the Township of Sarnia

WHEREAS pursuant to the provisions of Section 469 Subsection 1 and 2 of the Municipal Act being R.S.O. 1960, Chapter 249 and amendments thereto the Corporation is empowered to enact by-laws regulating the construction, maintenance and protection of boulevards abutting highways in the said Municipality.

AND WHEREAS pursuant to the provisions of Section 476, Sub-Section 5 and Section 377, Sub-section 17 (a) of the Municipal Act the Corporation is empowered to enact By-Laws prohibiting the obstruction of ditches, culverts, drains and watercourses on highways and to regulate the size and mode of construction of culverts that cross any drain, ditch or watercourse situate on a highway under its jurisdiction.

NOW THEREFORE, the Council of the Corporation of the Township of Sarnia enacts as follows:

1. WORK ON A PUBLIC ROAD ALLOWANCE

No person, firm or corporation shall construct any boulevard or do any work on a public road allowance within the boundaries of the Township of Sarnia without first obtaining the consent of the Township Road authority and such person shall be responsible for completing the construction or doing the work in accordance and conformance with the conditions and provisions of the Township Road authority's consent.

2. OBSTRUCTION OF DITCHES, DRAINS, WATERCOURSES AND CULVERTS

No person shall in any way obstruct any drain, watercourse, ditch or culvert within the limits of the Township of Sarnia.

3. INSTALLATION OF ENTRANCE CULVERTS

(a) Responsibility of Owner

The owner of any lands requiring a private driveway and/or walkway leading to a public highway which has a surface drainage system and which is located in the Township of Sarnia shall be responsible for the installation of a galvanized corrugated steel culvert when and as specified by the Township Road Authority.

(b) Entrance Culvert Specifications

All entrance culverts shall be installed by the Corporation and/unless otherwise specified by the Township Road authority, shall:

- (i) be of galvanized corrugated steel, 16 gauge;
- (ii) have a minimum diameter of fifteen (15) inches;
- (iii) have a minimum length of twenty (20) feet excepting walkway culverts which shall have a minimum length of six (6) feet.

- (iv) Laid to a designated line & grade.
- (v) Be surrounded by 6" Min. compacted granular.
- (vi) Culvert ends shall be rip-rapped. Rip-rapping shall be laid on a solid footing and surround the pipe opening.

(c) Installation of the First Entrance Culvert

- (i) All entrance culverts shall be installed by the employees of the Township and the Owner or agent of the land shall apply in writing to the Township Road Authority to have said culvert installed.
- (ii) Before any work is commenced to install an entrance culvert, the owner or agent shall deposit with the Township Treasurer, a sum of money as estimated by the Township Road Authority to cover the cost of such installation. If such deposit exceeds the cost, the Township will refund the excess to the owner or agent and if the cost is in excess of the deposit, the owner shall be required to pay such excess into the Office of the Township Treasurer.
- (iii) The total cost of the first entrance culvert installation including material, labour, overhead and any other applicable charges to such work, shall be paid by the owner of the land.

(d) Relocation or Replacement of Existing Culverts

- (i) The Corporation shall assume the costs of relocating and/or replacing existing entrance culverts which have been installed in accordance with paragraph 3 (c) hereof or which has been installed at the cost of the property owner and which at the time of relocating or replacing are in a reasonable condition as determined by the Township Road Authority save and except the Township shall not be responsible for replacing end walls or pavement unless such relocation or replacement are necessitated by and in accordance with the Township Road Authority's direction.
- (ii) Should the Township Road Authority require the replacement of an existing entrance culvert which was not installed at the owner's cost and/or which was not installed to a reasonable standard as determined by the Township Road Authority, the work shall be considered as an installation of the first entrance culvert (Article 3 (c) of this By-Law.).

4.

AUTHORITY TO ENFORCE BY-LAW

The Township Road Authority or his nominee, shall enforce this By-Law at all times.

5. RESPONSIBILITY OF THE CORPORATION

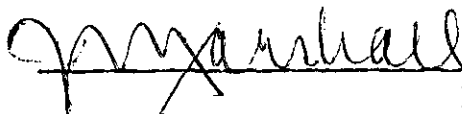
The Township shall maintain flow through driveway culverts where the same are in good condition. Culverts which have been damaged to such an extent as to prevent such flow (other than those culverts damaged by the employees of the Municipal Corporation) shall be repaired or replaced by the Corporation at the owner's cost. In the event that the owner does not make arrangements with the Township Road authority for the work within fourteen (14) days on receipt of notification from the Township Road Authority of the necessity of such work, the Township may remove the culvert in order to maintain drainage.

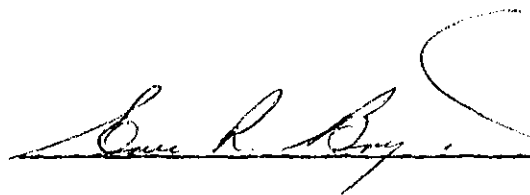
6. CONTRAVENTION OF THIS BY-LAW

Any person, firm or corporation contravening any provision of this By-Law shall be guilty of an offence and liable upon summary conviction to a penalty of not less than Fifty dollars (\$50.00) exclusive of costs.

This By-Law shall come into force and take effect on the Date of the final passing thereof.

FINALLY PASSED THIS 24th DAY OF August , 1970.


REEVE


CLERK