

THE CORPORATION OF THE TOWNSHIP OF FARADAY

BY-LAW NO. 6-2021

Being a By-Law to Establish Maintenance Standards
For Municipal Highways

WHEREAS the Township of Faraday, hereafter referred to as the Corporation, is a municipality that has jurisdiction over the highways and bridges.

AND WHEREAS Section 44(1) of Municipal Act S. O. 2001, c.25 requires a municipality that has jurisdiction over a highway or bridge to keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

AND WHEREAS the Ministry of Transportation, in accordance with Sections 44(4) of the Municipal Act S.O. 2001, c.25, may make regulations establishing standards of repair for highways and bridges or any class of them;

AND WHEREAS in accordance with Section 44(5) of the Municipal Act. S.O. 2001, c.25, the standards may be general or specific in their application;

AND WHEREAS regulations made under Section 44 (4) of the Municipal Act. S.O. 2001, c.25 may adopt by reference, in whole or in part, with such changes as the Minister of Transportation considers desirable, any code, standard or guideline, as it reads at the time the regulation is made or as it is amended from time to time, whether before or after the regulation is made;

AND WHEREAS the Council of the Corporation of the Township of Faraday wishes to provide Standards as outlined by Ontario Regulation 239/02.

AND WHEREAS it is found expedient and necessary to have the maintenance levels of service for roadway services on roads within the jurisdiction of this municipality described as follows and attached as Schedule "A" hereto:

- 1.0 Patrolling
- 2.0 Snow Accumulation
- 3.0 Icy Roadways
- 4.0 Bridge Deck Spalls
- 5.0 Roadway Surface Discontinuities
- 6.0 Flooding
- 7.0 Dust
- 8.0 Potholes
- 9.0 Shoulder Drop-offs
- 10.0 Cracks

APPENDIX 1

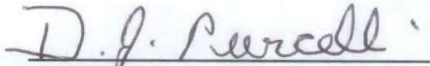
- 1.0 Township of Faraday Road Classifications
- 2.0 Definitions
- 3.0 Map

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF THE TOWNSHIP OF FARADAY ENACTS AS FOLLOWS:

- 1. That the standards herein, and amended from time to time, be hereby adopted and come into effect on the passing thereof.
- 2. That all operational activities of the municipal road department be directed to provide the maintenance standards for municipal highways as herein described where care is taken first to assure that the standards are maintained, and second that such standards are efficiently and effectively rendered.
- 3. That neither this corporation nor its officials make any promise or assurance that municipal highway maintenance will be in excess of the standard herein defined.

4. That these standards, and definitions of terminology, be made available to the ratepayers and users of the Corporation's municipal highways, and that where exception is taken to the standards stated herein, or interpretation of the same, such concern may be reviewed at a meeting of this Council, or its committee for that purpose, for consideration.
5. That where situations arise or applications be made which fall outside the scope of these maintenance standards, the senior road manager in conjunction with Council approval, shall respond as may be deemed to be appropriate, with respect to budgetary constraint and reasonable practice.
6. That budgets and Council priorities shall be set out on the basis of provision of municipal highways to the standards set out in Schedule "A".
7. That the liability of the Corporation related to the state of repair of a highway or bridge, and the Corporation's defense to such claims of liability, are set out in Section 44 of the Municipal Act, S.O. 2001, c.25 and in Ontario Regulation 239/02
8. That By-Law 13-2011 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this the 3rd day of March, 2021.



D.J. Purcell - Mayor



D. Switzer - Clerk

Schedule "A"
Township of Faraday
Maintenance Standards

1.0 Patrolling

Objective:

To determine the condition of the road system and to keep records of the conditions found during the patrolling.

Maintenance Standard:

- Patrolling shall be carried out by driving on the highway to check for conditions described in the regulations
- Patrolling may be carried out by the Supervisor or an inspector reporting to the Supervisor. Records shall be kept on the time of the inspections and of the Highway conditions observed.
- Patrolling is not required between Sunset and Sunrise.
- The frequency of patrolling is set out in the Table below "Patrolling Frequency".

Table 1
Patrolling Frequency

Class	Summer Frequency	Winter Frequency
4	Once every 14 days	Once every 14 days
5	Once every 30 days	Once every 30 days
6	Once every 30 days	Once every 30 days

2.0 Snow Accumulation

Objective:

To remove snow accumulation in excess of the depths noted in the table shown below within the timeframe set out in the table.

Season:

The Roads Department shall have all winter control equipment, schedules, manpower and procedures in place to commence winter control operations on the 15th day of November of each year. Winter control equipment and manpower will be available until the 15th day of April the following year.

Maintenance Standard

- While snow continues to accumulate, to deploy resources to clear snow as soon as practicable after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the table below.
- After the snow accumulation has ended and after becoming aware that the snow accumulation is greater than the depth set out in the table below, to clear the snow accumulation and return the roadway to the desired surface condition within the timeframe set out in the table below and;
 - Clear the snow accumulation from the roadway to within a distance of 0.6 meters inside the outer edges of the roadway;
 - On Class 4 and 5 highways with two lanes, the snow accumulation on the roadway must be cleared to a width of at least 5 meters

- If a winter event becomes so severe that winter event response cannot safely continue, a **significant weather event** will be declared and all operations involved in the clearing of the snow accumulation will be suspended until conditions improve.
 - In the event that operations are suspended the department head or his / her designate will notify the Police, Fire, Ambulance, other Emergency Services, School Board(s) and the Local Radio Station.
 - If deemed practicable, resources shall be deployed to address snow accumulation on the roadways, starting from the time the municipality deems it appropriate.
 - All roads will be deemed to be in a state of repair with respect to snow accumulation until the applicable time in Table 2 expires following the declaration of the end of the significant weather event.
 - After the end of the significant weather event has been declared, the snow accumulation will be addressed in accordance with the snow accumulation maintenance standard.
- Winging back of windrowed snow to provide storage for subsequent snowfalls will be completed during normal daylight hours.
- Clearing of windrowed snow at all residential driveways, commercial and industrial entrances will be the responsibility of the property owner.
- This level of service does not apply to that portion of the roadway designated for parking.

**Table 2
Snow Accumulation**

Class	Depth	Time	Surface Condition
4	8 cm	16 hours	Snow Packed
5	10 cm	24 hours	Snow Packed
6	10 cm	24 hours	Snow Packed

3.0 Icy Roadways

Objective:

To deploy resources to treat an icy roadway as soon as practicable after becoming aware that the roadway is icy and to treat icy roadways within the timeframe set out in the table shown below.

Season:

This level of service will apply during the winter maintenance season from November 15th each year until April 15th of the following year.

Maintenance Standard:

- Resources will be deployed to treat the icy roadways within the times set out in the Icy Roadways table below, after becoming aware of the fact.
- If a winter event becomes so severe that winter event response cannot safely continue, a **significant weather event** will be declared and all operations involved in the treating of icy roadways will be suspended until conditions improve.

- In the event that operations are suspended the department head or his / her designate will notify the Police, Fire, Ambulance, other Emergency Services, School Board(s) and the Local Radio Station.
- If deemed practicable, resources shall be deployed to treat icy roadways, starting from the time the municipality deems it appropriate.
- All roads will be deemed to be in a state of repair with respect to icy roadways until the applicable time in Table 3 expires following the declaration of the end of the significant weather event.
- After the end of the significant weather event has been declared, the icy roadways will be treated in accordance with the snow accumulation maintenance standard.

**Table 3
Icy Roadways**

Class	Time
4	12 hours
5	16 hours
6	16 hours

4.0 Bridge Deck Spalls

Objective:

To enhance motorists' safety and reduce impact loading on bridges.

Maintenance Standard

- If a bridge deck spall exceeds both the surface area and depth set out in the Bridge Deck Spalls table below, the level of service is to repair the Bridge Deck Spall within the time set out in the table below, after becoming aware of the fact.
- A Bridge Deck Spall is deemed to be repaired if its surface area or depth is less than that set out in the table.

**Table 4
Bridge Deck Spalls**

Class	Surface Area	Depth	Time
4	1000 cm ²	8 cm	7 days
5	1000 cm ²	8 cm	7 days
6	100 cm ²	8 cm	7 days

5.0 Surface Discontinuities

Objective:

To enhance motorists' safety, prevent vehicle damage and reduce impact loadings on roads and bridges.

Maintenance Standard

- If a surface discontinuity, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Surface Discontinuities table below, the level of service will be to repair the discontinuity within the time set out in the table after becoming aware of the fact.
- If a surface discontinuity on a bridge deck exceeds 5 cm, the level of service is to deploy resources, as soon as practicable after becoming aware of the fact and to repair the surface discontinuity on the bridge deck.

**Table 5
Surface Discontinuities**

Class	Height	Time – Summer Frequency
4	5 cm	21 days
5	5 cm	21 days
6	5 cm	21 days

6.0 Flooding

Objective:

To enhance motorists safety by posting warning signs at flooded areas.

Maintenance Standard

- Where water, either standing or flowing, covers more than one-half a lane width, resources shall be deployed to post warning signs within the time set out in the Flooding table below, after becoming aware of the fact.

**Table 6
Flooding**

Class	Time
4	12 hours
5	12 hours
6	12 hours

7.0 Dust

Objective:

To enhance highway safety by controlling dust that reduces motorist's visibility.

This level of service does not apply to controlling dust for other purposes, such as field crops or air quality.

Maintenance Standard

- If dust caused by traffic reduces visibility, over a distance of at least 100 meters, to the extent that it affects traffic safety, resources will be deployed and the dust will be controlled within the time set out in the table below, after becoming aware of the fact.

**Table 7
Dust**

Class	Time
4	4 days
5	4 days
6	4 days

8.0 Potholes

Objective:

To deploy resources and repair potholes in the roadway or shoulder.

Maintenance Standard

- If a pothole exceeds both the surface area and the depth set out in Tables 8, 9, or 10 below, as the case may be, the pothole shall be repaired within the time set out in Table 1, 2 or 3 as appropriate, after becoming aware of the fact.
- The pothole shall be deemed to be repaired if its surface area or depth is less than that set out in Table 8, 9, or 10 as appropriate.

Table 8 – Potholes on Paved Surface

Class	Surface Area	Depth	Time
4	1000 cm ²	8 cm	14 days
5	1000 cm ²	8 cm	30 days
6	1000 cm ²	8 cm	30 days

Table 9 – Potholes on Non-Paved Surface

Class	Surface Area	Depth	Time
4	1500 cm ²	10 cm	14 days
5	1500 cm ²	12 cm	30 days
6	1500 cm ²	12 cm	30 days

Table 10 – Potholes on Paved or Non-Paved Surface or Shoulders

Class	Surface Area	Depth	Time
4	1500 cm ²	10 cm	30 days
5	1500 cm ²	12 cm	60 days
6	1500 cm ²	12 cm	60 days

9.0 Shoulder Drop-offs

Objective:

To improve safety by deploying resources and repairing shoulder drop-offs.

Maintenance Standard

- If a shoulder drop-off is deeper than 8 cm for a continuous distance of 20 meters or more, the drop-off shall be repaired within the time set out in the table after becoming aware of the fact.
- A shoulder drop off shall be deemed to be repaired if its depth is less or equal to that set out in the table.

**Table 11
Shoulder Drop-offs**

Class	Time
4	14 days
5	30 days
6	30 days

10.0 Cracks

Objective:

To improve safety by deploying resources and repairing cracks in paved roadway surfaces

Maintenance Standard

- If a crack on the paved surface of a roadway is greater than 5cm wide and 5cm deep for a continuous distance of 3 meters or more, resources shall be deployed and the cracks repaired within the time set out in the table after becoming aware of the fact.
- A crack shall be deemed repaired if its width or depth is less than or equal to that set out in the table.

**Table 12
Cracks**

Class	Width	Depth	Time
4	5 cm	5 cm	180 days
5	5 cm	5 cm	180 days
6	5 cm	5 cm	180 days

**Appendix 1
Township of Faraday
Highway Service Standards**

1.0 Township of Faraday Road Classifications

ROAD NAME	SECTION No.*	LENGTH KM	SURFACE TYPE	CLASS
Trout Lake Road	102	3.3	Gravel	6
Card Lake Road	103	0.1	Gravel	6
Monck Road "B"	104	9.4	Gravel	6
Pikes Peak Road	105	0.8	Gravel	6
Lyman Road	106	1.4	Gravel	6
Cross Road "A"	108	3.4	LCB/Gravel	6
Jackson Road	110	0.2	LCB	6
Paudash Lake Road	113	1.1	LCB	6
Rabbit Trail Road	115	2.1	Gravel	6
Otter Lake Road	117	0.3	Gravel	6
Reid Road	118	1.1	Gravel	6
Iekel Road	122	1.3	Gravel	6
Bay Lake Road "B"	125	5.7	LCB/Gravel	6
Bayshore Drive	126	1.7	Gravel	6
Coe Island Lake Road	127	3.9	Gravel	6
Rallison Lane	129	1.4	Gravel	6
Old L'Amable Road	131	1.6	LCB	6
Jeffrey Lake Road	132	5.4	Gravel	6
Gaebel Road	133	0.4	Gravel	6
White Church Road	143	1.3	Gravel	6
Cameron Road	148	2.9	Gravel	6
Mertz Road	149	1.2	Gravel	6
Hack-Ma-Tack Road	150	1.6	Gravel	6
Aryhart Lake Road	151	0.3	Gravel	6
Alexander Court	152	0.3	LCB	6
Airport Road "B"	154	5.10	Gravel	6
Joy Bible Camp Road	156	0.8	Gravel	6
Woodcox Road	157	0.6	Gravel	6
Bierworth Road	158	0.8	Gravel	6
Fuller Road	159	0.3	Gravel	6
Barton Lane	160	0.2	Gravel	6
Trillium Road	161	0.2	Gravel	6
Butler Place	162	0.1	Gravel	6
Jade Bay Road	164	0.2	Gravel	6
Beaver Lake Drive	165	0.3	Gravel	6
Paudash School Road	111	2.6	LCB	5
Bay Lake Road "A"	121	3.0	HCB/LCB	5
Lower Faraday Road "B"	137	13.3	LCB	5
Airport Road "A"	153	2.4	LCB	5
Monck Road "A"	101	3.4	HCB	4
Lower Faraday Road "A"	134	3.0	LCB	4

*Section No. refer to map

**Appendix 2
Definitions**

ADDT:	Means the Average Annual Daily Traffic, which is a technical measurement of volume of a road, in both directions. Conversion factors, which vary depending on the time of the year and week, extrapolate daily traffic counts into ADDT
Bridge Deck Spall:	Means a cavity left by one or more fragments detaching from the paved surface of the roadway or shoulder of a bridge
Corporation:	is the Corporation of the Township of Faraday
Council:	is the Council of the Corporation of the Township of Faraday
Lane:	is the portion of the road designated for a single file of vehicles to travel over, in one direction. For roads where two-way traffic is permitted, the lane width is half the road width unless delineated otherwise by pavement marking
Road:	refers specifically to the travelled road surface on a roadway assumed by a roadway authority, but not including on-street parking or stopping zones
Roadway:	is any public assumed road right-of-way intended for vehicular traffic. It refers not only to the travelled road surface, but to all service relevant to the road, within the right-of-way
Roadway Authority:	is the public agency accountable for the status and condition of the roadway. This refers to the Corporation of the Municipality and its designated officials or agents
Shoulder:	is that maintained surface immediately adjacent to the travelled surface of the road. The shoulder may be partially or fully hardtop, loose top, grassed, or earth. It is not considered a part of the road for these standards
Significant Weather Event	means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality
Speed:	refers to the average speed at which an average automobile can safely travel on a road of reasonable length, without the effects of traffic. This does not refer to design speed or legal speed unless specifically qualified. Posted speed is either legal or advisory
Standards:	are quantified statements, defining the nature of a product or activity. Usually such standards are minimum or desirable, and in this context refer specifically to the roadway service standards adopted as policy
Surface:	is the exposed top of the travelled road and includes adjacent surfaces for turning or stopping, but not parking or shoulders