

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 45-96**

**TEMPORARY ROAD CLOSING BY-LAW**

WHEREAS the Council is authorized by Section 207(44) of the Municipal Act to close to vehicular traffic on a temporary basis for such period as is specified any highway under the jurisdiction of the Council for such social, recreational, community, athletic or cinematographic purpose or combination of such purposes as may be specified in the By-Law, and for authorizing a Committee of Council to exercise any of the powers of the Council under this paragraph, subject to such conditions as may be provided.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:


1. Any highway under the jurisdiction of the Council may be closed to vehicular traffic on a temporary basis, not to exceed ninety-six (96) hours for such social, recreational, community, athletic or cinematographic purpose or combination of such purposes, subject to the terms of this By-Law, upon approval by resolution of the Council or upon approval of a Public Works Committee Report.
2. Where any highway or portion thereof is closed under this By-Law, the City shall provide and keep in repair a reasonable temporary alternative route for traffic and for all property owners who cannot obtain access to their property by reason of such closing.
3. While any highway or portion thereof is closed to traffic under this By-Law there shall be erected by the City at each end of such highway or portion thereof a barricade upon which an adequate warning device shall be exposed and in good working order continuously from sunset until sunrise, together with a detour sign indicating the alternative route and containing a notice that the highway is closed to traffic.
4. (1) No highway or portion of a highway shall be closed pursuant to the terms of this By-Law unless:
  - (i) an application together with an application fee of \$200.00 is received, in writing, for the closure setting out the location, timing and the purpose therefore at least seven (7) clear days before the closure is to take place;
  - (ii) a deposit is received for the cost to be incurred by the municipality for the road closure in such amount as the Council may specify from time to time;

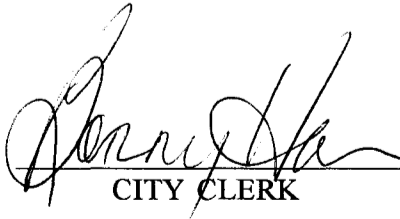
- (iii) a report has been received from the Chief Administrative Officer or a delegate thereof confirming notice to all affected departments of the application to close the road and which identifies any comments of any department so affected thereby.
- (2) In the event that an application is refused the application fee of \$200.00 shall be refunded forthwith to the applicant.
- (3) In the event that an application is for more than one highway or block of a highway to be closed, the applicant may be required to submit additional fees prior to the closing.
- 5. Every person who uses a highway or portion of a highway closed under this By-Law does so at their own risk.
- 6. (1) No person shall use, except for pedestrian traffic, any highway or portion of a highway closed under this By-Law during the period of closure except under the authority of a permit issued under this By-Law.
  - (2) The Chief Administrative Officer of the City or a delegate thereof may issue permits for the use of a highway or a portion of a highway closed under this By-Law for the purpose of and subject to the conditions set out in the permit.
- 7. (1) Every person who removes or defaces any barricade, device, detour sign or notice placed pursuant to this By-Law is guilty of an offence.
  - (2) Every person who removes or defaces any barricade, device, detour sign or notice placed pursuant to this By-Law is liable to the City for any damage or injury occasioned by such wrongful use, removal or defacement.

READ A FIRST TIME IN OPEN COUNCIL THE 13TH DAY OF MAY, 1996.

READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF MAY, 1996.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 13TH DAY OF MAY, 1996.

  
MAYOR

  
CITY CLERK