

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2004-016

AMENDMENT TO BY-LAW NO. 99-009

BEING A BY-LAW TO PERMIT AND REGULATE THE SIZE AND MODE OF CONSTRUCTION OF CULVERTS AND BRIDGES THAT CROSS ANY DRAIN OR WATER COURSE SITUATED ON A ROADWAY UNDER THE JURISDICTION OF THE CORPORATION OF THE MUNICIPALITY OF CALVIN AND TO IMPOSE FINES FOR THE CONTRAVENTION OF THIS BY-LAW.


WHEREAS the Municipal Act, 2001, c.25, Section 96 provides that a municipality may, for the purpose of preventing damage to property in the municipality as a result of flooding, exercise its powers under the "drainage and flood control" sphere of jurisdiction in relation to flood control in the municipality, in another municipality or in unorganized territory;

AND WHEREAS the Municipal Act 2001, c.25, Section 425(1) provides that by-laws may be passed by all municipalities and by police services boards for providing that any person who contravenes any by-law of the municipality or of the board, as the case may be, passed under this Act, is guilty of an offence;

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin enacts as follows:

1. The Corporation of the Municipality of Calvin shall have the authority to install a culvert, if deemed necessary, by the Road Superintendent, under all lanes, roads or other means of access to private property;
2. Every person requiring an entrance shall first obtain an Entrance Approval Permit from the municipal office;
3. The cost of the culvert as set out in paragraph no.1 shall be borne by the owner of the land to which the said land, road or other means of access enters;
4. All culverts installed according to paragraph no. 1 herein shall be of a minimum length of 24 feet and the diameter is to be determined by the Road Superintendent;
5. Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall be subject to a penalty of not more than five hundred dollars (\$500.00), exclusive of costs, for each offence;
6. Any previous by-laws or sections of by-laws conflicting with terms and provisions of this by-law shall be deemed to be and are repealed;
7. This by-law shall apply to the whole Municipality of Calvin in its entirety and shall come into force and effect as of the date of the final reading thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED BEFORE AN OPEN COUNCIL THIS 14 DAY OF JUNE 2004.


MAYOR


CLERK-TREASURER