

THE CORPORATION OF THE TOWNSHIP OF STIRLING-RAWDON

BY-LAW NO. 1278-19

ENTITLED a By-law to adopt a Level of Service Policy for the Corporation of the Township of Stirling-Rawdon.

AND WHEREAS the Province of Ontario has established a Minimum Maintenance Standard by way of Regulation 239/02, as amended, under the Municipal Act, 2001;

AND WHEREAS Council deems it expedient to establish a Public Works Department - Level of Service Policy that is consistent with and incorporates the provisions of the Minimum Maintenance Standards, while at the same time providing guidance on areas not identified in the Minimum Maintenance Standards;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF STIRLING-RAWDON DOES HEREBY ENACT AS FOLLOWS:

1. That the Level of Service Policy attached hereto as Schedule 'A' be and the same is hereby adopted.
2. That by-law No. 962-13 is hereby repealed.
3. That this by-law shall come into full force and effect on and after the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED,
SIGNED, AND SEALED THIS 4TH DAY OF MARCH, 2019**


MAYOR


CLERK



**The Township of Stirling-Rawdon
Public Works Department**

LEVEL OF SERVICE POLICY

Approved March, 2013

Minimum Maintenance Standards

ONTARIO REGULATION 239/02

Updated February 2019

As per [ONTARIO REGULATION 239/02 as amended by 366/18]



MINIMUM MAINTENANCE STANDARDS
The Township of Stirling-Rawdon
Public Works Department
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Section 1.0- Routine and Winter Patrolling

Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for routine patrolling that meets the Minimum Maintenance Standards O. Reg. 366/18 Section 3, under the Municipal Act 2001. Road classifications are in accordance with O. Reg. 366/18. Please refer to the table below for a description of the Classification of Highways. (O. Reg. 366/18 is attached at the end of the policy).

TABLE: CLASSIFICATION OF HIGHWAYS

Column 1 Average Daily Traffic (number of motor vehicles)	Average Annual Daily Traffic						
	Traffic (# of motor vehicles)	Posted or Statutory Speed Limit (Kilometers per hour)					
Column 2 91 - 100 km/h speed limit	Column 3 81 - 90 km/h speed limit	Column 4 71 - 80 km/h speed limit	Column 5 61 - 70 km/h speed limit	Column 6 51 - 60 km/h speed limit	Column 7 41 - 50 km/h speed limit	Column 8 1 - 40 km/h speed limit	
53,000 or more	1	1	1	1	1	1	1
23,000 - 52,999	1	1	1	2	2	2	2
15,000 - 22,999	1	1	2	2	2	3	3
12,000 - 14,999	1	1	2	2	2	3	3
10,000 - 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	4	4
5,000 - 5,999	1	2	2	3	3	4	4
4,000 - 4,999	1	2	3	3	3	4	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	5	5
1,000 - 1,999	1	3	3	3	4	5	5
500 - 999	1	3	4	4	4	5	5
200 - 499	1	3	4	4	5	5	6
50 - 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

There are currently no Class 1 or Class 2 highways within the Township of Stirling-Rawdon.

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Definitions

- "day" means a 24-hour period.
- "highway" means a common and public highway maintained by the Township of Stirling-Rawdon and includes any bridge, trestle, viaduct or other structure forming part of the highway.

1.3 Operations Description

a) The Township of Stirling-Rawdon will routinely patrol highways at a frequency set out in Table 1A below.

Table 1A: Routine Patrolling Frequency

Class of Highway	Patrolling Frequency
3	Once every 7 days
4	Once every 14 days
5	Once every 30 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

- a) Routine Patrolling will be carried out by driving on the highway or by electronically monitoring the highway to check for conditions described in O. Reg. 239/02 as amended by 366/18 and this level of service policy.
- b) Routine Patrolling is not required between sunset and sunrise.
- c) Winter patrol operations will replace routine patrols during the season when the Municipality performs winter highway maintenance.
- d) Winter patrol routes will not operate when conditions have been identified throughout the Municipality that will require commencement of snowplowing or sanding operations. The patroller will then be reassigned to snowplowing roads. The winter patrol and winter maintenance activity are an interchangeable function.

Section 2.0- Plowing and Sanding

2.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for Winter Road Conditions that meets the Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18, under The Municipal Act 2001. Road classifications are in accordance with O. Reg. 239/02 as amended by 366/18. There are currently no Class 1 or Class 2 highways within the jurisdiction of the Township of Stirling-Rawdon. The Township of Stirling-Rawdon recognizes that severe weather conditions may occur that could prevent the attainment of the Level of Service specified in this policy. The Roads Department must work within the available resources and in such a manner to protect the safety of employees and the public.

2.2 Definitions

- “season when the Municipality performs winter highway maintenance” means that period of time from October 1 to April 30 of the following year in accordance with O. Reg. 239/02 as amended by 366/18. The Township of Stirling-Rawdon may extend the season to May 10 when weather conditions create a demand for additional winter maintenance.
- “highway” means a common and public highway maintained by the Township of Stirling-Rawdon and includes any bridge, trestle, viaduct or other structure forming part of the highway.

- “roadway” means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder.
- “snow accumulation” means the natural accumulation of new fallen snow or windblown snow that covers more than half a lane width of a roadway.
- From May 1 to September 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once per calendar day. O. Reg. 47/13, s. 3; O. Reg. 239/02 as amended by 366/18.

2.3 Operations Description

2.3.1 Snow Plowing

Table 2A: Snow Accumulation shown below contains the minimum maintenance standards specified in O. Reg. 239/02 as amended by 366/18 under the Municipal Act.

Table 2A: Snow Accumulation

SNOW		
Class of Highway	Depth	Time for Removal
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Table 2B: Icy Roadways

ICY ROADWAYS	
Class of Highway	Time for Treatment
3	8 hours
4	12 hours
5	16 hours

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Municipality treats icy roadways in accordance with Table 2B for vehicular traffic. Maintenance for pedestrian purposes is not performed on roadways. These requirements only apply to a municipality during the season when the municipality performs winter highway maintenance.

2.3.2 Sidewalk Maintenance

- a) The sidewalks will be cleared within 24 hours of when the snow accumulations reach a depth of 7.5 centimeters (3 inches).
- b) Surfaces will be maintained in a snow packed condition during a storm.
- c) Sidewalks will only be sanded when icy conditions create a hazard to pedestrians.
- d) Sidewalks will generally be cleared and sanded in priority order. Priority will be given to school zones and then to commercial areas.

Section 3.0 Road Surface Conditions

3.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for Road Surface Conditions that meets the Minimum Maintenance Standards O. Reg. 239/02 Section 6, 7, 8, 9 and 16(1) as amended by 366/18, under The Municipal Act 2001. Road classifications are in accordance with O. Reg. 239/02 as amended by 366/18. There are currently no Class 1 or Class 2 roads within the jurisdiction of the Township of Stirling-Rawdon.

3.2 Definitions

- “day” means a 24-hour period.
- “debris” means any material or object on a roadway, that is not an integral part of the roadway or has not been intentionally placed on the roadway by a municipality, and that is reasonably likely to cause damage to a motor vehicle or to injure a person in a motor vehicle.
- “highway” means a common and public highway maintained by the Township of Stirling-Rawdon and includes any bridge, trestle, viaduct or other structure forming part of the highway.
- “roadway” means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder.
- “shoulder drop-off” means the vertical differential, where the paved surface of the roadway is higher than the surface of the shoulder, between the paved surface of the roadway and the paved or non paved surface of the shoulder.
- “surface discontinuity” means a vertical discontinuity creating a step formation at joints or cracks in the paved surface of the roadway, including bridge deck joints, expansion joints and approach slabs to bridge.

3.3 Operations Description

3.3.1 Potholes

- a) The majority of pothole formations occur during the freeze/thaw cycles in spring and fall. Regular maintenance including patching and grading, is performed immediately following these cycles to prevent the formation of potholes.
- b) Potholes that are identified during routine patrols will be scheduled for repair as soon as practicable to prevent further degradation of the road surface structure and within the minimum maintenance standards detailed in sections c) and d) below.
- c) If a pothole exceeds both the surface area and depth set out in Table 3A, 3B, and 3C the Township of Stirling-Rawdon will repair the pothole within the time set out in Table 3A, 3B, or 3C as appropriate, after becoming aware of the condition.
- d) A pothole shall be deemed to be repaired if its surface area or depth is less than or equal to that set out in Table 3A, 3B, or 3C as appropriate.

Table 3A: Potholes on Paved Surface of Roadway

Class of Highway	Surface Area	Depth	Time for Completion of Repair
3	1000cm ²	8cm	7 days
4	1000cm ²	8cm	14 days
5	1000cm ²	8cm	30 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Table 3B: Potholes on Non-Paved Surface of Roadway

Class of Highway	Surface Area	Depth	Time for Completion of Repair
3	1500cm ²	8cm	7 days
4	1500cm ²	10cm	14 days
5	1500cm ²	12cm	30 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Table 3C: Potholes on Paved or Non-Paved Surface of Shoulder

Class of Highway	Surface Area	Depth	Time for Completion of Repair
3	1500cm ²	8cm	14 days
4	1500cm ²	10cm	30 days
5	1500cm ²	12cm	60 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

3.3.2 Shoulder Drop-off

- a) Regular shoulder grading is performed during spring and fall, when time and resources permit, to prevent the formation of shoulder drop-off.
- b) Problem areas are identified through routine patrolling and historical data. Shoulder grading is performed in these areas at an increased frequency appropriate to the requirements of each area.
- c) A shoulder drop-off condition that is identified during routine patrols will be scheduled for grading as soon as practicable to prevent further degradation of the road surface structure and within the minimum maintenance standards detailed in sections d) and e) below.
- d) If a shoulder drop-off is deeper, for a continuous distance of 20 meters or more, than the depth set out in the table 3D, the Township of Stirling-Rawdon will repair the shoulder drop-off within the time set out in the Table after becoming aware of the condition.
- e) A shoulder drop-off shall be deemed to be repaired if its depth is less than or equal to that set out in Table 3D.

Table 3D: Shoulder Drop-offs

Class of Highway	Depth	Time for Completion of Repair
3	8cm	7 days
4	8cm	14 days
5	8cm	30 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

3.3.3 Cracks

- a) The majority of cracks occur during the freeze/thaw cycles in spring and fall. Regular maintenance including patching is performed immediately following these cycles to prevent the formation of cracks.
- b) Cracks that are identified during routine patrols will be scheduled for repair as soon as practicable to prevent further degradation of the road surface structure and within the minimum maintenance standards detailed in sections c) and d) below.
- c) If a crack on the paved surface of a roadway is greater, for a continuous distance of three meters or more, than both the width and depth set out in Table 3E the Township of Stirling-Rawdon will repair the crack within the time set out in the Table after becoming aware of the condition.
- d) A crack shall be deemed to be repaired if its width or depth is less than or equal to that set out in the Table.

Table 3E: Cracks

Class of Highway	Width	Depth	Time for Completion of Repair
3	5cm	5cm	60 days
4	5cm	5cm	180 days
5	5cm	5cm	180 days

3.3.4 Debris

- a) If there is debris on a roadway, the Township of Stirling-Rawdon will remove the debris as soon as practicable after becoming aware of the condition.

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

“Debris” means any material (except snow, slush or ice) or object on roadway.

- a) That is not integral part of the roadway or has not been intentionally placed on the roadway by a Municipality, and
- b) That is reasonably likely to cause damage to a motor vehicle or to injure a person in a motor vehicle.

O. Reg. 239/02, s. 9(2); O. Reg. 47/18, s.9 as amended by 366/18.

3.3.5 Road Discontinuities

- a) The majority of road discontinuities occur during the freeze/thaw cycles in spring and fall. Most road discontinuities are temporary conditions, caused by frost heave. Road discontinuities found during the freeze/thaw cycle will be identified with a warning sign and monitored for potential repairs.
- b) Regular maintenance including patching and grading, is performed immediately following these cycles to repair and permanent surface discontinuities.
- c) Surface discontinuities that are identified during routine patrols will be scheduled for repair as soon as practicable to prevent further degradation of the road surface structure and within the minimum maintenance standards detailed in sections c) below.
- d) If a surface discontinuity, (other than a surface discontinuity on a bridge deck) exceeds the height set out in Table 3F, the Township of Stirling-Rawdon will repair the surface discontinuity within the time set out in the Table after becoming aware of the condition.

Table 3F: Surface Discontinuities

Class of Highway	Height	Time for Completion of Repair
3	5cm	7 days
4	5cm	21 days
5	5cm	21 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

3.3.6 Line Painting

- a) The line painting maintenance is completed in summer to replace existing lines worn away during the winter months.
- b) Line painting is completed on most Class 3 roads, sharp curves and steep hills and any other roads the Municipality deems necessary.

3.3.7 Dust Control

- a) Dust control is a regular treatment program applied annually to gravel and dirt roads.
- b) Due to the high cost of dust suppressants, the treatment is not repeated during the year so the application must be timed to provide optimum coverage for the season. The dust suppressants are generally applied in early summer.

Section 4.0- Street Lights (Luminaires)

4.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for streetlights that meets the Minimum Maintenance Standards O. Reg. 239/02 Section 10 as amended by 366/18 under the Municipal Act 2001.

Road classifications are in accordance with O. Reg. 239/02 as amended by 366/18. There are currently no Class 1 or Class 2 roads or high mast illumination within the jurisdiction of the Township of Stirling-Rawdon. The standard for the frequency of inspecting all luminaires to check to see that they are functioning is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s.12

4.2 Definitions

- “day” means a 24 hour period.
- “highway” means a common and public highway maintained by the Township of Stirling-Rawdon and includes any bridge, trestle, viaduct or other structure forming part of the highway.
- “streetlight” means the complete lighting unit consisting of a lamp and the parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply. (Regulation 239/02 as amended by 366/18 uses the term Luminaires.)

4.3 Operations Description

- a) Streetlights will be scheduled for repair when the Municipality becomes aware that it is not functioning.
- b) Streetlights located in a high traffic area may be immediately scheduled for repair at the discretion of the Manager of Transportation.
- c) In addition the level of service specified in sections a) and b), streetlights will be repaired to the Minimum Maintenance Standards O. Reg 239/02 as amended by 366/18.

Table 4F: Luminaires

Class of Highway	Time for Completion of Repair
3	7 days
4	21 days
5	21 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Section 5.0- Signs and Traffic Signal Systems

5.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for Signs that meets the Minimum Maintenance Standards O. Reg. 239/02 Sections 11 and 12 as amended by 366/18 under the Municipal Act 2001.

Road classifications are in accordance with O. Reg. 239/02 as amended by 366/18. There are currently no Class 1 or Class 2 roads within the jurisdiction of the Township of Stirling-Rawdon. The Standard for the frequency of inspecting regulatory signs or warning signs to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 8; O. Reg. 47/13, s. 12(1); O. Reg. 239/02, s. 13 as amended by 366/18.

5.2 Definitions

- “day” means a 24 hour period.
- “highway” means a common and public highway maintained by the Township of Stirling-Rawdon and includes any bridge, trestle, viaduct or other structure forming part of the highway.
- “regulatory sign” means a traffic sign advising drivers of action they should or must do (or not do), under a given set of circumstances.
- “warning sign” means a sign which indicates conditions on or adjacent to a highway or street that is actually or potentially hazardous to traffic operations.

5.3 Operations Description

a) If any of the sign types listed below is illegible, improperly oriented or missing, the sign will be repaired or replaced as soon as practicable after becoming aware of the condition.

- Checkerboard
- Curve sign with advisory speed tab
- Do not enter
- 1 Load Restricted Bridge
- One Way
- School Zone Speed Limit
- Stop, Stop Ahead, Stop Ahead New
- Traffic Signal Ahead, New
- Two Way Traffic Ahead
- Wrong Way
- Yield, Yield Ahead, Yield Ahead New
- Dead End Road
- No Exit
- Maintained Portion of Road Ends

b) Any sign that is found by the routine patrol to be illegible, improperly oriented or missing will be scheduled for repair or replacement as soon as practicable and within the minimum maintenance standards detailed in section c) below.

c) Any illegible, improperly oriented or missing regulatory/warning signs not found on the list above will be repaired or replaced within the time period set out in Table 5A.

Table 5A: Regulatory and Warning Signs

Class of Highway	Time for Completion of Repair
3	21 days
4	30 days
5	30 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

Section 6.0- Bridges

6.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for Bridges that meets the Minimum Maintenance Standards O. Reg. 239/02 Sections 15 and 16 as amended by 366/18 under the Municipal Act 2001. Road classifications are in accordance with O. Reg. 239/02 as amended by 366/18. There are currently no Class 1 or Class 2 roads within the jurisdiction of the Township of Stirling-Rawdon.

6.2 Definitions

- “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.
- “day” means a 24 hour period.
- “highway” means a common and public highway maintained by the Township of Stirling-Rawdon and includes any bridge, trestle, viaduct or other structure forming part of the highway.
- “surface discontinuity” means a vertical discontinuity creating a step formation at joints or cracks in the paved surface of the roadway, including bridge deck joints, expansion joints and approach slabs to bridge.

6.3 Operations Description

a) The majority of bridge deck spalls occur during the freeze/thaw cycles in spring and fall. Regular maintenance including patching is performed immediately following these cycles to prevent the formation of spalls.

b) Bridge deck spalls that are identified during routine patrols will be scheduled for repair as soon as practicable to prevent further degradation of the bridge surface structure and within the minimum maintenance standards detailed in sections c) below.

c) If a bridge deck spall exceeds both the surface area and depth set out in Table 6A below, the spall will be repaired, within the time specified in Table A after becoming aware of the condition.

Table 6A: Bridge Deck Spalls

Class of Highway	Surface Area	Depth	Time for Completion of Repair
3	1,000 cm²	8 cm	7 days
4	1,000 cm²	8 cm	7 days
5	1,000 cm²	8 cm	7 days

Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18.

- d) The bridge deck spall will be considered repaired if its surface area or depth is less than or equal to that set out in Table 6A.
- e) If the surface discontinuity on a bridge deck exceeds 5 cm, the condition will be repaired as soon as practicable after becoming aware of the condition.

Section 7.0- Drainage systems

7.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for Drainage Systems that protects the road infrastructure from damage due to water saturation and prevents flooding of the roadway and adjacent properties. Drainage systems are not included in the Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18 under the Municipal Act 2001.

7.2 Operations Description

- a) Collapsed or excessively corroded culverts will be replaced.
- b) Culverts that have shifted in position and are no longer set to the proper grade due to frost heave or wear will be reset or replaced depending on condition of the culvert.
- c) Culvert thawing will be performed seasonally, in accordance with the demand caused by weather conditions.
- d) Regular spring run-off maintenance will include the removal of snow from high volume ditching, and the clearing of each end of the culvert. The maintenance program is completed in order of priority, when time and weather conditions permit. A sudden onset of the spring melt may prevent the maintenance program from proceeding.

- e) Curb and gutter sections that have settled or heaved will be scheduled for repair.
- f) In specific areas of historical concern, catch basins are to be cleaned when required.
- g) Ditches in areas where problems are repetitive, will be inspected annually and cleared as required.
- h) Catch basin tops and inlets will be cleaned when required.
- i) Ditches will be scheduled for clearing when problems are identified.
- j) Catch basin and ditch inlet frames and grates within a highway shall be inspected for road surface continuity. Adjustments of the frames and grates will be made as required in Table 3F Surface Discontinuities.

Section 8.0- Trees and Brush

8.1 Introduction

The Township of Stirling-Rawdon Roads Department will provide a level of service for Trees and Brush that protects the health and safety of the public, maintains the natural surroundings.

Trees and brush are not included in the Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18 under the Municipal Act 2001. The municipality follows the Municipal Act Section 62 (1) and 62 (2) which states: 62 (1) Entry on land, tree trimming- A municipality may, at any reasonable time, enter upon and lying along any of its highways.

- a) To inspect trees and conduct tests on trees; and
 - b) To remove decayed, damaged or dangerous trees or branches of trees if, in the opinion of the municipality, the trees or branches pose a danger to the health or safety of any person using the highway.
- 62 (2) Immediate Danger- An employee or agent of the municipality may remove a decayed, damaged or dangerous tree or branch of a tree immediately and without notice to the owner of the land upon which the tree is located if, in the opinion of the employee or agent, the tree or branch poses and immediate danger to the health or safety of any person using the highway.

The municipality will also adhere to Regulation 62.1 (1) of the Municipal Act which states that a municipality may apply to a judge of the Superior Court of Justice for an order requiring the owner of the land lying along the highway to remove or alter any vegetation, building or object on the land that may obstruct the vision of pedestrians or drivers of vehicles on the highway, cause the drifting or accumulation of snow or harm the highway if the municipality is unable to enter into an agreement with the owner of the land to alter or remove the vegetation, building or object from the land.

Section 9.0- Water and Sewer

9.1 Introduction

The Township of Stirling-Rawdon Public Works Department will provide a level of service for Water and Sewer Systems that protects the road infrastructure from damage due to water saturation and prevents flooding of the roadway and adjacent properties. Water and Sewer systems are not included in the Minimum Maintenance Standards O. Reg. 239/02 as amended by 366/18 under the Municipal Act 2001.

9.2 Response Description

- a) Water and Sewer related repair calls will have an initial response within 24 hours of notification of a needed repair. An initial repair response will be a site visit and determination of cause, responsibility, and of a general course of action for the repair including water water-off and temporary hook-up if needed.
- b) The repair determination by the Township Water/Sewer Operator will determine the general course of action and subsequent timetable.
- c) All repairs deemed, by the Township Operator, to be the Township of Stirling-Rawdon's responsibility will be acted upon at the first possible opportunity; taking township priority scheduling into account.
- d) All repairs deemed, by the Township Operator, to be the property owner's responsibility will need to be completed, in a timely fashion, through the property owners own resources and in co-ordination with the Township of Stirling-Rawdon's Public Works Department.

10.0 Sidewalk surface discontinuities

1. The Standard for the frequency of inspecting sidewalks to check for surface discontinuity is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 10; O. Reg. 47/13, s. 16 (1); O. Reg. 239/02, s. 13 as amended by 366/18.

(1.1) A sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to any surface discontinuity until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge of the presence of a surface discontinuity in excess of two centimetres. O. Reg. 47/13, s. 16 (2).
2. 2) If a surface discontinuity on or within a sidewalk exceeds two centimetres, the standard is to treat the surface discontinuity within 14 days after acquiring actual knowledge of the fact. O. Reg. 239/02, s. 14 as amended by 366/18.
3. A surface discontinuity on or within a sidewalk is deemed to be in a state of repair if it is less than or equal to two centimetres. O. Reg. 239/02, s. 14 as amended by 366/18.
4. For the purpose of subsection (2), treating a surface discontinuity on or within a sidewalk means taking reasonable measures to protect users of the sidewalk from the discontinuity, including making permanent or temporary repairs, alerting users' attention to the discontinuity or preventing access to the area of discontinuity. O. Reg. 239/02, s.14 as amended by 366/18.

Encroachments, area adjacent to sidewalk

1. The standard for the frequency of inspecting an area adjacent to a sidewalk to check for encroachments is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 239/02, s. 15 as amended by 366/18.
2. For greater certainty, the area adjacent to a sidewalk begins at the outer edges of a sidewalk and ends at the lesser of the limit of the highway, the back edge of a curb if there is a curb and a maximum of 45cm. O. Reg. 239/02, s. 15 as amended by 366/18.
3. The area adjacent to a sidewalk is deemed to be in a state of repair in respect of any encroachment present unless the encroachment is determined by a municipality to be highly unusual given its character and location or to constitute a significant hazard to pedestrians. O. Reg. 239/02, s. 15 as amended by 366/18.
4. For the purpose of subsection (4), treating an encroachment means taking reasonable measures to protect users, including making permanent or temporary repairs, alerting users' attention to the encroachment or preventing access to the area of the encroachment. O. Reg. 239/02, s. 15 as amended by 366/18.

Snow accumulation on sidewalks

- a) To reduce the snow to a depth less than or equal to 8 centimetres within 48 hours;
and
- b) To provide a minimum sidewalk width of 1 metre. O. Reg. 239/02, s. 15 as amended by 366/18.

Ice formation on sidewalks and icy sidewalks

- a) If ice forms on a sidewalk even though the municipality meets the standard set out, the sidewalk is deemed to be in a state of repair in respect of ice until 48 hours after the municipality first becomes aware of the fact that the sidewalk is icy.

O. Reg. 239/02, s.15 as amended by 366/18.

- b) The standard for treating icy sidewalks after the municipality becomes aware of the fact that a sidewalk is icy is to treat the icy sidewalk within 48 hours, and an icy sidewalk is deemed to be in a state of repair for 48 hours after it has been treated.

O. Reg. 239/02, s. 15 as amended by 366/18.

- c) For the purposes of this section, treating a sidewalk means applying materials including salt, sand or any combination of salt and sand to the sidewalk. O. Reg. 239/02, s. 15 as amended by 366/18.

Icy sidewalks, significant weather event

- 1) If a municipality declares a significant weather event relating to ice, the standard for addressing ice formation or ice on sidewalks until the declaration of the end of the significant weather event is,

- a) To monitor the weather in accordance with section 3.1; and

- b) If deemed practicable by the municipality, to deploy resources to treat the sidewalks to prevent ice formation or improve traction, or treat the icy sidewalks, starting from the time that the municipality deems appropriate to do so. O. Reg. 239/02, s. 15 as amended by 366/18.

Winter sidewalk patrol

- 1) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that the municipality selects as representative of its sidewalks at intervals deemed necessary by the municipality. O. Reg. 239/02, s. 15 as amended by 366/18.

- 2) Patrolling a sidewalk consists of visually observing the sidewalk, either by driving by the sidewalk on the adjacent roadway or by driving or walking on the sidewalk or by electronically monitoring the sidewalk, and may be performed by persons responsible for patrolling roadways or sidewalks or by persons responsible for or performing roadway or sidewalk maintenance activities. O. Reg. 239/02, s. 15 as amended by 366/18.

