

Streets By-law

S.1 - Consolidated - March 26, 2007

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**OFFICE CONSOLIDATION
INCLUDING AMENDMENT S-1-07011 (March 26, 2007)**

STREETS

By-law S-1

**A by-law to provide for the
REGULATION OF STREETS**

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The Municipal Council of The Corporation of the City of London enacts as follows:

**SHORT TITLE
STREETS BY-LAW**

**Part 1
DEFINITIONS**

1.1 Definitions

In this by-law:

Bicycle path - defined

"bicycle path" shall mean a surfaced path for the use of bicycles marked as such by a sign or bicycle emblem.

City Engineer - defined

"City Engineer" shall mean the person appointed by the Council to the position of City Engineer and any employee of the City of London who acts at the direction of the City Engineer.

Electric Personal Assistive Mobility Device means:

- (i) a self-balancing device with two nontandem wheels, designed to transport only one person, with an electric propulsion system; or
- (ii) a wheelchair, scooter, or other self-propelled device, powered by an electric propulsion system and designed to transport one person who has a disability.

Private entrance - defined

"private entrance" shall mean the portion of a street which is improved to permit the passage of persons or vehicles from a roadway or sidewalk to abutting property.

Roadway - defined

"roadway" shall mean the portion of a street which is improved for the travel of motor vehicles.

Road works - defined

"road works" shall mean the physical improvements which have been made to a street including pavement, curbs, signs, gutters, trees, culverts, treated and graded surfaces, walls, sidewalks, utility apparatus, ditches and swales.

Sidewalk - defined

"sidewalk" shall mean any municipal walkway or road works for the accommodation of pedestrians on that portion of a street between the curb line and the street line which is located outside a roadway.

Snow - defined

"snow" includes ice and slush.

Street - defined

"street" shall mean a highway, road allowance, street, avenue, parkway, driveway, lane, square, place, bridge, viaduct, trestle or other public way under the jurisdiction of the City of London and this term includes all road works and appurtenant to municipal land.

Street line - defined

"street line" shall mean the boundary between the street and the abutting land.

Sales by retail - defined

"sales by retail" includes but is not limited to sales conducted from a refreshment vehicle, vending box, cart or stand.

Part 2
PROHIBITED MATTERS

2.1 Street - obstructing - encumbering - injuring - fouling

No person shall, (either by himself or by permitting others) without lawful authority, obstruct, encumber, injure, or foul or cause or permit the obstruction, encumbering, injuring or fouling of any street.

2.2 Excavation - upon street - prohibited

No person shall, (either by himself or by permitting others) without lawful authority, make any excavation upon a street.

2.3 Structure - on - over - under street

No person shall, (either by himself or by permitting others) without lawful authority, place, construct, or maintain any object or structure upon, under or over a street.

2.4 Dirt - rubbish - snow - refuse - dumping - on street

No person shall, (either by himself or by permitting others) without lawful authority, throw, place or deposit any dirt, rubbish, snow or refuse upon a street.

2.5 Plants - earth - material - removal - from street

No person shall, (either by himself or by permitting others) without lawful authority, remove any plant, earth or material from a street.

2.6 Public nuisance - upon street

No person shall, (either by himself or by permitting others) without lawful authority, cause a public nuisance in or upon a street, by fire, water, vapour, noise or any means whatsoever.

2.7 Gate - door - opening - over street

No person shall, (either by himself or by permitting others) without lawful authority, construct or maintain a gate or door which opens or swings over a street.

2.8 Public travel - use - interference

No person shall, (either by himself or by permitting others) without lawful authority, conduct any activity which interferes with public travel or use of a street.

2.9 Notices - placards - posting - on street - prohibited

No person shall, (either by himself or by permitting others) without lawful authority, post a notice, sticker, placard or advertisement in or upon a street.

2.10 Use of Highway (including Sidewalk)

2.10.1 No person shall without lawful authority sell, offer to sell or display any goods, merchandise, products, refreshments, foodstuffs or flowers on a street or public highway over which the Corporation has jurisdiction.

2.10.2 A police officer, police cadet or municipal law enforcement officer may remove, impound, restrain or immobilize any object or vehicle placed, stopped, standing or parked on the street or highway over which the Corporation has jurisdiction, in contravention of this by-law.

2.10.3 Where there is a person in charge of the object or vehicle in contravention of the by-law, the person authorized to cause the removal of the object or vehicle shall produce appropriate identification and inform the person in charge that the object or vehicle is in contravention of the by-law.

2.10.4 Where there is a person in charge of the object or vehicle in contravention of the by-law, the person authorized to cause the removal of the object or vehicle shall give a receipt to that person for the object or vehicle.

2.10.5 Subject to subsections 2.10.7 and 2.10.8, all costs and charges for the removal, care and storage of any object or vehicle under this by-law are a lien upon it which may be enforced by the Corporation in the manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R.24, as amended.

- 2.10.6 An object or vehicle removed pursuant to subsection 2.10.2 shall be stored by the Corporation for a period not less than 60 days, during which 60-day period the owner may be entitled to redeem, upon producing appropriate identification and upon payment satisfactory to the City Treasurer of the following amounts:
- (a) (i) Where the object or vehicle can be removed manually, a fee of \$100.00;
 - (ii) Where the object or vehicle cannot be removed manually, a fee of \$100.00 plus the cost of any special equipment required for removal;
 - (b) a storage charge of \$5.00 per day or part thereof; and
 - (c) a signed acknowledgement and release on a required form.
- 2.10.7 An object or vehicle removed and stored in accordance with subsection 2.10.2 and not claimed by the owner within sixty (60) days of removal is the property of the Corporation and may be sold and the proceeds shall form part of the general funds of the Corporation.
- 2.10.8 Despite subsection 2.10.7, any object that is perishable is the property of the Corporation upon being moved from the street or highway and may be destroyed or given to a charitable institution.

2.11 Motor vehicle - operation - on bicycle path – exception

No person shall, without lawful authority, either by himself or by permitting others, operate a motor vehicle along a bicycle path. This section shall not apply to a person who operates an Electric Personal Assistive Mobility Device due to a disability along a bicycle path.

2.12 Motor vehicle - bicycle - on sidewalk - exceptions

No person shall, without lawful authority, either by himself or by permitting others, operate a motor vehicle or bicycle along a sidewalk. This section shall not apply to a person who,

- (a) operates an Electric Personal Assistive Mobility Device due to a disability along a sidewalk;
- (b) operates a motor vehicle or bicycle across that portion of a sidewalk which intersects with a lawful private entrance; or
- (c) operates a bicycle on that portion of a sidewalk which connects a bicycle path with a roadway.

2.13 Crane - other - operation - above street

No person shall, (either by himself or by permitting others) without lawful authority, operate a crane, boom or other equipment above a street.

Part 3

RETAIL SALES - NEAR CENOTAPH - PROHIBITED

3.1 Retail sales - prohibited - area - described

Notwithstanding any other section of this by-law or any other by-law of The Corporation of the City of London, no person shall carry on sales by retail within the vicinity of the Cenotaph, more particularly described as that portion of the northerly half of the road allowance for Dufferin Avenue lying 40 metres west of the centre line of the road allowance for Wellington Street and that portion of the westerly half of the road allowance for Wellington Street lying 40 metres north of the centre line of the road allowance for Dufferin Avenue.

Part 4

DEPOSIT AGAINST DAMAGE

Repealed by By-law S-1-94001

Part 5

REMOVAL OF OBSTRUCTIONS

5.1 Projections - over street - unlawful - removal by owner

Any structure or thing which projects into or over a street without lawful authority shall be removed by the owner of the land in connection with which it exists.

5.2 Fence - structure - obstructing travel - removal

Any fence, barricade or other thing which obstructs a street or interferes with public travel on it shall be removed by the person by whom the same has been built, maintained, placed or deposited.

Part 6

PERMITTED ACTIVITIES

6.1 Grass area - abutting street - planting - maintenance

It shall be lawful for an owner or occupant to plant and maintain a grassed area upon the portion of the street which abuts his premises that is not occupied by road works.

6.2 Private entrances - requirements - Schedule 'A'

It shall be lawful for an owner or occupant to construct and maintain at his own risk and expense a private entrance to his premises which conforms to the requirements of Schedule 'A' of this by-law or to the written direction of the City Engineer.

6.3 Various works - permit issued - Schedule 'B'

It shall be lawful for works to be done under, upon or over a street pursuant to a permit issued by the City Engineer in accordance with Schedule 'B' of this by-law.

6.4 Sales - on streets - refreshment vehicles - licensed

It shall be lawful for goods to be sold upon a street (subject to the requirements of other laws) from a refreshment vehicle licensed by the City of London (confined to the sale of refreshments).

6.5 Sales - on streets - vending stand - requirements

It shall be lawful for goods to be sold upon a street (subject to the requirements of other laws) from a cart, vending box or stand approved as to location by the City Engineer upon the payment in advance of such annual fee as may be prescribed by the Council from time to time, and upon the delivery of proof of insurance in a form and amount satisfactory to the City Treasurer, and a pledge to indemnify and save harmless the City of London from all claims and judgments arising from such use of the street.

6.6 Street use - authorized - statute - by-law - agreement

It shall be lawful for use to be made of a street pursuant to permission granted under a statute, by the Council under a by-law, resolution or agreement, or as may be authorized in writing by the Chief of Police or the City Engineer.

6.7 Liability - requirements - City indemnified

All authority conferred under this by-law is subject to the condition that each person who exercises a right to use a street in the manner provided is liable to any person who consequently suffers injury or loss and shall indemnify The Corporation of the City of London from all such claims and actions.

6.8 Exception - City forces - agents - contractors

The provisions of this by-law shall not apply to works undertaken by City forces, or by any agents or contractors employed by the City, acting under the direction of the City Engineer.

Part 7

TEMPORARY CLOSING - REPAIRS

7.1 Engineer - authority - alternative route - provided

The City Engineer may temporarily close any street to public travel for the purpose of repairing or improving the street or any infrastructure contained therein, or for the purpose of installing road works if a reasonable temporary alternative route for traffic and local access is provided, or for works pursuant to a permit under section 6.3, or for emergency purposes.

7.1.1 The City Engineer may temporarily close to vehicular traffic any street or portion of a

street for a period of not more than 7 consecutive days for social, recreational, community, athletic, or cinematographic purposes, or combination of such purposes.

7.1.2 Where a street or portion of a street has been temporarily closed under section 7.1 or 7.1.1, the common law right of passage by the public over the street and the common law right of access to the street by an owner of land abutting the street are restricted, as determined by the City Engineer.

7.2 Engineer - authority - signs - barricades - requirements

The City Engineer may close any street to public travel for the purpose of repairing or improving it, or for the purpose of installing road works if, at each end of the portion of the street closed, there is erected and maintained:

- (a) a detour sign;
- (b) a barricade;
- (c) a notice that the street is closed to traffic; and
- (d) a warning device which is in good working order for use between sunset and sunrise.

7.3 Use - closed street - at own risk

Every person who uses a street, or portion of a street so closed to traffic does so at his own risk.

7.4 Use - closed street - deemed offence

Every person who without lawful authority uses a street, or portion of a street which has been closed to traffic in the manner provided above, or who removes or defaces any barricade, device, detour sign or notice, is guilty of an offence and is also liable for any damage or injury occasioned by such wrongful use, removal or defacement.

**Part 8
SNOW - ICE - REMOVAL
FROM SIDEWALKS - BUILDINGS**

8.1 Snow – removed – by 10 a.m. – areas – Schedule ‘C’

- (a) Every person owning land abutting a portion of the street listed in Schedule ‘C’ shall remove snow and ice from that portion of the sidewalk that is contiguous with their lot lines before 10:00 a.m. on any day which is not a holiday as defined in the *Retail Business Holidays Act*.
- (b) Any snow or ice which is found on a sidewalk on a portion of street listed in Schedule ‘C’ of this by-law after 10:00 a.m. on any day which is not a holiday as defined in the *Retail Business Holidays Act* may be cleared, treated or removed at the direction of the City Engineer without notice to and at the expense of the owner of the abutting land and such expense may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

8.2 Snow – ice – deposit – on road – sidewalk – prohibited

- (a) No person shall deposit, or cause to be deposited, snow or ice upon a sidewalk or roadway.
- (b) Every owner or occupant shall ensure that any snow or ice that is deposited in contravention of section 8.2(a) upon a sidewalk or roadway, that is contiguous with their lot lines, is removed forthwith. Any snow or ice found to be deposited in contravention of section 8.2(a) may be cleared, treated, or removed at the direction of the City Engineer without notice to and at the expense of the owner of the abutting land, and such costs may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

8.3 Snow – ice – removal – to boulevard – prohibited

- (a) No person shall move, or cause to be moved, snow or ice from privately-owned lands to a boulevard, sidewalk or roadway.
- (b) Every owner or occupant shall ensure that any snow or ice that is moved in

contravention of section 8.3(a) is removed forthwith. Any snow or ice found to be moved in contravention of section 8.3(a) may be cleared, treated, or removed at the direction of the City Engineer without notice to and at the expense of the owner of the land and such costs may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

8.4 Snow - ice - on sidewalk - where no street allowance

Notwithstanding sections 8.2 and 8.3 of this by-law, where an owner is required to clear away and remove snow and ice from a sidewalk in accordance with this Part, and there is no land within the street allowance which is not being used for the purposes of sidewalk or roadway, such snow and ice may be deposited upon so much of the sidewalk nearest to the street as is reasonably necessary for the purpose.

8.5 Snow - ice - on road - sidewalk - Engineer's direction

Notwithstanding sections 8.2 and 8.3 of this by-law, a person who is directed by the City Engineer to clear snow or ice may deposit snow or ice upon a sidewalk or the roadway in a manner directed by the City Engineer.

8.6 Icicles – snow – ice – removal – from building – where hazard

- (a) The owner of a lot having a building, structure, or sign situated on it in such a manner as to present a hazard from icicles, ice, or snow which may fall from it onto the street, shall remove such icicles, ice, or snow from the building, structure or sign by 10:00 a.m. on any day which is not a holiday as defined in the *Retail Business Holidays Act*.
- (b) If the owner does not remove such icicles, ice or snow from the building, structure or sign as required by section 8.6(a), such icicles, ice or snow may be removed at the direction of the City Engineer without notice to and at the expense of the owner of the land upon which the building, structure or sign is located, and such costs may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.

Part 9 ENFORCEMENT

9.1 Fine - for contravention

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.

9.2 Continuation - repetition - prohibited - by order

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

9.3 Fees and charges imposed under this by-law on a person are a debt of the person to the City. The City Treasurer may add fees and charges imposed by the City to the tax roll for any property for which all of the owners are responsible for paying the fees and charges and collect them in the same manner as municipal taxes.

Part 10
REPEAL - ENACTMENT

10.1 By-law - previous

By-law S.-3471-194 and all of its amendments are hereby repealed.

10.2 Effective date

This by-law comes into force on May 15, 1994.

PASSED in Open Council on November 15, 1993.

T.C. Gosnell
Mayor

K.W. Sadler
City Clerk

First Reading - November 15, 1993
Second Reading - November 15, 1993
Third Reading - November 15, 1993

SCHEDULE 'A'
Private Entrance Regulations

A.1 Construction - maintenance - restricted

No private entrance shall be constructed or maintained upon a portion of the street which is occupied by road works.

A.2 Location - design - approved - by Engineer

No private entrance shall be constructed or maintained before approval by the City Engineer of its location and design.

A.3 Construction - permitted - conditions

No private entrance shall be constructed or maintained except to connect with:

- a) a parking space legally established on private property; or
- b) a parking space established under a City of London boulevard parking agreement; or
- c) a walkway.

A.4 Damage - to road - drainage - by driveway - prohibited

No damage shall be done to road works or drainage through the installation or maintenance of a private entrance, nor shall gravel or dirt be permitted to spill or track onto road works.

A.5 Entrance size - multiple entrances

Unless otherwise approved by the City Engineer in writing, each private entrance shall be perpendicular to the street and:

- a) For single, semi-detached, duplex, or converted two unit dwelling, private entrances to permit the passage of vehicles shall not be less than 2.7 metres (8.8 feet) in width;

The combined total of all private entrances to permit the passage of vehicles may exceed 2.7 metres (8.8 feet) to a lot maximum of 6.0 metres (19.7 feet) in width or 40% of the street line of the lot whichever is less;

The width of a private entrance to permit the passage of vehicles shall be measured parallel to the said street, at any point between the street line and the roadway excluding the radii at the curb which are not to exceed 1.8 metres (6.0 feet);

It shall be further provided that no lot shall have more than two private entrances to permit the passage of vehicles for the first 30 metres (98.7 feet) of street line.

- b) For uses other than those described in Section A.5(a) above, private entrances to permit the passage of vehicles shall have a minimum unobstructed width of 6.7 metres (21.9 feet) where two-way traffic is permitted and a minimum of 3.0 metres (9.8 feet) where only one-way traffic is permitted and is clearly indicated by signs, pavement markings or both;

The width of a private entrance to permit the passage of vehicles shall be measured parallel to the said street, at any point between the street line and the roadway excluding the radii at the curb which shall not exceed 3.0 metres (9.8 feet);

The City shall consider each private entrance to permit the passage of vehicles on its own merit. Need must be demonstrated or substantiated where multiple private entrances are requested. Careful consideration must be afforded to the internal circulation, layout and frontage with a view to minimizing the disruption of roadway traffic while achieving optimum spacing between points of intersection with City roads;

- c) 1.5 metres (5 feet) at any point for a walkway.

A.6 Distance from sidewalk - parallel to lateral edge

No private entrance shall be located within 1.5 metres (5 feet) of a sidewalk which runs parallel to the lateral edge of the private entrance.

A.7 Distance from intersection - requirements

Where two or more streets intersect, no private entrance shall be located within the area defined as the sight triangle in the Zoning By-law Z-1 as amended from time to time. In no case shall the entrance be located within the roadways' edge radii.

A.8 Private entrance - location - utilities

Where a private entrance is to be located within the minimum distance to a utility as described in Table 2 below, then written approval must be obtained by the applicant from the appropriate authority and provided to the City Engineer prior to the issuance of a work approval permit.

TABLE 2

| <u>UTILITY</u> | <u>MINIMUM DISTANCE OF PRIVATE ENTRANCE TO UTILITY</u> |
|---|---|
| Hydro pole/signal poles/light standards | 1.5 metres (5.0 feet) |
| Fire Hydrant | 1.5 metres (5.0 feet) |
| T.V. Cable Pedestal | 2.0 metres (6.5 feet) |
| Bell Pedestal | 2.0 metres (6.5 feet) |

A.9 Private entrance - location - tree

Where a private entrance is to be located within 6.0 metres (20.0 feet) of a tree located on City property, written approval must be obtained by the applicant from the Parks and Recreation Department and provided to the City Engineer prior to the issuance of a work approval permit.

A.10 Depressed access - required - roadways with curbs

No private entrance shall be constructed or maintained from a roadway having curbs except at a point where a depressed access is provided.

A.11 Depressed access - owner's expense - deposit - required

A depressed access to an existing curb may be constructed by the City Engineer if:

- a) the owner or occupant of the premises to be served requested in writing (on a form provided by the City Engineer) that such work be done at his expense for the purpose of a private entrance; and
- b) a deposit equal to the estimated cost of such work, based on the fees established by Council from time to time, is paid to the City of London by the person requesting the work before any such work is done.

A.12 Relocation - poles - other road works - requests

Requests to relocate poles, hydrants, manholes, signs and other road works to facilitate a private entrance shall be dealt with by the City Engineer on the same basis as set out in section A.11 of this Schedule.

A.13 Non-compliance - remedied - by owner

Any private entrance which does not conform to the requirements of this Schedule or the written direction of the City Engineer shall be made to comply by the owner of the land in connection with which it exists.

SCHEDULE 'B'
Public Street - Work Approval Permit

B.1 Application - to Engineer - conditions - set out

Upon application, a permit may be issued by the City Engineer for work to be carried out in, over or under a City street, subject to the conditions to obtain, keep and renew a permit set out in sections B.2 to B.20 inclusive of this Schedule and such other conditions as the City Engineer may impose.

B.2 Fee – paid -for approval – inspection – Pavement Degradation Fee

The applicant shall pay such fees for a permit as are imposed by the City Engineer, as follows:

- (1) \$250.00 flat fee plus G.S.T. for administrative and inspection costs; and
- (2) Pavement Degradation Fee of \$10.00 per m² of road excavated, where the applicant undertakes road excavations in the City's streets; and
- (3) Fees for licence to occupy street, if any, under section B.3.

B.3 Licence to Occupy Street

Where an applicant anticipates occupying a street or portion of a street for more than 30 days, the applicant shall enter into a licence agreement with the City prior to issuance of a permit. Under that agreement, the applicant shall pay a fee as set out in the City's Fees and Charges By-law, for "Boulevard Rentals", per square foot per year, pro-rated on a monthly basis, in addition to any other required fee in this by-law. If a licence agreement is renewed, the fee shall be twice the fee set out above.

B.4 Effective Dates and Times for Permit for Approved Works

The permit shall be valid only during the dates and times indicated on the permit, which shall be determined by the City Engineer. Where no dates or times are indicated on the permit, the permit shall be valid for 7 days from the date of issuance between 7a.m. to 6p.m.

B.5 Renewal of Permit for Approved Works

The permit may be renewed for the number of days indicated on the renewal permit, and upon payment of a daily fee of \$100.00 plus G.S.T.

B.6 Work - described - in writing - drawings

The work shall be fully described in writing, complete with drawings, where required by the City Engineer.

B.7 Purpose - lawful

The purpose of the work shall be lawful.

B.8 Obstruction - street - abutting owner's consent

In the case of work for the sole benefit of privately-owned land, where the work cannot practicably be carried out without obstructing the street, the owner of the abutting land which is to benefit from such work must consent to the obstruction.

B.9 Insurance – indemnification of City – requirements

The applicant shall provide proof of insurance in a form and amount satisfactory to the Manager of Risk Management in the minimum amount of \$2 million or such other higher amount as determined by the Manager of Risk Management, naming The Corporation of the City of London as an additional insured. The applicant agrees to indemnify and hold harmless The Corporation of the City of London from and against all liability under such statutes, laws, and regulations and in respect to all claims that may arise or be made against the City resulting from its use or occupancy of a street.

B.10 Deposit - required - estimate by Engineer

The applicant shall pay by security and/or deposits to the City of London in an amount calculated by the City Engineer based upon his or her estimate of the cost which will be incurred to reinstate the street and for other services provided by the City.

B.11 Deposit - balance - refunded - additional costs - paid

Upon satisfactory completion of the work and following a warranty period of one year or as deemed appropriate by the City Engineer, the amount of security and/or deposit which exceeds the cost incurred by the City will be returned to the applicant, or in the case where the costs exceed the security, and/or deposit, the applicant shall pay the amount invoiced within 30 days of receipt of the invoice.

B.12 Flagmen - police - warning devices - may be required

The City Engineer may require as a condition to a permit that flagmen, uniformed police officers and traffic warning devices be provided.

B.13 Work site - constant supervision - may be required

The City Engineer may require as a condition to a permit that the work site be constantly attended and supervised.

B.14 Barricade - protection of public - may be required

The City Engineer may require as a condition to a permit that barricades, platforms or other structures be erected for the protection of the public.

B.15 Conditions of Permit

In addition to any other conditions of a permit under this by-law, a permit shall also be subject to the following conditions to obtain, keep and renew a permit:

- (a) All work shall meet the minimum standards and specifications of the City of London Environmental and Engineering Services Department and as per approved plans where applicable.
- (b) The applicant shall comply with the City of London standard contract documents for municipal construction projects and with the City of London Design Specifications Manual.
- (c) The applicant shall inform the City of London Environmental Programs and Customer Relations at least 7 days in advance of commencing road works on any street.
- (d) The applicant shall contact all utility companies to determine the location of their plant prior to the commencement of construction or road works.
- (e) The applicant and/or contractor shall notify the City Engineer in writing when he or she has completed the works and request inspection.
- (f) The applicant shall complete all maintenance work deemed necessary by the City Engineer within 48 hours of written notice to undertake such repairs. In the case of emergency repairs deemed necessary by the City Engineer, the necessary works shall be completed forthwith.
- (g) Should the applicant fail to complete works ordered by the Engineer, the City may retain any securities deposited by the applicant and/or contractor to cover the cost of the works done and deposits in excess of the actual cost of the works shall be refunded by the City upon satisfactory completion.
- (h) For permits involving private drain connection construction:
 - (a) sewer rental charges may be applicable to the property owner;
 - (b) trench backfill to sub-grade level to be imported Granular "C" unless otherwise specified.
- (i) The applicant warrants that the work carried out with respect to the permit shall be without defect as to either material or workmanship and any deficiency within a period of one year, or as deemed appropriate by the City Engineer, from the completion of the work shall be made good at the sole risk and expense of the applicant. In the matter of any disputes arising as to the date of the completion of the work, the date shall be determined by the City Engineer in his or her sole discretion.
- (j) Where security is deposited by the applicant's agent, the agent is responsible to advise his or her client of the requirements herein that may affect that security.

B.16 Other conditions - compliance - may be required

The City Engineer may require, as a condition to a permit, compliance with any other condition as in his or her opinion is reasonably necessary for the protection of the public safety and right to travel along the street.

B.17 Permit - invalidated - work - methods - unapproved

A permit issued in accordance with this Schedule is invalidated if the work authorized by the permit is conducted in a manner other than as approved by the City Engineer.

B.18 Permit - invalidated - work - time - unauthorized

A permit issued in accordance with this Schedule is invalidated if the work is conducted at a date or time other than authorized.

B.19 Permit - invalidated - conditions - not observed

A permit issued in accordance with this Schedule is invalidated if a condition stated herein, or such other condition as may be imposed by the City Engineer, is not observed to his or her satisfaction.

B.20 Permit - invalidated - work deemed dangerous

A permit issued in accordance with this Schedule is invalidated if the work for whatever reason constitutes a danger in the opinion of the City Engineer.

SCHEDULE 'C'
Sidewalks - Clearing Required

Central Business District - Sidewalks to be cleared of ice and snow at the expense of owner of the property which abuts the sidewalk.

| <u>STREET</u> | <u>FROM</u> | <u>TO</u> |
|---------------------|---------------------|---------------------|
| Carling Street | Richmond Street | Talbot Street |
| Clarence Street | York Street | Kent Street |
| Colborne Street | York Street | Dundas Street |
| Covent Market Place | Talbot Street | King Street |
| Dufferin Avenue | Wellington Street | Ridout Street North |
| Dundas Street | Rectory Street | Ridout Street North |
| Fullarton Street | Ridout Street North | Richmond Street |
| Kent Street | Clarence Street | Richmond Street |
| King Street | Colborne Street | Ridout Street North |
| Queens Avenue | Waterloo Street | Ridout Street North |
| Richmond Street | York Street | Oxford Street |
| Ridout Street North | York Street | Dufferin Avenue |
| Talbot Street | Dufferin Avenue | York Street |
| Waterloo Street | York Street | Queens Avenue |
| Wellington Street | York Street | Dufferin Avenue |
| York Street | Colborne Street | Ridout Street North |