

THE CORPORATION OF THE UNITED COUNTIES

OF STORMONT, DUNDAS AND GLENGARRY

BY-LAW NO. 4738

A BY-LAW for the purpose of regulating the obstructing, encumbering, injuring or fouling of highways or bridges.

WHEREAS the Municipal Act, S.O. 2001 as amended, Section 2 provides that each municipality is given powers and duties for the purpose of providing good government with respect to matters *within their jurisdiction; and*

WHEREAS Part II Section 11 Table of the Municipal Act, R.S.O., 2001, assigns the whole sphere of Highways to Upper Tier municipalities that have highways; and

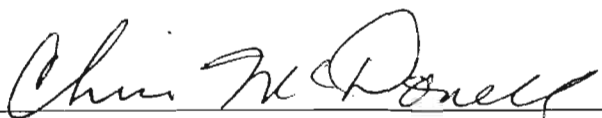
WHEREAS Section 5 (3) of the Municipal Act, S.O. 2001, as amended, provides that a municipality's capacity, rights, powers and privileges must be exercised by By-law; and


WHEREAS the Corporation of the United Counties of Stormont, Dundas & Glengarry has deemed it necessary to regulate the obstructing, encumbering, injuring or fouling of highways or bridges;

NOW THEREFORE the Council of the Corporation of the United Counties of Stormont, Dundas & Glengarry hereby enacts as follows:

1. That the installation, alteration or repair of underground structures including pipelines, utilities and other services to property on road allowances be subject to the requirements outlined in the Standards, Specifications and Requirements regulating the obstructing, encumbering, injuring or fouling of highways or bridges, attached hereto as Schedule 'A' and forming part of this By-law.
2. That any person contravening the requirements of this by-law shall be guilty of an offence *and shall be liable to penalties as provided for in the Provincial Offences Act, R.S.O, 1990.*
3. That By-law No. 4492 be and is hereby rescinded.
4. That this by-law shall come into full force and effect upon the final passing thereof.

READ and passed in Open Council, signed and sealed this 26th day of October, 2009.


WARDEN


CLERK

Schedule "A" to By-law 4738

Standards, Specifications and Requirements to Reinstate Road Cuts

Approval for the installation, alteration or repair of underground structures including pipelines, utilities and other services to property on road allowances (highways), that are under the jurisdiction of the Council for the Corporation of the United Counties of Stormont, Dundas and Glengarry, that are not otherwise regulated by statute, shall only be permitted to occur in accordance with the following requirements, standards and specifications:

1. A road cut permit is required prior to any work taking place.
2. Any person or contractor wanting approval to perform work for any of the aforementioned purposes shall be required to deposit a minimum amount of \$2,000.00, by certified cheque or cash, with the Corporation of the United Counties of Stormont, Dundas and Glengarry as surety for satisfactory performance of the work to be performed. The value of the surety can be increased by the County Engineer if the scope of the proposed work exposes the County to potential damages greater than the minimum deposit amount.
3. Any person or contractor wanting to perform work for any of the aforementioned purposes shall be also required to provide evidence of insurance to the satisfaction of the Counties.
4. Any and all work for which approval is given, except for emergency repairs shall be conducted during normal working hours (7:00 to 17:00 hours, local time) and on regular working days (Monday to Friday inclusive), excepting statutory holidays.
5. Approval for excavation and open cut crossings shall not be given unless it is determined to the satisfaction of the Corporation that auguring, pushing, drilling or boring is not deemed to be expedient or practical for the intended work.
6. Restoration following emergency repair situations will be considered as temporary and any such work and related restoration shall remain subject to the requirements, standards and specifications that are applicable to the installation, alteration or repair of underground structures
7. The following is the general prescribed method to restore road cuts on County Roads – the County Engineer may modify these requirements based on existing conditions or recommendations from a geotechnical consultant. See attached utility cut treatment drawing 5A-1.

Materials

All materials shall conform to the Ontario Provincial Standard Specifications.

General Method to Reinstate Road Cuts

Full time geotechnical inspection/ compaction tests are required by a recognized soils testing company during re-instatement of the trench at the applicant's cost. If geotechnical testing has not been undertaken, or test results indicate that minimum compaction and/or geotechnical requirements are not met, the County reserves the right to withhold release of the surety for 1 year to confirm that trench settlement has not occurred. If trench settlement has occurred, the repair will be undertaken at the applicant's expense.

Step 1: Excavation

Excavate to the required depth - excavation shall comply with Occupational Health and Safety Act (OHSA) requirements. Separate the native soil from any granulars.

Step 2: Trench Backfill

Following installation of the pipe(s), pipe bedding and surround, the trench shall be backfilled with native soil placed in compacted layers at a maximum pre-compaction thickness of 300 mm. In the event that the existing soil is not suitable for use as backfill, appropriate backfill material as approved by a geotechnical engineer must be used. Backfill shall be compacted to a minimum 95% Standard Proctor Density (SPD).

The trench backfill shall extend from the pipe cover to the bottom of the granular base layer.

The top lift of backfill material shall be shaped to slope from the centreline down at 3% towards the edge of shoulder.

If the pipe is installed at a depth of 1.8m or less, the entire depth of the cut shall be re-instated using a frost taper with a slope of 15:1 as per Ontario Standard Provincial Drawing (OPSD) 803.030. The frost taper shall be backfilled with Granular B in lifts not exceeding 200mm thick. Granular 'B' in the frost taper shall be compacted to 100% Standard Proctor Density (SPD).

Step 3: Granular Re-instatement

The existing granular base shall be cut back at a 1:1 slope from the top of the subgrade elevation. If re-instating with a frost taper, the existing granular base shall be cut back at 15:1. Reinstatement of granular material shall match existing. At minimum, granular 'B' sub-base material shall be 300mm thick and granular 'A' base material shall be 200mm thick. The minimum accepted compaction for the granulars shall be 100% Standard Proctor Density in lifts not exceeding 200mm thick.

The top of the granular 'A' base material shall be shaped to slope from the centreline down at 2% towards the edge of shoulder level with the bottom of the existing asphalt. If the existing asphalt is less than 80mm thick, the new asphalt will be reinstated a minimum of 80mm thick.

Step 4: Asphalt Re-instatement

The existing asphalt shall be saw cut a minimum of 300 mm back from the top of the edge of the new granular. For cuts which cross the road, the asphalt shall be removed in a dovetail with the apex at the road centreline

Just prior to placing the asphalt, the granular surface shall be re-graded and re-compacted. HL-3 asphalt shall be installed in 40mm (min.) lifts. The first lift shall be compacted in a direction parallel to the centre line of the cut. The subsequent lifts shall be compacted in a direction parallel to the direction of traffic flow. Asphalt shall be compacted to 100% Standard Proctor Density.

8. Roadside restoration shall be conducted as noted - the County Engineer may modify these requirements based on existing conditions:

Step 1: Excavation and Trench Reinstatement

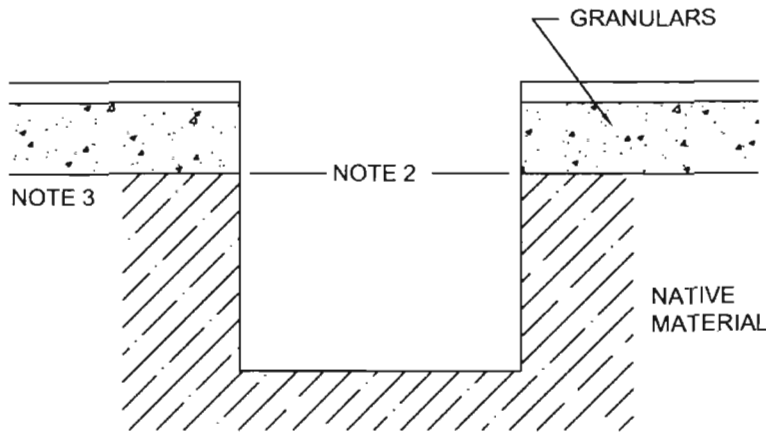
Excavation and trench reinstatement shall be completed as noted in the "General Method to Reinstatement Road Cuts". The trench backfill shall extend to within 100mm of the surface.

Step 2: Topsoil and Seeding/ Topsoil and Sodding

A minimum of 100mm of topsoil shall be spread and compacted over the area to be reinstated. In rural areas, the area shall be reinstated with standard highway seed mixture – in urban areas, the lawns and boulevards shall be sodded.

9. The surety will be released under the following conditions:
 - (a) The work has been performed to the satisfaction of the County
 - (b) The re-instated grassed areas have established
 - (c) All test results indicate compliance with geotechnical requirements
 - (d) As-built drawings showing the location and elevation of the new services crossing the road have been provided to the County
10. Deficiencies and non-compliance of the terms and conditions of an approval given under the authority of By-law No. 4492 passed by Council on January 22, 1997 be acted upon as herein specified.
 - (a) That the person or contractor receiving the approval be notified in writing of the nature of the deficiency or non-compliance and the remedial measures required to eliminate the deficiency or non-compliance.
 - (b) Any deficiency or non-compliance that is not corrected to the satisfaction of the County within the period of two (2) months following the giving of a notice under (a) shall be corrected by the Corporation at its sole discretion and the cost thereof, less the surety amount, will be recovered from the owner of the property receiving the benefit of the underground structure.

STEP 1
EXCAVATION

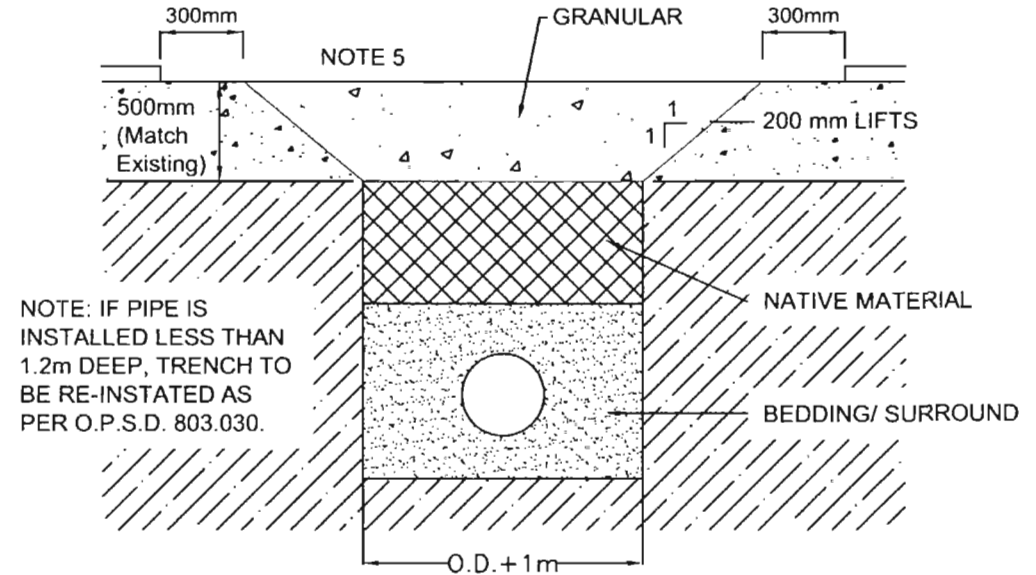


NOTES:

- 1) DRAWING TO BE READ IN CONJUNCTION WITH SD&G ROAD CUT STANDARDS & REQUIREMENTS.
- 2) SEPARATE NATIVE SOIL FROM GRANULARS AND SAVE NATIVE FOR BACKFILL.
- 3) SLOPE TRENCH WHERE REQUIRED TO COMPLY WITH O.H.S.A. STANDARDS.
- 4) COMPACTION:
NATIVE BACKFILL - 95% STANDARD PROCTOR DENSITY
GRANULARS A & B - 100% STANDARD PROCTOR DENSITY
- 5) GRANULAR SHALL BE LEVEL WITH BOTTOM OF ASPHALT LIFT OR TO WITHIN 80 mm OF SURFACE WHICHEVER COMES FIRST.
- 6) 40 mm LIFTS OF H.L. 3 (min.)
FIRST LIFT COMPACTED PARALLEL TO CENTRELINE OF CUT
SUBSEQUENT LIFTS COMPACTED PARALLEL TO FLOW OF TRAFFIC

STEPS 2 AND 3

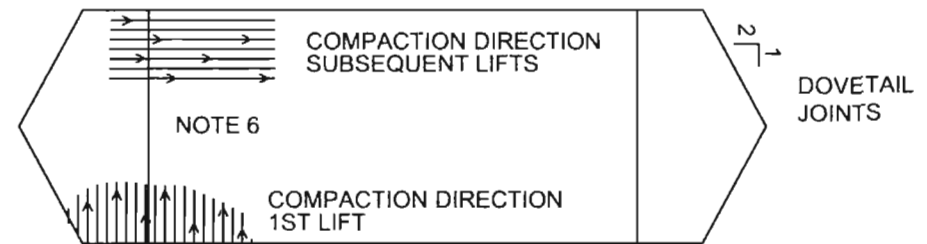
TRENCH BACKFILL AND GRANULAR RE-INSTATEMENT



NOTE: IF PIPE IS INSTALLED LESS THAN 1.2m DEEP, TRENCH TO BE RE-INSTATED AS PER O.P.S.D. 803.030.

STEP 4

ASPHALT REINSTATEMENT



UTILITY CUT TREATMENT

**CUT SECTIONS AND
PAVEMENT REINSTATEMENT**

STORMONT, DUNDAS & GLENGARRY DRAWING

DATE AUGUST 1991 REV. SEPT. 2009

DATE April 1992

DESIGNED BY BENJAMIN de HAAN

S.D.G. 5A-1