



Municipality of West Elgin

Agenda

Council Meeting

Date: February 12, 2026, 4:00 p.m.
Location: Council Chambers
160 Main Street
West Lorne

Council Meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at www.westelgin.net, when available (pending no technical difficulties).

Zoom Link: <https://us02web.zoom.us/j/81577315491?pwd=aufmaHp7ya96b0tKX4mp9CrVRwJv7L.1>
Pages

1. **Call to Order**

2. **Adoption of Agenda**

Recommendation:

That West Elgin Council hereby adopts the Committee of the Whole Agenda for February 12, 2026 as presented.

3. **Disclosure of Pecuniary Interest and General Nature Thereof**

4. **Adoption of Minutes**

3

Recommendation:

That West Elgin Council hereby adopt the Minutes of January 8, 2026 as presented.

5. **Business Arising from Minutes**

6. **Staff Reports**

6.1 **Infrastructure & Development**

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Dave Charron, Manager of Infrastructure and Development, for information purposes.

6.2 Verbal Discussion Re: Community Issues

7. Adjournment

Recommendation:

That the Council of the Municipality of West Elgin hereby adjourn at _____ to meet again at 4:00pm, on Thursday, February 26, 2026, or at the call of the Chair.



Municipality of West Elgin

Minutes

Committee of the Whole

January 8, 2026, 4:00 p.m.

Council Chambers

160 Main Street

West Lorne

Present: Mayor Leatham
Deputy Mayor Tellier
Councillor Statham
Councillor Denning
Councillor Sousa

Staff Present: Robin Greenall, Chief Administrative Officer
Dave Charron, Manager of Infrastructure & Development
Terri Towstiuc, Manager of Community Services/Clerk

Committee of the Whole meetings are held in-person at 160 Main Street, West Lorne, and the post-meeting recording available at www.westelgin.net, when available (pending no technical difficulties).

1. Call to Order

Mayor Leatham called the meeting to order at 4:00 pm.

2. Adoption of Agenda

Resolution No. 2026- 1

Moved: Councillor Denning

Seconded: Councillor Sousa

That West Elgin Committee of the Whole hereby adopts the agenda for January 8, 2026, as presented.

Carried

3. Disclosure of Pecuniary Interest and General Nature Thereof

No disclosures

4. Staff Reports

4.1 Infrastructure & Development

4.1.1 Sidewalk and Crosswalk Study

Council discussed different potential funding options concurrent with the County of Elgin for downtown revitalization and dovetail on the work that is already planned.

Council also discussed the potential for work to be completed by staff versus contracting, meeting the requirements of the Ministry of Transportation and obtaining the best data to make decisions with the funding available.

Council was not comfortable with a cost of \$17,000 for a study to be completed and agreed that working with the County of Elgin is the most cost-effective way.

Resolution No. 2026- 2

Moved: Councillor Statham

Seconded: Councillor Sousa

That West Elgin Committee of the Whole hereby receives the report from Dave Charron, Manager of Infrastructure and Development, and

That staff bring back to the Committee of the Whole after exploring options with the County of Elgin to discover alternative consulting options and funding sources.

Carried

4.1.2 Water Connections Bylaw

Resolution No. 2026- 3

Moved: Councillor Denning

Seconded: Deputy Mayor Tellier

That West Elgin Committee of the Whole hereby receives the report from Dave Charron, Manager of Infrastructure and Development, AND

That West Elgin Committee of the Whole hereby recommends that the West Elgin Council at its January 22nd, 2026, regular meeting repeal By-law 2024-75 and replace it with an update version with the changes noted below as supported by the attached document.

Carried

4.1.3 Verbal Discussion Re: Landfill Concerns

Discussion led by CAO Greenall regarding the West Elgin landfill circled back to previous reports prepared by BluMetic, indicating the health and capacity of the landfill being five (5) years. The process will require end-of-life preparation, preservation, communication programs and additional expenses in the form of tipping fees to other landfills.

Council expressed their concerns about additional garbage being thrown on backroads, property standards complaints, and environmental impacts. Council reiterated their support to limit the items accepted in the landfill to assist with preservation, and charging the appropriate tipping fees to assist with current and future costs.

A future report will be forthcoming with options.

4.2 Community Services & Clerks

4.2.1 Backyard Urban Hen, End of Pilot Program

Resolution No. 2026- 4

Moved: Councillor Sousa

Seconded: Councillor Statham

That West Elgin Committee of the Whole hereby receives the report from Terri Towstiuc, Manager of Community Services/Clerk; And

That Council direct staff to proceed with option two (2), approval Backyard Urban Hen by-law, to be approved at the Regular Meeting of Council, January 22, 2026.

Carried

4.3 Chief Administrative Officer

Council took a break from 5:10 to 5:17pm, prior to item 4.3.1.

4.3.1 Verbal Discussion Re: ROMA Delegations

Ministry of Health

Council will be meeting with the Ministry of Health and Addictions, with the support of the West Elgin Community Health Center. Items of discussion Council would like to speak about include specialized doctors, support network for mental health and addictions, redirection and connection with families for those needing assistance.

Ministry of Rural Affairs

Council would like to approach the meeting with the Ministry of Rural Affairs similar to the approach taken at the 2025 AMO Conference and extend an invitation to the Minister to visit West Elgin on a farm tour, with a set date. The focus will be on opening options for young people to get into Agriculture and showcase the agriculture that West Elgin. Discussion will also include procurement streams, access to co-op programs and protection of valuable farmland with the Build More Homes Act(s).

5. Closed Session

Resolution No. 2026- 5

Moved: Councillor Sousa

Seconded: Councillor Statham

That the Council of the Municipality of West Elgin hereby proceeds into Closed Session at 5:46 pm, to discuss matters pursuant to the Municipal Act, Section 239 2(k), being a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Port Glasgow Trailer Park Seasonal Contracts).

Carried

6. Report from Closed Session

Reporting from Closed Session at 6:12 pm.

West Elgin Committee of the Whole received one (1) item pursuant to Section 239(2)(k) of the Municipal Act, and received the following recommendation:

Resolution No. 2026- 6

Moved: Councillor Statham

Seconded: Deputy Mayor Tellier

The West Elgin Committee of the Whole receives the 2026 Port Glasgow Trailer Park Contract details from R. Greenall, CAO, AND

That the Committee of the Whole recommends that 2026 Port Glasgow Trailer Park Contract be amended and proceed to January 22nd West Elgin council meeting for final approval.

Carried

7. Adjournment

Resolution No. 2026- 7

Moved: Councillor Sousa

Seconded: Deputy Mayor Tellier

That West Elgin Committee of the Whole hereby adjourn at 6:12 pm to meet again at 4:00pm, on Thursday, January 22, 2026 or at the call of the Chair.

Carried

Richard Leatham, Mayor

Terri Towstiuc, Clerk



Staff Report

Report To: Committee of the Whole
From: Dave Charron, Manager of Infrastructure & Development
Date: 2026-02-12
Subject: Winter Maintenance

Recommendation:

That West Elgin Committee of the Whole hereby receives the report from Dave Charron, Manager of Infrastructure and Development, for information purposes

Purpose:

The purpose of this report is to:

- Inform Council of the Municipality's winter maintenance practices, priorities, and service levels;
- Confirm compliance with Ontario Regulation 239/02 (*Minimum Maintenance Standards for Municipal Highways*);
- Explain the operational need to prioritize roads and sidewalks during winter events;
- Explain why differentiated levels of winter maintenance are required across the Municipality; and
- Provide an overview of sidewalk winter maintenance in the communities of **Rodney** and **West Lorne**, supported by attached mapping.

Background

Ontario Regulation 239/02, made under the *Municipal Act, 2001*, establishes minimum maintenance standards for municipal highways, including roadways and sidewalks. These standards are intended to balance public safety, municipal liability, operational feasibility, and fiscal responsibility.

The regulation does not require all roads and sidewalks to be maintained to the same standard or at the same time. It recognizes that differences in traffic volumes, pedestrian activity, land use, and risk exposure require municipalities to prioritize winter maintenance activities during and following weather events.

The Municipality's winter maintenance program is designed to meet or exceed the minimum requirements of Ontario Regulation 239/02 while prioritizing available resources to address the highest-risk and highest-use areas first.

Legislative Framework – Ontario Regulation 239/02

Ontario Regulation 239/02 establishes minimum standards related to:

- Snow accumulation thresholds;
- Ice formation and treatment requirements;
- Timeframes to commence and complete winter maintenance activities;
- Road and sidewalk classifications; and
- The definition of a “reasonable state of repair” during winter conditions.

Winter maintenance obligations are triggered once snow accumulation reaches prescribed depths and the weather event has ended. Allowable response times vary depending on roadway and sidewalk classification.

Attachment A – Ontario Regulation 239/02 (Minimum Maintenance Standards for Municipal Highways)

A copy of Ontario Regulation 239/02 is attached for Council’s reference and is also publicly available through the Government of Ontario’s e-Laws website.

<https://www.ontario.ca/laws/regulation/020239>

Snow Accumulation and Time to Clear – Roadways

(Ontario Regulation 239/02)

Class of Highway	Snow Accumulation Trigger	Maximum Time to Clear After Snow Ends
Class 1	2.5 cm	4 hours
Class 2	5 cm	6 hours
Class 3	8 cm	12 hours
Class 4	8 cm	16 hours
Class 5	10 cm	24 hours

These standards recognize that response times begin once the weather event has concluded and conditions permit safe and effective operations.

West Elgin has roads network included Class 3 road which are the Elgin County roads. The remainder of the roads in the municipality are Local roads which include town roads and the rural roads.

Road Winter Maintenance Program and Prioritization

Road winter maintenance is prioritized during snow and ice events to ensure emergency access, maintain traffic movement, and reduce collision risk. Winter weather events typically impact the entire Municipality at the same time, while staffing, equipment, and material resources are limited. As a result, not all roads can be serviced simultaneously.

Road prioritization is necessary to:

- Maintain access for emergency services;
- Address higher-traffic and higher-risk roadways first;
- Maintain connectivity between communities and critical facilities; and
- Ensure compliance with Ontario Regulation 239/02 response time requirements.

Roads are prioritized based on:

- Road classification;
- Traffic volumes;
- Emergency services, transit, and school bus routes;
- Access to critical infrastructure and public facilities; and
- Operational efficiency and equipment deployment.

This approach ensures higher-priority roadways are addressed first, while all roads are maintained within the timeframes permitted under the regulation.

Elgin County Roads – Higher-Priority Winter Maintenance Area

Elgin County Roads within the Municipality are designated as **higher-priority winter maintenance areas** due to significantly higher traffic volumes and their critical role in regional and inter-municipal connectivity.

These roadways function as primary transportation corridors and are essential for:

- High daily traffic volumes, including commercial and heavy vehicles;
- Emergency services response and regional travel;
- Transit operations and school bus routes;
- Access to employment, services, and key facilities; and
- Maintaining safe and reliable movement during winter conditions.

Due to these factors, Elgin County Roads are addressed first during winter maintenance operations to reduce collision risk, maintain traffic flow, and support mobility.

Winter maintenance activities on these roadways may include:

- Earlier deployment following snow or ice events;
- More frequent plowing and ice control applications;
- Enhanced monitoring of road surface conditions; and
- Coordination with Elgin County where applicable.

Attachment B – Municipality of West Elgin and Elgin County Road Map

Sidewalk Winter Maintenance – Overview

Once roadway maintenance activities are underway or completed in accordance with Ontario Regulation 239/02, sidewalk winter maintenance is carried out based on pedestrian demand, land use, and available resources.

Sidewalk service levels are differentiated based on **High Volume** and **Low Volume** pedestrian use areas, as identified in the attached mapping for each community.

Sidewalk Winter Maintenance – Community of Rodney

Sidewalk winter maintenance within the community of **Rodney** is provided in accordance with Ontario Regulation 239/02 and municipal policy. Sidewalk service levels are differentiated based on **pedestrian volumes**, identified as **High Volume** and **Low Volume** areas on the attached map.

High Volume sidewalk areas in Rodney generally include sidewalks that:

- Serve commercial areas and community facilities;
- Provide key pedestrian connections within the community; and
- Experience higher daily pedestrian activity.

Low Volume sidewalk areas generally serve residential streets with lower pedestrian demand.

High Volume sidewalks are prioritized for winter maintenance due to increased pedestrian use and risk exposure. Low Volume sidewalks are maintained to the minimum standards prescribed by Ontario Regulation 239/02, with response times reflecting lower pedestrian volumes while still ensuring a reasonable state of repair.

Attachment C – Rodney Sidewalk Winter Maintenance Areas (Identifies High Volume and Low Volume sidewalk areas)

Sidewalk Winter Maintenance – Community of West Lorne

Sidewalk winter maintenance within the community of **West Lorne** is also provided in accordance with Ontario Regulation 239/02 and municipal policy. Sidewalk service levels are differentiated based on **pedestrian volumes**, identified as **High Volume** and **Low Volume** areas on the attached map.

High Volume sidewalk areas in West Lorne generally include sidewalks that:

- Serve commercial areas, schools, and community facilities;
- Provide primary pedestrian routes within the community; and
- Experience higher pedestrian activity levels.

Low Volume sidewalk areas typically serve residential neighbourhoods with lower pedestrian demand.

High Volume sidewalks are prioritized for winter maintenance due to increased pedestrian use and safety considerations. Low Volume sidewalks are maintained to the minimum standards permitted under Ontario Regulation 239/02, ensuring safe and reasonable pedestrian access during winter conditions.

*Attachment D – West Lorne Sidewalk Winter Maintenance Areas
(Identifies High Volume and Low Volume sidewalk areas)*

Conclusion

The Municipality's winter maintenance program complies with Ontario Regulation 239/02 while recognizing the operational necessity of prioritizing roads and sidewalks during winter events. Prioritizing Elgin County Roads, establishing defined road maintenance routes, and differentiating sidewalk service levels within Rodney and West Lorne ensures public safety, operational efficiency, and responsible use of municipal resources.

This report is provided for Council's information and to support winter maintenance practices, priorities, and service levels.

Financial Implications:

Maintaining prioritized and differentiated winter maintenance standards allows the Municipality to meet legislative requirements while managing costs responsibly. Expanding higher-level maintenance uniformly across all roads and sidewalks would require additional staffing, equipment, materials, and increased operating and capital budget allocations.

Policies/Legislation:

Ontario Regulation 239/02

Alignment with Strategic Priorities:

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
<input type="checkbox"/> To improve West Elgin's infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input checked="" type="checkbox"/> To enhance communication with residents.

Respectfully submitted by,

Dave Charron
 Manager, Infrastructure and Development

Report Approval Details

Document Title:	Winter Maintenance - 2026-06-Infrastructure Development.docx
Attachments:	<ul style="list-style-type: none">- Attachment A - O. Reg 23902.pdf- Attachment C - Rodney.pdf- Attachment D - West Lorne.pdf
Final Approval Date:	Feb 5, 2026

This report and all of its attachments were approved and signed as outlined below:

Robin Greenall

Municipal Act, 2001

Loi de 2001 sur les municipalités

[ONTARIO REGULATION 239/02](#)

MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS

CURRENT Consolidation period: May 3, 2018 - e-Laws currency date (January 23, 2026)

Last amendment: [366/18](#).

This Regulation is made in English only.

Legislative History

Definitions

1. (1) In this Regulation,

“bicycle facility” means the on-road and in-boulevard cycling facilities listed in Book 18 of the Ontario Traffic Manual;

“bicycle lane” means,

(a) a portion of a roadway that has been designated by pavement markings or signage for the preferential or exclusive use of cyclists, or

(b) a portion of a roadway that has been designated for the exclusive use of cyclists by signage and a physical or marked buffer;

“cm” means centimetres;

“day” means a 24-hour period;

“encroachment” means anything that is placed, installed, constructed or planted within the highway that was not placed, installed, constructed or planted by the municipality;

“ice” means all kinds of ice, however formed;

“motor vehicle” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*, except that it does not include a motor assisted bicycle;

“non-paved surface” means a surface that is not a paved surface;

“Ontario Traffic Manual” means the Ontario Traffic Manual published by the Ministry of Transportation, as amended from time to time;

“paved surface” means a surface with a wearing layer or layers of asphalt, concrete or asphalt emulsion;

“pothole” means a hole in the surface of a roadway caused by any means, including wear or subsidence of the road surface or subsurface;

“roadway” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*;

“shoulder” means the portion of a highway that provides lateral support to the roadway and that may accommodate stopped motor vehicles and emergency use;

“sidewalk” means the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited;

“significant weather event” means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;_

“snow accumulation” means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:

1. Newly-fallen snow.
2. Wind-blown snow.
3. Slush;

“substantial probability” means a significant likelihood considerably in excess of 51 per cent;

“surface” means the top of a sidewalk, roadway or shoulder;

“utility” includes any air, gas, water, electricity, cable, fiber-optic, telecommunication or traffic control system or subsystem, fire hydrants, sanitary sewers, storm sewers, property bars and survey monuments;

“utility appurtenance” includes maintenance holes and hole covers, water shut-off covers and boxes, valves, fittings, vaults, braces, pipes, pedestals, and any other structures or items that form part of or are an accessory part of any utility;

“weather” means air temperature, wind and precipitation.

“weather hazard” means the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program.

O. Reg. 239/02, s. 1 (1); O. Reg. 23/10, s. 1 (1); O. Reg. 47/13, s. 1; O. Reg. 366/18, s. 1 (1, 2).

(2) For the purposes of this Regulation, every highway or part of a highway under the jurisdiction of a municipality in Ontario is classified in the Table to this section as a Class 1, Class 2, Class 3, Class 4, Class 5 or Class 6 highway, based on the speed limit applicable to it and the average daily traffic on it. O. Reg. 239/02, s. 1 (2); O. Reg. 366/18, s. 1 (3).

(3) For the purposes of subsection (2) and the Table to this section, the average daily traffic on a highway or part of a highway under municipal jurisdiction shall be determined,

(a) by counting and averaging the daily two-way traffic on the highway or part of the highway; or

(b) by estimating the average daily two-way traffic on the highway or part of the highway. O. Reg. 239/02, s. 1 (3); O. Reg. 23/10, s. 1 (2); O. Reg. 366/18, s. 1 (3).

(4) For the purposes of this Regulation, unless otherwise indicated in a provision of this Regulation, a municipality is deemed to be aware of a fact if, in the absence of actual

knowledge of the fact, circumstances are such that the municipality ought reasonably to be aware of the fact. O. Reg. 366/18, s. 1 (4).

TABLE
CLASSIFICATION OF HIGHWAYS

Column 1 Average Daily Traffic (number of motor vehicles)	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

O. Reg. 366/18, s. 1 (5).

Application

2. (1) This Regulation sets out the minimum standards of repair for highways under municipal jurisdiction for the purpose of clause 44 (3) (c) of the Act. O. Reg. 288/03, s. 1.

(2) REVOKED: O. Reg. 23/10, s. 2.

(3) This Regulation does not apply to Class 6 highways. O. Reg. 239/02, s. 2 (3).

Purpose

2.1 The purpose of this Regulation is to clarify the scope of the statutory defence available to a municipality under clause 44 (3) (c) of the Act by establishing maintenance standards which are non-prescriptive as to the methods or materials to be used in complying with the standards but instead describe a desired outcome. O. Reg. 366/18, s. 2.

MAINTENANCE STANDARDS

Patrolling

3. (1) The standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (2).

(2) 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 roadways, ice formation on roadways or icy roadways, the standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, at intervals deemed necessary by the municipality, to check for such conditions. O. Reg. 47/13, s. 2; O. Reg. 366/18, s. 3 (2).

(3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway, and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities. O. Reg. 23/10, s. 3 (1).

(4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1, 16.2, 16.3 or 16.4. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (3).

TABLE
PATROLLING FREQUENCY

Class of Highway	Patrolling Frequency
1	3 times every 7 days
2	2 times every 7 days
3	once every 7 days
4	once every 14 days
5	once every 30 days

O. Reg. 239/02, s. 3, Table; O. Reg. 23/10, s. 3 (2).

Weather monitoring

3.1 (1) From October 1 to April 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day,

whichever is more frequent, at intervals determined by the municipality. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

(2) 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. 366/18, s. 4.

Snow accumulation, roadways

4. (1) Subject to section 4.1, the standard for addressing snow accumulation on roadways is,

(a) after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and

(b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table within the time set out in the Table,

(i) to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or

(ii) on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (1).

(2) If the depth of snow accumulation on a roadway is less than or equal to the depth set out in the Table to this section, the roadway is deemed to be in a state of repair with respect to snow accumulation. O. Reg. 47/13, s. 4.

(3) For the purposes of this section, the depth of snow accumulation on a roadway and, if applicable, lane width under clause (1) (b), may be determined in accordance with subsection (4) by a municipal employee, agent or contractor, whose duties or responsibilities include one or more of the following:

1. Patrolling highways.

2. Performing highway maintenance activities.

3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (2).

(4) The depth of snow accumulation on a roadway and lane width may be determined by,

(a) performing an actual measurement;

(b) monitoring the weather; or

(c) performing a visual estimate. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (3).

- (5) For the purposes of this section, addressing snow accumulation on a roadway includes,
- (a) plowing the roadway;
 - (b) salting the roadway;
 - (c) applying abrasive materials to the roadway;
 - (d) applying other chemical or organic agents to the roadway;
 - (e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 5 (4).
- (6) This section does not apply to that portion of the roadway,
- (a) designated for parking;
 - (b) consisting of a bicycle lane or other bicycle facility; or
 - (d) used by a municipality for snow storage. O. Reg. 366/18, s. 5 (4).

TABLE
SNOW ACCUMULATION - ROADWAYS

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (5).

Snow accumulation on roadways, significant weather event

4.1 (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on roadways 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 address snow accumulation on roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address snow accumulation on roadways in accordance with section 4. O. Reg. 366/18, s. 7.

Snow accumulation, bicycle lanes

4.2 (1) Subject to section 4.3, the standard for addressing snow accumulation on bicycle lanes is,

(a) after becoming aware of the fact that the snow accumulation on a bicycle lane is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and

(b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table to this section to provide a minimum bicycle lane width of the lesser of 1 metre or the actual bicycle lane width. O. Reg. 366/18, s. 7.

(2) If the depth of snow accumulation on a bicycle lane is less than or equal to the depth set out in the Table to this section, the bicycle lane is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 7.

(3) For the purposes of this section, the depth of snow accumulation on a bicycle lane and, if applicable, lane width under clause (1) (b), may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3), with necessary modifications. O. Reg. 366/18, s. 7.

(4) For the purposes of this section, addressing snow accumulation on a bicycle lane includes,

(a) plowing the bicycle lane;

(b) salting the bicycle lane;

- (c) applying abrasive materials to the bicycle lane;
- (d) applying other chemical or organic agents to the bicycle lane;
- (e) sweeping the bicycle lane; or
- (f) any combination of the methods described in clauses (a) to (e). O. Reg. 366/18, s. 7.

TABLE
SNOW ACCUMULATION – BICYCLE LANES

Column 1 Class of Highway or Adjacent Highway	Column 2 Depth	Column 3 Time
1	2.5 cm	8 hours
2	5 cm	12 hours
3	8 cm	24 hours
4	8 cm	24 hours
5	10 cm	24 hours

O. Reg. 366/18, s. 7.

Snow accumulation on bicycle lanes, significant weather event

4.3 (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on bicycle lanes 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 address snow accumulation on bicycle lanes, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

(2) If the municipality complies with subsection (1), all bicycle lanes within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4.2 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address snow accumulation on bicycle lanes in accordance with section 4.2. O. Reg. 366/18, s. 7.

Ice formation on roadways and icy roadways

5. (1) The standard for the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:

1. Monitor the weather in accordance with section 3.1.

2. Patrol in accordance with section 3.

3. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway, if practicable, to prevent ice formation within the time set out in Table 1 to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 8.

(2) If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy. O. Reg. 366/18, s. 8.

(3) Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in Table 2 to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that a roadway is icy. O. Reg. 366/18, s. 8.

(4) For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand. O. Reg. 366/18, s. 8.

(5) For greater certainty, this section applies in respect of ice formation on bicycle lanes on a roadway, but does not apply to other types of bicycle facilities. O. Reg. 366/18, s. 8.

TABLE 1
ICE FORMATION PREVENTION

Class of Highway	Time
1	6 hours

2	8 hours
3	16 hours
4	24 hours
5	24 hours

O. Reg. 366/18, s. 8.

TABLE 2
TREATMENT OF ICY ROADWAYS

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

O. Reg. 366/18, s. 8.

Icy roadways, significant weather event

5.1 (1) If a municipality declares a significant weather event relating to ice, the standard for treating icy roadways 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 icy roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 8.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to any ice which forms or may be present until the applicable time in Table 2 to section 5 expires after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 8.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) treat icy roadways in accordance with section 5. O. Reg. 366/18, s. 8.

Potholes

6. (1) If a pothole exceeds both the surface area and depth set out in Table 1, 2 or 3 to this section, as the case may be, the standard is to repair the pothole within the time set out in Table 1, 2 or 3, as appropriate, after becoming aware of the fact. O. Reg. 239/02, s. 6 (1); O. Reg. 366/18, s. 8 (1).

(1.1) For the purposes of this section, the surface area and depth of a pothole may be determined in accordance with subsections (1.2) and (1.3), as applicable, by a municipal employee, agent or contractor whose duties or responsibilities include one or more of the following:

1. Patrolling highways.
2. Performing highway maintenance activities.
3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 366/18, s. 8 (2).

(1.2) The depth and surface area of a pothole may be determined by,

- (a) performing an actual measurement; or
- (b) performing a visual estimate. O. Reg. 366/18, s. 8 (2).

(1.3) For the purposes of this section, the surface area of a pothole does not include any area that is merely depressed and not yet broken fully through the surface of the roadway. O. Reg. 366/18, s. 8 (2).

(2) A pothole is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in Table 1, 2 or 3, as appropriate. O. Reg. 239/02, s. 6 (2); O. Reg. 47/13, s. 6.

TABLE 1
POTHOLES ON PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
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1	600 cm ²	8 cm	4 days
2	800 cm ²	8 cm	4 days
3	1000 cm ²	8 cm	7 days
4	1000 cm ²	8 cm	14 days
5	1000 cm ²	8 cm	30 days

O. Reg. 239/02, s. 6, Table 1.

TABLE 2
POTHOLES ON NON-PAVED SURFACE OF ROADWAY

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

O. Reg. 239/02, s. 6, Table 2.

TABLE 3
POTHOLES ON PAVED OR NON-PAVED SURFACE OF SHOULDER

Class of Highway	Surface Area	Depth	Time
1	1500 cm ²	8 cm	7 days
2	1500 cm ²	8 cm	7 days
3	1500 cm ²	8 cm	14 days
4	1500 cm ²	10 cm	30 days

5	1500 cm ²	12 cm	60 days
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O. Reg. 239/02, s. 6, Table 3.

Shoulder drop-offs

7. (1) If a shoulder drop-off is deeper than 8 cm, for a continuous distance of 20 metres or more, the standard is to repair the shoulder drop-off within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 9 (1).

(2) A shoulder drop-off is deemed to be in a state of repair if its depth is less than 8 cm. O. Reg. 366/18, s. 9 (1).

(3) In this section,

“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. O. Reg. 239/02, s. 7 (3).

TABLE
SHOULDER DROP-OFFS

Class of Highway	Time
1	4 days
2	4 days
3	7 days
4	14 days
5	30 days

O. Reg. 366/18, s. 9 (2).

Cracks

8. (1) If a crack on the paved surface of a roadway is greater than 5 cm wide and 5 cm deep for a continuous distance of three metres or more, the standard is to repair the crack within

the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 10 (1).

(2) A crack is deemed to be in a state of repair if its width or depth is less than or equal to 5 cm. O. Reg. 366/18, s. 10 (1).

TABLE
CRACKS

Column 1 Class of Highway	Column 2 Time
1	30 days
2	30 days
3	60 days
4	180 days
5	180 days

O. Reg. 366/18, s. 10 (2).

Debris

9. (1) If there is debris on a roadway, the standard is to deploy resources, as soon as practicable after becoming aware of the fact, to remove the debris. O. Reg. 239/02, s. 9 (1); O. Reg. 366/18, s. 11.

(2) In this section,

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

(a) that is not an 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. 47/13, s. 9.

Luminaires

10. (0.1) REVOKED: O. Reg. 366/18, s. 12.

(1) 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.

(2) For conventional illumination, if three or more consecutive luminaires on the same side of a highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(3) For conventional illumination and high mast illumination, if 30 per cent or more of the luminaires on any kilometre of highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(4) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles on the same side of a highway are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(5) Despite subsections (1), (2) and (3), for conventional illumination and high mast illumination, if more than 50 per cent of the luminaires on any kilometre of a Class 1 highway with a speed limit of 90 kilometres per hour or more are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(6) Luminaires are deemed to be in a state of repair,

(a) for the purpose of subsection (2), if the number of non-functioning consecutive luminaires on the same side of a highway does not exceed two;

(b) for the purpose of subsection (3), if more than 70 per cent of luminaires on any kilometre of highway are functioning;

(c) for the purpose of subsection (4), if one or more of the luminaires on consecutive poles on the same side of a highway are functioning;

(d) for the purpose of subsection (5), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 366/18, s. 12.

(7) In this section,

“conventional illumination” means lighting, other than high mast illumination, where there are one or more luminaires per pole;

“high mast illumination” means lighting where there are three or more luminaires per pole and the height of the pole exceeds 20 metres;

“luminaire” means a complete lighting unit consisting of,

(a) a lamp, and

(b) parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply. O. Reg. 239/02, s. 10 (7).

TABLE
LUMINAIRES

Class of Highway	Time
1	7 days
2	7 days
3	14 days
4	14 days
5	14 days

O. Reg. 239/02, s. 10, Table.

Signs

11. (0.1) The standard for the frequency of inspecting signs of a type listed in subsection (2) 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. 7 (1); O. Reg. 47/13, s. 11 (1); O. Reg. 366/18, s. 13.

(0.2) A sign that has been inspected in accordance with subsection (0.1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 11 (2).

(1) If any sign of a type listed in subsection (2) is illegible, improperly oriented, obscured or missing, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair or replace the sign. O. Reg. 239/02, s. 11 (1); O. Reg. 23/10, s. 7 (2); O. Reg. 366/18, s. 13.

(2) This section applies to the following types of signs:

1. Checkerboard.
2. Curve sign with advisory speed tab.
3. Do not enter.
- 3.1 Load Restricted Bridge.
- 3.2 Low Bridge.
- 3.3 Low Bridge Ahead.
4. One Way.
5. School Zone Speed Limit.
6. Stop.
7. Stop Ahead.
8. Stop Ahead, New.
9. Traffic Signal Ahead, New.
10. Two-Way Traffic Ahead.
11. Wrong Way.
12. Yield.
13. Yield Ahead.
14. Yield Ahead, New. O. Reg. 239/02, s. 11 (2); O. Reg. 23/10, s. 7 (3).

Regulatory or warning signs

12. (1) 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. 366/18, s. 13.

(1.1) A regulatory sign or warning sign that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 12 (2).

(2) If a regulatory sign or warning sign is illegible, improperly oriented, obscured or missing, the standard is to repair or replace the sign within the time set out in the Table to this section

after becoming aware of the fact. O. Reg. 23/10, s. 8; O. Reg. 366/18, s. 13.

(3) In this section,

“regulatory sign” and “warning sign” have the same meanings as in the Ontario Traffic Manual, except that they do not include a sign listed in subsection 11 (2) of this Regulation. O. Reg. 23/10, s. 8.

TABLE
REGULATORY AND WARNING SIGNS

Class of Highway	Time
1	7 days
2	14 days
3	21 days
4	30 days
5	30 days

O. Reg. 239/02, s. 12, Table.

Traffic control signal systems

13. (1) If a traffic control signal system is defective in any way described in subsection (2), the standard is to deploy resources as soon as practicable after becoming aware of the defect to repair the defect or replace the defective component of the traffic control signal system. O. Reg. 239/02, s. 13 (1); O. Reg. 366/18, s. 13.

(2) This section applies if a traffic control signal system is defective in any of the following ways:

1. One or more displays show conflicting signal indications.
2. The angle of a traffic control signal or pedestrian control indication has been changed in such a way that the traffic or pedestrian facing it does not have clear visibility of the information conveyed or that it conveys confusing information to traffic or pedestrians facing other directions.

3. A phase required to allow a pedestrian or vehicle to safely travel through an intersection fails to occur.
 4. There are phase or cycle timing errors interfering with the ability of a pedestrian or vehicle to safely travel through an intersection.
 5. There is a power failure in the traffic control signal system.
 6. The traffic control signal system cabinet has been displaced from its proper position.
 7. There is a failure of any of the traffic control signal support structures.
 8. A signal lamp or a pedestrian control indication is not functioning.
 9. Signals are flashing when flashing mode is not a part of the normal signal operation.
- O. Reg. 239/02, s. 13 (2).

(3) Despite subsection (1) and paragraph 8 of subsection (2), if the posted speed of all approaches to the intersection or location of the non-functioning signal lamp or pedestrian control indication is less than 80 kilometres per hour and the signal that is not functioning is a green or a pedestrian “walk” signal, the standard is to repair or replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3); O. Reg. 366/18, s. 13.

(4) In this section and section 14,

“cycle” means a complete sequence of traffic control indications at a location;

“display” means the illuminated and non-illuminated signals facing the traffic;

“indication” has the same meaning as in the *Highway Traffic Act*;

“phase” means a part of a cycle from the time where one or more traffic directions receive a green indication to the time where one or more different traffic directions receive a green indication;

“power failure” means a reduction in power or a loss in power preventing the traffic control signal system from operating as intended;

“traffic control signal” has the same meaning as in the *Highway Traffic Act*;

“traffic control signal system” has the same meaning as in the *Highway Traffic Act*. O. Reg. 239/02, s. 13 (4).

Traffic control signal system sub-systems

14. (1) The standard is to inspect, test and maintain the following traffic control signal system sub-systems once per calendar year, with each inspection taking place not more than 16

months from the previous inspection:

1. The display sub-system, consisting of traffic signal and pedestrian crossing heads, physical support structures and support cables.
2. The traffic control sub-system, including the traffic control signal cabinet and internal devices such as timer, detection devices and associated hardware, but excluding conflict monitors.
3. The external detection sub-system, consisting of detection sensors for all vehicles, including emergency and railway vehicles and pedestrian push- buttons. O. Reg. 239/02, s. 14 (1); O. Reg. 47/13, s. 13 (1); O. Reg. 366/18, s. 13.

(1.1) A traffic control signal system sub-system that has been inspected, tested and maintained in accordance with subsection (1) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the traffic control signal system sub-system has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (2).

(2) The standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice per calendar year. O. Reg. 239/02, s. 14 (2); O. Reg. 47/13, s. 13 (3); O. Reg. 366/18, s. 13.

(2.1) A conflict monitor that has been inspected, tested and maintained in accordance with subsection (2) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the conflict monitor has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (4).

(3) In this section,

“conflict monitor” means a device that continually checks for conflicting signal indications and responds to a conflict by emitting a signal. O. Reg. 239/02, s. 14 (3).

Bridge deck spalls

15. (1) If a bridge deck spall exceeds both the surface area and depth set out in the Table to this section, the standard is to repair the bridge deck spall within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 15 (1); O. Reg. 366/18, s. 13.

(2) A bridge deck spall is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 15 (2); O. Reg. 47/13, s. 14.

(3) In this section,

“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. O. Reg. 239/02, s. 15 (3).

TABLE
BRIDGE DECK SPALLS

Class of Highway	Surface Area	Depth	Time
1	600 cm ²	8 cm	4 days
2	800 cm ²	8 cm	4 days
3	1,000 cm ²	8 cm	7 days
4	1,000 cm ²	8 cm	7 days
5	1,000 cm ²	8 cm	7 days

O. Reg. 239/02, s. 15, Table.

Roadway surface discontinuities

16. (1) If a surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(1.1) A surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, is deemed to be in a state of repair if its height is less than or equal to the height set out in the Table to this section. O. Reg. 47/13, s. 15.

(2) If a surface discontinuity on a bridge deck exceeds five centimetres, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the surface discontinuity on the bridge deck. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(2.1) A surface discontinuity on a bridge deck is deemed to be in a state of repair if its height is less than or equal to five centimetres. O. Reg. 47/13, s. 15.

(3) In this section,

“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 a bridge. O. Reg. 23/10, s. 9.

TABLE
SURFACE DISCONTINUITIES

Class of Highway	Height	Time
1	5 cm	2 days
2	5 cm	2 days
3	5 cm	7 days
4	5 cm	21 days
5	5 cm	21 days

O. Reg. 239/02, s. 16, Table.

Sidewalk surface discontinuities

16.1 (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. 366/18, s. 13.

(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) 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. 366/18, s. 14.

(2.1) REVOKED: O. Reg. 366/18, s. 14.

(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. 366/18, s. 14.

(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. 366/18, s. 14.

(5) In this section,

“surface discontinuity” means a vertical discontinuity creating a step formation at any joint or crack in the surface of the sidewalk or any vertical height difference between a utility appurtenance found on or within the sidewalk and the surface of the sidewalk. O. Reg. 366/18, s. 14.

Encroachments, area adjacent to sidewalk

16.2 (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. 366/18, s. 15.

(2) The area adjacent to a sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair in respect of any encroachment present. O. Reg. 366/18, s. 15.

(3) 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 45 cm. O. Reg. 366/18, s. 15.

(4) 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. 366/18, s. 15.

(5) If a municipality determines that an encroachment is highly unusual given its character and location or constitutes a significant hazard to pedestrians, the standard is to treat the encroachment within 28 days after making such a determination, and the encroachment is deemed in a state of repair for 28 days from the time of the determination by the municipality. O. Reg. 366/18, s. 15.

(6) 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. 366/18, s. 15.

Snow accumulation on sidewalks

16.3 (1) Subject to section 16.4, the standard for addressing snow accumulation on a sidewalk after the snow accumulation has ended is,

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. 366/18, s. 15.

(2) If the depth of snow accumulation on a sidewalk is less than or equal to 8 centimetres, the sidewalk is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 15.

(3) If the depth of snow accumulation on a sidewalk exceeds 8 centimetres while the snow continues to accumulate, the sidewalk is deemed to be in a state of repair with respect to snow accumulation, until 48 hours after the snow accumulation ends. O. Reg. 366/18, s. 15.

(4) For the purposes of this section, the depth of snow accumulation on a sidewalk may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3) with necessary modifications. O. Reg. 366/18, s. 15.

(5) For the purposes of this section, addressing snow accumulation on a sidewalk includes,

(a) plowing the sidewalk;

(b) salting the sidewalk;

(c) applying abrasive materials to the sidewalk;

(d) applying other chemical or organic agents to the sidewalk; or

(e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 15.

Snow accumulation on sidewalks, significant weather event

16.4 (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation 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 address snow accumulation on sidewalks starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any snow present until 48 hours following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on sidewalks in accordance with section 16.3. O. Reg. 366/18, s. 15.

Ice formation on sidewalks and icy sidewalks

16.5 (1) Subject to section 16.6, the standard for the prevention of ice formation on sidewalks is to,

- (a) monitor the weather in accordance with section 3.1 in the 24-hour period preceding an alleged formation of ice on a sidewalk; and
- (b) treat the sidewalk if practicable to prevent ice formation or improve traction within 48 hours if the municipality determines that there is a substantial probability of ice forming on a sidewalk, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 15.

(2) If ice forms on a sidewalk even though the municipality meets the standard set out in subsection (1), 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. 366/18, s. 15.

(3) 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. 366/18, s. 15.

(4) 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. 366/18, s. 15.

Icy sidewalks, significant weather event

16.6 (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. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any ice which forms or is present until 48

hours after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address the prevention of ice formation on sidewalks or treat icy sidewalks in accordance with section 16.5. O. Reg. 366/18, s. 15.

Winter sidewalk patrol

16.7 (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. 366/18, s. 15.

(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. 366/18, s. 15.

Closure of a highway

16.8 (1) When a municipality closes a highway or part of a highway pursuant to its powers under the Act, the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality. O. Reg. 366/18, s. 15.

(2) For the purposes of subsection (1), a highway or part of a highway is closed on the earlier of,

(a) when a municipality passes a by-law to close the highway or part of the highway; and

(b) when a municipality has taken such steps as it determines necessary to temporarily close the highway or part of a highway. O. Reg. 366/18, s. 15.

Declaration of significant weather event

16.9. A municipality declaring the beginning of a significant weather event or declaring the end of a significant weather event under this Regulation shall do so in one or more of the

following ways:

1. By posting a notice on the municipality's website.
2. By making an announcement on a social media platform, such as Facebook or Twitter.
3. By sending a press release or similar communication to internet, newspaper, radio or television media.
4. By notification through the municipality's police service.
5. By any other notification method required in a by-law of the municipality. O. Reg. 366/18, s. 15.

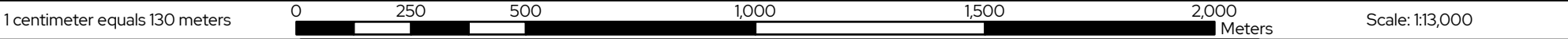
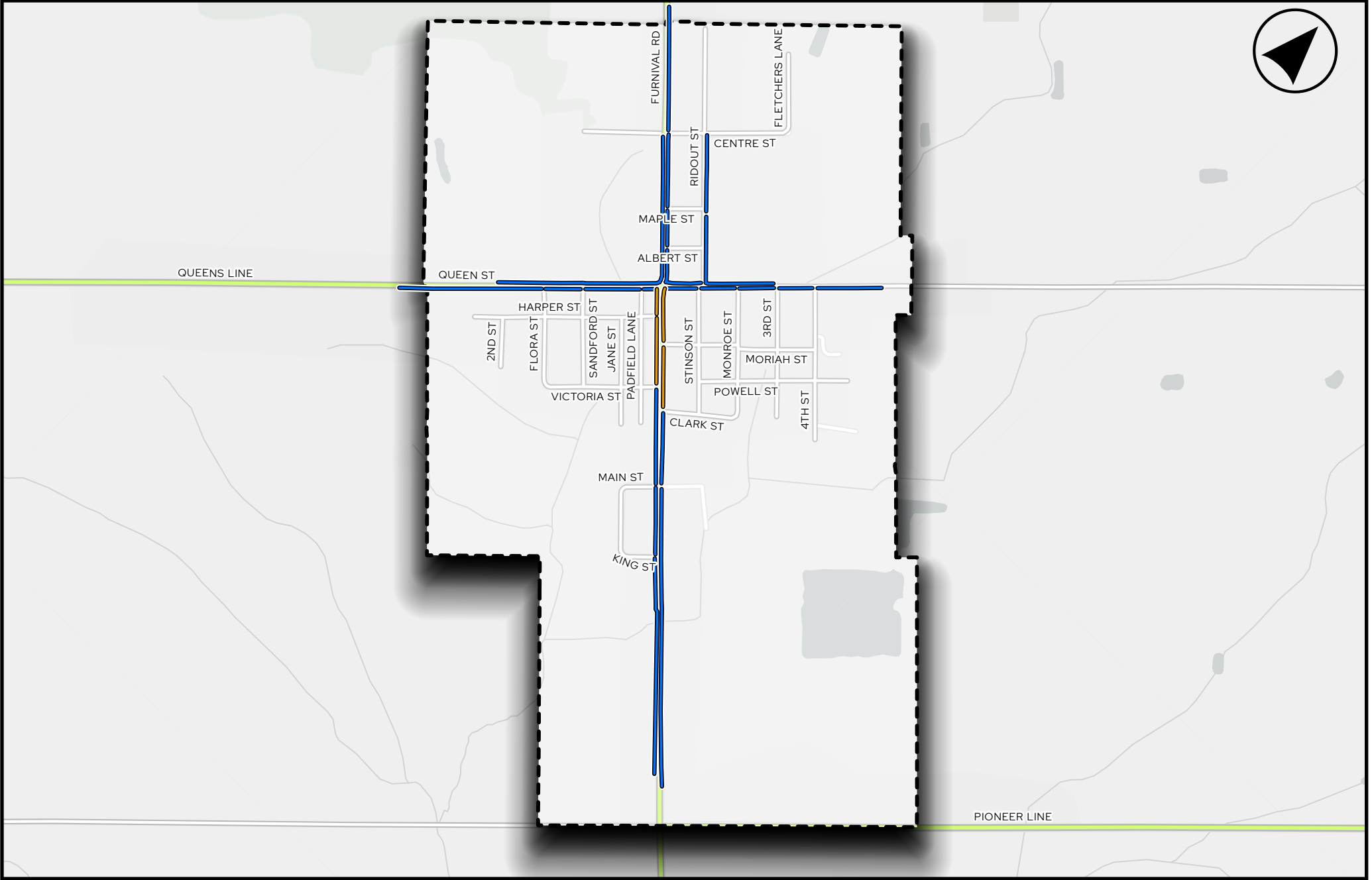
REVIEW OF REGULATION

Review

17. (1) The Minister of Transportation shall conduct a review of this Regulation and Ontario Regulation 612/06 (Minimum Maintenance Standards for Highways in the City of Toronto) made under the *City of Toronto Act, 2006* every five years. O. Reg. 613/06, s. 2.

(2) Despite subsection (1), the first review after the completion of the review started before the end of 2007 shall be started five years after the day Ontario Regulation 23/10 is filed. O. Reg. 23/10, s. 11.

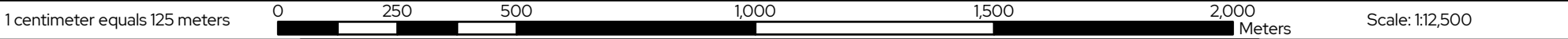
18. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 239/02, s. 18.



Sidewalk Maintenance Areas

Rodney

- Plow Response Area**
- High Pedestrian Volume
 - Low Pedestrian Volume



Sidewalk Maintenance Areas

West Elgin

- Plow Response Area**
- High Pedestrian Volume
 - Low Pedestrian Volume

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Recreation	Index No.	RE-2.1
Section:	Sidewalk Maintenance	Effective Date:	Dec 14/06
Subject:	Level of Services for Sidewalk Plowing and Salting	Revision Date:	Dec 16/10
		Page:	1 of 6

1 PURPOSE:

- 1.01 To adopt a policy for plowing and salting of municipal sidewalks.

2 POLICY:

- 2.01 Sidewalks in the designated areas will be plowed, and where indicated salted / sanded to maintain the walks in a safe condition for pedestrian traffic.
- 2.02 The equipment that the Recreation Department uses to plow sidewalks has limitations. During heavy snowfall events, areas where the sidewalks are adjacent to the roadway will be very difficult to plow as the Road Plows deposit a great deal of snow on these sidewalks. This snow is usually much heavier and more difficult to remove from the sidewalks. The Road Plows also have a greater frequency of plowing the roads as does the Recreation Department have when plowing the sidewalks, therefore a greater accumulation on the sidewalks may occur during heavy snowfall events.

3 PROCEDURE:

3.01 Plowing

- (a) Plowing will generally commence when snow has accumulated to 10 cm. and the weather forecast indicates that the storm is substantially over.
- (b) Snowplowing of sidewalks as indicated could be affected by available manpower and budget constraints.
- (c) The time that plowing will commence may vary due to available manpower, and the availability of appropriate equipment.
- (d) Snow plowing of sidewalks will be carried out on a priority basis, with the business areas being of the highest priority.
- (e) Snowplowing of sidewalks shall be carried out as conditions dictate.

3.02 Salting and Sanding

- (a) Salting and or sanding of sidewalks will generally occur after the plowing operations or as conditions dictate as a result of freezing rain or ice storm.
- (b) The time that salting will commence may vary due to available manpower, and the availability of appropriate equipment.
- (c) Salting of sidewalks will be carried out on a priority basis, with the business areas being of the highest priority.

3.03 Inspections

- (a) The sidewalks indicated will be inspected for accumulation of snow and ice.
- (b) Inspection will occur daily from December 1st of the current year until April 1 of the current year
- (c) The Recreation Facility Superintendent or his designate will carry out the inspection of the indicated sidewalks.
- (d) The inspection will include driving along the entire route, combined with spot inspections to determine if further action is required.
- (e) The inspections as well as the actions taken will be recorded on forms included in Appendix 1

- 3.04 If the amount of snowfall exceeds the Recreation Department equipment's capabilities, it will be necessary to utilize the Road Department's equipment or outside contractors to complete the required work.

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
Chapter:	Recreation	Index No.	RE-2.1
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4 **PLOW ROUTES:**

4.01 West Lorne:

- (a) Salt and or sand will be applied only to the business area sidewalks on a regular basis
- (b) The first priority is to plow and salt the business area, Graham Road north of Main Street to Munroe Street, east and west sides
- (c) Main Street west to Ridge Street, north and south sides
- (d) Main Street east on the south side to the Fire Hall, Argyle Street.
- (e) The business area shall include Munroe Street from Graham Road to west side property line of The Arts and Cookery Bank property.
- (f) Generally the route will be as follows:
 - The plow route will begin at the Recreation Shop on Chestnut Street
 - Proceed north on the east side of Graham Road to Main Street
 - Proceed east on the south side of Main Street to Wood Street
 - Proceed west along the north side of Main Street (at Health Centre) to Graham Road
 - Proceed north on the east side of Graham Road to Walker Street
 - Proceed south on the west side of Graham Road from Anne street to Main Street
 - Proceed south on the north side of Main Street to the cemetery, west of Wellington Street
 - Proceed east on the south side of Main Street to Graham Road
 - Proceed south on the west side of Graham Road to the Lutheran Church
 - Proceed north on the east side of Graham Road from the high school to Chestnut Street
 - Return to the Recreation Shop on Chestnut Street

4.02 Rodney:

- (a) Salt and or sand will be applied only on the business area sidewalks on a regular basis.
- (b) The first priority is to plow and salt the business areas, Furnival Road on the east and west sides from Queen Street on the north to Victoria Street and Clark Street on the south.
- (c) Generally the route will be as follows"
 - The plow route will begin at the Recreation Centre on Queen Street, where the truck and trailer will be parked
 - Proceed west on the north side of Queen Street
 - Proceed north on the east side of Furnival Road to the old St Thomas Moore property
 - Proceed south along the west side of Furnival Road to Queen Street
 - Proceed west along the north side of Queen Street to the Masons Hall
 - Proceed east along the south side of Queen Street to Furnival Road
 - Proceed south along the west side of Furnival Road to the Rodney Christian Mission
 - Proceed north along the east side of Furnival Road to Queen Street
 - Proceed east along the south side of Queen Street to Fourth Street

5 **ADMINISTRATION:**

- 5.01 The Recreation Department staff shall follow this policy.

MUNICIPALITY OF WEST ELGIN POLICY MANUAL			
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6 ATTACHMENTS

- 6.01 Appendix 1 – Inspection Log
- 6.02 Appendix 1 - Sideway Plowing Log
- 6.03 Appendix 2 – Equipment used to plow and salt sidewalks

Council authorization: By-law 2007-02
By-law No. 2011-02