

THE CORPORATION OF THE MUNICIPALITY OF
MARKSTAY-WARREN

BY-LAW 2004-28

Being a by-law to establish official road
classifications and rate of speed within the Municipality of Markstay-Warren

WHEREAS Ontario Regulation 239/02 made under the *Municipal Act* as amended provides standards of maintenance of municipal roads, based on their classification as either a Class 1, Class 2, Class 3, Class 4, Class 5, or Class 6 highway;

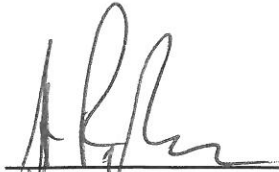
AND WHEREAS the Council of the Corporation of the Municipality of Markstay-Warren deems it expedient to pass a by-law to confirm the classifications and the rate of speed of the roads and streets in the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY
OF MARKSTAY-WARREN HEREBY ENACTS AS FOLLOWS:

1. That the names listed in Column 1 in Schedule "A" shall represent the names and/or descriptions of the roads to be classified.
2. That the number in Column 2 of said Schedule will indicate the length, in kilometers, of the road to be classified.
3. That the descriptions in Columns 3 and 4 of said Schedule will indicate the limits of the roads listed in Column 1.
4. That the rate of speed in Column 5 of said schedule will indicate the speed limits of the roads listed in Column 1.
5. That the assigned classification shown in Column 6 of said Schedule will identify the Highway Classification for each road, as described in O.Reg 239/02 (Schedule "B").
6. That the minimum maintenance standards for each Highway Classification value in Column 6 of said Schedule will be as described in O.Reg 239/02 (Schedule "B"), as indicated in Column 7 of Schedule A.
7. That the Clerk be and is hereby authorized to publish one time only in a newspaper having general circulation in the municipality, a notice of the passing of this by-law.
8. That the Council shall hear any person who applies to be heard and who claims to be adversely affected by this by-law at its meeting in November 2004.

9. That Schedules "A" and "B" attached hereto shall form Part of this by-law.
10. That this by-law shall come into force and take effect on the date of its registration in the proper land registry office.
11. That By-law 1999-35 being a by-law to establish road names within the municipality is hereby repealed.

READ A FIRST, SECOND)
 AND THIRDTIME AND)
 FINALLY PASSED ON THIS)
 20TH DAY OF OCTOBER, 2004)



 MAYOR



 CLERK

SCHEDULE "A" TO
BY-LAW 2004 - 28

1	2	3	4	5	6	7
Road Description/Name	Length (km)	From	To	Speed Limit	Highway Classification	Maintenance Standards
Amell Road	0.1	Int. of Kukagami Lk Rd	Dead end	50	6	Refer to O.Reg 239/02 (Schedule "B")
Anderson Road	1.0	Griffith Rd	End	50	6	
Awrey Street	0.1	Hinds Rd	End off of Hwy 17	40	5	
Balfour Street	0.3	Rutland Ave	Lafontaine Rd	40	5	"
Bedard Road	3.9	Village of St. Charles Boundary Line	Dupuis Rd	50	5	"
Bennet Road	2.4	Nipissing Rd	End	50	5	"
Berton Street	0.2	Hwy 17	Dead end/Turn around	40	5	"
Bertrand Street	0.1	St. Thomas St	Mangan Lane	40	6	"
Bérubé Lane	0.1	Rutland Ave	Stanhope Ave	40	5	"
Birch Street	0.1	Main St N	Spruce St	40	5	"
Black Fox Road	0.9	Northern Central Rd	End	50	6	"
Blaffert Road	0.2	Chain Lk Rd	Dead end	50	6	"
Boundary Road	4.8	End of Hwy 535	Mun. Boundary Line	50	6	"
Cardinal Road	1.0	Long Rd	End	50	6	"
Chain Lake Road	1.4	Hwy 17	Turn around	50	5	"
Chamberlin Road	2.2	Int. Long/Snodden Rd	End	50	5	"
Church Street	0.4	Pioneer St W	Front St	40	5	"
College Street	0.3	Warren Ave	Dead end	40	5	"
Crerar Road (Part 1)	1.1	North Rd	Communication Tower	50	5	"
Crerar Road (Part 2)	2.4	Communication Tower	End	50	6	"
Curry Point Road	0.4	Hwy 535	End	40	5	"
Dondo Road	0.9	Ratter Lk Rd	End/House	50	6	"
Dougherty Road	0.2	Curry Point Rd	Hwy 535	40	6	"
Dumouchel Road (Part 1)	1.6	Nipissing Rd	Stewart St	50	6	"
Dumouchel Road (Part 2)	1.5	Stewart Rd	Gervais Rd	50	6	"
Dupuis Road (Part 1)	4.2	Nipissing Rd	End gravel/Begin asphalt	50	5	"
Dupuis Road (Part 2)	0.5	End gravel/Begin asphalt	Hwy 535	50	5	"
Dyke Street (Hwy 539)	0.2	Hwy 17	Dead end/Warren Central School	n/a	n/a	n/a
Ebbers Road	0.8	Sutcliffe Rd	End	50	6	"
Eden Road	0.5	Griffith Rd	End	50	6	"
Fingal Avenue (Hwy 539)	0.3	North limit of Warren	Stanhope Ave	n/a	n/a	n/a
Firefly Road	0.5	Hwy 535	End	50	6	"
Frapplier Road	2.1	Griffith Rd	End of Snowplow turn around	50	6	"
Front Street	0.4	Main St S	Dead end	40	5	"
Gervais Road	2.0	Landfill Site	Nipissing Rd	50	6	"
Gignac Road	0.4	Tex's Rd	End	50	6	"
Gratton Street	0.4	West end/Dead end	East end/Dead end	40	5	"
Griffith Road	2.8	Hwy 539	End	50	5	"
Hagar Street	0.4	Dead end	Main St S	40	5	"
Hawthorne Street	0.2	Spruce St	Main St N	40	5	"
Hill Street	0.1	Pioneer St W	Dead end	40	6	"
Hind's Road	0.9	West end/Dead end	East end/Dead end	40	5	"
Homestead Road	0.7	McKerral Rd	End	50	6	"
Hood Road	0.4	Int. of Sunset Rd	End	50	6	"
Hunter Road	0.6	North Rd (Part 1)	End	50	6	"
Husky Trail Road	5.0	Dondo Rd	Hwy 535	50	5	"
Jacobson Road	0.3	Leeftink Rd	End	50	6	"
Jean Road	0.8	North Road	Dead end/House	50	6	"
Joe's Road	0.6	Labelle Rd	End	50	6	"
Kallio Road	0.7	Nepewassi Lk Rd	House/End	50	6	"
Kukagami Lake Road	0.9	Hwy 17	End of paved section	50	4	"
Kukagami Lake Road	0.8	End of paved section	Boundary line	50	5	"
Labelle Road	5.5	Boundary Rd	Dead end	50	5	"
Labine Road	0.4	Hwy 535	Hwy 17	50	5	"
Lacoste Road	1.8	Boundary Rd	Dead end	50	6	"
Lafontaine Street	0.3	Hwy 539	End of pavement/arena	40	5	"
Lafontaine Street (Gravel part)	0.2	End of pavement/Start of gravel	Warren Ave	40	5	"
Landry Road	3.1	End of Tex's Rd	Int. North Rd/St. Germain Rd	50	6	"
Langlois Road	3.4	Nipissing Rd	End	50	5	"
Laurier Lane	0.2	Warren Ave	Dead End	40	6	"
Leeftink Road	1.2	Ratter Lk Rd	End	50	6	"
Legion Street	0.2	Pioneer St W	Dead end	40	6	"
Leveillee Road	1.6	Rabbit Trail Rd	End/Pit	50	6	"
Little Brule Road	4.8	Nipissing Rd	Hwy 535	50	5	"
Long Road	2.4	Nepewassi Lk Rd	Int. of Snodden/Chamberlin Rd	50	5	"
Lucien Street	0.1	Hagar St	Church St	40	6	"
Luiting Road	1.4	Ratter Lk Rd	Dead end/House	50	6	"
Macdonald Road	0.6	Int. of Riverview Rd	Dead end	50	6	"
MacKannas Road	1.6	Gervais Rd	Kirkpatrick Twp Line	50	6	"
MacLean Road	5.1	Park Dr	North Rd	50	5	"

SCHEDULE "A" TO
BY-LAW 2004 - 28

1	2	3	4	5	6	7
Road Description/Name	Length (km)	From	To	Speed Limit	Highway Classification	Maintenance Standards
McKerral Road	2.9	Ratter Lk Rd	Dead end	50	5	"
McMaster Street	0.1	Millichamp St	Dead end	40	6	"
McNabb Road	3.1	Crerar Rd	End	50	6	"
Millichamp Street	0.6	Main St S	Pioneer St E	40	5	"
Molloy Road	1.6	Rabbit Trail Rd	End	50	6	"
Mountain Street	0.1	Main St S	End	40	6	"
Munro Road	8.5	Griffith Rd	Sudbury/Nipissing District Line	50	5	"
Nepewassi Lake Road	10.3	Hwy 17	End	50	5	"
Nipissing Road (Part 1)	0.7	Seguin/Sutcliffe Rd	Hwy 17	50	5	"
Nipissing Road (Part 2)	4.8	Seguin/Sutcliffe Rd	Int. Bennet Rd	50	5	"
Nipissing Road (Part 3)	1.6	Bennet Rd	Little Brule/Dumouchel Rd	50	5	"
Nipissing Road (Part 4)	3.2	Little Brule/Dumouchel Rd	Dupuis/Langlois Rd	50	5	"
Nipissing Road (Part 5)	0.1	Dupuis/Langlois Rd	End	50	6	"
Noland Road	1.6	Hwy 535	End	50	6	"
North Road (Part 1)	5.8	North of concrete bridge	Crerar Rd	50	5	"
North Road (Part 2)	5.3	Crerar Rd	St. Germain Rd	50	5	"
Northern Central Road	3.5	Hwy 535	Black Fox Rd	50	5	"
Paquette Road	0.2	Int. Curry Point Rd	End	40	6	"
Park Drive	0.9	Hwy 17	Mobile trailer park	50	5	"
Park Drive	1.3	Trailer park	Hwy 144 (east entrance)	50	5	"
Pine Poultry Road	1.4	Hwy 539	Ratter/Dunnet Twps Boundary Line	50	5	"
Pioneer Street East	0.4	Main St	End	40	5	"
Pioneer Street West	1.5	Hwy 17 (west entrance)	Int. of Main St	40	4	"
Rabbit Trail Road (NW, Part 1)	9.9	Hwy 535	Public Rd/Simon Rd	50	5	"
Rabbit Trail Road (SE, Part 2)	4.6	Public Rd/Simon Rd	Hwy 539	50	5	"
Ratter Lake Road	10.2	End of Pioneer St East	Hwy 535	50	5	"
Rejean Street	0.9	Main St N	Dead end	40	6	"
Richer Road	0.9	Bedard Rd	End	50	6	"
Rita Street	0.2	Pioneer St E	Rejean St	40	6	"
Riverview Road	0.6	Int. of Sunset Rd	Turn around/Dead end	50	6	"
Rollande Street	0.2	Rita St	Dead end	40	6	"
Ross Road	0.2	Husky Trail Rd	End	50	6	"
Rutland Avenue (Part 1)	0.6	Warren Ave	Dyke St/Hwy 539	40	4	"
Rutland Avenue (Part 2)	0.1	Dyke St/Hwy 539	Dead end (westerly)	40	5	"
Salisbury Street	0.2	Hwy 539	Dead end/Park entrance	40	5	"
Sauve Road	0.4	Boundary Rd	Dead end	50	6	"
Seguin Road	0.4	Nipissing Rd	End	50	6	"
Shewchuk Road	0.5	Hwy 535	End	50	6	"
Simon Road	0.1	Rabbit Trail Rd	End	50	6	"
Snodden Road	0.8	Int. of Long Rd/Chamberlin Rd	End	50	6	"
Spruce Street	0.2	Birch St	Hawthorne St	40	5	"
St. Germain Road	0.9	North Rd (Part 2)	Dead end	50	6	"
St. Jean Street	0.2	Hwy 535	End	40	5	"
St. Thomas Street	0.2	Warren Ave	Dead End	40	5	"
Stanhope Avenue	0.1	Dead end (westerly)	Dyke St/Hwy 539	40	6	"
Stanhope Avenue (Part 3)	0.5	Hwy 539/Final Ave	Warren Ave	40	4	"
Stanhope Avenue / Hwy 539	0.1	Dyke St/Hwy 539	Finghal Ave/Hwy 539 North	40	4	"
Stewart Road (Part 1)	1.6	Sutcliffe Rd	Nipissing Rd	50	6	"
Stewart Road (Part 2)	1.6	Nipissing Rd	Dumouchel Rd	50	6	"
Sunset Road	1.5	Hwy 17	40-45m N of Riverview	50	5	"
Sutcliffe Road	6.6	Hwy 17	Seguin/Nipissing Rd	50	5	"
Tex's Road	3.7	Ratter Lk Rd	Landry Rd	50	6	"
Therien Road	1.1	Hwy 539	End	50	6	"
Third Concession Road	5.7	Boundary Rd	Landry Rd	50	6	"
Tincombe Road	0.2	Hwy 539	End	50	6	"
Warren Avenue	0.8	Pine Poultry Rd	College St	40	5	"
Warren Avenue (Paved Portion)	0.2	25m N of College St	Int. of Mangan	40	4	"
Woodland Road	1.1	Boundary Rd (from Red Deer Lk Rd)	End	50	5	"

Note:

.1 For the purpose of this Schedule Road sections listed as n/a under columns 5, 6 or 7 indicate that the Municipality does not maintain jurisdiction over that particular section.

Municipal Act, 2001
Loi de 2001 sur les municipalités

ONTARIO REGULATION 239/02

Amended to O. Reg. 288/03

MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS

Notice of Currency:* This document is up to date.

*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the Table of Regulations (Legislative History).

This Regulation is made in English only.

Definitions

1. (1) In this Regulation,

"cm" means centimetres;

"day" means a 24-hour period;

"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;

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

"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;

"surface" means the top of a roadway or shoulder. O. Reg. 239/02, s. 1 (1).

(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 annual daily traffic on it. O. Reg. 239/02, s. 1 (2).

(3) For the purposes of subsection (2) and the Table to this section, the average annual 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 for the previous calendar year; or
- (b) by estimating the average daily two-way traffic on the highway or part of the highway in accordance with accepted traffic engineering methods. O. Reg. 239/02, s. 1 (3).

TABLE
CLASSIFICATION OF HIGHWAYS

Average Annual Daily Traffic (number of motor vehicles)	Posted or Statutory Speed Limit (kilometres per hour)						
		90	80	70	60	50	40
15,000 or more	1	1	1	2	2	2	2
12,000 - 14,999	1	1	1	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	3	3
5,000 - 5,999	1	2	2	3	3	3	3
4,000 - 4,999	1	2	3	3	3	3	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	4	4
1,000 - 1,999	1	3	3	3	4	4	5
500 - 999	1	3	4	4	4	4	5
200 - 499	1	3	4	4	5	5	5
50 - 199	1	3	4	5	5	5	5
0 - 49	1	3	6	6	6	6	6

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) The minimum standards of repair set out in this Regulation are applicable only in respect of motor vehicles using the highways. O. Reg. 239/02, s. 2 (2).

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

MINIMUM STANDARDS

Routine patrolling

3. (1) The minimum standard for the frequency of routine patrolling of highways is set out in the Table to this section. O. Reg. 239/02, s. 3 (1).

(2) Routine patrolling shall be carried out by driving on or by electronically monitoring the highway to check for conditions described in this Regulation. O. Reg. 239/02, s. 3 (2).

(3) Routine patrolling is not required between sunset and sunrise. O. Reg. 239/02, s. 3 (3).

**TABLE
ROUTINE 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.

Snow accumulation

4. (1) The minimum standard for clearing snow accumulation is,

(a) while the snow continues to accumulate, to deploy resources to clear the snow as soon as practicable 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; and

(b) after the snow accumulation has ended and after becoming aware that the snow accumulation is greater than the depth set out in the Table to this section, to clear the snow accumulation in accordance with subsections (2) and (3) or subsections (2) and (4), as the case may be, within the time set out in the Table. O. Reg. 239/02, s. 4 (1).

(2) The snow accumulation must be cleared to a depth less than or equal to the depth set out in the Table. O. Reg. 239/02, s. 4 (2).

(3) The snow accumulation must be cleared from the roadway to within a distance of 0.6 metres inside the outer edges of the roadway. O. Reg. 239/02, s. 4 (3).

(4) Despite subsection (3), for a Class 4 highway with two lanes or a Class 5 highway with two lanes, the snow accumulation on the roadway must be cleared to a width of at least 5 metres. O. Reg. 239/02, s. 4 (4).

(5) This section,

(a) does not apply to that portion of the roadway designated for parking; and

(b) only applies to a municipality during the season when the municipality performs winter highway maintenance. O. Reg. 239/02, s. 4 (5).

(6) In this section,

“snow accumulation” means the natural accumulation of new fallen snow or wind-blown snow that covers more than half a lane width of a roadway. O. Reg. 239/02, s. 4 (6).

**TABLE
SNOW ACCUMULATION**

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. 239/02, s. 4, Table.

Icy roadways

5. (1) The minimum standard for treating icy roadways is,

- (a) to deploy resources to treat an icy roadway as soon as practicable after becoming aware that the roadway is icy; and
- (b) to treat the icy roadway within the time set out in the Table to this section after becoming aware that the roadway is icy. O. Reg. 239/02, s. 5 (1).

(2) This section only applies to a municipality during the season when the municipality performs winter highway maintenance. O. Reg. 239/02, s. 5 (2).

TABLE
ICY ROADWAYS

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

O. Reg. 239/02, s. 5, Table.

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 minimum 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).

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

TABLE 1
POTHOLES ON PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
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, for a continuous distance of 20 metres or more, than the depth set out in the Table to this section, the minimum standard is to repair the shoulder drop-off within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 7 (1).

(2) A shoulder drop-off shall be deemed to be repaired if its depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 7 (2).

(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	Depth	Time
1	8 cm	4 days
2	8 cm	4 days
3	8 cm	7 days
4	8 cm	14 days
5	8 cm	30 days

O. Reg. 239/02, s. 7, Table.

Cracks

8. (1) If a crack on the paved surface of a roadway is greater, for a continuous distance of three metres or more, than both the width and depth set out in the Table to this section, the minimum standard is to repair the crack within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 8 (1).

(2) A crack shall be deemed to be repaired if its width or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 8 (2).

TABLE
CRACKS

Class of Highway	Width	Depth	Time
1	5 cm	5 cm	30 days
2	5 cm	5 cm	30 days
3	5 cm	5 cm	60 days
4	5 cm	5 cm	180 days
5	5 cm	5 cm	180 days

O. Reg. 239/02, s. 8, Table.

Debris

9. (1) If there is debris on a roadway, the minimum 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).

(2) In this section,

“debris” means any material 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).

Luminaires

10. (1) For conventional illumination, if three or more consecutive luminaires on a highway are not functioning, the minimum 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. 239/02, s. 10 (1).

(2) 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 minimum 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. 239/02, s. 10 (2).

(3) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles are not functioning, the minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 239/02, s. 10 (3).

(4) 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 minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 239/02, s. 10 (4).

(5) Luminaires shall be deemed to be repaired,

(a) for the purpose of subsection (1), if the number of non-functioning consecutive luminaires does not exceed two;

(b) for the purpose of subsection (2), if more than 70 per cent of luminaires on any kilometre of highway are functioning;

(c) for the purpose of subsection (3), if one or more of the luminaires on consecutive poles are functioning;

(d) for the purpose of subsection (4), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 239/02, s. 10 (5).

(6) Subsections (1), (2) and (3) only apply to,

(a) Class 1 and Class 2 highways; and

(b) Class 3, Class 4 and Class 5 highways with a posted speed of 80 kilometres per hour or more. O. Reg. 239/02, s. 10 (6).

(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. (1) If any sign of a type listed in subsection (2) is illegible, improperly oriented or missing, the minimum 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).

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

1. Checkerboard.

2. Curve sign with advisory speed tab.

3. Do not enter.

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).

Regulatory or warning signs

12. (1) If a regulatory or warning sign other than a sign listed in subsection 11 (2) is illegible, improperly oriented or missing, the minimum 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. 239/02, s. 12 (1).

(2) In this section,

“regulatory sign” has the same meaning as in the *Manual of Uniform Traffic Control Devices* published in 1985 by the Ministry of Transportation;

“warning sign” has the same meaning as in the *Manual of Uniform Traffic Control Devices* published in 1985 by the Ministry of Transportation. O. Reg. 239/02, s. 12 (2).

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 minimum 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).

(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 minimum standard is to repair or replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3).

(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 minimum standard is to inspect, test and maintain the following traffic control signal system sub-systems every 12 months:

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).

(2) The minimum standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice a year. O. Reg. 239/02, s. 14 (2).

(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 minimum 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).

(2) A bridge deck spall shall be deemed to be repaired 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).

(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.

Surface discontinuities

16. (1) If a surface discontinuity, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the minimum standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 16 (1).

(2) If a surface discontinuity on a bridge deck exceeds 5 cm, the minimum 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. 239/02, s. 16 (2).

(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. 239/02, s. 16 (3).

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.

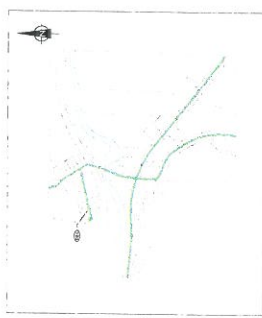
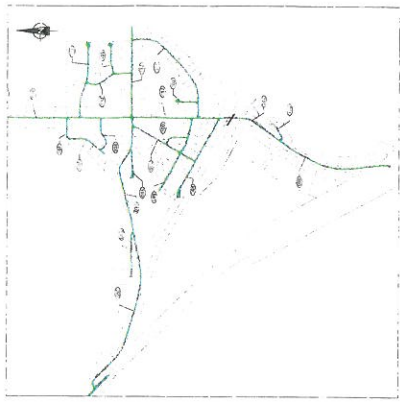
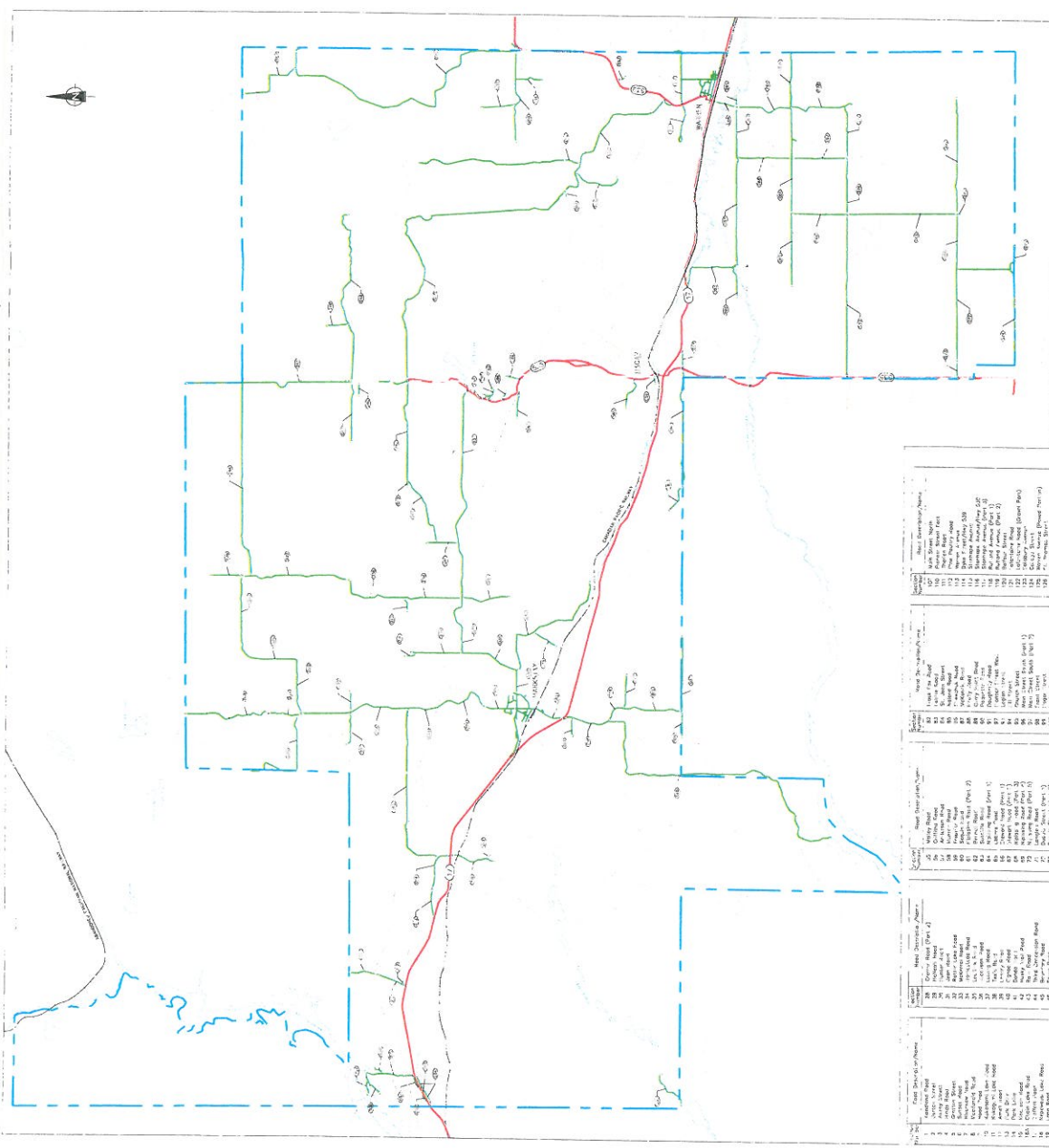
REVIEW OF REGULATION

Review

17. (1) The Minister of Transportation shall conduct a review of this Regulation every five years. O. Reg. 239/02, s. 17 (1).

(2) The first review shall be started before the end of 2007. O. Reg. 239/02, s. 17 (2).

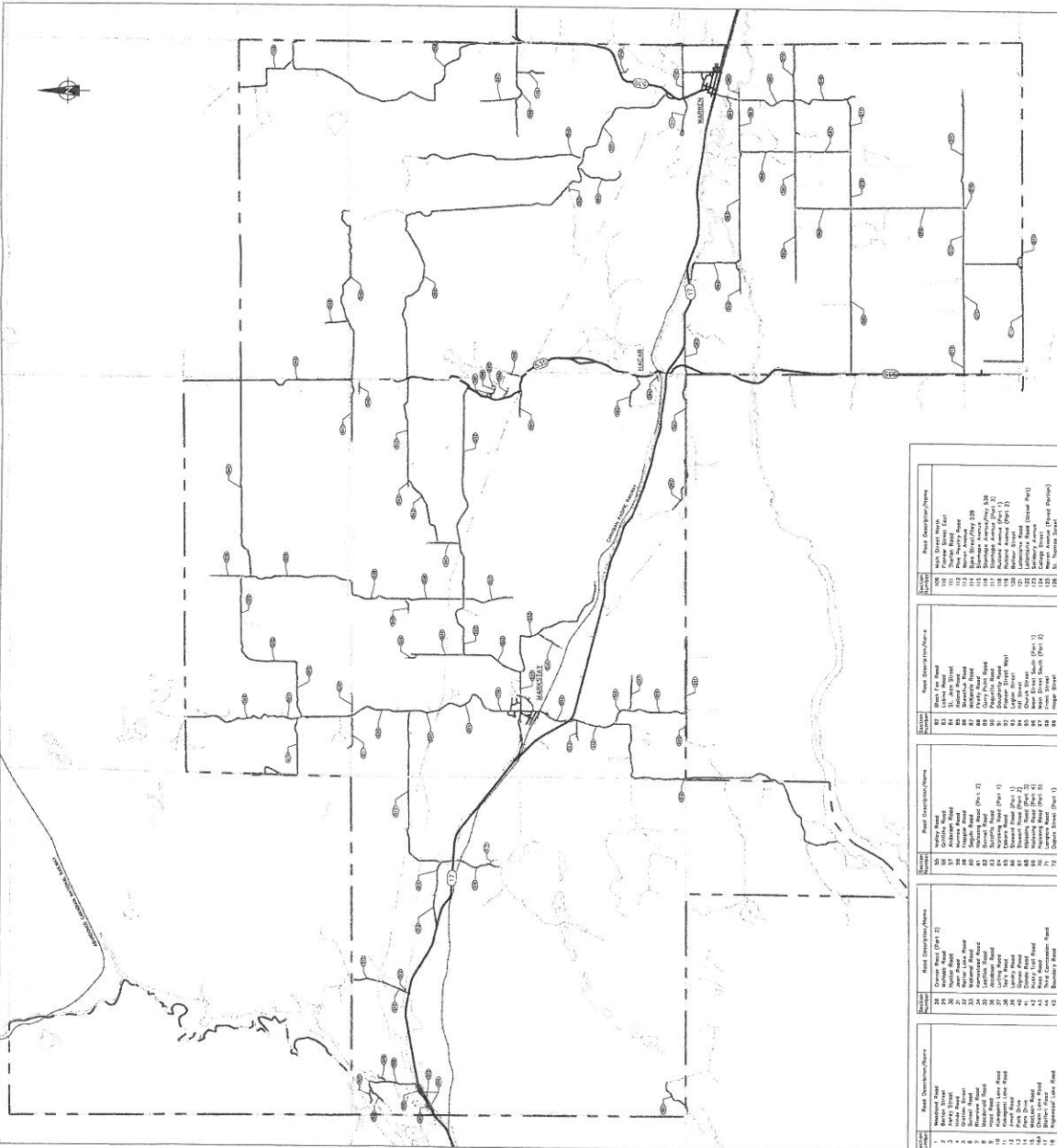
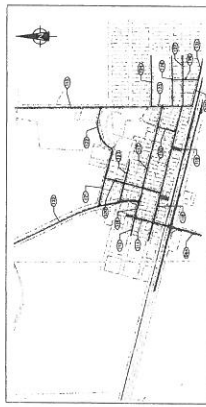
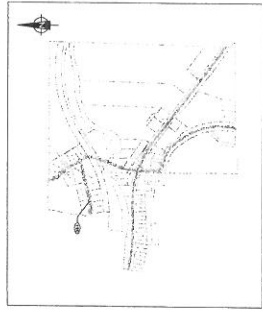
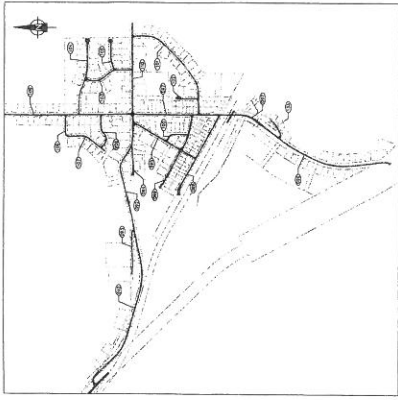
18. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 239/02, s. 18.



Station	Street Name	Notes
1	1st Street	
2	2nd Street	
3	3rd Street	
4	4th Street	
5	5th Street	
6	6th Street	
7	7th Street	
8	8th Street	
9	9th Street	
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21	21st Street	
22	22nd Street	
23	23rd Street	
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26	26th Street	
27	27th Street	
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29	29th Street	
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34	34th Street	
35	35th Street	
36	36th Street	
37	37th Street	
38	38th Street	
39	39th Street	
40	40th Street	
41	41st Street	
42	42nd Street	
43	43rd Street	
44	44th Street	
45	45th Street	
46	46th Street	
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100	100th Street	



northland
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(1997) limited
10000 100th Street, Edmonton, Alberta T5A 0A6
403-443-1111
www.northlandeng.com



Number	Road Description/Name	Number	Road Description/Name	Number	Road Description/Name	Number	Road Description/Name
1	Bellevue Road	81	Bellevue Road	156	Bellevue Road	231	Bellevue Road
2	1st Street	82	1st Street	157	1st Street	232	1st Street
3	2nd Street	83	2nd Street	158	2nd Street	233	2nd Street
4	3rd Street	84	3rd Street	159	3rd Street	234	3rd Street
5	4th Street	85	4th Street	160	4th Street	235	4th Street
6	5th Street	86	5th Street	161	5th Street	236	5th Street
7	6th Street	87	6th Street	162	6th Street	237	6th Street
8	7th Street	88	7th Street	163	7th Street	238	7th Street
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143	142nd Street	223	142nd Street	298	142nd Street	373	142nd Street
144	143rd Street	224	143rd Street	299			



Document Gen I

Form 4 — Land Registration Reform Act

D

FOR OFFICE USE ONLY	NUMBER 12 120 NUMÉRO 12 120 LAND REGISTRATION CERTIFICATE OF REGISTRATION CERTIFICAT D'ENREGISTREMENT SUDBURY 463 SUDBURY JAN 18 2005 @ 8:45 AM	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/> (2) Page 1 of 12 pages
	(3) Property Identifier(s) Block Property Additional: See Schedule <input type="checkbox"/>	
	(4) Nature of Document By-law 2004-28	
	(5) Consideration Dollars \$	
	(6) Description By-law Index	
	(7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input type="checkbox"/>	

(8) This Document provides as follows:

Refer to certified true copy of By-law 2004-28 attached hereto.

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature		
		Y	M	D
Corporation of the Municipality of Markstay-Warren as represented by the Clerk		2005	01	06

(11) Address for Service 21 Main St. S., P.O. Box 79, Markstay, Ontario POM 2G0

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature		
		Y	M	D

(13) Address for Service

FOR OFFICE USE ONLY	(14) Municipal Address of Property	(15) Document Prepared by: Lorraine Demore, Clerk Municipality of Markstay-Warren 21 Main St. S., P.O. 79 Markstay, ON POM 2G0 (705) 853-4536	Fees and Tax	
			Registration Fee	
			Total	

