

THE CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP

BY-LAW # 2003 - 12

**BEING A BY-LAW TO ESTABLISH ROAD MAINTENANCE STANDARDS AND ROAD CLASSIFICATIONS FOR HIGHWAYS WITHIN THE JURISDICTION OF NORTH ALGONA WILBERFORCE TOWNSHIP.**

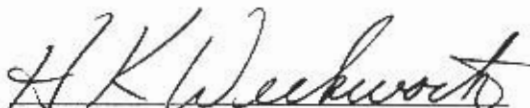
WHEREAS the Municipal Act 2001 and related regulations thereto authorizes a municipality to pass By-Laws in respect of highways over which it has jurisdiction;

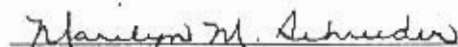
AND WHEREAS the Council for North Algona Wilberforce Township deems it necessary to pass a By-Law respecting the classification and maintenance of highways under its jurisdiction;

NOW THEREFORE the Council for North Algona Wilberforce Township enacts as follows:

1. That, for the purposes of this By-Law, "highway" is defined as those roadways that are municipally maintained and as described and classified as set out in Schedule "A" attached hereto and forming part of this By-Law.
2. That highways identified as "Class 6" are outlined in Schedule "B", which is attached hereto and forms part of this By-Law.
3. That Regulation 239/02 made under the Municipal Act 2001, defining minimum maintenance standards for highways with classifications of 1, 2, 3, 4 and 5, is hereto attached as Schedule "C" and forms part of this By-Law.
4. That, in addition to Regulation 239/02 made under the Municipal Act 2001, a Table for 'Snow Packed' roadways is hereto attached as Schedule "D" and forms part of this By-Law.
5. That, pursuant to Section 42 of the Municipal Act 2001, the Council for North Algona Wilberforce Township hereby delegates authority to the Road Superintendent of North Algona Wilberforce Township to temporarily close a highway under the jurisdiction of the municipality in the case of emergency or for maintenance or construction activities, these to be determined by the Road Superintendent, and for special events as approved by Council from time to time.
6. That winter maintenance on highways under the jurisdiction of the municipality shall be conducted annually beginning on October 15<sup>th</sup> and continue to, and include, April 15<sup>th</sup>.
7. Seasonal roads will not be maintained between October 15<sup>th</sup> and continue to, and include, April 15<sup>th</sup> unless otherwise directed by the Road Superintendent.
8. That this By-Law shall repeal all previous By-Laws of the former Township of North Algona and the former Township of Wilberforce.
9. That this By-Law shall come into force and take effect upon final passing thereof.

READ A FIRST AND SECOND TIME THIS 2<sup>ND</sup> DAY OF JUNE 2003.

  
REEVE

  
CLERK TREASURER

READ A THIRD TIME AND FINALLY PASSED THIS 2<sup>ND</sup> DAY OF JUNE 2003.

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## SCHEDULE "A"

## NORTH ALGONA WILBERFORCE TOWNSHIP

Road Names	Description	Class
Abby Way	Private	-
Acorn Trail	Private	-
Athanas Road	Municipal	6
B Line Road	Municipal	3
Basswood Road	Municipal Seasonal	6
Bens Lane	Private	-
Berndt Road	Municipal	4
Biederman Road	Municipal	4
Big Rock Lane	Private	-
Black Creek Road	Municipal	6
Black Point Road	Municipal	4
Blue Bird Road	Municipal 3670 to Hewitts Corner Road	4
	Municipal Hewitts Corner Road to 1331	6
Bonnechere River Lane	Private	-
Browns Crescent	Private	-
Budd Mills Road	Municipal Seasonal	6
Bulger Road	County	-
Bunchberry Lane	Private	-
Burchat Road	Municipal	4
Burnt Bridge Road	Municipal Seasonal	6
Camelot Lane	Private	-
Carty Road	Municipal	6
Cedarest Lane	Private	-
Cement Bridge Road	Municipal Seasonal	6
Chapel Road	Municipal	6
Clavette Lane	Private	-
Cliffside Lane	Private	-
Cold Creek Road	Municipal	4
Columbine Lane	Private	-
Crooked Rapids Road	Municipal	4
Deer Yard Trail	Municipal Seasonal	6
Diana Court	Municipal	6
Dicks Road	Municipal	6
Doering Road	Municipal	6
Dore Bay Road	Municipal Budd Mills Road to 274	6
	Municipal Seasonal 274 to 689	6
Duquette Road	Municipal	6
Eady Road	Municipal	6
Fish Hut Road	Municipal	6
Fourth Chute Road	Municipal	4
Germanicus Road	Municipal	4
Golden Pine Lane	Private	-
Goldfinch Drive	Municipal	6
Goose Lake Road	Private	-
Green Lake Road	Municipal Highway 41 to Lemke Road	4
	Municipal Lemke Road to Black Creek Road	6
Griffith Wagner Road	Municipal	4
Grist Mill Road	Municipal	4
Gurlitz Road	Municipal	6
Harrington Road	Municipal (Killaloe, Hagarty & Richards Township)	6
Henry Road	Municipal Seasonal	6
Hewitts Corner Road	Municipal	4
Highway 41	Provincial	-
Highway 60	Provincial	-
Holiday Lane	Private	-
Hummingbird Lane	Private	-

Road Names	Description	Class
Kirk Court	Private	6
Kokornis Road	County	-
Kranz Road	Municipal	6
Kutschke Road	Municipal Lake Dore Road to 92	6
	92 to 228	6
L'Escale Lane	Private	-
Lake Dore Road	County	-
Lemke Road	Municipal Green Lake Road to Marsh Road	6
	Municipal Marsh Road to Woito Station Road	4
Letts Cemetery Road	Municipal	3
Libby Lane	Private	-
Lily Trail	Private	-
Limestone Road	Municipal Lake Dore Road to Highway 60	6
	Municipal 60 to 246	6
Link Road	Municipal	6
Log Cabin Trail	Private	-
Loon Lane	Private	-
Lovers Lane	Municipal Seasonal	6
MacPhee Lane	Private	-
Maple Grove Lane	Private	-
Marsh Road	Municipal	4
Marthas Road	Municipal	6
Mask Road	Municipal (Killaloe, Hagarty & Richards Township)	-
McKibbons Way	Private	-
McMillan Road	Municipal	4
McNee Drive	Municipal	4
Meadow Wood Road	Municipal	6
Micksburg Road	Municipal (Laurentian Valley Township)	-
Mink Lake Road	Municipal Highway 60 to Snodrifters Road	5
	Municipal Snodrifters Road to Point Church Road	6
Mountain Road	County	-
Mundts Bay Lane	Private	-
Narrows Lane	Private	-
North Shore Lane	Private	-
Okum Lane	Private	-
Old Bridge Road	Municipal	6
Old Camp Road	Municipal Roesler Road to 90	6
	Municipal Seasonal 90 to Cement Bridge Road	6
Ott Road	Municipal	6
Panke Road	Municipal	6
Paradise Lane	Private	-
Passaw Road	Municipal Seasonal Germanicus to Royal Pines Road	6
	Municipal Royal Pines Road to 204	6
	Municipal Seasonal 204 to 658	6
Point Church Drive	Municipal	4
Priest Camp Lane	Private	-
Primrose Lane	Private	-
Quade Lane	Private	-
Rankin Rink Road	Municipal	6
Red Pine Camp Way	Private	-
Reiche Road	Municipal	4
Rhodas Lane	Private	-
Roesler Road	Municipal Highway 60 to Berndt Road	4
	Municipal Berndt Road to 1579	6
	Municipal Seasonal 1579 to 1804	6
Rose Trail	Private	-
Royal Pines Road	Municipal	4
Rutz Lane	Private	-
Scheuneman Road	Municipal	4

Road Names	Description	Class
Sheltered Trail	Private	-
Smiths Bay Road	Municipal Point Church Road to Germanicus Road	4
	Municipal Germanicus Road to Royal Pines Road	6
Snodrifters Road	Municipal	4
Songbird Lane	Private	-
Sperberg Road	Municipal	4
Springer Road	Municipal Seasonal	6
Stone Hedges Road	Municipal	4
Swallow Lane	Private	-
Thur Street	Municipal	6
Township Park Road	Municipal	6
Trail Blazers Road	Municipal	6
Tramore Road	Municipal	4
Trillium Lane	Private	-
Twin Maple Lane	Private	-
Violet Lane	Private	-
Visutski Lane	Private	-
Wakerobin Lane	Private	-
Walshs Road	Municipal	6
Weckworth Street	Municipal	6
Wilber Heights Road	Municipal	6
Wilkens Road	Municipal Grist Mill Road to 709	6
	Municipal Seasonal 709 to 806	6
Woito Station Road	Municipal Doran Road to Black Creek Road	4
	Municipal Black Creek Road to Dore Bay Road	6

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SCHEDULE "B"

CLASS 6 ROADS

Class 6	<u>Routine Patrolling Frequency</u> Once every 30 days
Class 6	<u>Snow Accumulation</u> Depth - 10 cm Time - 24 hours
Class 6	<u>Icy Roadways</u> 16 hours
Class 6	<u>Potholes on Paved Surface of Roadway</u> Surface area 1000 cm <sup>2</sup> Depth 8 cm Time 30 days
Class 6	<u>Potholes on Non Paved Surface of Roadway</u> Surface area 1500 cm <sup>2</sup> Depth 12 cm Time 30 days
Class 6	<u>Potholes on Paved or Non Paved Surface of Shoulders</u> Surface area 1500 cm <sup>2</sup> Depth 12 cm Time 60 days
Class 6	<u>Shoulder Drop-offs</u> Depth 8 cm Time 30 days
Class 6	<u>Cracks</u> Width 5 cm Depth 5 cm Time 180 days
Class 6	<u>Luminaries</u> Time 14 days
Class 6	<u>Regulating and Warning Signs</u> Time 30 days
Class 6	<u>Bridge Deck Spalls</u> Surface area 1000 cm <sup>2</sup> Depth 8 cm Time 7 days
Class 6	<u>Surface Discontinuities</u>

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Schedule "C"

**ONTARIO REGULATION 239/02**

made under the

**MUNICIPAL ACT**

Made: July 23, 2002

Filed: August 8, 2002

**MINIMUM MAINTENANCE STANDARDS  
FOR MUNICIPAL HIGHWAYS**

**INTERPRETATION AND APPLICATION**

**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.

(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.

(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.

TABLE  
CLASSIFICATION OF HIGHWAYS

Average Annual Daily Traffic (number of motor vehicles)	Posted or Statutory Speed Limit (kilometres per hour)						
	100	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 subsection 284 (1.4) of the Act.

(2) The minimum standards of repair set out in this Regulation are applicable only in respect of motor vehicles using the highways.

(3) This Regulation does not apply to Class 6 highways.

#### 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.

(2) Routine patrolling shall be carried out by driving on or by electronically monitoring the highway to check for conditions described in this Regulation.

(3) Routine patrolling is not required between sunset and sunrise.

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

**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

(2) The snow accumulation must be cleared to a depth less than or equal to the depth set out in the Table.

(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.

(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.

(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.

(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.

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

**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.

(2) This section only applies to a municipality during the season when the municipality performs winter highway maintenance.

TABLE  
ICY ROADWAYS

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

**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.

(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.

TABLE 1  
POTHOLES ON PAVED SURFACE OF ROADWAY

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

TABLE 2  
POTHOLES ON NON-PAVED SURFACE OF ROADWAY

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

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

Class of Highway	Surface Area	Depth	Time
1	1500 cm <sup>2</sup>	8 cm	7 days
2	1500 cm <sup>2</sup>	8 cm	7 days
3	1500 cm <sup>2</sup>	8 cm	14 days
4	1500 cm <sup>2</sup>	10 cm	30 days
5	1500 cm <sup>2</sup>	12 cm	60 days

**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.

(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.

(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.

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

**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.

(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.

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

**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.

(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.

**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.

(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.

(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

(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.

(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.

(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.

(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.

TABLE  
LUMINAIRES

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

**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.

(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.

#### 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.

(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.

TABLE  
REGULATORY AND WARNING SIGNS

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

#### 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.

(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.

(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.

(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*;

#### 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.

(2) The minimum standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice a year.

(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.

**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.

(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.

(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.

TABLE  
BRIDGE DECK SPALLS

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

**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.

(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.

(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.

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

**REVIEW OF REGULATION****Review**

17. (1) The Minister of Transportation shall conduct a review of this Regulation every five years.

(2) The first review shall be started before the end of 2007.

**COMMENCEMENT****Commencement**

18. This Regulation comes into force on November 1, 2002.

NORMAN W. STERLING  
*Minister of Transportation*

Dated on July 23, 2002.

34/02

BY-LAW #2003 - 12

SCHEDULE "D"

Table  
Snow Packed Chart

Class of Highway	Intersection	Surface Area
1	N/A	N/A
2	N/A	N/A
3	2 days	2 days
4	3 days	5 days
5 & 6	5 days	10 days

"snow packed" means the natural accumulation of new fallen snow or wind-blown snow that cannot be removed by a snowplow