



**BY-LAW NO. 2008-0020**

A By-law to delegate to an employee of the municipality, the power to close a highway temporarily.

**WHEREAS** the *Municipal Act, 2001*, S.O. 2001, c.25, Sections 23.1 to 23.5, provides that a municipality may delegate a legislative power to an individual who is an officer, employee or agent of the municipality, provided that in the opinion of the council of the municipality, the power being delegated is of a minor nature;

**AND WHEREAS** the Council of the Corporation of the Town of Halton Hills is of the opinion that the power to close a highway temporarily is a power of a minor nature [Section 23.2 (5) 1];

**AND WHEREAS** the Council of the Corporation of the Town of Halton Hills deems it advisable to delegate to an employee the power to close highways temporarily, subject to certain conditions and limits.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

**CONSTRUCTION, REPAIR OR IMPROVEMENT OF HIGHWAYS**

1. THAT the power to close a highway under the jurisdiction of the Town of Halton Hills, temporarily, for the construction, repair or improvement of such highway or portion thereof, is hereby delegated to the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time, provided that:
  - (a) Notice of the proposed highway closure shall be given in accordance with the Town's notice policy.
  - (b) Where a highway or portion thereof is closed and whenever it is possible to do so, the municipality shall provide and keep in repair a reasonable temporary alternative route for traffic and for all property owners who cannot obtain access to their property by reason of such closing.
  - (c) While a highway or portion thereof is so closed to traffic, there shall be erected at each end of such highway or portion thereof, and where an alternative route deviates therefrom, traffic control devices indicating that the highway is closed to traffic, to the satisfaction of the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time.

**MAINTENANCE OF HIGHWAYS**

2. THAT the power to close a highway under the jurisdiction of the Town of Halton Hills, temporarily, for the maintenance of such highway or portion thereof, is hereby delegated to the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time, provided that:
  - (a) Where a highway or portion thereof is closed and whenever it is possible to do so, the municipality shall provide and keep in repair a reasonable

temporary alternative route for traffic and for all property owners who cannot obtain access to their property by reason of such closing.

- (b) While a highway or portion thereof is so closed to traffic, there shall be erected at each end of such highway or portion thereof, and where an alternative route deviates therefrom, traffic control devices indicating that the highway is closed to traffic, to the satisfaction of the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time.

#### EVENTS APPROVED BY THE TOWN

- 3. THAT the power to close a highway under the jurisdiction of the Town of Halton Hills, temporarily, for an event approved by the Town (such as an event for social, recreational, community, athletic or cinematographic purposes), is hereby delegated to the Town Clerk, including his or her successor and designate from time to time, provided that:
  - (a) Notice of the proposed highway closure shall be given in accordance with the Town's notice policy.
  - (b) Where a highway or portion thereof is closed and whenever it is possible to do so, the municipality shall provide and keep in repair a reasonable temporary alternative route for traffic.
  - (c) While a highway or portion thereof is so closed to traffic, there shall be erected at each end of such highway or portion thereof, and where an alternative route deviates therefrom, traffic control devices indicating that the highway is closed to traffic, or, in the alternative, traffic control shall be provided by a Halton Regional Police Service police officer, to the satisfaction of the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time.

#### WAIVING OF NOTICE REQUIREMENTS

- 4. THAT if a matter arises, which in the opinion of the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time, is considered to be of an urgent or time sensitive nature, the notice requirements provided for in the Town notice policy, may be waived and the Director of Engineering, Public Works and Building Services, including his or her successor and designate from time to time, shall make his or her best efforts to provide as much notice as is reasonable under the circumstances.

#### REPEAL BY-LAW 2003-0032

- 5. That By-law 2003-0032 is hereby repealed.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this 25<sup>th</sup> day of February, 2008.

Originally Signed By:

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MAYOR – Rick Bonnette

Originally Signed By:

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CLERK – Karen Landry