

THE CORPORATION OF THE TOWNSHIP OF HILTON

BY-LAW NO. 1487-26

Being a by-law to establish terms and conditions regarding the installation of entrances on Township Roads within the Township of Hilton.

WHEREAS Section 8(1) of the *Municipal Act, S.O. 2001, c. 25*, as amended, confers broad authority on municipalities to enable them to govern their affairs as they consider appropriate;

AND WHEREAS Section 11(3) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting drainage and flood control;

AND WHEREAS Section 27(1) of the *Municipal Act, 2001* provides that a municipality may pass by-laws in respect of a highway over which it has jurisdiction;

AND WHEREAS Section 96 of the *Municipal Act, 2001* provides that a municipality may exercise its powers for the purpose of preventing damage to property as a result of flooding;

AND WHEREAS the Council of the Corporation of the Township of Hilton deems it necessary to regulate the installation and replacement of all new and existing entrances and culverts under the jurisdiction of the Township;

NOW THEREFORE the Council of the Corporation of the Township of Hilton pursuant to the provisions of the *Municipal Act, 2001*, as amended, hereby enacts as follows:

1. SHORT TITLE

- 1.1 This By-law may be cited as the "*Entrance Permit By-law*".

2. DEFINITIONS

- 2.1 "Entrance" shall mean any driveway, laneway, private road, entrance, bridge or other structure or facility constructed or used as a means to or from a Township Road and includes the tiling and covering of a roadside ditch for the purpose of improving a lawn or frontage.
- 2.2 "Commercial use" shall include the sale of any product by an owner from his/her property that will require the removal of that product by a vehicle bearing a total gross weight of five (5) tons or greater. "Sale" pertains to any exchange of funds or other form of compensation. Exemptions to commercial use include registered gravel pits, retail stores, or properties zoned Commercial, Industrial, or Farmland.
- 2.3 "Culvert" shall mean a drain, channel, or tunnel placed in the ground under a road, bridge or other means which purpose is to convey water from one side of a roadway, entrance or similar traffic embankment, to the other.
- 2.4 "Highway" shall mean any road, street, avenue, parkway, driveway, square, place, bridge, road allowances made by the Crown surveyors that are located in municipalities, or any other structure incidental thereto, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

3. GENERAL PROVISIONS

- 3.1 No entrance, culvert, bridge or access from a Township Road, over any ditch or

watercourse or adjacent to any Township Road may be constructed without obtaining an authorizing permit from the Hilton Township. Applications can be obtained from the Municipal Office during normal office hours or online. The completed application will be reviewed by the Road Superintendent or designate, or an Engineer contracted by the Township and an on-site inspection performed, and the required funds received, before the permit is granted.

- 3.2 Once a permit has been issued, work on an installation or development for which the permit is granted must be started within six months of issue date or shall be voided.
- 3.3 Entrance permits will be categorized and defined accordingly:
 - a) Permanent Residential – designated by a civic number. Entrance to be used for access to a person's residence, and although permitted, generally not intended for the commercial export of any product. Fee: \$160.00.
 - b) Permanent Utility Commercial Use – Entrance to be used for commercial export of product. Fee: \$160.00.
 - c) Temporary Access – entrance to be used for either personal or commercial use for a temporary period not exceeding one (1) year. Fee: \$320.00, additional conditions applying to Temporary Access permits are listed on the attached Schedule "A".

A maximum of two permanent entrance permits will be allowed per lot and can include one residential entrance and one utility entrance or two utility entrances if no residence exists on the property. Any second permanent entrance can be denied if it is deemed unnecessary. The number of temporary entrances permitted will be determined by the Road Superintendent or designate, or an Engineer under contract with the Township according to site conditions.

- 3.4 No person(s) shall obstruct a ditch, culvert or watercourse upon a highway or any drain or watercourse within The Township of Hilton, whether on public or private lands.
- 3.5 The location of any entrance must be approved by the road Superintendent or designate, or an Engineer under contract with the Township, to ensure public safety and convenience, and to provide favourable sight lines, drainage, grade and alignment for all traffic using the proposed access and roadway; and ensure no undue interference with the safe movement of traffic nor will it adversely affect the drainage or access of other properties.
- 3.6 The diameter, gauge, length and type of culvert to be used in each location shall be determined by the Road Superintendent or designate, or an Engineer contracted by the Township; and the completed entrance shall maintain a safe approach compatible to the grade level of the road surface.
- 3.7 All entranceways, structures, or facilities providing access to a Township Road shall be constructed in accordance with the Township's requirements, as set out in Diagram 1.
- 3.8 Where a culvert in excess of 50 feet (15m) in length is required, the owner shall be required to construct as many catch basins, inlet and outlet structures as may be necessary in the opinion of the Road Superintendent or designate, or Engineer contracted by the Township to facilitate drainage from or alongside the road. Any costs associated with this work shall be the responsibility of the owner of the property.


- 3.9 The owner is responsible for the construction, marking and maintenance of the detours required and for maintaining safety measures for the protection of the public during the construction of any work in respect to an entrance. Such safety measures shall include the provision of traffic control and warning signs in accordance with ministry standards.
- 3.10 The owner shall maintain and replace all culverts installed under the provisions of this by-law, except in the event of the municipality changing the grade of the roadway, when the township shall be responsible for the replacement of culverts. The maintenance of the driving surfaces of all entrance ways shall be the responsibility of the owner.
- 3.11 If the owner neglects or refuses to comply with any of the provisions of this by-law, the Township of Hilton may remove the facility and install a proper entrance way and any expenses incurred in doing so may be recovered from the owner by the appropriate action.
- 3.12 If an expiry date is specified on the permit and a further term is desired, an application for renewal may be made to the Township prior to the expiry date being realized. A further term may be approved or refused by the Township. An administration fee of \$50.00 will be charged.
- 3.13 Should mud or debris or ditch problems on the highway reach an unacceptable state, the person in charge of the site will be requested to clean it up immediately. If the owner/agent fails to respond to a clean-up request within a two-day period of time, the Township may do the work and invoice the owner. Under special circumstances (ex. wet weather) or in an emergency, where timing is of the essence, the Township may clean up the highway with no advance notice and invoice the owner accordingly.
- 3.14 Every person who fails to comply with this By-law, or who constructs or alters an entrance without first obtaining an Entrance Permit, is guilty of an offence
- 3.15 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33.* as amended, to a maximum fine of \$1,000.00, exclusive of costs.

4. ENACTMENT

- 4.1 **THAT** this By-law shall be known and may be cited as the “*Entrance Permit By-law*”.
- 4.2 **THAT** Schedule “A”, Schedule “B”, and Diagram “1”, attached hereto, form part of this By-law.
- 4.3 **THAT** By-law No. 752 is hereby repealed.
- 4.4 **THAT** this By-law shall come into force and take effect on the date of passing.

Read a first, second and third and finally passed this 11th day of February 2026.


 Dave Leask, Deputy Reeve


 Sara Dinsdale, CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF HILTON

Schedule "A" to By-Law No. 1487-26

Temporary Access Entrance Permit Conditions

Temporary access permits are subject to all municipal legislation, regulations and by-laws, in addition to the following supplementary conditions.

1. Temporary access permits are given for a specified short period. The duration of the permit should be determined by the township based on the project but should not exceed one year. If an extension is required, the owner must apply for a new permit prior to the expiration of the existing permit. An administration fee of \$50.00 will be charged.
2. The application for a temporary access permit must clearly specify the expiry date; the extent and nature of the work to be done on the property; the owner's/applicant's responsibility to clean up mud or debris and fix ditches on the highway in a timely fashion.
3. Upon expiration of the permit, the temporary entrance must be removed and the highway right-of-way restored to the satisfaction of the township. All costs involved are the responsibility of the owner.
4. Temporary entrances will be monitored by the Road Superintendent to ensure their timely removal.
5. Temporary permits for ministry contractors are not required if the entrance is located within the construction limits. If the entrance is outside the construction limits a permit is required.



The Corporation of the Township of Hilton
Application for Entrance Permit
Schedule "B" of By-Law No. 1487-26

This application to obtain an Entrance Permit forms a part of the Township's Entrance Permit By-law. Applicants are advised that civic address numbers must be approved prior to the establishment of an entrance from a Township Road.

Name of Owner/Applicant: _____

Mailing Address: _____

Phone No.: _____ **E-Mail:** _____

Location: Legal Description (concession or plan number and lot number):

Entrance to be located on: _____ (road name)

Entrance type: Residential \$160.00 Commercial \$160.00
 Temporary \$320.00 Utility \$160.00

Surface Width: _____ Surface Type: _____

Contractor Name: _____ **Phone Number:** _____

Contractor Name: _____ **Phone Number:** _____

Entrance must slope down/away from travelled road. Gravel not to exceed 2" diameter.

Property Owner's Signature and Acknowledgement:

As Property Owner of the above noted lot, I do confirm that should any commercial use of my property result in damage to the municipal roadway, I will be held financially responsible for restoring the road to its original condition.

Signature of Owner/Applicant: _____ Date: _____

To be completed by Road Superintendent:

Approved culvert size: _____ *Culvert type:* _____

Conditions/Comments: _____

Date: _____

Signature: _____

THIS SECTION TO BE COMPLETED BY MUNICIPAL CLERK:

Roll number: 5704- _____ - _____ - _____ - _____ Fee paid: \$ _____

Culvert installation required: _____ Date inspected by Roads Superintendent: _____

Civic Address Number: _____ Initials: _____

Note: This permit shall not be used as a means of access to any type of establishment other than described herein. This permit is subject to the conditions included in the attached By-law no. 1487-26.

Date Issued: _____

THE CORPORATION OF THE TOWNSHIP OF HILTON

Diagram "1" to By-Law No. 1487-26

Township of Hilton requirements for the construction of all entrance ways, structures or facilities for access to a Township Road:

