ROADS - BRIDGES

Chapter 732
BOULEVARD - MAINTENANCE
CONSTRUCTION WORKS

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Article 1

INTERPRETATION

732.1.1 Boulevard - defined
"boulevard" means that part of a highway lying between the limit of the travelled portion and the nearest limit of the road allowance.
732.1.2 City of Peterborough - defined
“City of Peterborough” means The Corporation of the City of Peterborough.

732.1.3 Engineer - defined
“Engineer” means the person so appointed by by-law.

732.1.4 Highway - defined
“highway” means a public highway and includes the entire road allowance on which it is constructed. By-law 1978-157, 16 October, 1978.

732.1.5 Owner of the abutting land - defined
“owner of the abutting land” includes the person or corporation in actual possession of such land and includes an occupant or a tenant in possession of the property. By-law 1978-157, 16 October, 1978; By-law 1982-141, 27 September, 1982.

732.1.6 Public property - defined
“public property” includes curbs, gutters, pavements, sidewalks, trees, sodding and other public structures and installations.

732.1.7 Public Utilities Company - Defined

“Public Utility Company” includes the Peterborough utilities Commission, Consumer: Gas Company, Bell Telephone Company of Canada, MacLean Hunter Cable Television Limited and the City of Peterborough. (94-44)

732.1.8 Work - defined
“work” includes excavating, filling, grading and paving.

Article 2
GENERAL PROVISIONS

732.2.1 Working - on travelled portion of highway - prohibited
No person shall perform any work on the travelled portion of any highway in the City of Peterborough.

732.2.2 Working - on boulevard - permit required - conditions
No person shall perform any work on a boulevard unless and until the owner of the abutting land has obtained a permit so to do from the Engineer and then only if such work is done strictly in accordance with the provisions of this Chapter and the conditions of approval as set forth on the permit.

732.2.3 Application - permit - to Engineer - Schedule ‘A’
An application for a permit shall be made to the Engineer in the form set out in Schedule ‘A.’
732.2.4  Permit - issue - conformity - all applicable by-laws
Where an application for a permit to perform work on a boulevard conforms to this Chapter and all other applicable by-laws, the Engineer shall issue a permit therefor.

732.2.5  Completion - within 30 days
The work authorized by the permit shall be completed within thirty days following the date thereof whereupon the permit shall expire.

732.2.6  Exemption - public utility company - other
This Chapter shall not apply to prevent a public utility company from performing work on a highway in accordance with the regulations approved by the Utilities Coordinating Committee of the City of Peterborough or any owner of the abutting land from seeding, sodding, cutting or otherwise maintaining the boulevard. By-law 1978-157, 16 October, 1978.

732.2.7  Curbing - installation - owner's expense
The owner or occupant of the property may install sections of precast concrete curbing within the street allowance along the edge of the travelled road which abuts his or her land. Such work shall be done in accordance with Section 732.2.2. The owner or occupant shall pay all costs for such installation.

732.2.8  Curbing - installation - by owner - permit - approval
The owner shall obtain approval for the said work in accordance with Sections 732.2.3 and 732.2.4 and shall not install the said curbs until a permit has been issued.

732.2.9  Liability - damage - permit holder - responsibility
The said owner or occupant shall agree to assume all risk of damage to City property pursuant to Section 732.3.2 of this Chapter and all third parties who may incur damage as a consequence of the said installation. Signature of the permit by the owner or occupant shall be deemed to be an acceptance of such risk, but such risk shall only apply to events or occurrences which are or should be reasonably foreseeable.

732.2.10  Installation - methodology - compliance
The owner shall comply with the method of installation as originally approved by representatives of the City.

732.2.11  Curbs - maintenance - owner responsibility
The owner shall provide adequate maintenance of the said curbs.
732.2.12 Alterations - additions - approval - required
The owner shall not change, add to, or otherwise alter the installation of the said curbs without approval from the Engineer, or his or her designate. By-law 1982-141, 27 September, 1982.

Article 3
BOULEVARD - MAINTENANCE

732.3.1 Regulations - set out
All work on a boulevard shall be done in accordance with the regulations set out in this Article.

732.3.2 Damage - repaired - owner’s expense
Any damage to public property caused by the owner of the abutting land or his or her workers, agents or contractors during the course of performing work on a boulevard shall be repaired at the owner’s expense to the satisfaction of the Engineer.

732.3.3 Liability - property damage - insurance - minimum
No person shall perform work on a boulevard for or on behalf of others unless and until he or she has filed proof with the Engineer of public liability and property damage insurance coverage of $1,000,000.

732.3.4 Barricades - signs - lights - protection of public
Any person performing work on a boulevard shall take all precautions and maintain such barricades, signs and lights as may reasonably be necessary to protect the general public.

732.3.5 Sidewalk - driveway - culvert - location - dimensions
The width, length, location and grade of any private sidewalk, driveway or culvert on a boulevard shall be subject to the approval of the Engineer.

732.3.6 Sidewalk - driveway - base requirements
All sidewalks and driveways shall be placed on a layer of granular 'A' meeting requirements of Ontario Provincial Standards Specification 1010. (94-44)

732.3.7 Asphalt - Hot Mix - Specifications
All asphalt shall be hot mix, hot laid asphaltic concrete as described in Ontario Provincial Standards Specification 310. (94-44)

732.3.8
All concrete shall have a minimum compressive strength of 30 megapascals after days with 7% air entrainment. (94-44)
732.3.9 Gravel - cinders - aggregate - maximum dimension

The maximum dimension of aggregate of gravel or cinders shall be 19 millimetres. (94-44)

Article 4
ENFORCEMENT

732.4.1 Fine - for contravention
Every person who contravenes this Chapter is guilty of an offence and is liable to the penalty as prescribed by applicable law for each offence. By-law 92-189, 7 December, 1992.

Note: Except where otherwise expressly provided in this Chapter, and pursuant to other provincial statutes, such as the Planning Act, the maximum fine for violation of the Code is specified in section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, which indicates that a party guilty of an offence is liable to a fine of not more than five thousand dollars ($5000.00).
Application and Permit To Work on a Boulevard

Receipt No. .......... Permit No. ............... ........................

..................... 19 ......

I hereby apply for a permit to ........................................

at (address of work) ..............................................

for (owner) ............................................................

Owner’s Address ...................... Phone ....................... ........................

Contractor ................. Address .................. Phone ...........

Work to Start ................. Work to Finish .........................

Existing Surface .................. Proposed Surface .................

Width ...... Length ...... Depth of Base ...... Thickness of Surface ......

Diameter of Culvert ..............

I hereby agree to indemnify The Corporation of the City of Peterborough against, and save the Corporation harmless from, any and all claims or demands made or brought against the Corporation by any person or persons for or by reason of the work referred to in this application whether performed by me or my workers, agents or contractors.

................................. .................................

Witness

Permission is granted to .................................

to .................................................................

in accordance with this application, the provisions of By-law 19 ...... and the conditions of approval set forth on this permit.

Date of Permit ............... 19 ..............

.................................

City Engineer

per: .............................................
Conditions of Approval

Mark location of proposed work and elevations, curb, sidewalk and property line relative to a street elevation of 100.0

By-law 1978-157, 16 October, 1978; Schedule 'A'.