Municipal Corporation of the Township of Killaloe, Hagarty and Richards

By-Law # 43-2016

Being a by-law to amend By-Law #13-2011, being a by-law to establish road maintenance standards and road classifications for highways within the jurisdiction of the Township of Killaloe, Hagarty and Richards;

WHEREAS the municipality is authorized under the Municipal Act, 2001, Section 8 to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS the Council for the Township of Killaloe, Hagarty and Richards deems it necessary to pass a by-law amending By-law #13-2011 respecting the classification and maintenance of highways under its jurisdiction;

NOW THEREFORE the Council for the Township of Killaloe, Hagarty and Richards 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 Foy Park Corridor is hereby added to Schedule "A" to this by-law;

3. That "Class 6" highway standards as outlined in Schedule "B", which is attached hereto and forms part of this by-law.

4. That Regulation 239/02, and associated amendments, 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 forming part of this by-law.

5. That winter maintenance on highways under the jurisdiction of the municipality shall be conducted annually beginning on October 15th and continuing to, and including, April 14th .

7. That this by-law shall come into force and take effect upon final passing thereof.

Read a first and second time this 6th day of December, 2016.

Read a third time and finally passed this 6th day of December, 2016.

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Mayor CAO/Clerk-Treasurer

Schedule "A" to By-Law #43-2016

Township of Killaloe, Hagarty and Richards		
Road Name	**Description**	**Class**
Albert St.		4
Antoine	911 #120 to 911 #314	5
Bear Trail Rd		4
Beaver Rd		5
Beechnut Lake Rd	From Cty Rd. 58 to 911 #68	6(b)
Buck Hill Rd	From Simpson Pit Rd. to 911 #296	5
Buck Hill Rd	From 911 #296 to Horseshoe Rd. intersection	5
Byers Creek Rd	From Simpson Pit Rd. to 911 #287	4
Byers Creek Rd	From 911 #287 to Dead End at 911# 686	6(b)
Cain Rd		6(a)
Cardinal Rd		5
Church St.		4
Deer Trail Rd	From Round Lake to 911 #164	5
Deer Trail Rd	From 911 #164 to 911 #462	5
Division Rd	From Round Lake West to 911 #1863	4
Division Rd	From 911 #1863 to Horseshoe Rd. Intersection 911 #2510	6(a)
Doyle Mountain Rd		4
Eno Rd		4
Foy Park Corridor	From intersection with Red Rock Road to Intersection with County Rd. #58 (Round Lake Road)	4
Gorman Rd		6(a)
Green Ridge Rd	From 911 #55 North to 911 #333	5
Greens Rd	From Brudenell Rd. to 911 #680	5
Harrington Rd		5
Heritage Rd	From Old Trestle Rd. to 911 #1454	5
Hidden Trail Rd		5
High Country Rd		5
Hillcrest Avenue	From Hwy 60 to 911 #106	5
Horseshoe Rd		6(a)
Inukshuk Rd		5
Jack Chute Rd		5
John Street		5
John Foy Lane		5
Lake Street		4
Lakeview Drive		5
Lenny Rd	From Mountain View Rd. to 911 #7	5
Lenny Rd	From 911 #7 to 911 #177	5
Lisk Rd		5
Long Meadow Rd	From Cty Rd. #58 to 911 #296	5
Mask Rd	From Hwy 60 to 911 #2491	4
Mockingbird Rd	From Turners Rd. to 911 #79	5
Mockingbird Rd	From 911 #79 to 911 #179	6(a)
Mountain View Rd		4
O'Grady Settlement Rd		5
Oak Avenue		5
Old Trestle Rd		5
Pecoskie Drive		5
Pine View Drive		5
Red Rock Rd		4
Rink Rd	From Cty Rd. #58 to 911 #43	5
River Rd	From Tramore Rd. to 911 #6527	5
River Rd	From 911 #6527 to 911 #6570 Dead End	6(a)
Rochefort Rd		4
Rozek Rd	From Scenic Rd. to 911 #26	5
Rozek Rd	From 911 #26 to 911# 826 Dead End	6(b)
Scenic Rd	From Wilno Rd. North to 911 #1318	5
Scenic Rd	From 911 #1318 to 911 #1398	5
Simpson Pit Rd South		5
Stone Church Rd	From Old Trestle Rd. to 911 #767	4

	Schedule "A" Continued	
Stone Church Rd	From 911 #767 to 911 #992	6
Sunrise Rd	From Cty Rd. #58 to 911 #168	5
Sunrise Rd	From 911 #168 to 911 #306	6
Tramore Rd		4
Turners Rd		4
White Church Rd		4
Wildlife Rd	From Cty Rd. 58 West to 911 #596	5
Wildlife Rd	From Hwy 60 to Cty Rd. #58	6(b)
Wilno North Rd	F rom Scenic Rd to Antoine Rd	5
Winnie Rd	From Intersection with Antoine Rd. to 911 #250	6(b)
Yantha Drive		4

Streets – Former Village of Killaloe		
Road Name	**Description**	**Class**
Angus Street		5
Annie Street		5
Boland Street		5
Cameron Street		5
Civic Street		5
Coll Street		5
Elm Street		5
Henry Street		5
James Street		5
John Street		5
Keetch Street		5
King Street		5
Lake Street		5
Lane Street		5
Lisk Street		5
Maple Street		5
Mary Street		5
Meadow Drive		5
McCarthy Lane		5
Mill Street		4
North Street		5
River Street		5
Roche Street		5
Ryan Street		5
Water Street		5
William Street		5
Zummach Drive		5

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Mayor CAO/Clerk-Treasurer

Schedule "B" to By-Law #43-2016

CLASS 6 ROADS

Class 6 (A) **Routine Patrolling Frequency**

Once every 60 days

Class 6 (A) **Snow Accumulation**

Depth - 30 cm
Time – 3 weeks

Class 6 (A) **Icy Roadways**

2 weeks or 14 days

Class 6 (A & B) **Potholes on Paved Surface of Roadway**

Surface area	1500 cm2
Depth	10 cm
Time	90 days

Class 6 (A & B) **Potholes on Non Paved Surface of Roadway**

Surface area	2000 cm2
Depth	14 cm
Time	3 months or 90 days

Class 6 (A & B) **Potholes on Paved or Non Paved Surface of Shoulders**

Surface area	2000 cm2
Depth	14 cm
Time	3 months or 90 days

Class 6 (A & B) **Shoulder Drop –offs**

Depth	14 cm
Time	3 months or 90 days

Class 6 (A & B) **Cracks**

Width	8 cm
Depth	10 cm
Time	180 days

Class 6 (A & B) **Luminaries**

Time	28 days

Class 6 (A & B) **Regulating and Warning Signs**

Time	90 days

Schedule "B" to By-Law #43-2016–Continued

Class 6 (A & B) **Bridge Deck Spalls**

Surface area	1500 cm2
Depth	10 cm
Time	21 days

Class 6 (A & B) **Surface Discontinuities**

Height	10 cm
Time	60 days

Class 6 (B) **Snow Accumulation & Icy Roadways**

Requests for winter maintenance on Class 6(B) roads will be dealt with on "a reasonable request" basis, and will be carried out dependant upon the availability of road equipment and personnel. Requests must be made to the Road Superintendent at least 48 hours prior to the commencement of requested maintenance.

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Mayor CAO/Clerk-Treasurer

SCHEDULE "C" to By-Law 43-2016

ONTARIO REGULATION 239/02

MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS

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;

"Ontario Traffic Manual" means the Ontario Traffic Manual published by the Ministry of Transportation, as amended from time to time;

"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); O. Reg. 23/10, 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; or

(b) by estimating the average daily two-way traffic on the highway or part of the highway. O. Reg. 239/02, s. 1 (3); O. Reg. 23/10, s. 1 (2).

(4) For the purposes of this Regulation, a municipality is deemed to be aware of a fact if, in the absence of actual knowledge of the fact, circumstances are such that the municipality ought reasonably to be aware of the fact. O. Reg. 23/10, s. 1 (3).

TABLE
CLASSIFICATION OF HIGHWAYS

Average Annual Daily Traffic (number of motor vehicles)	Posted or Statutory Speed Limit (kilometres per hour)						
	91 - 100	81 - 90	71 - 80	61 - 70	51 - 60	41 - 50	1 - 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

O. Reg. 613/06, s. 1.

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) REVOKED: O. Reg. 23/10, s. 2.

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

MINIMUM STANDARDS

Patrolling

3. (1) The minimum standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section. O. Reg. 23/10, s. 3 (1).

(2) During the season when a municipality performs winter highway maintenance, the minimum standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, as necessary, to check for conditions described in sections 4 and 5. O. Reg. 23/10, s. 3 (1).

(3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway, and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities. O. Reg. 23/10, s. 3 (1).

(4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1. O. Reg. 23/10, s. 3 (1).

TABLE
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; O. Reg. 23/10, s. 3 (2).

Snow accumulation

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

(a) 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, to deploy snow-clearing resources as soon as practicable; and

(b) after the snow accumulation has ended, to clear the snow to a depth less than or equal to the depth set out in the Table within the time set out in the Table,

(i) to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or

(ii) on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres. O. Reg. 23/10, s. 4.

(2) 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. 23/10, s. 4.

(3) In this section,

"snow accumulation" means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:

1. New fallen snow.
2. Wind-blown snow.
3. Slush. O. Reg. 23/10, s. 4.

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 after becoming aware of the fact that a roadway is icy is to treat the icy roadway within the time set out in the Table to this section. O. Reg. 23/10, s. 5.

(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 cm²	8 cm	4 days
2	800 cm²	8 cm	4 days
3	1000 cm²	8 cm	7 days
4	1000 cm²	8 cm	14 days
5	1000 cm²	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 cm²	8 cm	7 days
4	1500 cm²	10 cm	14 days
5	1500 cm²	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 cm²	8 cm	7 days
2	1500 cm²	8 cm	7 days
3	1500 cm²	8 cm	14 days
4	1500 cm²	10 cm	30 days
5	1500 cm²	12 cm	60 days

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. (0.1) The minimum standard for the frequency of inspecting all luminaires to check to see that they are functioning is once per year. O. Reg. 23/10, s. 6.

(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. (0.1) The minimum standard for the frequency of inspecting signs of a type listed in subsection (2) to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per year. O. Reg. 23/10, s. 7 (1).

(1) If any sign of a type listed in subsection (2) is illegible, improperly oriented, obscured 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); O. Reg. 23/10, s. 7 (2).

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

1. Checkerboard.
2. Curve sign with advisory speed tab.

3. Do not enter.

3.1 Load Restricted Bridge.

3.2 Low Bridge.

3.3 Low Bridge Ahead.

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); O. Reg. 23/10, s. 7 (3).

Regulatory or warning signs

12. (1) The minimum standard for the frequency of inspecting regulatory signs or warning signs to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per year. O. Reg. 23/10, s. 8.

(2) If a regulatory sign or warning sign is illegible, improperly oriented, obscured 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. 23/10, s. 8.

(3) In this section,

"regulatory sign" and "warning sign" have the same meanings as in the Ontario Traffic Manual, except that they do not include a sign listed in subsection 11 (2) of this Regulation. O. Reg. 23/10, s. 8.

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 cm²	8 cm	4 days
2	800 cm²	8 cm	4 days
3	1,000 cm²	8 cm	7 days
4	1,000 cm²	8 cm	7 days
5	1,000 cm²	8 cm	7 days

O. Reg. 239/02, s. 15, Table.

Roadway surface discontinuities

16. (1) If a surface discontinuity on a roadway, 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. 23/10, s. 9.

(2) If a surface discontinuity on a bridge deck exceeds five centimetres, 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. 23/10, s. 9.

(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. 23/10, s. 9.

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.

Sidewalk surface discontinuities

16.1 (1) The minimum standard for the frequency of inspecting sidewalks to check for surface discontinuity is once per year. O. Reg. 23/10, s. 10.

(2) If a surface discontinuity on a sidewalk exceeds two centimetres, the minimum standard is to treat the surface discontinuity within 14 days after becoming aware of the fact. O. Reg. 23/10, s. 10.

(3) For the purpose of subsection (2), treating a surface discontinuity on a sidewalk means taking reasonable measures to protect users of the sidewalk from the discontinuity, including making permanent or temporary repairs, alerting users' attention to the discontinuity or preventing access to the area of discontinuity. O. Reg. 23/10, s. 10.

(4) In this section,

"surface discontinuity" means a vertical discontinuity creating a step formation at joints or cracks in the surface of the sidewalk. O. Reg. 23/10, s. 10.

REVIEW OF REGULATION

Review

17. (1) The Minister of Transportation shall conduct a review of this Regulation and Ontario Regulation 612/06 (Minimum Maintenance Standards for Highways in the City of Toronto) made under the *City of Toronto Act, 2006* every five years. O. Reg. 613/06, s. 2.

(2) Despite subsection (1), the first review after the completion of the review started before the end of 2007 shall be started five years after the day Ontario Regulation 23/10 is filed. O. Reg. 23/10, s. 11.

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

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Mayor CAO/Clerk-Treasurer