

THE CORPORATION OF THE TOWN OF MARATHON

BY-LAW NO. 1462

Being a by-law to amend By-law 1396, a
By-law to regulate private driveway access
to streets.

WHEREAS the Municipal Act, S.O. 2001, C. 25, Section 8, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Act, S.O. 2001, C. 25., section 9 (3) b) authorizes the Council of the Municipality to pass a by-law under Section 11, respecting a matter – may regulate, prohibit, provide for a system of permits and approvals and impose conditions as a requirement of obtaining a permit and approval;

AND WHEREAS the Municipal Act, S.O. 2001, C. 25., section 11, (1), (1) and (6) authorizes Council to pass by-laws respecting highways and drainage;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARATHON ENACTS AS FOLLOWS:

1. THAT By-Law No. 1396 is hereby amended by including the following subsection(s):

1. **Definitions:**

1.3 ‘Corner lot’ is a lot where the street or streets is parallel or about parallel to two adjoining walls of the principal building on that lot.

1.4 ‘Frontage’ the property line parallel to the front of the principal building on the lot or where the property line is perpendicular to the existing access (culvert) to that lot.

1.5 ‘Side boundary’ is a property line perpendicular or about perpendicular to the frontage.

5. **Culvert Specifications**

5.4 In the case of a ‘*Corner Lot*’ where access to the property can be made at the street parallel to the principal structure, and the street perpendicular or about perpendicular to the to parallel street, the combined total of all private entrances to permit the passage of vehicles may exceed 2.7 meters (8.8 feet) to a lot maximum of 7.92 metres (26 feet) in width, on both the ‘frontage’(parallel) and ‘side boundary’(perpendicular) property lines, or 40% of the total street line (frontage, side boundary) of the lot whichever is less.

2. **Offences and Penalty**

Every person who contravenes any provisions of this by-law is guilty of an offence and upon conviction is liable to the penalty specified by The Provincial Offences Act, R.S.O.1990, c. P33, as amended.

This by-law shall come into force and take effect on the final day of its passing.

READ A FIRST AND SECOND TIME THIS 24TH DAY OF MAY, A.D.,
2005.

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Mayor

(SEAL)

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Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF
MAY, A.D., 2005.

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Mayor

(SEAL)

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Clerk