THE REGIONAL MUNICIPALITY OF WATERLOO

BY-LAW NUMBER 58-87

A By-Law to Designate and Regulate
Controlled-Access Roads.

The Council of the Regional Municipality of Waterloo
enacts as follows:

1. In this By-law:
   (a) "Commissioner" shall mean the Commissioner of
       Engineering for the Regional Municipality of
       Waterloo, or authorized designate;
   (b) "Controlled-Access Road" shall mean a
       controlled-access road designated by this
       By-law;
   (c) "Council" shall mean the Council of the
       Regional Municipality of Waterloo.

2. Those roads or portions of roads described in
   Schedule 'A' and 'B' to this By-law are designated
   as controlled-access roads.

3. No person shall construct, alter the geometric
   design of, enlarge or otherwise use any private
   road, entranceway, structure or facility as a means
   of access to a controlled-access road described in
   Schedule 'A', subject to Sections 4 and 8.

4. (a) Accesses to controlled-access roads described
     in Schedule 'A' may be constructed or altered
     at the locations named and described in
     Schedule 'C' to this By-law.
     (b) An access constructed or altered under the
         provisions of this section shall conform to the
         standards set out in the "Policy and Procedures
         for Access Onto Regional Roads".

5. No person shall construct, alter the geometric
   design of, enlarge or otherwise use any private
   road, entranceway, structure or facility as a means
   of access to a controlled-access road described in
   Schedule 'B', subject to Sections 6, 7 and 8.
6. (a) Accesses to controlled-access roads described in Schedule 'B' may be constructed or altered upon issuance of a permit therefore by the Commissioner.

(b) An access constructed or altered under the provisions of this section shall conform to the standards set out in the "Policy and Procedures for Access Onto Regional Roads" and shall further comply with all conditions and provisos attached to any permit issued hereunder.

7. (a) A permit to authorize a means of access to a controlled-access road described in Schedule 'B' may be issued by the Commissioner in accordance with the policies and procedures adopted therefore from time to time by resolution of Council.

(b) Any decision of the Commissioner as to the issuance of a permit hereunder or any condition or proviso thereon may be reviewed by Council on application by an applicant or other interested party. Unless Council directs otherwise, all such requests shall stand referred to the Engineering Committee of the Regional Municipality of Waterloo for enquiry and report to Council.

8. Sections 3 and 5 do not apply to any access to a controlled-access road that was in existence prior to the designation of the road as a controlled-access road.

9. (a) In addition to any other penalty which may be imposed hereunder, any owner of land who contravenes this By-law may be given a notice by Council requiring the owner to close up any access which has been constructed, altered, enlarged or used in contravention of this By-law.
(b) Any notice hereunder shall be in writing and shall be served either personally or by registered mail, and in the case of service by registered mail shall be deemed to have been received on the 5th day following the mailing thereof.

(c) Where the person to whom notice is given hereunder fails to comply with the notice within thirty (30) days of its receipt, Council may by resolution direct its officers, employees, or agents to enter upon the land of the person and do or cause to be done whatever may be necessary to close up the access. Any expense incurred by the Regional Municipality of Waterloo in closing up an access may be recovered from the owner by action or in like manner as municipal taxes.

(d) Every person who fails to comply with a notice given under this section is guilty of an offence and shall be liable to a fine of not less than $10.00 and not more than $100.00 for a first offence and to a fine of not less than $50.00 and not more than $500.00 for a second or subsequent offence, recoverable under the Provincial Offences Act.

10. Any person violating any provision of this By-law save Section 9, is guilty of an offence and shall be liable on conviction to a fine not exceeding $2,000.00 exclusive of costs, recoverable under the Provincial Offences Act.

11. Schedules 'A', 'B' and 'C' to this By-law are a part hereof.

12. By-law Number 51-84, as amended, of The Regional Municipality of Waterloo, is hereby repealed subject to the proviso that legality of an access to a road shall be determined on the basis of the date of
designation of the road as controlled access by
By-law 51-84 or an amendment thereto or a
predecessor thereof.
By-law read a first and second time this 17th day
of September, A.D. 1987.
Read a third time and finally passed at the Council
Chambers in the Regional Municipality of Waterloo
this 17th day of September, A.D. 1987.

[Signatures]
CLERK

[Signatures]
CHAIRMAN