

# Corporation of the County of Grey

## By-Law 5068-19

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### A By-law to Authorize the Annual Closure of Bicycle Lanes on Roadways in the County of Grey from October 15<sup>th</sup> to April 15<sup>th</sup>

WHEREAS Section 35 of the *Municipal Act, 2001*, as amended, allows a municipality to pass a by-law restricting the common law right of passage by the public over a highway;

AND WHEREAS pursuant to section 16.8 of Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways, when a municipality closes part of a highway pursuant to its powers under the *Municipal Act, 2001*, the highway is deemed to be in a state of repair in respect of all conditions described in that Regulation from the time of the closure until the highway is re-opened by the municipality;

AND WHEREAS on November 22, 2018 the Council of the County of Grey enacted By-law 5036-18 to restrict the common law right of passage over bicycle lanes on Grey County roadways during the 2018-2019 winter season;

AND WHEREAS the Council of the County of Grey adopted the recommendations of the Committee of the Whole at its September 12, 2019 meeting regarding not providing winter maintenance on bicycle lanes on Grey County roadways on an annual basis and;

AND WHEREAS the Council of the County of Grey accordingly desires to prohibit the use of bicycle lanes annually from October 15<sup>th</sup> to April 15<sup>th</sup>;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS AS FOLLOWS:

1. Definitions – in this By-law:
  - 1.1 “Bicycle Lane” has the meaning given to it in Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways, such regulation being made under the authority of the *Municipal Act, 2001*.
2. That the common law right of passage over each of the following highways is restricted by fully and completely removing such right of passage from any Bicycle Lane along them during the period commencing on October 15 in each year and extending to April 15 of the following year:
  - 2.1 Grey Road 1 from the intersection at East Linton Sideroad West north to the intersection of Kemble Rock Road;
  - 2.2 Grey Road 1 from 300 metres east of the intersection at Skinner’s Bluff to the westerly boundary of Grey County; and
  - 2.3 Grey Road 19 from the intersection of Grey Road 119 to the intersection of Highway 26.

3. That By-law 5036-18 is hereby rescinded.
4. This By-law shall come into full force and effect upon the date of final passing thereof.

ENACTED AND PASSED this 26<sup>th</sup> day of September 2019.

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WARDEN: Selwyn Hicks

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CLERK: Heather Morrison