

THE CORPORATION OF THE TOWN OF CALEDON

By-law Number 2003-187

being a by-law to designate fire routes and
to prohibit parking thereon

WHEREAS section 7.1 of the *Fire Protection and Prevention Act*, 1997, provides that the council of a municipality may pass by-laws designating private roadways as fire routes and prohibiting parking of motor vehicles thereon;

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts as follows:

1. In this by-law

“authorized sign” means a designated fire route sign as set out in Schedule B

“building” means a building as defined in the *Building Code Act*, 1992 as amended

“designated fire route” means a private roadway or an access route for fire department vehicles to gain access to a building or a property in response to an emergency

“enforcement officer” means an officer of the Ontario Provincial Police, a provincial offences officer or the Town Fire Chief

“Fire Chief” means the chief fire official appointed by Council of the Town of Caledon or his designate for the purposes of this by-law

“fire department vehicle” includes any motor vehicle, vehicle and equipment used by the Town fire and emergency services department

“motor vehicle” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power

“Ontario Building Code” means Ontario Regulation 403/97 as amended, made pursuant to the *Building Code Act*, 1992 and any successor thereto

“owner” when used in connection with property, includes

- (i) in the case of a property upon which there is a condominium, the corporation incorporated under the *Condominium Act* for that condominium, or
- (ii) the person shown as the owner of the property on the last revised assessment roll, or
- (iii) the person who is or appears to be receiving rent or other compensation from the use of land by a third party whether they are receiving it on their own account or as agent, trustee or representative or like capacity, or
- (iv) the person shown as the owner of the property in the records of the registry or the land titles office.

“park” or “parking” means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of, and while actually engaged in loading or unloading merchandise or passengers, and includes “stop” and “stopping”

“person” includes a corporation

“private roadway” means any private road, lane, ramp or other means of vehicular access to or from a building or structure and may include part of a parking lot

“stop” or “stopping” means the halting of a vehicle even momentarily, except when necessary to avoid conflict with other traffic or except in compliance with the directions of a constable or other police officer or of a traffic control signal or sign

“Town” means The Corporation of the Town of Caledon

“vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power

2. Every route that is required to be provided pursuant to the Ontario Building Code for the access of fire department vehicles, except any access route relating to single-family detached dwellings, semi-detached single-family dwellings or on-street row housing, shall be and the same is hereby a designated fire route.
3. The Fire Chief shall cause a notice to be either personally delivered or mailed by prepaid registered mail to the owner of the property where a fire route has been designated containing
 - (1) the date on which the fire route was designated
 - (2) a site plan outlining the location of the designated fire route and authorized sign locations, and
 - (3) a copy of this by-law.
4. Where a fire route has been designated under this by-law, the owner of the property upon which the route is located
 - (1) shall construct a fire route in accordance with the fire route requirements set out in Schedule A to this by-law, and
 - (2) shall install the authorized signs along the designated fire route in accordance with the authorized sign design standards set out in Schedule B and in the locations outlined on the site plan referred to above.
5.
 - (1) Where the owner fails to construct a designated fire route in accordance with the provisions of this by-law, the Fire Chief may issue a notice to comply requiring the owner to construct a fire route in accordance with the provisions of this by-law by the time specified in the notice.
 - (2) The Fire Chief shall cause the notice to comply to be either personally delivered or mailed by prepaid registered mail to the owner.
 - (3) The owner of the property shall comply with the requirements of the notice to comply.

6. The owner shall keep a designated fire route
 - (1) in good repair,
 - (2) clear of ice and snow, and
 - (3) free of all forms of barriers and obstructions.
7. The owner shall keep the authorized sign in good repair and in a clearly visible condition.
8. Where the owner fails to erect or to maintain an authorized sign in accordance with the provisions of this by-law, the Town may enter on the owner's land and may undertake or cause to undertake the necessary repair to, or where required, may erect or replace an authorized sign or signs at the expense of the owner and any costs incurred as a result thereof may be recovered in like manner as municipal taxes.
9.
 - (1) Notwithstanding that a fire route has been designated and constructed and that the authorized signs have been installed in accordance with this by-law, the Fire Chief may, if it is required by the life safety provisions of the Fire Code, require that the fire route and the signs be modified to implement these life safety provisions.
 - (2) The Fire Chief shall cause a notice to be either personally delivered or mailed by prepaid registered mail to the owner of the property setting out that such changes are required to be made to the fire route and/or to the authorized signs by the time specified in the notice.
 - (3) The property owner shall comply with the requirements of the notice including performance of all work necessary on the fire route and the authorized signs.
 - (4) Where the necessary work includes physical changes to the fire route, the Fire Chief may require that any appropriate design professional certify the performance of the work.
10.
 - (1) No person shall park a vehicle at any time on or along any part of a designated fire route along which signs are erected.
 - (2) This section is not applicable to
 - (a) ambulances, police or fire department vehicles, or public utility emergency vehicles, or
 - (b) vehicles actually engaged in work for or on behalf of the Town.
11.
 - (1) Any person who contravenes any provision of this by-law is guilty of an offence and shall be liable to a fine of not more than \$5,000.00.
 - (2) Notwithstanding subsection (1) of this section, any person who has been served with a parking infraction notice alleging the commission of an offence under section 10 of this by-law may, within seven days from the date of such parking infraction notice, make a voluntary payment in the amount of \$30.00 at the place shown on such parking infraction notice, and upon such payment made, no further proceedings shall be taken under this by-law in respect of the offence alleged in such parking infraction notice.


- (3) The owner of a vehicle may be charged with and convicted of an offence under this by-law for which the driver of the vehicle is subject to be charged, unless at the time of the offence the vehicle was in the possession of some other person other than the owner without the owner's consent, and on conviction the owner shall be liable for the penalty of the offence.
- (4) An enforcement officer, upon discovery of any vehicle parked or left in contravention of this by-law, may cause it to be moved or taken to and placed or stored in a suitable place, and all costs and charges for its removal, care and storage, if any, shall be lien upon the vehicle which may be enforced in the manner provided in Part III of the *Repair and Storage Liens Act*, R.S.O. 1990, c. R. 25.

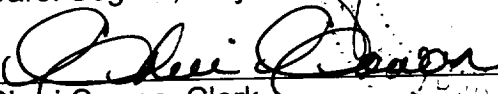
12. By-law 92-19, as amended, is hereby repealed.

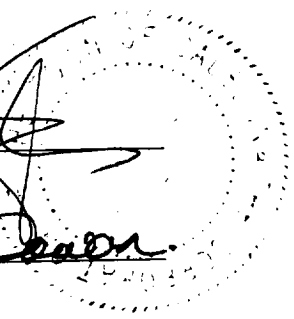
READ A FIRST, SECOND AND THIRD TIME

AND PASSED IN OPEN COUNCIL

THIS 20th DAY OF OCTOBER 2003


Carol Seglins, Mayor


Cheryl Cowan, Clerk



SCHEDULE A

FIRE ROUTE REQUIREMENTS

1. All designated fire routes shall be constructed and maintained in accordance with all of the following requirements:
 - (1) be connected to a public thoroughfare
 - (2) have a clear driving width of not less than 6 meters, if the building is designated as a Part 3 building under the Ontario Building Code
 - (3) be constructed of a hard surface material, such as asphalt, concrete or compacted granular material, that will provide accessibility in all climatic conditions and is capable of supporting a load of not less than 25,500 kg (56,217 lbs) gross vehicle weight..
 - (4) have a change in gradient of not more than 1 in 12.5 over a minimum distance of 15 metres
 - (5) be located not less than 3 metres and not more than 15 metres, measured horizontally and at right angles from the face of the building
 - (6) have an overhead clearance of not less than 5 metres
 - (7) have a centre line radius of not less than 12 metres with respect to any change in direction of the fire route
 - (8) have turn around facilities for any dead end portion of the fire route exceeding 90 metres; such turn around facilities shall be either a 27 metre cul-de-sac or a 35 metres x 6 metre hammerhead
 - (9) be designed to provide access to the building face which contains the principal entrance when one only building face is required to be accessible by the Ontario Building Code
 - (10) be located not more than 45 metres measured horizontally from an entrance to each portion of a building which is completely cut off from the remainder of the building which is served by the fire route.
2. The clear width of the designated fire route may be reduced to
 - (1) 4 metres, if the building is designated as a Part 9 building under the Ontario Building Code and the authorized signs are placed along both sides of the driveway prohibiting parking or stopping, or
 - (2) 5 metres, if the building is designated as a Part 9 building under the Ontario Building Code and the authorized signs are placed along one side of the driveway prohibiting parking or stopping.
3. If the building is designated as a Part 9 building under the Ontario Building Code and the clear width of the fire route is 6 metres or greater, sections 10 and 11 of this by-law do not apply and parking may be permitted along both sides of the driveway.

SCHEDULE B

AUTHORIZED SIGN DESIGN STANDARDS

1. All signs required by this by-law shall be printed on a 30 cm by 45 cm sign blank and shall display a format as illustrated in Figure A and B below and as required by section 2 of this schedule.
2. Signs shall be placed at each limit of a designated fire route and shall display single headed arrows (Figure A) pointing in the direction of such designated fire route. Signs displaying double headed arrows (Figure B) shall be placed at intermediate points along the designated fire route at intervals as identified by the Fire Chief.
3. Signs shall be erected on a sign post anchored securely to the ground or a platform capable of holding the sign erect during all weather conditions. The maximum height of signs shall be no greater than 3 metres and the minimum height of signs shall be no less than 2 metres above the wearing surface of the fire route. The height measurement referred to in this section shall be taken to the top of the sign for both the minimum and maximum heights.
4. Signs shall be erected on the boulevard of a designated fire route so that no part of the sign is closer than 60 cm nor greater than 3 metres to the edge of the fire route.

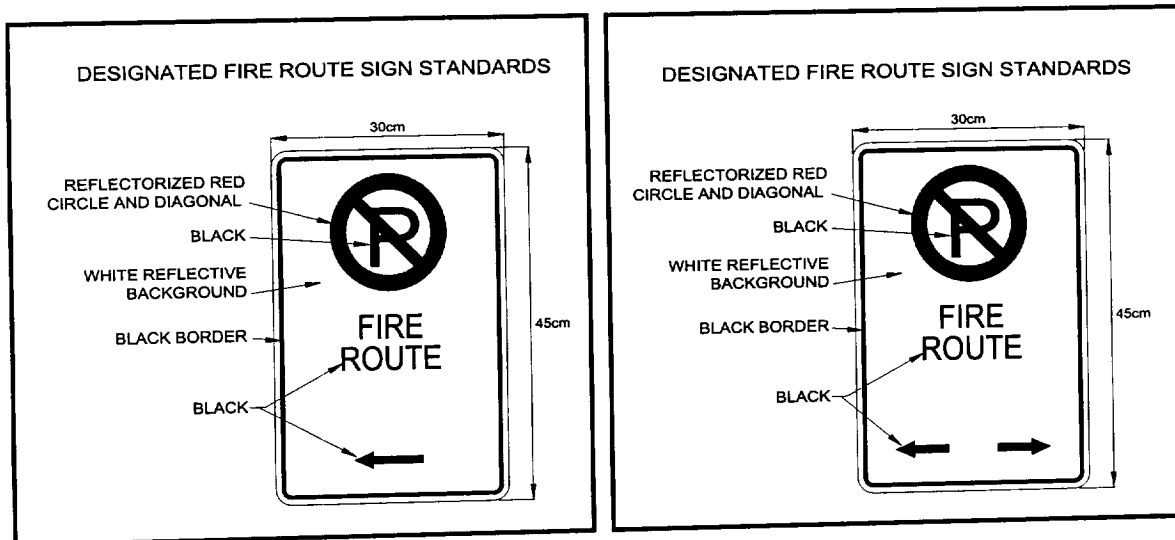


FIGURE A

FIGURE B