

# CORPORATION OF THE TOWN OF PRESCOTT

## BY-LAW No. 27-2011

### Being a by-law to regulate temporary road closures for special occasions in the Town of Prescott

**WHEREAS** Council may pass a bylaw under section 9 and 11 of the municipal Act, S.O. 2001, c.25 as amended for regulating special events on municipal highways and for the temporary closure of a public roadway.

**AND WHEREAS** Council may pass a by-law under section 42 of the Municipal Act, 2001, as amended to delegate a designate the power to close a highway or public roadway for any purpose specified in this by-law, subject to any conditions the municipality may impose.

**NOW THEREFORE** the Council of the Corporation of the Town of Prescott enacts as follows:

#### **DEFINITIONS:**

1. This by-law may be cited as the Special Events Temporary Road Closure By-Law;
2. In this By-Law;

"Town" means the Corporation of the Town of Prescott;

"Council" means the Council of the Town of Prescott;

**"Designate" means the public works supervisor or authorized employee representing the supervisor in the Town of Prescott;**

"Person/Employee" means any employee representing the Town of Prescott;

"Temporary" means a period of time not exceeding twenty four (24) hours;

"Sidewalk" means all parts of a highway set aside for use by pedestrians or which is used by the general public for the passage of pedestrians;

"Roadway" means that part of the municipal highway that is improved, designed or ordinarily used for vehicular traffic, but does not include a shoulder or sidewalk and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;

"Special event" includes a demonstration, parade, procession, walk-a-thon, sports event, festival, carnival, donation station, street dance, residential block party, sidewalk sale, gatherings and other similar events **as deemed by the designate;**

**"Road closure" means any change to or that may interfere with the normal designated or designed use of a public roadway;**

"OPP" means the Ontario Provincial Police;

**"Ambulance" means ambulance services that apply to the Town of Prescott;**

**"Fire department" means the fire department of the Town of Prescott;**

**"BIA" means the business improvement association of the Town of Prescott;**

**"Chamber of Commerce" means the chamber of commerce for the Town of Prescott;**

**GENERAL REGULATIONS**

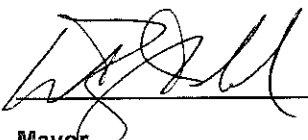
- 1) No individual or organization shall close any municipal roadway or part thereof for the purpose of holding a special event without first obtaining permission from the road closure designate.
- 2) Requests for temporary road closures must be received no less than four (4) weeks prior to the event.
- 3) On review of the application the road closure designate shall consider;
  - a) Potential adverse affects on public health and safety;
  - b) Potential inconvenience to public health;
  - c) Potential traffic impacts;
  - d) Potential complications concerning construction projects;
  - e) Lack of adequate detour routes;
  - f) Concerns for the security of persons or property proximate to the proposed route;
  - g) If the event breaches any municipal or provincial law;
  - h) Whether the past or present conduct of the applicant or organization sponsoring or conducting the special event affords reasonable grounds to believe that the event may not be carried in a lawful and controlled manner.

**RESPONSIBILITIES OF THE APPLICANT**

The individual or organization requesting the temporary road closure shall complete the necessary application form and provide all necessary documents as described herein. The application attached to the bylaw identified as **SCHEDULE "A"**

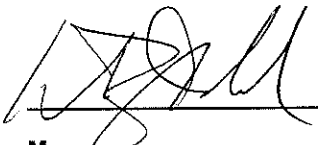
This by-law shall come into force and take effect on the 1<sup>st</sup> day of *January* 2012.

**READ A FIRST AND SECOND TIME THIS 3rd DAY OF OCTOBER, 2011.**

  
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Mayor

  
\_\_\_\_\_  
Clerk

**READ A THIRD AND FINAL TIME AND PASSED THIS 7<sup>th</sup> DAY OF NOVEMBER, 2011**

  
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Mayor

  
\_\_\_\_\_  
Clerk