

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2005 - 312

A BY-LAW TO ADOPT A POLICY ON ROADWAY LEVEL OF SERVICE –
MAINTENANCE PRIORITY CLASSIFICATION SYSTEM
FOR THE CITY OF KAWARTHA LAKES

Recitals

1. The *Municipal Act, 2001*, Section 27 (1) states that except as otherwise provided in this Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway.
2. The terms of the Maintenance Priority Classification System must be formally approved by Council.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2005-312.

Article 1.00: Definitions and Interpretation

- 1.01 **Definitions:** Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in this Section 1.01. Where any word appears in ordinary case, its regularly applied meaning in the English language is intended.
 - (a) “**By-law**” means this by-law, as it may be amended from time to time. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it.
 - (b) “**City**” means The Corporation of the City of Kawartha Lakes.
 - (c) “**Clerk**” means the person within the administration of the City which fulfils the function of the City Clerk as required by the *Municipal Act 2001 S. O. c.25*.
 - (d) “**Council**” means the elected municipal council for the City.
 - (e) “**Director**” means the Director of Public Works of the City.
- 1.02 **Interpretation Rules:**
 - (a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
 - (b) References to items in the plural include the singular, as applicable.
 - (c) The word “include” is not to be read as limiting the phrases or descriptions that precede it.
- 1.03 **Statutes:** Specific references to laws in this By-law are printed in italic font and are meant to refer to the current laws applicable within the Province of Ontario as at the time this By-law was enacted. For Provincial laws, the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended from time to time or current S.O. edition. References to by-laws are references to the municipal by-laws with force of law in Kawartha Lakes.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force and effect.

Article 2.00: Approval

- 2.01 **Adoption:** The Roadway Level of Service – Maintenance Priority Classification System Policy appended to this By-law as Schedule ‘A’ is adopted.
- 2.02 **Policy:** The Roadway Level of Service – Maintenance Priority Classification System Policy is to be placed in the Corporate Policy and Procedure Manual.

Article 3.00: Effective Date

3.01 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 29th day of November, 2005.

Mayor

Clerk