

THE CORPORATION OF THE TOWN OF HAWKESBURY

BY-LAW N° 75-2024

A By-law to authorize the temporary closure of sidewalks within the Town of Hawkesbury

WHEREAS section 27(1) of the *Municipal Act, 2001* states that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway, and;

WHEREAS section 1(1) of the *Municipal Act, 2001* defines “**highway**” as a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway, and;

WHEREAS section 1(1) of *Ontario Regulation 239/02 Minimum Maintenance Standards* defines “**sidewalk**” as the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited, and;

WHEREAS section 16.8 of *Ontario Regulation 239/02* states, *inter alia*, that when a municipality closes a highway or part of a highway pursuant to its powers under the Act, the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality, and;

WHEREAS the Council of the Corporation of the Town of Hawkesbury deems it appropriate to temporarily close certain sidewalks during the winter season.

NOW THEREFORE, the Council of the Corporation of the Town of Hawkesbury enacts as follows:

1. **THAT** the sidewalks, pedestrian pathways and recreational lanes, all considered sidewalks under the *Ontario Regulation 239/02*, listed in Schedule “A” attached hereto be closed from November 1st of each year to April 30th of the next year following.
2. **THAT** By-law 15-2021 is hereby repealed.
3. **THAT** this By-law shall come into force and effect on the date of its adoption.

**READ A FIRST, SECOND AND ADOPTED UPON THIRD READING
THIS 9th DAY OF DECEMBER 2024**

Robert Lefebvre, Mayor

Sonia Girard, Clerk

**By-law N° 75-2024
Schedule "A"**

Temporary Closure of Recreational Lanes Table				
No.	Street Name	From	To	Side
1	Edmond Street	Lafleche Road	Spence Avenue	West
2	Lafleche Road	Higginson Street	Edmond Street	West
3	Spence Avenue	Edmond Street	Duplicate Street	North

Temporary Closure of Sidewalks Table				
No.	Street Name	From	To	Side
1	Allan Street	467, Allan Street	580, Allan Street	West
2	Poplar Street	Smerdon Street	Thorne Street	North and South
3	Thorne Street	Thorne Street North - Dead-end	Thorne Street South - Dead-end	East
4	Smerdon Street	467, Smerdon Street	557, Smerdon Street	East
5	Race Street	Main Street	Bvd. du Chenail	West
6	Atlantic Street	Main Street	114, Atlantic Street	West
7	Hampden Street	Regent Street	Main Street	East
8	Nelson Street West	Chartrand Street	Nelson Street West - Dead-end	North
9	Tupper Street	Intersection of Highway 17		North East and North West

Temporary Closure of Pedestrian Pathways				
No.	Street Name	From	To	Length
1	Pedestrian Pathway alongside the creek	Smerdon Street	Kitchener Street	177.0 m
2	Desjardins Street	Desjardins Street - Dead-end	Aberdeen Street	48.0 m
3	Christine Street	Christine Street - Dead-end	Aberdeen Street	40.0 m
4	Edmond Street	Edmond Street	Sydney Park	37.0 m
5	Seguin Street	Seguin Street	Albert Street	89.0 m
6	Salisbury Street	Salisbury Street - Dead-end	Cadieux Park	25.0 m
7	Old Mill Park – Pathway located in front of Emerald Street	James Street	Old Mill Park	36.0 m
8	James Street (Pumping Station)	790, James Street	McGill Street	114.0 m