

**THE CORPORATION OF THE CITY OF KENORA**  
**BY-LAW NUMBER 32 - 2003**  
**A BY-LAW TO AUTHORIZE THE TEMPORARY CLOSING**  
**OF CERTAIN MUNICIPAL HIGHWAYS AND TO DELEGATE THE AUTHORITY FOR**  
**THESE CLOSINGS TO CERTAIN DEPARTMENTS OF THE CITY OF KENORA**

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**WHEREAS** Section 11 of The Municipal Act, 2001, as amended, sets out the Spheres of Jurisdiction that a municipality may pass by-laws under respecting various matters, particularly Section 11(1)1 provides that a By-law may be passed for Highways, including bridges, for parking and traffic on highways; and

**WHEREAS** Section 42 of The Municipal Act, 2001, as amended, provides that a municipality may delegate the power to an employee of the municipality to close a highway temporarily for any purpose provided for in this by-law; and

**WHEREAS** from time to time it is deemed necessary and expedient to close a highway, or a portion of a highway under the City's jurisdiction to vehicular traffic, and from time to time to pedestrian traffic, on a temporary basis, for a certain period of time for such purposes as:-

- 1. highway repairs, construction, and/or reconstruction;**
- 2. social, recreational, community or athletic purposes, or combination thereof; and**

**WHEREAS** it may be necessary to prohibit the use of the highway or portion of the highway so closed during the period of closure;

**NOW THEREFORE** the Council of the City of Kenora enacts as follows:-

1. THAT the City Clerk and/or the Operations Manager, or their Designate, are hereby delegated the power to close a highway on a temporary basis for such purposes that fall within their respective Departments and to ensure notification is shared between their Departments of any closures;
2. THAT requests for a temporary road closure shall be made to the City in writing setting out the date, time, duration and purpose for the temporary closure;
3. THAT where and when applicable, provision and proof of \$5 million liability insurance be provided to the City prior to the closure;
4. THAT in accordance with past practice, adequate signs; lights and/or barricades as are necessary be established at the subject highway(s) at the applicant's cost;
5. THAT direct notification be made to all Emergency Services advising of the temporary closure by copy of the letter of approval;
6. THAT during any closure authorization is hereby given for police, fire, ambulance and public utility vehicles to use portions of the subject highway(s) during an emergency;
7. THAT there shall be no fee payable to the City for authorizing a closure, however the organizer of the event/closure shall advertise said closure publicly, at least once, in a newspaper Display Ad, five (5) days in advance of the event, and the City must also advertise such closure when a temporary closure is required for municipal purposes;
8. THAT in the event of an emergency the requirement for an advertisement may be waived however all Emergency Services (Fire, Ambulance, Police Departments) shall be notified directly and immediately of the closure;
9. THAT any person violating provisions of this By-law shall be subject to penalty of not more than One Thousand Dollars (\$1,000.00), exclusive of costs, and all such penalties shall be recoverable under the Provincial Offences Act;
10. THAT this By-law shall take effect and come into force upon the third and final reading thereof.

**BY-LAW READ A FIRST & SECOND TIME THIS 17 DAY OF February 2003**  
**BY-LAW READ A THIRD & FINAL TIME THIS 17 DAY OF February 2003.**

**THE CORPORATION OF THE CITY OF KENORA:**

**per: .....D. Canfield MAYOR**

**per:.....J.McMillin CLERK**

