

BY-LAW NO. 244  
Effective April 29, 2002  
Adopted April 29, 2002

This By-Law governs all streets and sidewalks owned by the Municipality of Chester.

1. If your property abuts a municipal street or sidewalk,
  - ) Your grass cannot exceed 8cm and must be kept neat and tidy;
  - ) Make sure your garbage and litter is picked up;
  - ) Trim your tree branches, shrubs, hedges, etc. so they don't interfere with pedestrians, cyclists, motorists, or structures; and
  - ) Make sure nuisance materials, like dirt or dust, aren't placed or permitted to escape into the street.
2. Damage to Municipal streets or sidewalks is not allowed. Damage can be caused by dragging or depositing a heavy load, or driving over a curb with a heavy load. Sidewalks can be protected by putting adequately thick boards over it.
3. Gates or barriers that encroach onto a municipal street or impede pedestrians or traffic isn't permitted.
4. If you need to encroach on a municipal street, apply for an Encroachment Permit. Our Engineer issues them. Once the encroachment is demolished, another one cannot go back up in its place unless another Permit is granted. Council can also authorize agreements for encroachments.

Encroachment Permits:

- a. Expire in one year, unless there are special conditions allowed;
  - b. Renewal applications have to be made at least one month before expiry;
  - c. Encroachment Permits can be transferred to new owners;
  - d. The Engineer can revoke or suspend Permits as long as 30 days' notice is given;
  - e. If you don't agree with the Engineer, you can appeal the decision to Council within 15 days of the date of the decision's mailing. Council can confirm, rescind or vary the Engineer's decision.
  - f. Council can terminate an encroachment permit if it serves the Municipality's interest; however, they have to give 60 days' notice (unless danger or harm is involved then no notice is required) plus the permit holder gets a prorated rebate of the fee.
5. Unless you have a Street Disturbance Permit (it's now known as a Working in the Right of Way Permit), you cannot excavate, break the street's surface, cause any other physical damage to the street, or engage in any activity that obstructs pedestrian or vehicular traffic.

6. Street Disturbance Permits are valid for twelve months from the date of issue if work starts within the first six months. If work hasn't started within six months of issuing the Permit, it expires and you have to reapply.
7. Working in the Right of Way Permits are issued by the Engineer, and require a non-refundable fee. If an excavation occurs, a security deposit is required. The security deposit is because once the street is restored, it has to stay in good condition for six months. If it doesn't stay in good condition, the Municipality will fix it and the cost for doing so will come out of the security deposit.
8. For excavations, notice of the work has to be given to the Municipality and must be closed and filled in within 48 hours. If it isn't, the Municipality can do it and charge the costs back to the Permit Holder. If there's an emergency, the Municipality can fill in the excavation right away. After work is completed, the street has to be repaired within one week.
9. Excavations must be lit up at night, enclosed by a fence at least one meter tall, employees working there must comply with all Occupational Health & Safety Regulations, proper traffic control has to be in place, and contractors need sufficient insurance.
10. Our Engineer can stipulate the hours of work during an excavation as well as add conditions to the Permit and order work to be stopped within 24 hours at any time.
11. Any fill or other clean material is still the property of the Municipality and disposing of it is under the direction of our Engineer. The Engineer also must inspect the backfill, backfill material, and final restoration.
12. We also have a few policies that the contractor has to comply with
  - a. The Policy on Driveway Access and Construction Standards;
  - b. The Utility Facilities Construction Policy;
  - c. Street and Sidewalk Standards; and
  - d. Any other policy that applies to the job.
13. If you work on utilities, we can grant annual Permits. They also require a non-refundable fee and a security deposit.

Violation of this By-Law could earn a fine between \$100 and \$10,000, and if unpaid, imprisonment up to two months. But, if notice of violation is given, payment of \$100 can be paid to the Municipality within 14 days.

*This summary is meant to simplify the related By-Law and in NO WAY replaces the actual By-Law. In the event that the By-Law is contravened, all terms listed in the By-Law will take precedence over this Summary.*