

**THE CORPORATION OF THE  
MUNICIPALITY OF CHARLTON AND DACK**

**BY-LAW NO. 181**

**BEING A BY-LAW TO REGULATE THE FILLING OF DITCHES WITHIN THE  
MUNICIPALITY OF CHARLTON AND DACK**

**WHEREAS** Section 11(1) of the Municipal Act, 2001, S.O. C.25 provides that a single-tier municipality may pass by-laws respecting matters within their highways including drainage and flood control;

**AND WHEREAS** the Council of the Corporation of the Municipality of Charlton and Dack has received requests from property owners to clarify the rules concerning filling in the ditch fronting their properties;

**AND WHEREAS** the Council of the Corporation of the Municipality of Charlton and Dack feels the roads are satisfactory and the ditches are doing their job without making any alterations;

**AND WHEREAS** Council would like to address these property owner concerns, with the roads being their number one priority, and are willing to take into consideration this matter by allowing ditches to be filled in on a case by case basis;

**NOW THEREFORE** the Council for the Municipality of Charlton and Dack **HEREBY ENACTS** as follows:

1. **THAT** all requests be made in writing to the Public Works Committee.
2. **THAT** each case be addressed on an individual basis by the Public Works Committee taking into account soil type, water flow, spring run-off and snow fall.
3. **THAT** all work is to be done by the Municipality of Charlton and Dack work forces unless otherwise approved by the Public Works Superintendent.
4. **THAT** all materials, labour and equipment costs be at the expense of the home owner.
5. **THAT** if the filled in ditch would result in improved drainage Council may consider paying for part of the cost.
6. **THAT** a perforated plastic culvert pipe be used with size determined by the Public Works Superintendent.
7. **THAT** a "T" section be put in to access the pipe at lengths determined by the Public Works Superintendent to allow access for maintenance including steaming.
8. **THAT** maintenance requirements be at the discretion of the Public Works Superintendent.
9. **THAT** the costs for all future maintenance will be the responsibility of the property owner.
10. **THAT** the filled ditch shall never be higher or equal to the side of the road.
11. **THAT** catch basins may be used as determined by the Public Works Committee.
12. **THAT** the Municipality of Charlton and Dack reserves the right to reopen the ditch in the event the filled ditch has an adverse effect on the road, at the expense of the municipality.

13. **THAT** this by-law shall come into force and effect upon final passing thereof and remain in force and effect and until such time as it is repealed by the Council of the Corporation of the Municipality of Charlton and Dack.


14. **THAT** all other by-law, resolutions, or parts thereof, contrary hereto or inconsistent herewith be and the same are hereby repealed.

READ A FIRST AND SECOND TIME THIS 10TH DAY OF JUNE, 2013

READ A THIRD TIME, SIGNED AND SEALED THIS 10TH DAY OF JUNE, 2013.



WAYNE PAWSON/REEVE



DAN THIBEAULT/CLERK-TREASURER CAO