

THE CORPORATION OF THE VILLAGE OF FRUITVALE

BY-LAW NO. 384

Being a By-law to Regulate the Use and Development
of Residential Boulevards in the Village of Fruitvale

WHEREAS pursuant to Section 579 of the Municipal Act, Council deems it necessary and expedient to regulate the design, construction, maintenance, use, and development of residential boulevards in the Village of Fruitvale;

NOW THEREFORE the Council of The Corporation of the Village of Fruitvale, in open meeting assembled, enacts as follows:

1. INTERPRETATION

In this by-law:

"Boulevard" means the area or portion of the street bounded on one side by the back of the existing curb and gutter and, on the other side by the property line, OR where no curb exists, the area or portion of the street bounded on one side by a straight line drawn parallel to and 2.4 metres (8 feet) from the edge of the existing street pavement and on the other side by the property line;

"Fence" means a linear structure or hedge which provides a separating, protective or confining barrier;

"Motor Vehicle" means a vehicle, not run on rails, that is designed to be self propelled or a trailer, wagon or manually propelled conveyance;

"Village" means the area within the boundary of the Village of Fruitvale.

2. BOULEVARD DEVELOPMENT

- a) The boulevard may only be developed by the planting of grass or the construction of driveways or sidewalks;
- b) The grade of any boulevard must be of a minimum grade of two (2) cm per metre (2%), sloping upward from the back of the curb to the property line;
- c) Where the surrounding terrain would prohibit conformance with sub-section (b) Council may by resolution grant relief from the provisions of sub-section (b).
- d) Where no curb and gutter exists, spot type development by means of curbs and terracing shall be prohibited;
- e) No development of a boulevard shall take place until a permit, as provided for in Section 5 of this by-law, is issued by the Municipal Office.

3. UTILITY SERVICES

- a) Where a service valve is located at the front of a property and any boulevard development or construction takes place on the property, the



valve must be adjusted to the same level as the surrounding grade. Any disturbance or damage to these shut offs caused by the property owner or his agent shall be the responsibility of the property owner;

- b) All property owners are to acquaint themselves with all utility services and easements in and across the boulevard before commencing any development;
- c) The Village of Fruitvale and utility companies reserve the right to enter upon and disturb any boulevard development for reasons of maintenance or construction. The replacement of the development will be the responsibility of the Municipality or utility company involved;
- d) The storage of any equipment on the boulevard portion of the street by the Municipality or utility companies during construction or maintenance is permissible.

4. GENERAL REGULATIONS

- a) No shrubs, hedges or trees may be planted on any boulevard;
- b) The placing of any fence, wall or projection of any type on a boulevard is prohibited;
- c) All sidewalks, driveways and curbs placed on any boulevard in the Village shall not project above the level of the surrounding grade.
- d) The parking of motor vehicles on any boulevard in the Village is prohibited.
- e) The storage of household or garden rubbish on any boulevard in the Village is prohibited except during those times as may be designated by Council;
- f) The storage of any chattel on a boulevard in the Village is prohibited;

5. PERMITS

Before any boulevard development in the Village is started, a permit must be obtained from the Municipal Office. Boulevard Development Permits are free of charge and are described in Schedule "A", which forms part and parcel of this by-law. Each permit shall be accompanied by a copy of this by-law.

6. FINES AND ENFORCEMENT

Any person who violates any provisions of this by-law is guilty of an offence and is liable upon summary conviction to a penalty not exceeding Five Hundred Dollars (\$500.00).

7. TITLE

This by-law shall be cited for all purposes as "Residential Boulevard By-law, No. 384, 1985".



8. EFFECT

This by-law shall come into force and effect upon registration by the Inspector of Municipalities.

READ a first time this 4th day of November, 1985.


READ a second time this 4th day of November, 1985.

READ a third time this 18th day of November, 1985.

RECONSIDERED, finally passed and adopted this 12th day of May, 1985.



Mayor



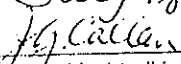
Clerk

CERTIFIED a true copy of By-law No. 384, entitled "Residential Boulevard By-law, No. 384, 1985".

DATED this 14th day of May, 1986.



Clerk

*A true copy of By-Law No. 384
certified in the office of the Inspector
of Municipalities 29 day of
July 1986.


Deputy Insp. for Municipalities*



BY-LAW NO. 384

Schedule "A"

Date: _____

Name of Applicant: _____

Name of Property Owner: _____

Mailing Address: Box No. _____ House No. _____

Town _____

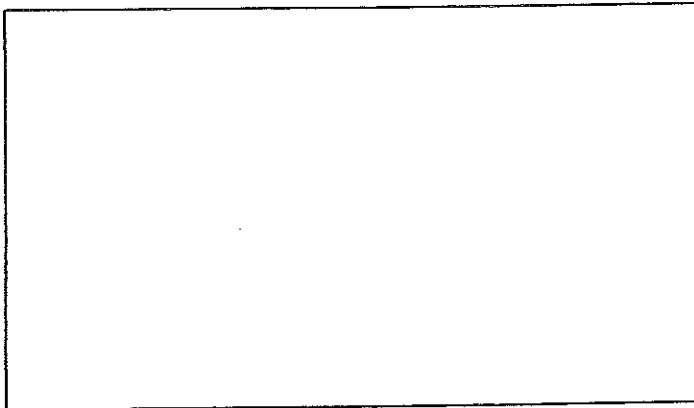
Postal Code _____ Telephone _____

Address of Property: _____

Legal Description: _____

Brief Description of Proposed Works: _____

Sketch Plan of Proposed Works:



indicate location of edge of roadway and property line then indicate driveway, sidewalk power poles, water shut offs, etc.

In signing this application, I confirm that I have received a copy of "Boulevard By-law, No. 384, 1985".

Applicant

Approved by the Village:

Date

Clerk

