



VILLAGE OF HARRISON HOT SPRINGS BYLAW NO. 947

A bylaw to regulate the location of driveway access to a highway from adjacent lands

WHEREAS the Village of Harrison Hot Springs has deemed it advisable to establish a bylaw to regulate highways and drainage, including access to and from highways;

NOW THEREFORE in open meeting assembled, the Mayor and Council of the Village of Harrison Hot Springs enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the "Village of Harrison Hot Springs Driveway Access Bylaw No. 947, 2010".

2. DEFINITIONS

"Driveway Access" means any road, lane, driveway, curb crossing, sidewalk crossing, or bridge improved or modified for vehicular traffic located on a highway or any portion thereof and which connects the highway to the private property abutting the highway, and includes any structural, drainage or other facilities necessary to accommodate the driveway access;

"Highway" as defined in the "*Transportation Act*", [SBC 2004] Chapter 44

- a. No person shall construct or cause to be constructed, any driveway access unless they have obtained and hold a valid and subsisting Driveway Access Permit issued by the Village.
- b. The owner of the property shall make application for a Driveway Access Permit by completing the prescribed application form and paying a \$100.00 fee.
- c. The owner will be required to attach to the application, a sketch plan showing the proposed location of the driveway access to the highway including approximate location of services on the highway.
- d. Upon approval of the permit by the Chief Administrative Officer, a Driveway Access Permit, once issued, shall remain valid until revoked.

- e. A Driveway Access Permit may be revoked at any time by the Chief Administrative Officer if:
 - i) there is a contravention of any provision of this or of any other applicable Bylaw, or of any condition set out in the Permit; or
 - ii) in the opinion of the Chief Administrative Officer, public safety is at risk; or
 - iii) the driveway access construction is not duly and properly completed to the Chief Administrative Officer's satisfaction within six months after the date of issuance of the Permit; or
 - iv) the Permit was issued on the basis of incorrect information supplied by the owner or agent.
- f. The surface, paved or otherwise, of the driveway access, excluding public sidewalk, curb, or gutter, shall be maintained and kept in good repair by and at the expense of the owner.
- g. Any driveway access permits required to join the property to Hot Springs Road will be referred to the Ministry of Transportation for approval.
- h. Any damage caused to public property by the owner will be the responsibility of the owner of the property, to repair to Village standards, or reimburse the Village for its costs to repair.

3. READINGS AND ADOPTION

READ A FIRST TIME THIS 16TH DAY OF AUGUST, 2010

READ A SECOND TIME THIS 16th DAY OF AUGUST, 2010

READ A THIRD TIME THIS 16TH DAY OF AUGUST, 2010

RESCINDED THIRD READING THIS 13th DAY OF SEPTEMBER, 2010

AMENDED AND RE-READ A THIRD TIME THIS 13th DAY OF SEPTEMBER, 2010

ADOPTED THIS 18th DAY OF OCTOBER , 2010



Mayor



Corporate Officer