

**THE CORPORATION OF THE TOWN OF GREATER NAPANEE
BY-LAW NO. 2024-0041**

Being a By-law to Adopt the Policy to Establish Regulatory and Warning Traffic Signs on Roads Under the Jurisdiction of the Corporation of the Town of Greater Napanee

WHEREAS Sections 11 and 27 of the *Municipal Act, 2001*, as amended, provide authority for the Council of a municipality to pass by-laws in respect of a highway under its jurisdiction;

AND WHEREAS Sections 8 and 9 of the *Municipal Act, 2001*, provide municipalities with the authority to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the County of Lennox and Addington has adopted By-law 3531/22 to establish a Regulatory and Warning Traffic Sign Policy, and the Town of Greater Napanee desires to have consistent signage rules on all roads within the municipality.

NOW THEREFORE the Council of the Corporation of the Town of Greater Napanee enacts as follows:

1. That the Corporation of the Town of Greater Napanee adopt the Policy to Establish Regulatory and Warning Signs on Town Roads attached hereto as Schedule "A" to this By-law.
2. That this By-law shall come into full force and effect on the date of its passing.

Read a first and second time and finally passed, this 23rd day of July, 2024.

Terry Richardson, Mayor

Jessica Walters, Clerk

Schedule "A" to By-law 2024-0041

**Town of Greater Napanee
Regulatory and Warning Traffic Sign Policy**

Policy Statement:

This policy describes the process used to establish the type and location of regulatory and warning signs on roads under the jurisdiction of the Town of Greater Napanee.

Application:

This policy applies to all regulatory and warning signs on roads under the jurisdiction of the Town of Greater Napanee.

Purpose:

The purpose of this policy is to establish consistent standards, processes and criteria for the type and location of regulatory and warning signs on roads under the jurisdiction of the Town of Greater Napanee.

Definitions:

Town

Means the Corporation of the Town of Greater Napanee.

Urban Road

A road that is located within an urban area as defined by the Ontario Traffic Manual.

Rural Road

A road that is located within a rural area as defined by the Ontario Traffic Manual.

Regulatory Signs

Regulatory signs are intended to instruct road users on what they must or should do (or not do) under a given set of circumstances. The term regulatory sign describes a range of signs that are used to indicate or reinforce traffic laws, regulations or requirements which apply either at all times or at specified times or places upon a street or highway, the disregard of which may constitute a violation.

Warning Signs

Are intended to provide advance notice to road users about unexpected and potentially dangerous conditions on or near the road. The conditions to which warning signs apply typically require that road users exercise caution, and may require that drivers slow down, in order to travel safely in the presence of a hazard.

Community Requested Pedestrian Warning Signs

Are intended to provide advance notice to road users that they may encounter a pedestrian with autism, or those who have a visual and/or hearing impairment that negatively affects their judgment as to when it is safe to enter into the roadway.

Signs available include:

- "Autistic Child"
- "Deaf Child"
- "Blind Child"

Description:

The Ontario Traffic Manual (OTM) – Regulatory Signs (Book 5) and the Ontario Traffic Manual (OTM) – Warning Signs (Book 6) or the Transportation Association of Canada

– Manual of Uniform Traffic Control Devices for Canada (MUTDC) are the standards to be used for the application, type and location of regulatory and warning signs on Town roads. All regulatory and warning signs on Town roads shall be in accordance with the OTM (as amended) or the MUTDC (as amended), and this Policy. Further, applicable regulatory signs shall comply with the Highway Traffic Act R.R.O. 1990, REGULATION 615 SIGNS.

Overuse of warning signs, especially for conditions which are apparent, tends to breed disrespect for signs in general, and they lose their effectiveness. Warning signs many times have an initial positive effect but soon lose the attention of regular passers-by. At residential speeds (under 60 km/h) motorists using due care can respond to hazards or conditions presented in the roadway without the need for warning signs. General warning signs that are not about a specific hazard will not be placed, as they do not indicate expected driver actions. Signs not designated in the OTM or the MUTCD are not supported or recommended with the exception of turtle crossing warning signs, hidden entrance signs and community requested pedestrian warning signs as specified in this policy.

Turtle Crossing Warning Signs

In an effort to protect turtles and to warn drivers of the possibility of slow moving vehicles and sudden stops in or around turtle habitat areas, the Town has consulted with the local Conservation Authorities (CA's) and the County's Technical Advisory Committee on the need for turtle crossing warning signs. Based on comments from the CA's, turtle crossing warning signs should be considered for installation at the limits of significant wetlands as defined by the CA's. When warranted, turtle crossing warning signs should meet the location requirements similar to the warning signs for deer and moose. In addition to the location requirements, tab signs can be installed below the warning sign to indicate the length or distance of the crossing hazard if needed.

Hidden Entrance Warning Signs

In cases where the sight distance to a private entrance is less than 150m, the Town will consider the installation of a hidden entrance warning sign to warn drivers of the presence of the hidden entrance. Signs will only be considered for rural locations with a posted speed limit of 80km/h and where the sight distance cannot be easily improved, for example by the removal of trees or brush. A sign will only be installed for the direction that has the sight distance limitation. The sign will typically be located 50m to 150m in advance of the hidden entrance.

Community Requested Pedestrian Warning Signs

The process to install a community requested pedestrian warning sign is:

1. Warning signs may be installed upon the request of a person with a disability (applicant) or by the representative of a person with a disability (applicant), provided the person with a disability is under the age of 18. Signs will not be installed if the person is 18 years of age or older.
2. Warning signs will generally only be installed in urban areas and where the posted speed limit is 60km/hr or less and in areas with single family residential frontage, unless otherwise reviewed by and deemed warranted by the Director/Manager of Public Works. Signs will not be provided in front of apartment buildings.
3. Warning signs will not be installed within 150 metres of a signalized or stop controlled intersection or pedestrian cross over.
4. Applicants shall sign a release agreement (Appendix A) that includes but is not limited to, the understanding that the sign provides no guarantee of the child's safety and that they remain responsible for monitoring the child's activities.

5. Applicants shall provide a physician's written statement confirming the person for which the agreement is being completed has a disability that impairs the child's judgement as to when it is safe to enter into the roadway.
6. Written acknowledgment from the applicant of their understanding that the sign will be removed when the child reaches the age of 18.
7. Warning signs will only be installed at the child's primary residence. The location of the sign(s) will be determined by Town staff through a site review. Generally, one sign will be installed per direction, approximately 100 metres in advance of the primary residence.
8. Requestors are required to notify the Town, in a timely manner, to remove the sign if the disability no longer exists, for example, cochlear implants, use of hearing aids, visual aids, etc.
9. Requestors are required to notify the Town, in a timely manner, of any relocation of the child's primary residence.
10. Town staff will contact the applicant on an annual basis to verify that the sign is still required. If the Town does not receive a response after three attempts, the Town will mail or hand deliver a letter to the applicant's address as a final notice. The sign(s) will be removed if an acknowledgement is not received within 30 days of the date of the letter.
11. Specific placement of "Community Requested" warning signs is to be determined by staff taking into consideration exposure, visibility and the proximity and impact on other regulatory, warning and guide signs. Where it is determined that a sign may not be effective or conflicts with existing signage, alternatives, including non-placement will be considered.

Installation:

Signs will be mounted at a height of 1.5 to 2.5 metres above grade. The placement of the sign will adhere to the guidelines outlined in the OTM or MUTCD for pedestrian warning signs.

Turtle Warning Signs		
	Wc-7 Font Colour Minimum Sheeting	60 cm x 60 cm N/A Legend & Border – Black Background – Yellow Reflective Type I – IV (High Intensity)
	Wa-6t Font Colour Minimum Sheeting	30 cm x 60 cm Highway Gothic Legend & Border – Black Background Yellow Reflective Type I – IV (High Intensity)
Hidden Entrance Warning Signs		
	Wc-7 Font Colour Minimum Sheeting	60 cm x 60 cm Highway Gothic Legend & Border – Black Background – Yellow Reflective Type I – IV (High Intensity)
Community Requested Pedestrian Warning Signs		
	Size Font Colour Minimum Sheeting	60 cm x 45 cm Highway Gothic – AUTISTIC, DEAF, BLIND Legend & Border – Black Background – Yellow Reflective Type I – IV (High Intensity)

APPENDIX "A"

Community Requested Pedestrian Warning Sign – Release Agreement

Between:

The Corporation of The Town of Greater Napanee
(hereinafter referred to as the "Releasee")

And

(hereinafter referred to as the "Releasor")

Releasor's Information:

Name: _____

Address: _____

Address where sign is requested if different from above address:

Phone: _____ Email: _____

Name of Child for whom the signs are being requested: _____

Child's date of birth: _____

Sign Type being requested: _____

Agreement

The purpose of this agreement is to establish the terms and conditions for the installation of a Community Requested Pedestrian Warning Sign on a Town road as defined in the Town of Greater Napanee's Regulatory and Warning Traffic Sign Policy.

Term

The term of this agreement shall commence on the date on which all parties have executed this agreement and will extend for one (1) year. This agreement shall continue in full force and effect, unless notice is provided by either party to terminate the agreement and extend from year to year thereafter so long as such continuance is specifically approved annually by the Town of Greater Napanee in accordance with the conditions listed below.

General Conditions

1. The Releasor agrees and understands that the installation of the community requested pedestrian warning sign provides no guarantee of their child's safety and that they remain responsible for monitoring their child's activities.
2. The Releasor shall provide a physician's written statement confirming the person for which the agreement is being completed has a disability that impairs the child's judgement as to when it is safe to enter into the roadway.
3. The Releasor, for themselves and on behalf of the child for which signage is being requested, hereby releases, indemnifies and saves harmless the Town, its employees, agents and Councilors, from any and all claims, demands, losses, costs, damages, actions, lawsuits or other proceedings by whomsoever made, sustained or prosecuted which may arise either directly or indirectly by any act, as a result of the installation of this community requested pedestrian warning sign.

4. The Releasor agrees that the sign(s) will be removed when the child, for which the request for the installation of a community requested pedestrian warning sign, reaches the age of 18.
5. The Releasor agrees that the sign(s) will only be installed at the child's primary residence. The location of the sign(s) will be determined by Town staff through a site review. Generally, one sign will be installed per direction, approximately 100 metres in advance of the primary residence.
6. The Releasor agrees to notify the Town, within 30 days, to remove the sign if the disability no longer exists, for example, cochlear implants, use of hearing aids, visual aids, etc.
7. The Releasor agrees to notify the Town, within 30 days, of any relocation of the child's primary residence.
8. The Releasor understands that Town staff will contact the applicant on an annual basis to verify that the sign is still required. If the Town does not receive a response after three attempts, the Town will mail or hand deliver a letter to the applicant's address as a final notice. The Releasor agrees that the sign(s) will be removed if an acknowledgement is not received within 30 days of the date of the letter.

IN WITNESS WHEREOF the Releasor and the Releasee have duly affixed their signatures.

Releasor

Releasee

Witness

Witness

Date

Date