



## The Corporation of the Town of Tecumseh

Public Works & Environmental Services

**To:** Policies and Priorities Committee

**From:** Phil Bartnik, Director Public Works & Environmental Services

**Date to Council:** September 22, 2020

**Report Number:** PWES-2020-08

**Subject:** Amendments to the Minimum Maintenance Standards for Municipal Highways, O.Reg. 239/02 and Significant Weather Event Policy

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### Recommendations

It is recommended:

**That** Report PWES-2020-08 regarding the Amendments to the Minimum Maintenance Standards for Municipal Highways, O.Reg. 239/02, and Significant Weather Event Policy **be received;**

**And that** the Significant Weather Event Policy, as appended to Report PWES-2020-08, **be approved.**

### Background

#### Purpose

The Minimum Maintenance Standards (MMS), O.Reg. 239/02, of the Municipal Act, 2001, S.O. 2001 c.25 outlines the standard of care a municipality should meet in the maintenance of its public highways. The standard of care includes acceptable conditions of roads, sidewalks and bike lanes, as well as the time constraints in which the standards need to be met (i.e. Levels of Service). The Town of Tecumseh has adopted the MMS as the standard of care to be met through By-law 2020-17.

The purpose of this report is to provide Council with details respecting the recent amendments to the MMS which came into effect May 2018 by way of O.Reg. 366/18, and in particular the new provision to permit municipalities to declare a “significant weather event.”

## Comments

### Amendments to the Minimum Maintenance Standards (O.Reg. 366/18)

The most recent amendments to the MMS were contained within O.Reg. 366/18 and are highlighted as:

1. The introduction of winter maintenance standards for bicycle lanes;
2. The introduction of winter maintenance standards, including patrol obligations, for sidewalks;
3. The ability for municipalities to declare a “significant weather event” with implications for winter maintenance on roadways, bicycle lanes and sidewalks for the duration of the event;
4. Inspection standards for areas “adjacent to sidewalks”;
5. Sidewalk surface discontinuities;
6. Pothole repairs; and
7. Road classification system.

Additional details about the MMS amendments listed above are contained in Attachment No.1. The subsection below discusses the amendment regarding the municipality’s ability to declare a Significant Weather Event.

### Significant Weather Event

A rise in fluctuating weather patterns has increased the frequency and severity of significant weather events. The amendment to the MMS addresses this to permit a municipality to declare a Significant Weather Event in order to extend the time allowed to maintain highways to the regulated levels of service.

A Significant Weather Event is defined as “an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality.” The MMS also now defines the term “Weather hazard” as meaning “the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program.”

A Significant Weather Event could include:

- Significant snow accumulation in the next 24 hrs;
- Ice formation that occurs without warning;
- High winds leading to snow drifting; and/or

- Extreme cold temperatures at which de-icing operations will not be effective.

The declaration of a Significant Weather Event has a uniform implication for the following sections of the MMS:

- Snow accumulation on roadways (section 4.1)
- Snow accumulation on bicycle lanes (section 4.3)
- Icy roadways (section 5.1)
- Snow accumulation on sidewalks (section 16.4)
- Icy sidewalks (section 16.6)

During the course of a declared Significant Weather Event, the standard for addressing winter maintenance is to monitor the weather in accordance with section 3.1 of the MMS and to deploy resources to address the issue (i.e. snow accumulation on roadways, icy sidewalks, etc.) starting from the time that the municipality deems appropriate to do so. Once the significant weather event is declared to have been concluded, the municipality shall address the issue pursuant to the regular standards for maintenance.

In accordance with section 16.9 of the MMS, a municipality must notify the public of the start and end time of a Significant Weather Event in one or more of the following ways:

1. By posting a notice on the municipality's website;
2. By making an announcement on social media platform (i.e. Facebook, Twitter);
3. By sending a press release or similar communication to internet, newspaper, radio or television media;
4. By notification through the municipality's police service; and/or
5. By any other notification method required in a by-law of the municipality.

In order to declare a Significant Weather Event, the municipality should have a policy outlining the declaration of a Significant Weather Event, which includes:

- Who at the municipality has the authority to declare a Significant Weather Event (i.e. Chief Administrative Officer, Director Public Works & Environmental Services or designate); and
- The means by which the public will be notified of the declaration of a Significant Weather Event.

A draft Significant Weather Event Policy is appended to this report for Council's consideration.

## Consultations

Chief Administrative Officer  
Corporate Services & Clerk

## Financial Implications

There are no financial implications associated with this report.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable ☒

Website ☐ Social Media ☐ News Release ☐ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Kirby McArdle, P.Eng.  
Manager Roads & Fleet

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Reviewed by:

Laura Moy, Dipl. M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Summary of Amendments to MMS O.Reg. 366/18
2	Draft Significant Weather Event Policy