

Please read this correspondence in its entirety

PERMANENT CLOSURE OF STRUCTURE ON PINE RIVER ROAD TO VEHICULAR TRAFFIC

Over the last several months, the Town has been investigating numerous circumstances surrounding the structure located at the end of Pine River Road. In 2009, the Town limited access over this structure to “1 tonne” through posted signage, and indicated that Pine River Road was “No Throughfare”. Since that time, the Town has maintained the structure approaches with road gravel to accommodate those that use this structure for walking and cycling. After a significant rainfall in January of this year, it was noted that this structure had deteriorated further and posed a serious safety risk to the public. To protect the safety of the public and reduce the Town’s liability, council passed the following motion on May 2, 2022 at a public council meeting:

Motion 2022-06-08: M. Roff / A. Politi: Resolved that the Town award the Bollard Supply & Installation at Pine River Road Bridge to JAT Excavating Limited for a price of \$4,244.00 + HST. In favour 6. Carried.

As a result of resident feedback, that work was put on hold until further information was obtained. Town council is aware of a petition that was circulating regrading this structure, however, all the facts of the situation were not included in the wording of the petition. At this time, council has decided to proceed with the bollard installation based on the following facts:

- The structure pre-dates the incorporation of the Town as it was installed in the 1950’s. The bridge was not designed, or installed, by the Town and there are no engineered drawings that exist showing the detailed construction or structural integrity of the bridge.
- Physical inspection of the structure has determined that it has aged significantly and deteriorated as seen by exposed rebar and spalling concrete.
- There is no reasonable and cost-effective way for the Town to determine a safe weight load capacity for this structure and have it professionally certified given its lack of design information, its age and current condition.
- The structure is not sufficient for emergency vehicles to use, hence the “No Throughfare” signage.
- The bridge is not required for any resident to access private property. All property is accessible from either Pine Line or Middle Cove Road.
- This structure should not have been used by anything larger than 1 tonne (which includes any vehicle) since 2009.
- This structure has never been snow cleared or maintained by Town forces. The gravel placed at the approaches in the past was to maintain it for pedestrians and cyclists.
- The Minister of Transportation and Infrastructure has provided consent under s.19 of the Works, Services and Transportation Act to the Town of Logy Bay-Middle Cove-Outer Cove’s request to ‘install concrete bollards (as a more permanent measure than simply signage) on both sides of the (Pine River Road) bridge approaches to ensure vehicles do not pass over this bridge and limit its use to only pedestrians and cyclists’.

In an effort to protect public safety, and reduce the Town’s liability, the Town has decided to enforce its authority under the following sections of the *Municipalities Act, 1999*:

163. (1) *The ownership, management and control of all highways, sidewalks and bridges in the municipality, except highways vested in the Crown under section 5 of the Works, Services and Transportation Act, are vested in the council*

165. (1) *A council may construct public highways, sidewalks and bridges and improve, realign, alter the level of, and repair existing public highways, sidewalks and bridges*

166. *A council may order the closing of a public highway, sidewalk or bridge either temporarily, in order to effect repairs or to prevent damage to the highway, sidewalk or bridge, or permanently, where the council considers it necessary to do so*

414. (1) *A council shall make regulation*

(II) prohibiting or controlling vehicular or pedestrian access onto or over a public highway or bridge;

Concrete filled bollards will be installed on both sides of the structure at the end of Pine River Road in mid-July, pending the availability of the contractor to ensure that the structure can only be accessed by pedestrian foot traffic and cyclists. Council empathizes in making a decision that will cause inconvenience to some residents, but the safety of our residents is paramount in any decision.