



TOWNSHIP OF WELLINGTON NORTH

ROAD CROSSING POLICY

DEPARTMENT	PUBLIC WORKS	POLICY NUMBER	18.15
EFFECTIVE DATE	August 10, 2015	LEGISLATIVE AUTHORITY	
APPROVED BY:	Blanket Council Resolution 2015-345 August 10, 2015 (Nothing previous)		

POLICY

The Township has adopted the following policy and regulations with respect to requests from private Landowners for permission to allow private tile drains to outlet onto or across Township road allowances.

1. *Request for Permission.* Upon a request for permission the Landowner(s) shall provide the plans for the tile drain system and the Township will order an Impact Report from its Drainage Superintendent (appointed under the *Drainage Act*) at the expense of the Landowner(s).
2. *Deposits.* The Township will require one or more deposits from the Landowner for estimated costs to the Township for the Drainage Superintendent's Report and anticipated legal or other professional costs pertaining to the processing of the request and implementing the permission if applicable.
3. *Utility Lines.* For all requests it will be the responsibility of the Landowner to obtain location of and approval from all utilities (Bell cables, hydro cables, gas pipelines, etc.).
4. *Straight Forward Request.* If the Drainage Superintendent is of the opinion that the flow of drainage water from the outlet will not cause water problems for the Township property or property of other private Landowners, the permission will be given subject to the Landowner, at the Landowner's expense, entering into an agreement satisfactory to the Township which must be registered on title. The agreement will:
 - (i) Provide the permission based on the plans provided;
 - (ii) Provide that the outlet must be installed by and at the expense of the Landowner to the satisfaction of the Township;
 - (iii) Require the Landowner to be responsible for all future maintenance on the road allowance should the Landowner believe that clean out maintenance is required for the satisfactory functioning of the outlet going forward. For clarity – the Township will not pay out public funds for the satisfactory operation of the private tile drain outlet onto its road allowance; and
 - (iv) Require the Landowner to be responsible for the expense of maintenance in the event that the Township determines in its discretion that maintenance work on the road allowance ditch is necessary due to silt or other material deposits as a result of the outlet.

5. *Request With Complications* If the Drainage Superintendent is of the opinion that the flow of water from the outlet may cause water problems for the Township but not other third party private Landowners, the permission will be given if the problems can, in the opinion of the Township, be reasonably overcome at the expense of the Landowner and as described an provided for in an agreement between the Township and the Landowner satisfactory to the Township which will also include terms similar to the agreement described in paragraph 4.
6. *More Complicated Request.* If the Drainage Superintendent is of the opinion that the flow of water from the outlet may cause water problems for the Township and other private Landowners, the permission will be given only if:
 - (i) An agreement as set out in paragraph 4 regarding the Township property, with any necessary changes, is made, and
 - (ii) The private Landowner(s) making the request arranges for, pays for and obtains a licence, restriction or agreement satisfactory to the Township with other private Landowners who may in the opinion of the Drainage Superintendent be affected by the outlet allowing water or additional water from the outlet and Township road allowance to pass over their lands, notice of which licence, restriction or other agreement in each case must be registered on the title to the land of the other private Landowner(s).
7. *Road Crossing Request.* In the event that a request for permission involves a road crossing by the private tile drain system to an outlet onto private or other property the following will apply:
 - (i) A Report from the Township's Drainage Superintendent as described above will be required;
 - (ii) If the request is feasible based on the Report and in the opinion of the Township, the private Landowner(s) must enter into a mutual drain agreement with the Township under Section 2 of the *Drainage Act* in a form and on terms satisfactory to the Township;
 - (iii) For clarity all costs with respect to the preparation and registration of the agreement and all work provided for in it must be paid by the private Landowner(s);
 - (iv) The private Landowner(s) must arrange for, pay for and obtain a licence, restriction or other agreement satisfactory to the Township with other private Landowners (including registration); and
 - (v) For further clarity the road crossing drain pipe shall be corrugated steel pipe and shall be placed from road allowance property line to road allowance property line and shall include two (2) standard catch basins and appropriate lids all at locations to be approved by and satisfactory to the Township, and in the event that the road crossing involves a road with a hard top of asphalt surface the pipe must be installed by boring under the road surface at a location and depth to be approved by and to the satisfaction of the Township.

8. *Additional Provisions for Road Crossing Agreement with the Township.* Any agreement with the Township for a road crossing involving open excavation on a gravel road surface (and where applicable a bored crossing) will include the following:

- (i) The construction work must be carried out by a competent contractor approved by the Township;
- (ii) Gravel material must be kept separate from underlying materials and be replaced in reverse order;
- (iii) Material being placed into the excavated trench shall be placed in 12-inch layers and compacted and if the granular material becomes contaminated it must be replaced with a minimum of 24 inches of gravel consisting of 18 inches of pit run and 6 inches of crushed material;
- (iv) No open excavation will be allowed to remain on any portion of the travelled roadway or shoulders after sunset;
- (v) The Landowner(s) or the contractor representing the Landowner(s) shall be responsible for the supply and maintenance of proper signs, barricades, and sufficient flagmen at the crossing site including proper road closed and direction signs for detours, when appropriate;
- (vi) All work shall be done in accordance with the procedures in the "Traffic Control Manual for Highway Work Operations", Ministry of Transportation Ontario and as approved by the Township Road Department;
- (vii) The Township must be advised at least seven (7) days in advance of the date and time of any work to be carried out on Township property by the Landowner(s) and all such work must be inspected by the Township and must meet with Township approval;
- (viii) The Landowner(s) or the contractor representing the Landowner(s) will be responsible for all clean up after construction has been completed to the satisfaction of the Township;
- (ix) The Township of Wellington North assumes no liability for damage to persons or property during construction or as a result of the crossing; and
- (x) The travelled road and adjacent disturbed areas shall be restored to the same condition as that prior to the construction of the road crossing drain. Any further settlements or other deficiencies deemed by the Township as a result of the installation of the drain will be repaired promptly by the Landowner(s) or by the Township at the Landowner(s)' expense.



TOWNSHIP OF WELLINGTON NORTH ROAD CROSSING APPLICATION

Date: _____ Roll : _____

Name: Applicant/Contractor _____

Mailing Address: _____

Phone: (H) _____ Phone: (W): _____

Road Crossing: _____ Tile: _____ Other: _____

Location: Lot _____ Concession _____ Township _____

Closest Civic #(green sign) and Road _____

Comments: _____

Road crossing will be subject to current and fees.

Inspection Fee:	\$100.00
Required Deposit:	<u>\$1,900.00</u>
Total: =	\$2,000.00

The undersigned certifies:

- 1) That he/she is the owner / authorized agent of the owner in this application and that all the information in this application is true and factual.
- 2) That he/she has read and understands the restriction and standard for a road crossing and shall comply with the same.

Signature

DATE

Please print name

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