

STARLAND COUNTY POLICY MANUAL

FUNCTION: Roads and Streets
FUNCTION NUMBER: 320
POLICY: Contractor Road Construction on Road Allowance
POLICY NUMBER: 320-3-1
DATE: May 28, 2013

BACKGROUND:

The municipality occasionally receives requests to construct a portion of road on a municipal right-of-way or road allowance. Section 18(1) of the Municipal Government Act notes that a municipality has the direction, control and management of all roads within the municipality. Section 61(1) of the Municipal Government Act notes that a municipality may grant rights, exclusive or otherwise, with respect to its property, including the direction, control and management of the municipality.

As such, the Municipality can grant approvals to permit road construction on a portion of road allowance. In order to establish consistent road standards, the following conditions will apply to all construction activities on municipal property:

1. The installation of suitable culverts at a minimum size of 24" inch (61cm) in diameter in all locations where required. The culverts shall be located on a firm base and compacted with backfill material. All culverts shall maintain a minimum of 1 meter of earthen material over the top of the pipe.
2. The ditch and side slopes of the road surface shall be contoured to a minimum 3- 1 slope and shall be constructed to further enhance drainage conditions. Access to adjacent property will be provided as required.
3. Earthen material located onsite shall be used where available for the construction of low areas. Aggregate or pit run material in a size of 1½" – 2" diameter shall be used to build a proper base where earthen material is unavailable.
4. The road will be graveled upon completion of construction at a minimum rate of 500 cubic yards / mile.
5. The County will enjoy unrestricted use of the road during and after construction is completed, and the County will be responsible for future development or maintenance thereof.
6. The Applicant must construct the road within the road allowance or any surveyed widening that might be available. The applicant must have the right-of-way surveyed prior to

construction, and must provide a survey certificate upon completion to confirm that the road was constructed within the municipal right-of-way.

7. The Applicant shall provide sufficient warning signs and traffic barriers along those portions of the work site for the duration of all activities.
8. The applicant shall construct a minimum 6 meter road surface and shall ensure the road allowance is constructed within the municipal road allowance boundaries. If the section of roadway proposed to be constructed aligns with a developed road greater than 6 meters in width, the construction shall meet the standard of the existing road network.
9. The applicant shall ensure all provincial regulations for the performance of road construction activities described herein are maintained and carried out as required including, but not limiting the proper location of underground facilities in the area within the terms under the "Ground Disturbance" regulations, any wetland requirements, and all Occupational Health and Safety requirements.
10. The applicant shall provide a minimum of 24 hours of advance notice to Starland County prior to the commencement of work to allow for ongoing inspection of work activities. Starland County reserves the right to request or alter the work activities onsite for the purpose of ensuring the proper installation and completion of the improvements to the road allowance.
11. The Applicant shall indemnify and save harmless Starland County against all actions, proceedings, claims, demands and costs which may be brought against or suffered by the county or which it may sustain, pay or incur, by reason of any matter or thing arising out of or attributable to any act or omission of Applicant, its servants, agents, contractors, or employees in respect of the Applicants use of the area of development described in this agreement. Such agreement shall be binding upon the parties, their successors and assigns.
12. For the purpose of this agreement, Starland County as the Grantor shall exercise its right under Bylaw 1079 to charge inspection fees for those work activities located within the 30 meter setback distance of the road allowance.

The conditions as adopted by Council herein will be drafted into an agreement format, and the applicant must submit a signed copy of the agreement, along with a list of staff involved in the road construction to the County.

Policy Amendment: