

STARLAND COUNTY POLICY MANUAL

FUNCTION: Roads and Streets

FUNCTION NUMBER: 320

POLICY: Minimum Maintenance – Farm Residence Dust Abatement Option

POLICY NUMBER: 320-13

DATE: June 24, 2008

PROCESS SUMMARY:

Section 18(1) of the Municipal Government Act notes that a municipality has the direction, control and management of all roads within the municipality. As such, the municipality can establish policies that relate to the direction, control and management of all roads. In Starland County, staff and Council are expected to observe the condition of municipal roadways during travel on County roads, and report any hazardous conditions to the Public Works Supervisor. Complaints received will be investigated by the Public Works Department and the Public Works Supervisor is to ensure that appropriate remedial action takes place.

Section 527.2 of the Municipal Government Act notes that a municipality is not liable for damage caused by anything done or not done by the municipality in accordance with the authority of this or any other enactment, unless the cause of action is negligence or any other tort.

Under some circumstances, the local Council member can choose to limit normal road maintenance activities in front of residences within their division to limit dust control issues. For example, the local Council member can choose locations where:

1. Routine blading operations are suspended for an area equal to an area where dust control options are normally applied (880' strip) in front of residences.
2. Re-gravelling operations are suspended for an area equal to an area where dust control options are normally applied (880' strip) in front of residences, when the road is otherwise scheduled for re-gravelling.

In order to implement these exclusions, the following policy applications will apply:

1. The Council member will provide the Chief Administrative Officer with a map showing locations where maintenance and / or gravelling exclusions will be applied.
2. The Chief Administrative Officer will provide a copy of the map showing these exclusions to the Public Works Supervisor and Divisional Grader Operator and / or gravelling administration staff.

3. Areas identified on the map will be excluded from normal blading operations and / or re-gravelling operations until:
 - a) The Divisional Councillor that supplied the exclusion map chooses to amend or change the map, in which case the exclusion area will be returned to the normal road maintenance and / or gravelling program.
 - b) The road exclusion area becomes a travelling or road hazard such that the Public Works Supervisor feels the road affected by the exclusion needs to be maintained and / or graveled. In the event that the Public Works Supervisor feels the exclusions areas are a travelling or road hazard, he shall notify the Chief Administrative Officer and Divisional Council member of the need to remedy the road hazard. In all cases, if the exclusion area is on a school bus route, and the School Division reports the exclusion area as a hazard, the Public Works Supervisor will automatically consider the area to be a road hazard and act accordingly.
 - c) In the event the exclusion area becomes a road hazard, the area will be maintained as part of the next routine maintenance of the adjacent roadway. If gravelling is required, the Public Works Supervisor will schedule gravelling of the area in accordance with the road gravelling program if the Divisional Councillor has sufficient allocation available for the addition.
4. Council will annually evaluate the application of the road exclusion policy, and should include a review of the sites approved as part of the Annual Road Tour.

Policy Amendment:

Council, June 24, 2008