



**BYLAW 25/23
Approach Bylaw**

**A Bylaw to Regulate the Construction, Modification & Maintenance of
Approaches**

The council of the Rural Municipality of Corman Park No. 344 in the Province of Saskatchewan enacts as follows:

Short Title

1. This bylaw may be referred to as the "Approach Bylaw".

Purpose

2. The purpose of this bylaw is to regulate the construction, modification, and maintenance of approaches.

Definitions

3. For the purpose of this bylaw, the following terms shall have the following meanings:
 - a) **"approach"** means an improved surface that serves as a private crossing of a municipal right-of-way (i.e. ditch);
 - b) **"conforming approach"** means an approach that is not a non-conforming approach;
 - c) **"culvert"** means a sub-surface pipe of CAN3-G401-14 approved corrugated steel, or any other such material approved by the Director, which acts as a conduit for water;
 - d) **"Director"** means Director of Infrastructure & Public Works or a designate of the Director of Infrastructure & Public Works;
 - e) **"ditch"** means the channel located within the road right-of-way, including the side slopes up to the edge of the shoulder on the one side and up to the property line of the adjacent property on the other side;
 - f) **"intersection"** means the area within the projection or connection of the lateral boundary lines of two or more highways that meet one another at an angle whether or not one highway crosses the other;
 - g) **"landowner"** means the owner of the property to which the approach would or does grant access;
 - h) **"non-conforming approach"** means an approach constructed on or after the date on which this bylaw comes into force that does not comply with the conditions contained within this bylaw;
 - i) **"R.M."** means Rural Municipality of Corman Park No. 344;
 - j) **"regular access"** means any approach to a parcel that will require a civic address;
 - k) **"road right-of-way"** means the portion of the road allowance from the center of the roadway to the property line of the adjacent property, including shoulder and ditch;
 - l) **"roadway"** means the portion of a public highway designed for vehicular travel;
 - m) **"secondary access"** means any approach to a parcel that already has a civic address sign installed, or any approach to a parcel that doesn't require a civic address;
 - n) **"shoulder"** means that part of a highway immediately adjacent to the roadway and having a surface of asphalt or gravel, for the use of vehicles

Interpretation

4. Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this bylaw.
5. It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
6. In this bylaw, a word interpreted in the singular number has a corresponding meaning when used in the plural.

Application for Approach Approval

7. No person shall construct, relocate, or alter a private approach without first obtaining a written notice of approval from the R.M.
8. Applications for approach approval shall consist of a completed Access Approach Application along with the applicable fee. The applicable fee will be in accordance with the Public Works Fee Bylaw 24/23. A regular access application fee includes an administration and inspection fee and the cost of installing a Civic Address Sign. A secondary access application fee includes an administration and inspection fee. Flags/stakes must be used to mark the proposed location of the approach as indicated on the completed application form prior to submission.
9. An application for approach approval under this bylaw shall be made by the landowner or an authorized representative of the owner.
10. If, after completion of an inspection of the proposed construction site, the Director is satisfied that an application for an approach approval complies with the provisions of this bylaw, written notice of approval shall be provided by the R.M. Written notice shall include any special conditions and the minimum required culvert size.
11. All approaches shall be constructed in conformance with all existing government regulations, R.M. regulations and comply with the conditions and minimum required culvert size specified in the written notice of approval.
12. If written notice of approval is granted, construction must be completed within six (6) months, unless granted an extension by the Director as specified in the written notice of approval. If not completed within six months, the applicant may be required to submit a new application along with the applicable fee.
13. The applicant must request an inspection after the approach has been constructed.
14. Any costs or inconvenience resulting from delays shall be borne by the Applicant. If cleanup is not completed within the specified period, Public Works may undertake the work and invoice the landowner for the costs incurred to the R.M., plus a 20% penalty surcharge.

General Regulations

15. The approach shall be constructed with clean earth, such as clean granular/gravel/clay material. The material shall be free of objectionable material such as frozen soil, topsoil, trees and large boulders.
16. No shared approaches between two properties will be approved unless otherwise directed by the Director.
17. All approaches shall be constructed as set out in the Approach Construction Standard as may be amended, modified, or revised by the R.M. from time to time.
18. No approach shall be constructed in such a manner as to restrict sight lines or in any way adversely affect traffic safety.
19. All construction and all costs of construction are the responsibility of the Applicant. This includes all materials, equipment rentals or purchases, labour costs or any other costs required to complete construction.
20. Material from within the municipal road right-of-way shall not be used for the construction of the approach.
21. The approach shall be constructed with no resulting damage to the road shoulder, road surface, side slopes and/or ditches.
22. The Applicant shall be responsible to locate all existing utilities within the right-of-way and ensure that construction does not result in any damage or interference.

Non-Conforming Approaches

23. Upon identification of a non-conforming approach written notice shall be provided to the landowner specifying the remedial work that must be carried out.
24. If the owner has not completed the remedial work to the satisfaction of the within 30 days of delivery of the written notice or if, in the opinion of the Director there is a transportation or safety conflict, within the shorter period specified in the written notice, the Director may order the remedial work to be done at the landowner's expense, and all costs incurred by the R.M. in completing the remedial work shall be paid by the owner, including a 20% penalty surcharge.

Removal of an Approach

- 25. Every person who removes an approach shall reinstate, at his or her expense, the shoulder and ditch to R.M. standards. Failure to do so shall result in the approach being declared a non-conforming approach.

Maintenance and Upkeep of Approaches

- 26. The maintenance and upkeep of approaches is the sole responsibility of the landowner of the property to which the approach grants access.

Approach Modifications Required for Public Works

- 27. Where the R.M. undertakes any construction or reconstruction work that affects a conforming approach, the R.M. shall undertake any reconstruction of the approach made necessary by the construction or reconstruction at no cost to the owner.



Harwood

Reeve

[Signature]

Chief Administrative Officer

Read a third time and adopted
this 17 day of July 2023

[Signature]

A/ Chief Administrative Officer