



BYLAW 17/21

**A BYLAW TO REGULATE THE CONSTRUCTION,
MODIFICATION & MAINTENANCE OF APPROACHES**

SHORT TITLE

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

DEFINITIONS

- | | |
|----|--|
| 2. | <p>In this bylaw:</p> <p>"approach" means an improved surface that serves as a private crossing of a municipal right-of-way (i.e ditch);</p> <p>"conforming approach" means an approach that is not a non-conforming approach;</p> <p>"culvert" means a sub-surface pipe of Canada 3 G401-M81 approved corrugated steel, or any other such material approved by the Director of Public Works or designate, which acts as a conduit for water;</p> <p>"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;</p> <p>"grade" means the percentage (%) rate of the rise or fall of the approach with respect to the horizontal;</p> <p>"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;</p> <p>"land-owner" means the owner of the property to which the approach would or does grant access;</p> <p>"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;</p> <p>"R.M." means Rural Municipality of Corman Park No. 344;</p> <p>"road right-of-way" means the portion of the road allowance from the edge of the roadway to the property line of the adjacent property, including shoulder and ditch;</p> <p>"roadway" means the portion of a public highway designed for vehicular travel;</p> <p>"shoulder" means that part of a highway immediately adjacent to the roadway and having a surface of asphalt, concrete or gravel, for the use of vehicles;</p> <p>"Director" means Director of Public Works or a designate of the Director of Public Works;</p> |
|----|--|

INTERPRETATION


- | | | |
|----|-----|--|
| 3. | (a) | Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this bylaw. |
| | (b) | This bylaw includes the Schedule annexed hereto and the Schedule is hereby declared to form part of this bylaw. |

(c)	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.
(d)	In this bylaw, a word interpreted in the singular number has a corresponding meaning when used in the plural.
APPLICATION FOR APPROACH APPROVAL	
4.	(a) No person shall construct, relocate, or alter a private approach without first obtaining a written notice of approval from the Public Works department of the R.M.
	(b) Applications for approach approval shall consist of a \$200.00 fee which includes an administration fee and the cost of the installation of a Rural Address Sign, along with a completed Application for Standard Approach Approval, attached as Schedule A. Should an alternate approach access be required (no civic address sign) a fee of \$75 will be applied. Flags/stakes must be used to mark the proposed location of the approach and indicated on the completed diagram included on the application form prior to submission.
5.	An application for approach approval under this bylaw shall be made by the land-owner or an authorized representative of the owner.
6.	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 Department of Public Works. Written notice shall include any special conditions and the minimum required culvert size.
7.	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.
8.	<p>If a written notice of approval is granted, construction must be completed within six (6) months, unless granted an extension by the Director of Public Works or their designate, as specified in the written notice of approval. If not completed within six months, the applicant may be required to submit a new application and inspection fee.</p> <p>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 land-owner for the costs incurred to the R.M., plus a 20% penalty surcharge.</p>
GENERAL REGULATIONS	
9.	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.
10.	All approaches shall be constructed as set out in Schedule B: Approved Construction Standards for Road Approach.
11.	No approach shall be constructed in such a manner as to restrict sight lines or in any way adversely affect traffic safety.
12.	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.
13.	Material from within the municipal road right-of-way shall not be used for construction of the approach.

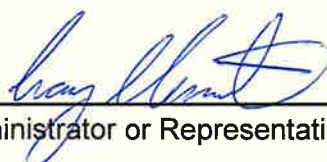
14.	The approach shall be constructed with no resulting damage to the road shoulder, road surface, side slopes and/or ditches.
15.	The Applicant shall be responsible to locate all existing utilities within the right-of-way and ensure that construction does not result in any damage or interference.
NON-CONFORMING APPROACHES	
16.	Upon identification of a non-conforming approach written notice shall be provided to the land-owner specifying the remedial work that must be carried out.
17.	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 land-owner'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.
CLOSURE OF AN APPROACH	
18.	Every person who closes 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 & UPKEEP OF APPROACHES	
19.	The maintenance and upkeep of approaches is the sole responsibility of the land-owner of the property to which the approach grants access.
APPROACH MODIFICATIONS REQUIRED FOR PUBLIC WORKS	
20.	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.

(seal)






 Reeve



 Administrator or Representative

Read a third time and adopted
 this 14th day of June, 2021



 Administrator