

THE CORPORATION OF THE TOWNSHIP OF PLUMMER ADDITIONAL

BY-LAW NO. 2023-33
Repeals By-law 94-167

BEING A BY-LAW TO REGULATE ENTRANCE WAY CULVERT INSTALLATIONS

WHEREAS Council of the Corporation of the Township of Plummer Additional has deemed it necessary to regulate the installation and maintenance of all new and existing entrance way culverts.

NOW THEREFORE the Council of the Corporation of the Township of Plummer Additional enacts as follows:

SHORT TITLE

1. This By-law may be cited as the "Entrance Culvert By-law"

ENTRANCE CULVERT INSTALLATIONS

- 2.0 All new entrance ways onto the Township's roadways must either be:
 - a. Installed by Township employees and supervised by the Township Road Working Foreperson or delegated staff member.

OR

- b. Installed by a contractor that is approved by the Township's Roads Working Foreperson or delegated staff member, with the final installation being signed off and approved by the Township's Roads Working Foreperson or delegate.
- 2.1 The required type, diameter, length, placement, and depth of the entrance pipe shall be determined by the Township of Plummer Additional or the official agent of the Township of Plummer Additional.

PERMITS

- 3.0 All new culvert entrance installations, whether installed by the Township or an approved contractor, shall be finalized by permit (Schedule "A"), with an inspection charge of \$75.00 being paid on the date of the application.

- 3.1 A permit shall be provided by the Township and come into full effect once the following parameters are met:
 - I. The Roads Working Foreperson or delegated staff member approves the initial quality and location of the new culvert entrance.
 - II. Upon receiving initial approval, the culvert and entrance must exist for a minimum of six (6) months of continuous structural integrity with no existing damage to the entrance or culvert that would result in the entrance or materials failing earlier than the reasonable useful life of the entrances/culverts. Upon the completion of the six-month duration, a permit can be issued if all items in section 3.1 have been completed.
 - III. The entrance permit and any related expenses (installation costs, follow-up inspections, materials, etc.) must be paid in full.

- 3.2 For clarification purposes, a permit comes into full effect upon the permit being issued a number (Ex. 2023-01) and being signed off by the Roads Working Foreperson.
- 3.3 If a Township representative must return to the site of the culvert entrance installation and complete additional inspections due to the entrance not passing initial/previous inspections, the property shall be charged an additional fee of \$40.00 per inspection/site visit until it is approved by the Township. A permit shall not be issued until any additional inspection fees and/or related expenses are paid in full.

INSPECTION, FINAL APPROVAL AND WRITTEN NOTICE

- 4.1 Upon installation of the entrance, the owner shall contact the Township to schedule the initial inspection. Upon the initial inspection, if the Roads Working Foreman is satisfied with the initial construction and installation quality, the Township will notify the landowner of its status and advise the landowner that it will receive a permit in six (6) months if the entrance stays intact and does not fail.

When six months have passed from the date of the initial inspection, the Township shall complete a final inspection to ensure that the structural integrity of the culvert has remained intact.

If the culvert entrance is installed by a contractor/owner and upon inspection, is not approved by the Roads Working Foreperson or delegate, the property owner shall ensure that the contractor makes the necessary amendments to the culvert entrance to ensure it is approved by the Township.

- 4.2 If a culvert entrance is reviewed during either the initial or final inspection and is not approved by the Township, the property owner shall arrange completion of the necessary changes to the entrance to ensure that it passes inspection and is permitted by Township.

The property owner shall be advised in writing that the proposed entrance culvert does not meet the standards of the Township. This written notice shall include the date in which the repairs need to be completed by for the entrance to pass inspection and receive a permit.

The property owner has ninety calendar (90) days from the date of the written notice to make the necessary changes to the entrance to ensure it is approved by the Township.

- 4.3 If ninety (90) calendar days pass from the date of the written notice (as stated in section 6 being issued), and the insufficiencies are not rectified by the owner, the Township shall make the necessary changes to the culvert entrance. All related municipal staff time, equipment used, materials (Culverts, aggregate, etc.) required and utilized to complete the necessary changes to the entrance shall be billed back to the owner and paid in full before an entrance permit is provided, as outlined by the Fees and Services By-law that is in effect at the time of any completed services. If funds are not paid after 90 days from the date of the invoice being sent to the landowner, then the amount due will be added to the related property tax roll.

- 4.4 If the Township approves the quality and location of the culvert entrance, and the property owner fails to pay the permit fees and /or any related expenses within 90 days of approval by the Township, the Township shall charge all necessary and unpaid fees to the related tax roll and subsequent tax bills to ensure funds are recovered.
- 4.5 If an entrance culvert is installed by any individual or contractor other than the Township and within six (6) months of the entrance receiving initial approval of the quality and , the entrance culvert either fails or results in drainage issues along municipal roadways, municipal ditches or in the municipal right of way, the property owner shall be responsible for the repairs and necessary amendments required to either repair the entrance culvert or rectify the drainage issue. The property owner shall be notified of the issues associated with the entrance culvert and shall have 90 days to make the necessary repairs to the entrance.
- 4.6 If the six (6) months' time period from the initial inspection has passed and the culvert is due for a final inspection, and this occurs during the months of November to May, the Township has the authority to defer the final inspection and issuance of a permit until a date in which water levels, snow and/or moisture in the ground has reduced to levels that are ideal for inspection purposes and to ensure that the integrity of the entrance has remained intact. Should a final inspection be deferred, the Township will notify the landowner in writing and provide an estimated date on when the final inspection will occur.

MAINTENANCE, RESPONSIBILITY AND TOWNSHIP OWNERSHIP

- 5.0 Upon six (6) months of culvert being installed and the Roads Working Foreman is satisfied with the entrance culvert and the quality of installation completed, the entrance shall become the property of the Township of Plummer Additional, who is then responsible and charged for the repair, maintenance and/or replacement of said entrance except where the property wants improvements or changes to the entrance way.

For clarification purposes, the Township shall only take into ownership the maximum number of culverts based on the parameters outlined in Section 5.1. Any additional entrances approved for installation and received a permit shall not be owned, repaired, or maintained by the Township.

- 5.1 The number and parameters of entrance ways maintained and owned by the Township will be limited to the following per property roll:
- Residential/Vacant Land/Managed Forests properties - 1 entrance up to 30 ft in length
 - Commercial and/or Industrial zoned properties (as per zoning by-law) – 2 entrances each up to 30 ft in length
 - Properties with assessed and taxable Farmland (As designated by MPAC) or Agricultural land (as per zoning by-law) – 2 entrances each up to 30 ft in length
- 5.2 Any installed additional entrances that are more than the amounts noted in section 5.1 must be approved by the Township of Plummer Additional and shall be subject to receiving an entrance culvert installation permit. All associated maintenance costs

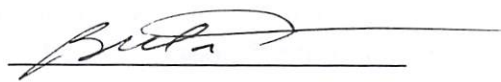
incurred by the Township to replace or repair these entrances shall be charged back to the property owner.

- 5.2 For clarification purposes, if a culvert entrance over 30ft in length is installed and permitted, the Township shall only be responsible for replacing 30ft of length associated with said entrance(s). If the property owner requests an entrance to be replaced at a length of more than 30ft, all additional costs associated with the excess length shall be paid for by the property owner.
- 5.3 When the replacement of existing and approved entrances/culverts are required and determined as per the Township, existing entrances under the size of 30ft can be installed and replaced with entrances and culverts up to 30ft in length.
- 5.4 The Township will be responsible for bringing the road surface over the culvert back to the road surface over the culvert back to granular "B" material only.
- 5.5 Entrance ways existing before this by-law are subject to the same conditions as above.
- 5.6 Once entrances are installed, the owner shall declare which entrance is their primary entrance and thus maintained by the Township. The owner cannot change the designated primary/secondary entrance without approval from the Township.
- 5.7 Existing entrances will be documented as time permits.

THEREFORE, it is also recommended that property owners ensure that entrance culverts are cleaned of grass and debris when necessary.

AND THAT effective June 21, 2023, By-law 94-167 is hereby rescinded and replaced with By-law 2023-33

READ THREE TIMES AND PASSED IN OPEN COUNCIL ON MAY 17th, 2023



Mayor: Beth West



Clerk: Lars Moffatt

SCHEDULE "A" to By-Law 2023-33
ENTRANCE CULVERT PERMIT
PERMIT # _____

PERMISSION IS HEREBY GRANTED FOR THE INSTALLATION OF AN ENTRANCE CULVERT.

Owner(s): _____

Preferred Contact: _____

Address: _____

Phone # _____ Email: _____

Contractor: _____

Roll #: _____

Lot & Concession #: _____

Culvert Diameter: _____ Culvert Length: _____

- The Owner agrees to pay all installation and material charges.*
- Required primary entrance or secondary entrance allowed as per by-law 2023-33
- Required secondary entrance or additional entrance that will not be maintained by the Township
- The property owner is aware that the Township only covers and maintains entrances and culverts up to 30ft in length, and that any replaced length in excess of 30ft is paid for by the landowner*
- The Owner is not required to put in an entrance culvert at this time, but if any road maintenance is required in the future i.e. Ditching in the area of this entrance, then the owner will be notified and the cost of said entrance will be paid by the property owner.
- (Inspection and permit fee of is \$75 required) All unpaid fees are added to the property tax roll*
- Owners are aware of the additional \$40 inspection fee (per additional visit) if the entrance does not pass the initial and subsequent inspections*
- The owners hereby acknowledge that if any entrance constructed by an approved contractor is not built to the standards of the Township, the owner is required to complete all necessary changes. If all changes are not made within 90 days of being notified, the Township will complete the necessary requirements and will back the landowner for all associated expenses as outlined in By-law 2023-33*
- The owners of this property have hereby read By-law 2023-33*

Cost of culvert purchase, labour and materials: \$_____ taxes included, further costs may be incurred if the Township is requested to do the installation of this entrance.

*=required

- Please contact the office if you wish to put the entrance in yourself or if you wish the Township to do so.

Signatures:

Owner: _____ Date: _____

Owner: _____ Date: _____

Owner: _____ Date: _____

Roads Working Foreman/Delegate's Final Approval: _____

Date of initial inspection: _____ Date of final inspection: _____

cc. ___ Property Owner Inspection Fee: \$75.00 (required) _____

Additional inspections \$40.00 completed: _____

___ Roads Working Foreman (Rd. file) Deposit: \$_____ Rec. # _____

___ Office Copy/Roll File Balance: \$_____ Rec. # _____