



POLICY NO. 8.03

JANUARY 26, 2016

TITLE: ROAD CONSTRUCTION

POLICY STATEMENT:

The term “Road construction” can refer to several different types of work. It can mean the construction of new roads or the rebuilding of current roads that are in need of major repair. It may also refer to bridge work such as bridge maintenance or bridge construction. Unlike most kinds of road maintenance, specific road construction projects require Council’s approval.

PURPOSE:

- To clarify Council’s policy stance on certain types of road construction.
- To provide guidance to the County in dealing with requests from landowners to build new roads on undeveloped road allowances.

DEFINITIONS:

Alberta land surveyor means, as defined in section 1 of Alberta’s *Land Surveyors Act*, an individual who holds a certificate of registration and an annual certificate to engage in the practice of surveying under the *Land Surveyors Act*.

Applicant means a person, persons, a corporation, corporations, either jointly or separately, who apply for permission to construct a new road on an undeveloped road allowance.

Council means the democratically elected council of Westlock County.

County means the municipal corporation, Westlock County.

Road allowance means

- (a) land set aside by the Province of Alberta for roads, and
- (b) where the title to the road allowance is held by the Crown in right of Alberta, and
- (c) where the Province of Alberta has made Westlock County the road authority of that road allowance.

Road construction – building new roads, rebuilding existing roads, widening existing roads, bridge maintenance, adding improvements to existing bridges, construction of new bridges on road allowances where the County is the road authority.

Undeveloped road allowance means a road allowance that

- (a) does not have a road built on it, or
- (b) has a road on it that does not meet Westlock County’s engineering standards and is not part of the County’s recognized road network.

PART I: NEW ROAD CONSTRUCTION

1. APPLICATION AND APPROVAL OF NEW ROAD CONSTRUCTION PROJECTS:

- 1.1.** Landowners that wish to have a new road built on an undeveloped road allowance must apply for approval from the County prior to beginning any such road construction work.
- 1.2.** This part does not apply to new road construction in multi-lot subdivisions.
- 1.3.** Applicants shall submit their applications to the County in the form shown in Schedule A and shall include a plan showing:
 - i. the approximate location of legal property boundaries,
 - ii. the length of road to be constructed,
 - iii. identification of any proposed surface water management structures (culverts, etc.),
 - iv. the location of property approaches.
- 1.4.** The County will provide all Applicants with an initial response within 30 days of the County receiving their application.

1.5. All applications for road Construction work will go before Council for approval.

2. PREPARATION FOR NEW ROAD CONSTRUCTION PROJECTS:

2.1. Applicants who have had their applications approved in principle by a motion in Council, must enter into a Road Allowance Use Agreement with the County (Schedule B).

2.2. Financing of new road construction work is the Applicant's sole responsibility. The County will not bear any part of the costs involved in any new road construction work.

2.3. Once Council has approved an Applicant's application for new road construction, the Applicant is responsible for having the following prepared:

- (a) a petition signed by two thirds (2/3) of the persons on the County's assessment role as owners of the land abutting on the section of the road allowance the Applicant wishes to build a road on,
- (b) a plan of survey of the section of road allowance the Applicant intends to build a road on, certified by an Alberta land Surveyor, and
- (c) an engineering plan and drawings prepared by a professional engineer, and
- (d) if applicable, written approval from Alberta Agriculture and Forestry to remove timber.

2.4. The plan of survey referred to in 2.3(b) must show the following:

- (a) the boundaries of the section of road allowance the Applicant wished to build a road on,
- (b) any buildings,
- (c) large trees,
- (d) wells,
- (e) septic tank and fields,

(f) natural water courses.

2.5. The engineering plan and drawings referred to in section 2.3(c) must show:

- (a) existing and proposed grades,
- (b) drainage arrangements to withstand 1 in 100 year storms,
- (c) a cross-section plan of the entire road allowance, and
- (d) other road geometry information sufficient enough for the County's Director of Engineering and Infrastructure to ascertain whether the plan meets the County's engineering standards.

2.6. The County's Director of Engineering and Infrastructure, or their designate, will determine which of the County's engineering standards for roads the Applicant must build to.

2.7. Applicants, their contractors or agents must not begin construction work on any road allowance until Council has received the items listed in section 2.3 and approved them by motion in Council. Once Council has approved them, the Applicant may begin the construction work.

2.8. It shall be the Applicant's sole responsibility to negotiate cost sharing arrangements or a joint application with other benefiting landowners. The County will not provide assistance to the Applicant on this matter.

3. CONSTRUCTION PHASE OF NEW ROAD CONSTRUCTION PROJECTS:

3.1. The Applicant is responsible for ensuring that the new road construction work meets the County's engineering standards.

3.2. Applicants must ensure all topsoil is removed prior to the commencement of any new road construction work on a road allowance. Topsoil must be replaced on backslopes and sideslopes, and be re-seeded with grass seed, that meets the County's standards, after road construction is complete.

3.3. The County's Director of Engineering and Infrastructure, or their designate, will inspect the project on a periodic basis to ensure that construction is being performed in accordance with the standards and specifications the Director prescribed as per section 2.6.

4. THE ONE YEAR GUARANTEE PERIOD:

4.1. Once construction of a new road is complete, the Director of Engineering and Infrastructure, or their designate, will inspect the completed road.

(a) If the new road meets the County's standards and specifications, the County will issue the Applicant a Road Construction Completion Certificate.

(b) If the road does not meet the County's standards and specifications, the County will advise the Applicant of this in writing and the reasons why the road does not meet County's standards.

4.2. Where section 4.1(b) applies, Applicants must have work performed on the road to bring the road up to the County's standards. The Cost of this work is the sole responsibility of the Applicant. Once that work is complete, the County will again perform the inspection set out in section 4.1.

4.3. Once the County issues an Applicant a Road Construction Completion Certificate, a one year Guarantee Period will apply. During this year, the Applicant will be responsible for the road and its maintenance. The County does not accept responsibility for the road at this point.

5. COUNTY ASSUMPTION OF COMPLETED NEW ROADS:

5.1. At the end of the Guarantee Period, the Director of Engineering and Infrastructure, or their designate, will inspect the road.

(a) If the road meets the County's standards and specifications at the end of the Guarantee Period, the County will issue the Applicant a Road Final Acceptance Certificate, stating that the County accepts full responsibility for the new road.

(b) If the road does not meet the County’s standards and specifications, the County will advise the Applicant of this in writing and the reasons why the road does not meet the County’s standards.

5.2. Where section 5.1(b) applies, Applicants must have work performed on the road to bring the road up to the County’s standards. The cost of this work is the sole responsibility of the Applicant. Once that work is complete, the County will again perform the inspection set out in section 5.1.

5.3. The County will not accept responsibility for a newly constructed road until it issues a Road Final Acceptance Certificate to the Applicant of that road.

5.4. The County will not issue any development or subsequent construction permits to an Applicant for any property they have title to that abuts the road allowance before the County issues the Applicant a Road Final Acceptance Certificate for the new road the Applicant had built on that road allowance.

PART 2: ROAD REBUILD

6. The County will rebuild roads according to the priorities and direction of Council.

PART 3: BRIDGE MAINTENANCE

7. The County will build, improve and perform maintenance on bridges according to the direction and priorities of Council.

MOTION: _____

DATE: _____

Peter Kelly
Chief Administrative Officer

SCHEDULE A

Road Construction Application

SCHEDULE B

Road Allowance Use Agreement

(to be developed)