

HAMIOTA MUNICIPALITY

Policies and Procedures

Policy Number: 200.5

Section: Public Works

Subject: Private Works

Passed by Resolution of Council: #5 – April 20, 2016

BACKGROUND

The council of the Hamiota Municipality has had situations where works undertaken by the Municipality or at the request of a private landowner has caused improvements to private property. In some cases it is the opinion of Council that such improvements should be at the cost of the landowner. Council agrees that such improvements and details for handling them should be identified prior to any work being commenced. Section 250(2) allows as follows:

250(2) without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

- (e) Use municipal equipment, materials and labor to carry out private works on private property.

POLICY/PROCEDURE

1. Where a registered landowner requests works to be undertaken by the Municipality either by the Public Works department or by a private contractor on behalf of the Municipality, the request shall be in writing to Council. A quotation for the goods or service would be provided and the ratepayer or organization would then authorize it.
2. The Hamiota Municipality will not undertake any private works that are deemed to be in direct competition with local and available private contractors.
3. If in council's opinion, work being undertaken by the Municipality or being requested by a registered landowner is an improvement to private property the affected registered landowners shall be notified in writing of the Municipality's intentions, the proposed improvements, actual cost to the registered landowner(s), terms of payment and the timeframes for the work to be undertaken. It is understood that an improvement does not have to be wholly contained on a specific private property to be deemed an improvement.



4. Upon written confirmation from the registered landowner that they understand the proposed works and accept their portion of the cost the council would then direct the works be undertaken.
 - a. The contractor hired by the municipality would have to view the site and come up with a quote as per the specifications of the ratepayer.
 - i. costs – depending on types, widths, time, etc.
5. All costs to registered landowners due to improvements that were not paid, after written agreement was obtained, would be added to the affected land property tax.
6. This policy does not apply to the installation of private access; in a general development zone within the former urban boundary
7. The type of method of construction used on the access shall be at the discretion of the Public Works Department.
8. A registered landowner requesting access to their property must submit a completed Request for Access Form to the office in order that the work may be approved and coordinated with Public Works.
 - a. minimum width of approach is 30 feet
9. Any work on an access requested by the landowner will be undertaken as custom work at the landowners cost.
10. Fill material can be provided by the ratepayer or by the municipality purchased by the ratepayer. Culverts and Geo textile used in municipal right of way must be purchased from the municipality, no exceptions.