

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 1 of 8

## **1.0 POLICY STATEMENT**

The Township of Horton has established a policy to establish and direct the use of Municipal resources for Private Road & Driveway grading.

## **2.0 DEFINITIONS**

“Charge” means a charge imposed pursuant to Section 391(2) of the Municipal Act.

“Damage” means any injury, harm, hurt, impairment, mutilation, destruction or loss to any property, personal or otherwise.

“Deficiency” means a quality or condition of being deficient, incompleteness or inadequacy.

“Fee” or “Rate” means a charge or payment for a service; a price or amount to be paid that is set.

“Grading” means smoothing gravel surface of the travelled portion of a private road or driveway.

“Improvement” means the work undertaken on a road or within a right-of-way to increase or improve upon the existing condition or level of service of a road and shall include, but not be limited to: road surface, road subsurface, ditching, brushing, road widening, right-of-way widening, utility relocation.

“Limited Service Dwelling” means a single detached dwelling that:

- a. Has no frontage on a municipally maintained street; and
- b. The owner is responsible for services, such as snow clearing and road maintenance, and for ensuring that the road condition is adequate for access by emergency vehicles including fire, ambulance and police.
- c. Has a means of access to the lot that is not part of the municipal street network.

“Maintenance” means the care or upkeep of a road or driveway.

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 2 of 8

“Municipal Boundary” means the physical limits or borderline of the Corporation of the Township of Horton.

“Municipality” means the Corporation of the Township of Horton.

“Owner” means

- a. An owner, part owner, joint owner, tenant in common or joint tenant of any interest in the whole or any part or parcel of land,
- b. In the case of the absence or incapacity of a person or persons having ownership of any interest in the parcel of land, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of land,
- c. In the absence of proof to the contrary, the person assessed for the taxes on the parcel of land.

“Private Driveway” means a driveway, laneway, travelled way, or right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.

“Private Road” means any street, roadway, highway, travelled way, or right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.

“Public Road” means a highway, travelled way, or right-of-way dedicated and accepted as a public highway.

“Site” means the spatial location of the private road or driveway where grading shall be undertaken, including vertical and horizontal clearances as required.

“Standard Specifications” means a standard set by the municipality.

“Special Provisions” means work or procedures not covered in the standard specifications, and as necessary to supplement or modify items in the standard specifications and/or to cover items of work unique to a specific site.

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 3 of 8

### **3.0 PROCEDURE**

1. An application for *Private Road & Driveway Grading* shall be made in writing, on an approved form, to the Township of Horton.
2. Upon receipt of an application, the Township shall:
  - a. Review the information for completeness.
  - b. Determine if a charge is applicable in accordance with the policy.
  - c. If a charge is applicable, obtain a deposit equal to two (2) hours at a rate set out in the Fees & Charges By-law – Transportation Fees, Schedule “H” (eg. Deposit = 2 hours x rate per hour).
  - d. Forward the application to Public Works.
3. Public Works shall:
  - a. Determine if the Private Road or Driveway meets *Section 4.0 – Criteria* for Township grading.
  - b. Attend the site to determine if the Private Road or Driveway meets *Section 5.0 – Standard Specifications*.
  - c. Determine if there are any *Special Provisions* required to mitigate concerns for person and property.
4. If grading is approved, Public Works shall:
  - a. Contact the applicant to inform them that they meet the Townships requirements and that grading will be completed.
  - b. Inform the applicant of any Special Provisions.
  - c. Complete grading.
  - d. Upon completion, invoice the applicant in accordance with the policy and the applicable Fees & Charges By-law – Transportation Fees, Schedule “H”, if required.
5. If grading not approved, Public Works shall:
  - a. Contact the applicant to inform them that they did not meet the Townships requirements.
  - b. Instruct the applicant why they did not meet the Townships requirements and what can be done, if anything, to meet the requirements.
  - c. Return the deposit, if any.

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 4 of 8

#### **4.0 CRITERIA**

All Private Roads & Driveways must meet the criteria set out in this policy prior to being considered for Township grading.

1. A Private Road must be named and recognized in the County of Renfrew Civic Addressing System (911 system) and must be a minimum of 100m in length (300').
2. A Driveway must be a minimum 100m (300') in length. Access to the driveway must be approved by the Township if it does not access directly from a public roadway.
3. Only Private Roads and Driveways located within the municipal boundary of the Township of Horton will be considered for grading.

No roads, driveways, or access roads/driveways beyond the municipal boundary will be graded (eg. If you must travel a portion of a roadway within an adjacent municipality in order to access a private road or driveway within the Township of Horton, the portion within the neighbouring municipality will not be graded).

4. If a private road or driveway must be accessed from another roadway that is not acceptable to the Township, the Township retains the right to refuse to travel to the site where the request has been made regardless of the requested private road or driveway meeting acceptable standards.
5. All grading shall be completed between June 1<sup>st</sup> and September 30<sup>th</sup> annually.
6. The maximum number of gradings per annum shall be two (2) per Private Road or Driveway.
7. The Township shall not provide any grading to a Private Road or Driveway not serving a dwelling.
8. Private Roads & Driveways must meet minimum standards as set out in *Section 5.0 - Standards*.

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 5 of 8

9. Fees & Charges shall be paid in accordance with *Section 7.0 - Fees & Charges*
10. The Township retains the right to require the applicant to meet *Special Provisions* as deemed appropriate by the Township.
11. The Township shall supply the grader and an operator. The Township shall not supply any manual labour (eg. hand raking a windrow left by the grader or removing an object from the roadway/driveway prior to grading).
12. The Township shall not undertake any improvements to any private Road or Driveway including, but not be limited to, road surface, road subsurface, ditching, brushing, road widening, right-of-way widening, utility relocation.

## **5.0 STANDARD SPECIFICATIONS**

Prior to the Township commencing grading on Private Roads & Driveways, Township staff shall attend the site to determine that the following standards have been met. If any standard is not met, the Township may refuse to undertake grading.

<b><u>STANDARD</u></b>	<b><u>REQUIREMENT</u></b>
1. Surface (gravel) Width	4m (13')
2. Vertical Clearance	4m (13')
3. Horizontal Clearance	5.5m (18')
4. Quantity / Quality of Material	100mm (4") Granular 'A' or 'M'
5. Ditching	Acceptable
6. *Culverts, Bridges/Structures	Acceptable
7. Vertical &/or Horizontal Curves	Acceptable
8. Site Lines	Acceptable
9. Grader Turnaround	Acceptable
<i>Is property owner aware of location</i>	<i>Should owner be notified</i>

	<u>Total Weight</u>	<u>On front wheels</u>	<u>On Rear wheels</u>
* G940B Volvo Grader	16,250 kg 35,825 lb	4,712 kg 10,388 lb	11,538 kg 25,437 lb

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 6 of 8

In addition to those items noted above, the Township may also refuse to undertake grading due to, but not limited to:

- a. Washouts, bumps and hollows, large stones and debris
- b. Surface water, substandard drainage
- c. Poor culvert repair
- d. Structural deficiencies of bridges (unable to handle equipment weight, poor bridge approach and deck maintenance)
- e. Dust, heavy rain, fog/whiteout, high winds, blowing snow
- f. Road too narrow for the speed and volume of traffic
- g. Unexpected narrowing or loss of shoulder
- h. Sudden and unexpected changes in direction and elevation
- i. Sudden and unexpected changes in road surface

## **6.0 SPECIAL PROVISIONS**

The Township retains the right to require the applicant to meet/provide special provisions as deemed necessary by the Township. These may include, but are not limited to:

- a. Placement of signage.
- b. Notice to residents.
- c. Notice to emergency services.
- d. Traffic control.
- e. Temporary road closure.
- f. Any other special provisions as deemed necessary by the Township.

Following the site inspection, any special provisions required by the Township shall be provided in writing to the applicant prior to commencing grading.

## **7.0 FEES & CHARGES**

All Private Roads & Driveways shall be charged in accordance with the policy and the applicable rate set in the Fees & Charges By-law – Transportation Fees, Schedule “H”.

1. Where a fee is applicable, the minimum fee shall be equal to 2 hours times the rate per hour.

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 7 of 8

Example: 2 hours x \$120.00/hour = \$240.00

- Where a fee is applicable, a deposit is required and shall be equal to 2 hours times the rate per hour.

Example: 2 hours x \$120.00/hour = \$240.00

- Where a fee is applicable, any requirements to pay additional costs incurred for services extending beyond 2 hours shall be calculated to the nearest ½ hour and invoiced accordingly.

Example 1: (total hours – minimum hours) x rate per hour = amount due  
 (1.5 hours – 2 hours) x \$120.00/hour = (-) \$60.00  
 NEGATIVE amount no further charge

Example 2: (total hours – minimum hours) x rate per hour = amount due  
 (3.5 hours – 2 hours) x \$120.00/hour = (+) \$180.00  
 POSITIVE amount is owing

- The fee shall be calculated for grading time only and shall not include driving to and from the site.
- Applicable fees shall be charged as follows:

<b>REQUEST</b>		<b>1<sup>st</sup> Grading</b>	<b>2<sup>nd</sup> Grading</b>
Private Road	2 or more dwellings	free	Applicable rate
Private Road	1 dwelling	Applicable rate	Applicable rate
Private Driveway	1 dwelling minimum	Applicable rate	Applicable rate

- The Fees & Charges By-law – Transportation Fees, Schedule “H”, shall consider increasing the Private Road Grading fee annually by the Cost of Living Adjustment (COLA).

<b>The Township of Horton Policy and Procedures</b>			
<b>SECTION:</b> TRANSPORTATION			<b>POLICY #:</b> T-01
<b>POLICY:</b> Private Road & Driveway Grading			
<b>DATE:</b> 19-Jan-2016	<b>REV. DATE:</b> July 2020 By-Law 2020-35	<b>COVERAGE:</b> Public Works	<b>PAGE #:</b> 8 of 8

## **7.0 DAMAGES**

Private installations made by the property owner(s) within the horizontal or vertical clearance, such as sod, shrubs, sprinkler systems, plantings, sewage systems, waterlines, etc. may be damaged in the process of grading. Damage that may occur is not intentional and in many cases is unavoidable.

The Township of Horton shall not be held liable or responsible for any damage to private property resulting from Private Road & Driveway inspection &/or grading operations.

## **8.0 ROAD ACCESS (for information purposes only)**

Some Limited Service Dwellings and/or recreational properties front on public roadways, but many are accessible only by private rights of way or by water. Even with public roadways, the municipality may only maintain the road in the summer. If it is your intent to use the dwelling year round, municipal snow ploughing and road maintenance will be a matter you should check out carefully.

Where the roadway is privately owned it is important that there be a clearly described and legally documented right-of-way to ensure uninterrupted access to your property. Where there is no deeded right-of-way and access is over roads which have been used over long periods of time, access is more risky and factors such as length of use, number of users, seasonality of use and degree of definition of the access route may affect the security of road access in the future. As a result there may be a need for expensive surveys, extensive road reconstruction and distasteful litigation to gain access to your property.

If access is by water only it is important to consider the costs and inconvenience involved (although many consider this a distinct benefit). You will need to make sure that all necessary permits from the Ministry of Natural Resources and the municipality are in place to allow proper boat docking and storage at your shoreline.

## **9.0 PRIVATE ROAD & DRIVEWAY GRADING APPLICATION**

Attachment – Private Road & Driveway Grading Application