

# TOWN OF LUMSDEN

## BYLAW NO. 11-2018

### A BYLAW OF THE TOWN OF LUMSDEN TO REGULATE THE CONSTRUCTION, MODIFICATION AND MAINTENANCE OF APPROACHES AND CULVERTS.

The Council of the Town of Lumsden in the Province of Saskatchewan enacts as follows:

#### 1. SHORT TITLE

This bylaw may be referred to as the "Approach & Culvert Bylaw."

#### 2. DEFINITIONS

(a) In this bylaw:

"application" - means an 'Application for Standard Approach Approval', attached hereto as Schedule "A".

"approach" - means an improved surface that serves as a private crossing of a municipal right-of-way (i.e. ditch) and may or may not include a culvert(s).

"culvert" - means a sub-surface pipe of 'Canada 3 G401-M81' approved corrugated steel, or any other such material approved by the Public Works Foreman or designate, which acts as a conduit for water.

"ditch" - means a 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.

"Foreman" - means the Public Works Foreman or designate of the Public Works Foreman.

"grade" - means the percentage (%) rate of the rise or fall of the approach with respect to the horizontal.

"intersection" - means the area within the projection or connection of the lateral boundary lines of two or more roadways that meet one another at angle, regardless of whether or not one roadway crosses the other.

"land-owner" - means the owner of the property to which the approach would or does grant access.

"Town" - means the Town of Lumsden.

"roadway" - means the portion of a public road allowance designed and used for vehicular travel.

"shoulder" - means that part of a public road allowance immediately adjacent to the roadway and having a surface of asphalt, concrete or gravel, for the use of vehicles.

#### 3. INTERPRETATION

(a) This bylaw includes all Schedules appended hereto and the Schedules are hereby declared to form part of this bylaw.

(b) 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, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

(c) In this bylaw, a word interpreted in the singular number has a corresponding meaning when used in the plural.

A BYLAW OF THE TOWN OF LUMSDEN

TO REGULATE THE CONSTRUCTION, MODIFICATION AND MAINTENANCE OF APPROACHES AND CULVERTS



#### 4. APPLICATION FOR APPROACH APPROVAL

- (a) No person shall construct, relocate, or alter a private approach, or any culverts within a private approach, without first obtaining a written notice of approval from the Town.
- (b) Applications for approach approval shall consist of a fifty-dollar (50.00\$) application fee along with a completed application form, attached as Schedule "A", to the Town. Flags/stakes must be used to mark the proposed location of the approach and indicated on a completed diagram included with the application form.
- (c) All applications made under this policy shall be made by the land-owner.
- (d) If, after the completion of an inspection of the proposed construction site, the Foreman is satisfied that an application complies with the provisions of this policy, written notice of approval shall be provided by the Town. Written notice shall include any special conditions and the minimum required culvert size.
- (e) All approaches shall be constructed in conformance with all existing government regulations, Town regulations and comply with the conditions and minimum required culvert size specified in the written notice of approval.
- (f) The applicant shall not commence construction prior to receiving written notice of approval or continue construction after six (6) months from the date of the written notice of approval or any period shorter or longer, as specified within the written notice of approval. It is the responsibility of the applicant to allow sufficient time for their application to be processed prior to the intended commencement date of construction and to complete the construction within the allotted time. Any costs or inconvenience resulting from delays shall be borne by the applicant. If cleanup is not completed within the specified period, the Public Works Department may undertake the work and invoice the land-owner for the costs incurred to the Town.

#### 5. GENERAL APPROACH REGULATIONS

- (a) The approach shall be constructed with clean earth, free from objectionable material such as organic matter, frozen soil, topsoil, stumps, trees and rock.
- (b) All approaches shall be constructed at an angle of ninety degrees (90°) to the roadway centerline and must slope away from the roadway with a grade slope at a minimum of two percent (2%).
- (c) No approach shall be constructed in such manner as to restrict sight lines or in any way adversely affect traffic safety.
- (d) All construction and all cost of construction are the responsibility of the applicant. This includes all materials, equipment rentals or purchases, labor costs or any other costs required to complete construction.
- (e) Materials from within the municipal road right-of-way shall not be used for the construction of the approach.
- (f) The applicant shall be responsible to locate all existing utilities within the right-of-way and ensure that the construction does not result in any damage or interference.
- (g) Approaches must have a minimum width of seven (7) meters and a five to one (5:1) side slope, as specified in drawings "A-A" and "B-B", attached hereto as Schedule "B".
- (h) All culverts shall be 'Canada 3 G401-M81' approved corrugated steel pipe and shall meet the culvert size specified in the written notice of approval. The pipe shall be installed true to grade line and as per installation specifications outlined in drawings, attached hereto as Schedule "B". Rip rap shall be placed to prevent erosion, if necessary.

**6. MAINTENANCE AND UPKEEP OF APPROACHES AND CULVERTS**

- (a) The maintenance and upkeep of approaches is the sole responsibility of the land-owner of the property to which the approach grants access.
- (b) If a culvert in an approach needs to be replaced, the land-owner whose property is served by the culvert is responsible for the purchase of the new culvert and replacement of asphalt if necessary. The Town will provide installation at no cost to the land-owner.
- (c) If a culvert in an approach is raised or sunk due to freeze-thaw weathering and is impacting the water flow, the Town will carry out repairs to drop or raise the culvert but will not purchase a new culvert. If any pavement needs to be cut and removed for the repair, it will be the responsibility of the land-owner for replacement and maintenance of the area and driveway.

**7. EFFECTIVE DATE OF BYLAW**

- (a) This Bylaw shall come into force on the day of adoption by the Town of Lumsden Council.

**Readings**

*Read a first time this*

27<sup>th</sup> day of November 2018.

*Read a second time this*


18<sup>th</sup> day of December 2018.

*Read a third time this*

18<sup>th</sup> day of December 2018.

  
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Mayor

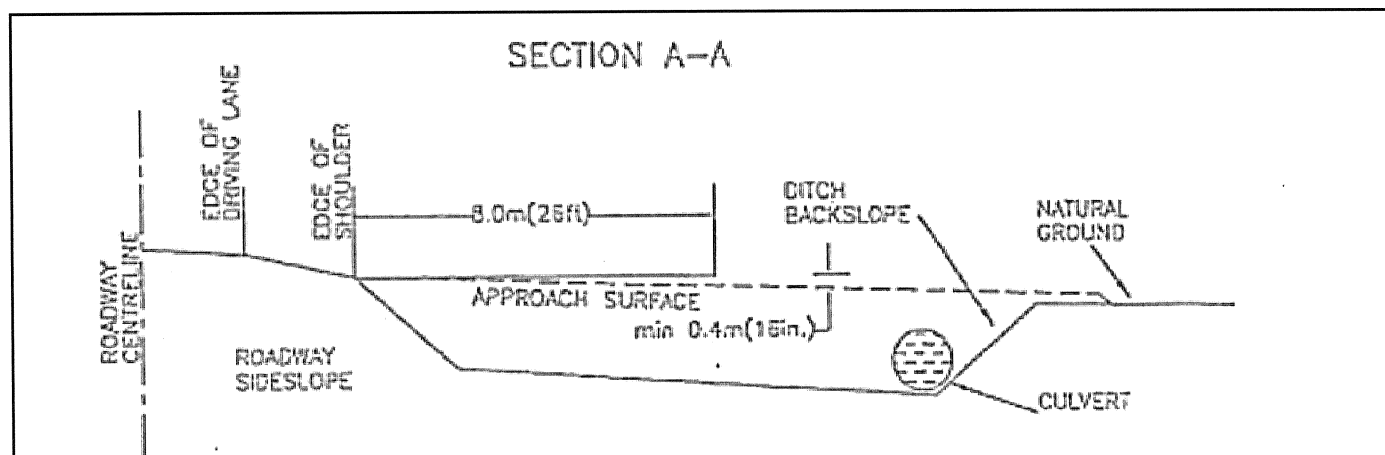
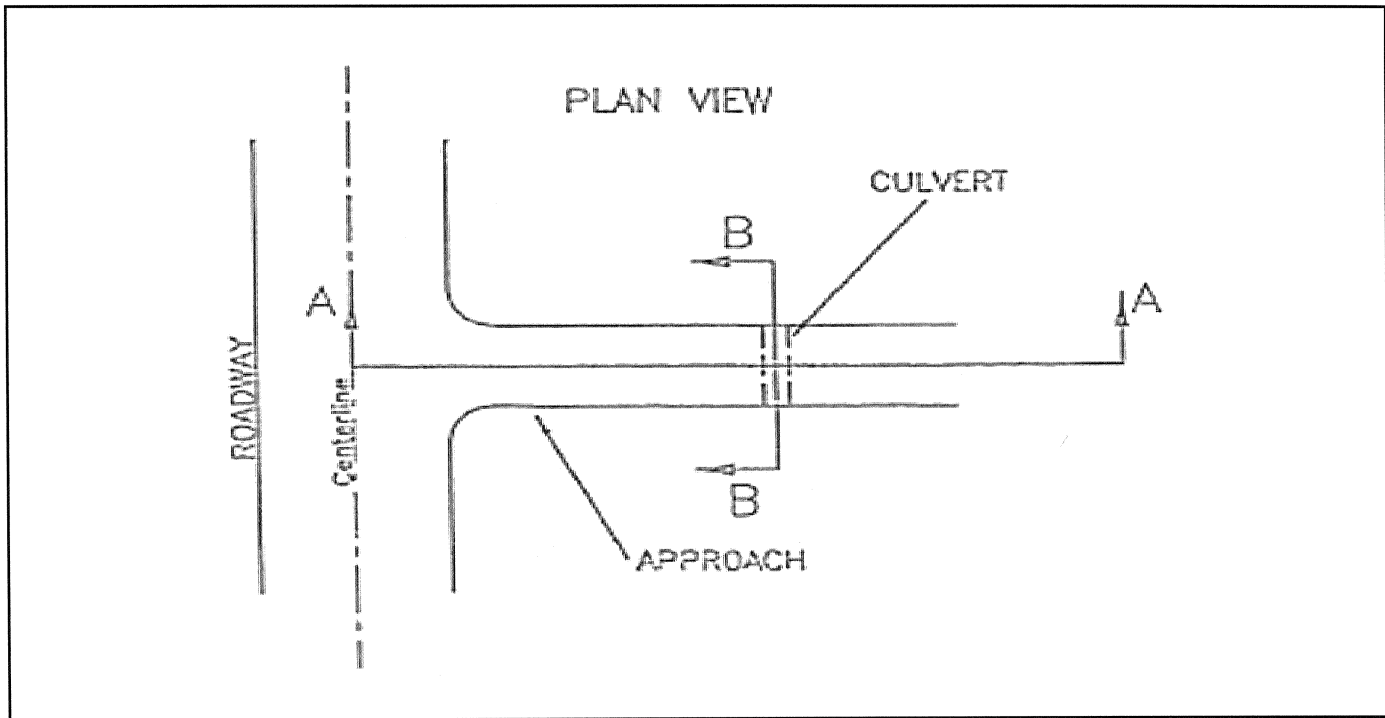
(S E A L)

  
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Chief Administrative Officer





SCHEDULE "B"



1. Approach must slope away from roadway so that 8.0 m from the roadway shoulder edge, the surface is a minimum of 0.4m below the shoulder edge.
2. Culvert must be located against ditch backslope.

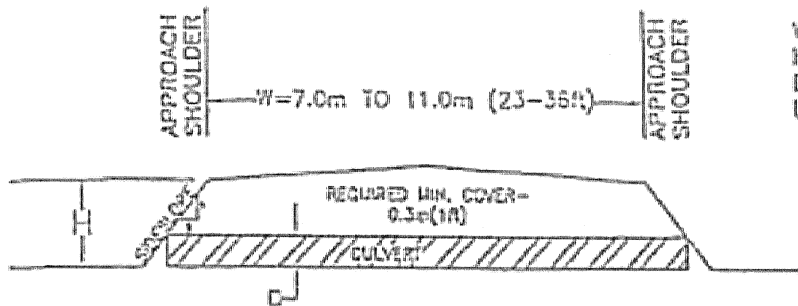
MINIMUM COVER OVER CULVERT

CULVERT SIZE	MIN. COVER
400mm (16in.)	0.3m
500mm (18in.)	0.4m
600mm (24in.)	0.4m

**STANDARD APPROACH**  
Plan View & Section A-A

# APPROACH WITH CULVERT - SECTION B-B

SIDESLOPE IS 5:1 TO H=3.5m



W = WIDTH OF APPROACH TOP  
H = HEIGHT OF APPROACH  
D = CULVERT DIAMETER  
L = CULVERT LENGTH

CULVERT LENGTH  
 $L = W + 10(H - D)$

EXAMPLE: 10m WIDE APPROACH,  
1.0m HIGH WITH A 500mm  
CULVERT

$L = 10m + 10(1m - 0.5m)$   
 $L = 10m + 10(0.5m)$   
 $L = 15m$

**STANDARD APPROACH**  
SECTION B-B