

THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE BY-LAW 2021-59

BEING A BY-LAW TO ADOPT A ROAD OCCUPANCY POLICY FOR THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE.

WHEREAS Section 102, of the Municipal Act, RSO 1990, as amended, directs Councils of Municipalities to pass by-laws and make such regulations for the health, safety, and welfare of the inhabitants of the municipality in matters not specifically provided for by this Act;

AND WHEREAS it is considered advisable to control the construction and installation of any utility, testing equipment, structure or facility on or within a Municipality of South Bruce right-of-way;

AND WHEREAS the Council of the Municipality of South Bruce deems it expedient to adopt a policy as a guideline to control Road Occupancy on Municipal Roads.

NOW THEREFORE the Council of the Municipality of South Bruce enacts as follows:

1. That the Road Occupancy Policy, attached as Schedule "A" to this by-law is hereby approved and adopted;

THAT THIS BY LAW BE ENACTED, SIGNED AND SEALED THIS 13th DAY OF July 2021.

Original Signed

Robert Buckle, Mayor

Original Signed

Leanne Martin, CAO/Clerk

SEAL.



MUNICIPALITY OF SOUTH BRUCE

Road Occupancy Policy

Department: Public Works

Prepared by: Jamie Morgan, Operations Manager

Management Review: Leanne Martin, CAO/Clerk

Council Approval: July 13, 2021

Revised:

Purpose:

Given that it is considered advisable to control the construction and installation of any utility, testing equipment, structure or facility on or within a Municipality of South Bruce right-of-way, consent is required from the Municipality. It is herein resolved that the following policy statement be adopted as a guideline to control Road Occupancy on Municipal roads.

The Applicant agrees to the following conditions:

1. Prior to the issuance of a Permit, the applicant shall provide the following to the satisfaction of the Public Works department:
 - a. A valid Certificate of Insurance, in the form acceptable to the Municipality with respect to liability for property damage and personal injury for a minimum amount of \$5,000,000.00 for any one accident or occurrence shall name the Municipality of South Bruce as co-insured and remain in force until the Municipality approves the work.
 - b. Supportive material requested by the Public Works department.
 - c. Permit fees:
 - i. Basic (5 days) \$100
 - ii. Extended (6 days plus) \$250
 - d. A Security Deposit of \$1,000 may be required, at the discretion of the Operations Manager.
2. The Applicant agrees to indemnify and save harmless the Municipality of South Bruce from all actions, causes, suits, claims, demands and costs whatsoever arising by reason of the Applicant, his agents or employees doing, failing to do, or

doing incorrectly or negligently anything the Applicant is required to do under the terms of this Permit and will be responsible for damages, injuries or accidents resulting from any of their operations, or caused by reason of the existence or location or condition of the construction site, or any materials, plants, equipment or vehicles used in connection with the works performed as a result of this Permit.

3. Permits will be processed after all the necessary information has been submitted to the Public Works department.
4. This Permit does not relieve the Applicant from their responsibility of obtaining all other necessary permits, approvals and plant locations.
5. The Applicant agrees to contact the Operations Manager as specified on the Permit General Conditions (#2) at least two (2) working days prior to commencing works. Failing to do so will result in a \$250.00 charge to the applicant and possible delays to the start date.
6. A copy of the Permit must be available on the job at all times, during actual construction.
7. Upon completion of the work, the Applicant shall complete the following to the satisfaction of the Operations Manager.
 - a. Restore all subsurface works including the compaction of backfill material.
 - b. Restore all areas affected by the work to current Municipal or OPS Standard to the satisfaction of the Operations Manager.
 - c. Disturbed surface grassed areas are to be backfilled with topsoil and hydroseeded.
 - d. Additional restoration may be required and will be outlined on the permit.
8. Directional boring is the preferred process for crossing the road's travelled portion. In the event that boring is not an option then open cut will be allowed with the following conditions:
 - a. All open cuts and disturbed areas are to be backfilled and compacted with native materials to granular base. Balance of the excavation to be filled with approved Granular material that is compacted to 100 percent standard proctor density.
 - b. Roads with concrete base are subject to conditions 37 to 41 of the Road Occupancy Permit application.
 - c. The Applicant is to ensure that temporary restoration is done using cold mix asphalt as a minimum and is completed the same day before allowing traffic to flow over trench cuts. The Applicant is responsible for its maintenance until final restoration is completed.

- d. The Applicant is to ensure that permanent restoration is completed within ten (10) working days, repaired with hot mix asphalt and no hard joints allowed. The original surface is to be milled back 1.0 metre in both directions for a step joint then paved.
9. The Applicant shall guarantee the workmanship and materials of all the work performed under Sections 7 & 8 within the right-of-way for a period of twenty-four (24) months from the date receiving the Municipality's approval of the work.
10. The Municipality may withhold approval of future Road Occupancy Permits until Part 9 is complied with.
11. Upon the completion of the permanent restoration works, the Municipality shall reimburse the Applicant any excess monies deposited not used by the Municipality to restore works and the Applicant shall reimburse the Municipality for any costs of restoration above the monies deposited with the Municipality within thirty (30) days of receiving any invoice for payment from the Municipality.
12. The Applicant shall be responsible for all damages to all existing services when such damages arise out of the work undertaken by the Applicant.
13. The Applicant is responsible for notifying the Municipality of South Bruce staff concerning existing damage to municipal owned infrastructure prior to the issue of the Permit.



Municipality of South Bruce

MUNICIPAL OFFICE

P.O. Box 540, 21 GORDON ST E. TEESWATER, ONTARIO NOG 2S0
Phone (519) 392-6623 Fax (519) 392-6266

Road Occupancy Permit

General Information:

Company/Contractor Name:	
Address:	
Business Phone:	Fax or Email:
Applicants Name (if different from above):	
Contact Phone:	After Hours Contact:

<p><u>Type of Work</u></p> <p><input type="checkbox"/> New</p> <p><input type="checkbox"/> Repair</p> <p><input type="checkbox"/> Directional Bore Road Crossing</p> <p><input type="checkbox"/> Testing</p> <p><input type="checkbox"/> Road Access</p> <p><input type="checkbox"/> Fibre</p> <p><input type="checkbox"/> Pavement Cut</p>	<p><u>Location</u></p> <p>Road/Street:</p> <p>At/Between:</p> <p>Carrick <input type="checkbox"/> Mildmay <input type="checkbox"/></p> <p>Culross <input type="checkbox"/> Teeswater <input type="checkbox"/></p> <p>Formosa <input type="checkbox"/> Belmore <input type="checkbox"/></p> <p><u>Date Required</u> (from/to)</p>
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DRAWINGS OF THE PROPOSED WORK ARE TO BE SUBMITTED AS AN ATTACHMENT

Special Provisions: (to be completed by Municipal Staff)

From General Conditions:	<input type="checkbox"/> 1-19	<input type="checkbox"/> 20-23	<input type="checkbox"/> 24-29	<input type="checkbox"/> 30-36	<input type="checkbox"/> 37-42
Additional Conditions:					

The Applicant agrees and accepts full responsibility for the protection of all utilities, private property and persons affected by their operations and further agrees to provide proof of liability insurance as per Municipal standards naming the Municipality of South Bruce and relevant County as additional insured; and further indemnify and save harmless the Municipality of South Bruce and all assets and personnel it is in law responsible for. **Failure to comply with all conditions will render this permit void. This permit does not constitute Municipal Consent Approval.**

Applicant Signature: _____ Date: _____

Municipal Approval: _____ Date: _____

General Conditions:

1. Prior to commencing work, locates must be obtained from utilities.
2. The Operations Manager must be notified 48 hours before work is to commence.
3. When working, a copy of this permit and utility locates must be on site at all times.
4. This permit is not valid until the signed copy is received by the Municipality of South Bruce.
5. Construction plans must be submitted with this permit, when required.
6. A copy of the permit or written notification of completion of work must be provided to the Municipality for final approval.
7. Positive drainage shall be maintained during the course of the work.
8. One Lane of traffic must be maintained during working hours as per OTM Book 7 and traffic plan must be emailed to Operations Manager prior to commencement of work. All lanes of traffic must be maintained when not working. All full road closures must have approval from the Operations Manager.
9. All utilities shall be protected and supported, to the satisfaction of the utility concerned.
10. All road surfaces and sidewalks shall be kept clear of obstructions and/or debris, to avoid hazard or inconvenience to the public.
11. Mud tracking or dust nuisance shall not be allowed. Any accumulation must be cleaned from the road and/or shoulders immediately. Cleaning instructions may be given by Municipal staff. **If at any point Municipal staff find that mud tracking or dust nuisance is excessive, the work shall be stopped.**
12. The Applicant shall not cut, trim or interfere with any trees in the right-of-way without Municipal approval.
13. All changes and/or deviation from the submitted approved plans and/or locations shall be subject to re-approval from the Municipality of South Bruce.
14. Subject to the Municipality of South Bruce approval, **the use of steel plating shall not generally be permitted.**
15. The road shall not be closed without the consent in writing of the Operations Manager.
16. Property owners and/or residents shall receive a minimum of 24 hours written notice prior to temporary closing of an access to homes and businesses.
17. The applicant agrees and accepts full responsibility to supply, maintain, clean and place all barricades, warning signs, delineators, and flashing lights necessary for the protection of the public and the safe operation of the installation, at the applicant's own expense, as per the OTM Book 7, Temporary Conditions latest revision. (Note: This manual depicts minimum standards, additional signing may be required by the Municipality of South Bruce).
18. All disturbed or affected areas to be maintained and guaranteed for two years after completion and acceptance of the work by the Municipality of South Bruce, at the applicant's expense.
19. The applicant accepts the Municipality's right to perform any necessary remedial work caused by the applicant's operation, subject to the following conditions:
 - a. The Municipality of South Bruce will give the applicant not less than twenty-four (24) hours notice of any remedial work required, except for emergency work.
 - b. If at the expiration of the time allowed, the applicant or their contractor has not commenced remedial work to the Municipality's satisfaction, the Municipality may undertake to have this work done by whatever means it deems necessary.
 - c. The applicant to reimburse the Municipality of South Bruce for all cost incurred under 20a) and/or 20b) and/or to supply the Municipality with a Security Deposit, for a specified amount, if requested.

Trenches and Pits

20. Trenches shall be fully compacted by mechanical means (roadway – 100% SPMDD, roadside – 95% SPMDD) and all surfaces restored to original condition. Positive drainage shall be maintained during the course of the operation.

21. Mechanical and/or vibratory compaction equipment shall be on site prior to commencing work.
22. Trench to be backfilled with Granular Subbase Course Class "B", in 150 mm (6") layers to 450 mm (18") below the road surface, and each lift shall be compacted using mechanical and/or vibratory compaction equipment.
23. Granular base Course Class "A" to 150 mm (6") below the asphalt base in two layers, and compacted to 100% SPMD.

Boulevard Works

24. Shoulders to be repaired as per conditions number 30 and 31, cleaned of mud and clay, etc., and restored to original cross-section and appearance.
25. In grassed areas adjacent to homes and businesses, sodding is required as per OPSS 571. All other areas shall be seeded and straw mulched as per OPSS 572. Topsoil shall be placed to a minimum of 100 mm (4") depth prior to seeding or sodding as per Municipality of South Bruce requirements.
26. All disturbed ditches to be restored with at least four rows of sod placed in the bottom, as per OPSD 218.01.
27. Driveways shall be repaired in the same manner as the road, as outlined below.
28. Asphalt strips and centre medians shall be restored to original condition or better.
29. Sidewalks shall be restored to match the Area Municipality's standards.

Road Works - Asphalt

30. On hot-mix asphalt pavement, cutting shall be done by means of sawing full depth to leave a clean straight edge. Excavation equipment such as backhoes, etc. shall not be used for this purpose. The adjoining pavement shall be protected from damage by equipment.
31. Cold patching to be placed immediately as a temporary surface. Permanent pavement repairs using hot-mix asphalt shall be made within 14 days. All Municipal roads having heavy traffic volumes must be repaired immediately with hot-mix asphalt. Between November 15th and May 15th all cuts must be filled immediately with hot mix. Under no circumstances shall a cut be left with a granular surface.
32. Prior to permanent pavement repairs, a 300 mm (12") wide strip of asphalt each side of the excavation shall be removed by full depth saw cutting.
33. The application of a bonding agent (SS1 emulsion) shall be applied to all cold asphalt joints and exposed concrete faces as per OPSS 1103.
34. Limit of pavement construction joint to be sealed with "TBond HMA Joint Tape", "Densoband" or approved equivalent.
35. 100 mm (4") Heavy Duty HL8 (PG-64-28) placed in two 50 mm lifts as per OPSS 310.
36. 50 mm (2") HL1 (PGAC-64-28) placed as per OPSS 310.

Road Works – Concrete Base/Misc. Concrete

37. Existing concrete base must be saw cut a minimum of 300 mm wider, each side of excavated trench.
38. Concrete Pavement Reinstatement OPSD 509.11.
39. 35MP a high early strength concrete to be placed to match existing, as per OPSS 1350.
40. Concrete restoration shall not be open to traffic until concrete has reached 75% of the 28-day strength.
41. Unless otherwise noted, all concrete work shall comply with current CSA and OPSS standards and specs.
42. Where the Municipality issues a permit on a Municipal road that has been reconstructed and/or resurfaced within the past 5 years, the Municipality reserves the right to specify the extent of restoration required.

**ALL CONDITIONS ARE SUBJECT TO REVISION AS NECESSARY.
REPAIRS SHALL BE EQUAL OR SUPERIOR TO THE ORIGINAL CONDITION.**