



BY-LAW

NO. 2023 –

**Being a By-law to Adopt a Road Allowance Repair Policy for
The Corporation of the Municipality of Kincardine**

Whereas pursuant to the said Municipal Act, Sections 8 and 9 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Section 270 (1) of the Municipal Act 2001, S.O. 2001, c. 25, as amended, requires a municipality to adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public; and

Whereas the Council of the Corporation of the Municipality of Kincardine desires to adopt a Road Allowance Repair Policy; now therefore be it

Resolved that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That the Road Allowance Repair Policy for The Municipality of Kincardine, attached hereto as Schedule 'A' and forming part of this By-law, be adopted.
2. That this By-law shall come into full force and effect upon its final passing.
3. That all other Policies passed by By-law or Resolution inconsistent with this By-law, be repealed.
4. That By-law may be cited as the "Road Allowance Repair Policy By-law".

Read a First and Second Time this 14th day of August, 2023.

Read a Third Time and Finally Passed this 14th day of August, 2023.

Mayor

Clerk

Schedule 'A'

Policy No.: OPS.02

Section: Your Infrastructure and Services

Policy Title: Road Allowance Repair

Adopted Date: August 14, 2023

By-law No.: 2023 -

Revision Date:

1. Purpose

The purpose of the Road Allowance Repair Policy is to set a standard to establish the proper procedure for repairing private property owners lawns that have been damaged by the Municipality while completing winter plowing operations on road allowances.

2. Scope

This policy applies only to Municipally maintained roads.

3. Responsibility

It is the responsibility of the Manager of Operations to ensure that the requirements of this policy have been met.

4. Procedure/ Policy

- A resident may call in to request that repairs be made to lawns that are on Municipal road allowances in the spring from damage caused by plowing operations that occurred through the winter.
- The request will be added to a registry kept by the Operations Department in their work management system.
- Requests for service must come from the owner of the property that borders the repair area.
- Operations staff are responsible for applying an appropriate amount of topsoil and grass seed to address the damages.
- Requests for spring repair shall be addressed by the end of May (weather dependant).
- Once the topsoil and grass seed has been placed the request shall be considered closed and no further contact with the applicant is necessary.
- Any damage to sprinkler systems, fences, gardens, or any other items within the right of way is assumed by the property owner and is not the responsibility of the Municipality.