



Incorporated

R.M. of Frenchman Butte No. 501

POLICY TITLE		ADOPTED BY RM Council Resolution No. 2018-02-28-013 EFFECTIVE DATE February 28, 2018	POLICY NO. 300-09
Brushing/Clearing Compensation Policy			
ORIGIN/AUTHORITY RM Council	JURISDICTION RM of Frenchman Butte No. 501	Amended: January 9, 2019 Rescinded:	Resolution No. 2019-01-09-015 Resolution No.

1. **PURPOSE:**
To establish a policy by which brushing/clearing of developed road allowances is compensated.
2. **DEFINITIONS:**
 - 2.1 **CAO:** Means the Chief Administrative Officer of the Rural Municipality of Frenchman Butte No. 501.
 - 2.2 **Council:** Means Council for the Rural Municipality of Frenchman Butte No. 501.
 - 2.3 **Developed Road Allowance:** Means a road allowance that has been developed to a minimum standard whereby it may be used as an access for agriculture and/or residential; and it must connect to another existing roadway.
 - 2.4 **Landowner:** Means the registered owner.
 - 2.5 **RM:** Means the Rural Municipality of Frenchman Butte No. 501.
- 3.0 **SCOPE**
 - 3.1 Compensation for brushing/clearing of developed road allowances.
 - 3.2 Criteria for approval of brushing/clearing projects.
 - 3.3 Standards for brushing/clearing of developed road allowances.
- 4.0 **POLICY:**
 - 4.1 Council shall establish a budget every year to compensate for brushing/clearing of road allowances.
 - 4.2 It is the policy of the RM to support ratepayers who endeavor to clear brush and other debris from a developed road allowance adjacent to their property. In such cases the following will apply:
 - a) Ratepayer must obtain permission in writing from the Public Works Coordinator prior to commencement of brushing/clearing project.



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- b) Public Works Coordinator is authorized to approve brushing/clearing of developed road allowance projects until budget as listed in 4.4 has been allocated.
 - c) Where the brushing/clearing of a developed road allowance could be deemed to be minimal in nature, the Public Works Coordinator may request a resolution of council prior to approval of project setting out compensation as listed in 4.2 g).
 - d) Brushing/Clearing of developed road allowances must be done to a standard whereby the RM can mow ditches or road allowances whatever the case may be.
 - e) Windrow brush, stones and related debris shall be placed upon the Landowner's land adjacent to the developed road allowance with the understanding that final disposal of said debris becomes the responsibility of the Landowner.
 - f) Project must be inspected and approved by Public Works Supervisor prior to compensation being paid.
 - g) Compensation rate shall be \$1,000 per half mile per side unless brushing/clearing is deemed minimal by council at which time council may determine a lesser amount of compensation to be paid per half mile per side.
 - h) Rates will be pro-rated if less than half mile increments.
- 4.3 Circumstances may also develop whereby the RM is endeavoring to carry out roadway improvements, whereas such brushing and clearing procedures can be mutually beneficial to the Landowner as well as to the RM. In such cases the following will apply:
- a) Windrow brush, stones and related debris shall be placed upon the owner's land, adjacent to the road allowance with the understanding that final disposal of said debris becomes the responsibility of the Landowner.
 - b) Written permission must be received from the Landowner prior to RM commencing work.
 - c) RM will not be responsible for the replacement of existing or any fence on the property.
 - d) Compensation rate shall be \$1,000 per half mile per side.
 - e) Rates will be pro-rated if less than half mile increments.
- 4.4 This budget for this policy shall run from May 1 until April 30.

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4.5 This policy shall be reviewed from time to time and shall continue until such time as this policy is repealed by resolution of Council.

5.0 SPECIFIC REQUIREMENTS (if applicable)

5.1 Amounts allocated to brushing projects may not exceed budgeted funds unless additional monies are approved by Council resolution.

6.0 EXCEPTIONS – (if applicable)

6.1 A renter of land may qualify for brushing/clearing compensation providing there is written permission from Landowner and letter stating that payment is to be made to the renter.

6.2 Brushing required for sight lines for approach installation and/or servicing agreements do not qualify for brushing/clearing of developed road allowance compensation.

6.3 In the case where an agriculture access is required, brushing of an undeveloped road may qualify subject to resolution of Council.

7.0 REPEALING:

All Appendices attached to this policy may be amended from time to time based on operational need.

This policy shall be administered and interpreted by the CAO; however, this policy cannot be amended without Council approval.

This policy replaces all previous policies and resolutions that have been passed by the Council with respect to the application of any and all parts of this policy and the terms and conditions contained herein.

This policy shall come into force and take effect on January 9, 2019 and shall continue in full force and effect until repealed or replaced by subsequent resolution of Council.