

Improvement and/or Opening of Municipal Road Allowances

Approved By:
Approval Date:
Effective Date:
Revision Date:

Policy Statement

This Policy establishes guidelines for property owners requesting the improvement and/opening of municipal road allowances. This policy outlines the procedures the Township will follow in processing requests and determining who will be responsible for the costs associated with fulfilling those requests.

It is the intent of the Council of the Corporation of the Township of Douro-Dummer to protect the Municipality and its residents from incurring tax increases to finance road construction and upgrades to unopened road allowances.

Unless it is clearly in the public interest and for the general benefit of the Township as determined by Council, the Township does not assume the responsibility to fund improvement to unopened municipal road allowances.

Definitions:

An **unopened road allowance** as defined by the *Municipal Act* is a public highway that has not been opened and assumed for maintenance purposes by way of By-law.

Highway Defined by the *Municipal Act*, Section 21 as amended as: means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway.

Township, Township of Douro-Dummer or Douro-Dummer means The Corporation of the Township of Douro-Dummer and includes its entire geographic area.

Applicant for the purpose of this Policy, means developers, residents, or ratepayers or other associations who are making a request regarding an unopened road allowance.

Road Allowances refer to allowances originally laid out for roads by a crown surveyor, including both road allowances shown on an original Township survey and road allowances shown along the water in a plan of subdivision.

Unassumed/unmaintained means roads that are owned by the Township that are not maintained on a year-round basis or have not been assumed into the municipal road system. This shall include unopened road allowances.

Municipal Clerk, Township Clerk or Clerk means the person appointed by Council to carry out the duties of the Clerk described in *Section 228*, of the *Municipal Act, 2001*.

Council or Municipal Council means the municipal Council for the Township.

Manager of Public Works means the person responsible for overseeing all aspects of the Township's public infrastructure, including roads, bridges, sidewalks, streetlights, storm water systems, and waste management, ensuring that maintenance standards, repairs, and construction projects are managed accordingly.

Purpose:

To protect the Township from liability claims by persons using unassumed unmaintained road allowances and from demands that such unopened road allowances be improved and maintained at the expense of the ratepayers of the Township.

Application:

When submitting a proposal to the Township, all documentation and information must satisfy Council that the improvement and possible opening of an unopened municipal road allowance is in the public interest, and/or in line with the strategic goals as set by Council. The Applicant acknowledges and accepts that any and all costs associated with the request are to be borne by the Applicant, including those associated with hiring contractors for road improvement if required.

Exclusions: none

References & Related Policies:

- Entrance Permit Policy No. T-1
- Road Allowance Closure Requests Policy No. T-6
- Minimum Maintenance Winter Policy No. T-11
- Sign Retroreflectivity Policy No. T-24
- Snow Removal and Sanding Policy No. T-26
- Criteria for Surface Treatment Policy No. T-27
- Road Damages due to Construction Policy No. T-33
- Municipal Asset Naming Policy No. C-09
- Municipal Asset Naming Procedure No. C-09-A

Consequences of Non-Compliance: Failure to comply with this Policy may result in the development of legal issues.

Review Cycle: This Policy will be reviewed on an as needed basis.