



M. D. OF GREENVIEW NO. 16
POLICY & PROCEDURES MANUAL

Section:
**ENGINEERING &
ENVIRONMENTAL
SERVICES**

POLICY NUMBER: EES 12

POLICY TITLE: ROAD ALLOWANCE RESTRICTIONS

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Date Adopted by Council / Motion Number:

11.04.206

PURPOSE:

To protect the public traveling on developed or undeveloped road allowances; to ensure access to all developed and undeveloped road allowances; and to provide a mechanism for leasing developed or undeveloped road allowances.

POLICY:

The Municipal District of Greenview Council acknowledges that all developed road allowances are for the use of the traveling public, and no private entity may block, fence or otherwise impede access unless special approval is granted by Council. Undeveloped road allowances may be fenced off when it is considered that doing so would be mutually beneficial for the adjacent landowner and the M.D. Approval for this activity must be granted by Council for each specific location on site.

1. A fence, gate or other obstruction upon road allowances will not be permitted unless specifically approved by Council.
2. Fences may be permitted across or along undeveloped road allowances only if the Municipal District issues a Road Allowance License to the landowner, and the landowner abides by all the conditions outlined in the License. Large areas, such as community pastures or large grazing leases, may be given special consideration due to the public nature of these enterprises.
3. As a matter of policy, the construction of Texas Gates on roadways or road allowances will not be permitted. Council may review and approve applications on a case-by-case basis and will be in exceptional circumstances..

The MD will take action if notified of any unauthorized blockages or obstructions on Municipal roads or road allowances, unless they are temporary in nature and circumstances.

4. The MD will attempt to determine responsibility for ownership or erection of the obstruction.
5. If the structures are not temporary in nature and circumstances, Administration will notify the offending party in writing and inform that the structures must be removed within fourteen (14) days. In the case of temporary structures such as electric fences, Administration will give verbal notification to the offending party that the structure must be removed within twenty-four (24) hours unless otherwise permitted by the MD. During the winter season the Director of Operations may extend the deadline date; however, the offending party will enter into a temporary agreement with the M.D. until the structures can be removed. The Agreement will indemnify and hold harmless the M.D. of Greenview No. 16, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly, out of any act or omission of the Municipal District, the offending party, or their employees, agents or representatives.

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6. An inspection by Municipal District staff will take place after the deadline date and if the blockage is still in place, it will be removed by Municipal District staff and costs invoiced to the responsible party.
7. The offending party will receive fourteen (14) days written notification for the removal of permanent structures and twenty-four (24) hours verbal notification for the removal of temporary structures prior to this action, indicating:
 - a) That the M.D. will not be held responsible for any damages or loss if livestock are set loose by the removal of these structures;
 - b) The exact date the structures will be removed;
 - c) The structures will be held by the M.D. and will become the property of the M.D. unless the costs of removal are paid by the offending party; and
 - d) That upon notification above, all liability will be the responsibility of the offending party.

(Original signed copy on file)
REEVE

C.A.O.