

BY-LAW #10/17

OF THE

RURAL MUNICIPALITY OF ROCKWOOD

Being a By-Law of the Rural Municipality of Rockwood to establish the Policy and Standards for the Construction of Private Approaches and the Installation of Culverts in the Rural Municipality of Rockwood.

WHEREAS Subsection 232(1)(e)(f)(h) of The Municipal Act permits a Municipality to enact By-Laws respecting private works on, over, along, or under municipal roads, property adjacent to highways or municipal roads whether the property is publicly or privately owned; and drains and drainage on private or public property;

AND WHEREAS Subsection 232(2)(e)(i) of The Municipal Act allows a Municipality to pass a By-Law to establish fees and terms of payment of fees for inspections, licenses, permits, and approvals including fees related to recovering the costs of regulation;

NOW THEREFORE the Council of the Rural Municipality of Rockwood, in Council duly assembled, enacts as follows:

1. All parties shall adhere to:

- (a) the specifications of the Rural Municipality of Rockwood's Construction of Private Approaches, Installation of Culverts Installed by the Municipality; and
- (b) the specifications of the Rural Municipality of Rockwood's Construction of Private Approaches, Installation of Culverts installed by the Applicant.

2. **Application/Permit:**

That Appendix "A", attached to the above policies, shall be the form prescribed by the Council of the Rural Municipality of Rockwood as the "Application/Permit for Construction of Private Approaches, Installation of Culverts Installed by the Municipality and Application/Permit for Construction of Private Approaches, Installation of Culverts Installed by the Applicant". Approaches onto a paved curb and gutter street are excluded from this By-Law.

3. **Minimum Widths of Crossings:**

The minimum widths of crossings shall be as stated in the Rural Municipality of Rockwood's Construction of Private Approaches, Installation of Culverts installed by the Municipality and the Rural Municipality of Rockwood's Construction of Private Approaches, Installation of Culverts installed by the Applicant.

4. **Criteria for Construction of Private Approach:**

Upon the Landowner/Applicant making application for the construction of a private approach and installation of a culvert, the Landowner/Applicant shall pre-pay the cost of the work upon completion of Part I by the Landowner/Applicant and Part II of the Application/Permit by the Municipality and prior to commencement of the work.

5. The Rural Municipality of Rockwood may review the rates annually for the construction and installation of culverts/approaches. Any fees set out in this By-Law shall be set, from time to time, by Resolution of Council.

6. That any person violating any provisions of this By-Law shall:
 - i) be liable for the cost of the removal of the illegal crossing. If that person is in default of effecting the removal of the illegal crossing, the Rural Municipality of Rockwood may effect the removal and charge the cost thereof to that person, or, add the cost to the Roll and collect same in the identical manner as ordinary taxes;
 - ii) be liable to the Rural Municipality of Rockwood for any expense suffered by the Municipality as a result of the violation; and
 - iii) be liable for the cost of repairs as a result of the violation. If that person is in default of effecting the repairs, the Rural Municipality of Rockwood may effect the repairs and charge the cost thereof to that person, or, add the cost to the Roll and collect same in the identical manner as ordinary taxes.
7. This By-Law shall come into force and effect on and from the date of its enactment.
8. That By-Law #09/12 is hereby repealed.

DONE AND PASSED in Council assembled at the Council Chamber of the Rural Municipality of Rockwood, at Stonewall, in the Province of Manitoba, this 3rd day of May, A.D., 2017.

THE RURAL MUNICIPALITY OF ROCKWOOD



 JIM CAMPBELL, REEVE



 CHRIS LUELLEMAN, CAO

GIVEN First Reading this 5th day of April, A.D., 2017.
 GIVEN Second Reading this 3rd day of May, A.D., 2017.
 GIVEN Third Reading this 3rd day of May, A.D., 2017.