

Culvert Replacement Policy

In an effort to create a consistent Culvert Policy that would treat all residents fairly, the Town has adopted the following guidelines to deal with placement of new culverts, damaged, rusted and raised culverts:

1. All new developments that require culverts; such as driveways for residential and commercial properties will be the sole responsibility of the property owner. Including any damages that may occur during and after installation.
2. If there is damage caused to a culvert by the Town, the Town may assume responsibility to repair the culvert pending the towns review of the cause of damage.
3. If a culvert is raised or sunk due to freeze and thaw and is impacting water flow, the Town will carry out repairs to drop or raise the culvert but will not purchase a new culvert. As well, if pavement needs to be cut and removed, it will be the responsibility of the property owner for replacement and maintenance of the area and driveway.
4. In the event that a culvert needs to be replaced, the property owner is responsible for the purchase of the culvert, the cost of replacement, and the replacement of asphalt if necessary. The minimum size requirement for any culvert is 24 inch's or as deemed necessary by a site inspector.
5. As per *Sections 196(1) of the Municipalities Act, 1999*;

Storm drainage

196. (1) A person shall not within a municipality

- (a) dig or construct ditches, drains or culverts;
- (b) make greater use of existing ditches, drains or culverts; or
- (c) connect to an existing storm drainage system, whether publicly or privately owned,

except in accordance with a written permit from the council.

All culverts must be installed under permit from Council.

Should any culverts be found to be in a dilapidated condition and negatively impacting municipal infrastructure or surrounding property. Council shall make order to have the culvert replaced, which will be the sole responsibility of the owner/ occupier.

and 404(1)(k) of the Municipalities Act, 1999;

Council orders

404. (1) A council may make an order that

- (k) the construction, filling in or removal of a ditch, drain or culvert or connection to a storm drainage system constructed or made without a permit or not in accordance with the terms of a permit or regulations of the council be stopped; and
- (l) that the owner or occupier of real property remove from that property, solid waste, noxious substances and substances or things which may be a hazard to public health and safety or which adversely affects surrounding properties

The Town of McIvers adopted its Culvert Policy on 1st day, April ,
 2024 .

Motion by Councilor Herman Matthews seconded by Councilor Dawson Lovell , Motion Carried. (Five for, zero opposed)

Jerri Lynn Lovell, Town Clerk/Manager