


# POLICY

	Policy:	<b>Roadside Ditch Maintenance</b>		
	Department:	Engineering and Public Works		
	Division:	Public Works	By-Law No.:	N/A
	Administered By:	Manager of Public Works	Approval Date:	March 8, 2021
	Replaces:	Roadside Ditch Maintenance May 21, 2014		
	Attachment(s):	Addendum A: Roadside Ditch Maintenance Request Form Addendum B: Roadside Ditch Maintenance Letter of Agreement		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to maintaining roadside ditches which make up part of the Town's drainage system. Over time roadside ditches tend to fill in, primarily due to natural erosion and vegetation. A regularly scheduled maintenance program of the ditch system usually involves re-trenching the ditch to clear the overgrowth of vegetation and obtain a positive water flow away from problem areas. These problems are most noticeable during the annual spring thaw and depending on the severity of problem areas, emergency maintenance is scheduled on an as required basis.

Property owners can make requests for public roadside ditching improvements by completing the Roadside Ditch Maintenance Request Form (See Addendum A).

## 2. PURPOSE

- 2.1. This policy describes the application process for Town of Amherstburg landowners to request roadside ditch maintenance.
- 2.2. This policy outlines the steps utilized by the Town of Amherstburg staff for roadside ditch maintenance projects.

## 3. SCOPE

- 3.1. This policy applies to any landowner seeking maintenance with roadside ditches.
  - 3.1.1. This does not include Municipal Drains as defined by the *Drainage Act*.
- 3.2. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

## 4. DEFINITIONS

- 4.1. **Watershed** is the area of land that drains to a river, creek or lake.
- 4.2. **Roadside Ditch** is the open channel for the purpose of collecting and channelling road and adjacent surface drainage runoff or snowmelt.

- 4.3. **Open Ditches** are a natural or artificial watercourse ranging from a depression, or swale, to an open channel that conveys storm water runoff from both public and private properties. The primary purpose for a roadside ditch is to drain the road surface, road base and sub-grade as well as the surface drainage of the boulevard.
- 4.4. **Closed Ditches** are underground systems such as pipes or tiles that buried in the ground.

Other common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## 5. **INTERPRETATIONS**

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

## 6. **GENERAL CONDITIONS**

### 6.1. **Application Process**

#### **Open Ditch Maintenance**

- 6.1.1. Landowner(s) must submit written notice when requesting maintenance of a roadside ditch. The form entitled *Roadside Maintenance Request Form* will be provided to the landowner.
- 6.1.2. Administration will determine the lands affected by the ditch in order to generate a mailing list. In addition, administration will prepare a maintenance schedule for consideration and approval by the landowners. Initially, the cost will be shared at the following rate:
- 1/3 cost to the road
  - 2/3 cost to the affected lands (this cost will be divided based on frontage)
- 6.1.3. Administration will conduct an on-site meeting to review the ditch and the request with all landowners involved in the proposed ditch maintenance project.
- 6.1.4. All benefitting Landowners will be required to sign a letter of agreement prior to the administration continuing the project. See Addendum B: *Roadside Ditch Maintenance Letter of Agreement*.
- 6.1.5. Administration will complete a survey and prepare a plan and profile of the ditch. The plan and profile will be provided to the contractor to complete the maintenance of the ditch.
- 6.1.6. Open Ditch Maintenance will consist of brushing, bottom cleaning and culvert flushing.

- 6.1.7. Administration will prepare a request for quote for the proposed project. The awarded contractor will be required to provide proof of insurance and good standing with Workplace Safety and Insurance Board.
- 6.1.8. Administration will collect and invoice the cost to the landowners as per the agreed upon maintenance schedule.

### **Closed Roadside Drain Maintenance**

- 6.1.9. Landowner(s) must submit a written notice requesting maintenance of a closed roadside drain. The form entitled Roadside Maintenance Request Form will be provided to the landowner.
- 6.1.10. Administration will determine the lands affected by the drain in order to generate a mailing list. In addition, administration will prepare a maintenance schedule for consideration and approval by the landowners. Initially, the cost will be shared at the following rate:
- 1/3 cost to the road
  - 2/3 cost to the affected lands (this cost will be divided based on frontage)
- 6.1.11. Administration will conduct an on-site meeting to review the drain and the request with all landowners involved in the proposed ditch maintenance project. Landowners will be required to sign a letter of agreement prior to the administration continuing the project.
- 6.1.12. Closed Roadside Drain Maintenance will consist of flushing, televising, spot repairs of the pipe and repair and cleaning of catch basins.
- 6.1.13. Administration will prepare a request for quote for the proposed project. The awarded contractor will be required to provide proof of insurance and good standing with Workplace Safety and Insurance Board.
- 6.1.14. Administration will collect and invoice the cost to the landowners as per the agreed upon maintenance schedule.

### **Entrances and Enclosures**

- 6.1.15. Access culverts and lawn pipe enclosures will be 100% the responsibility of the individual landowners.
- 6.1.16. Landowners will be required to obtain a Right of Way permit prior to commencement of work.
- 6.1.17. Administration will provide grades, sizing and pipe material requirements to the landowners prior to construction.
- 6.1.18. Landowners will be required to provide the name of the contractor. The contractor will be required to provide proof of insurance and good standing with Workplace Safety and Insurance Board.

- 6.1.19. Landowners will be required to contact the municipality when work is to be completed for inspection purposes.

## **7. RESPONSIBILITIES**

- 7.1. **Council** has the authority and responsibility to:
- 7.1.1. Adopt the *Roadside Ditch Maintenance Policy*.
- 7.2. The **CAO** has the authority and responsibility to:
- 7.2.1. Ensure compliance with the *Roadside Ditch Maintenance Policy*.
- 7.3. The **Director of Engineering and Manager of Public Works** has the authority and responsibility to:
- 7.3.1. Ensure roadside ditch maintenance is completed within all applicable legislative requirements.
- 7.3.2. Ensure compliance with the *Roadside Ditch Maintenance Policy*.
- 7.4. The **Manager of Roads and Fleet** has the authority and responsibility to:
- 7.4.1. Respond to requests for information and guidance regarding roadside ditch maintenance on homeowner's property.
- 7.4.2. Provide oversight of all maintenance of the Town's municipal drainage systems.
- 7.4.3. Respond to requests for information and guidance regarding Right of Way permits which includes Entrances and Enclosures provided in this policy.

## **8. REFERENCES AND RELATED DOCUMENTS**

- 8.1. *Planning Act of Ontario*
- 8.2. *Drainage Act and Conservation Authorities Act Protocol*