

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TOPIC:	Private Roads & Municipal Waste Collection Policy
POLICY NUMBER:	12
DATE APPROVED:	April 21, 2015 (#2015-053)
DATE REVISED:	

TITLE:

This Policy may be cited as the “Private Roads Policy” of the Municipality of the County of Antigonish.

PREAMBLE:

There are approximately 175 private roads within the Municipality of the County of Antigonish. These roads stretch almost 82km and are of various states of design and construction. Very often these roads are not designed with the delivery of municipal services in mind. Home owners residing on private roads commonly request the Municipality to provide municipal services and/or maintain these roads.

This policy shall establish the Municipality’s position concerning the provision of municipal service and maintenance of private roads and establish minimum standards for access and to outline conditions that must be satisfied in order for waste collection vehicles to travel on private roads throughout the Municipality.

POLICY:

1.0 **Definitions**

- (1) “cleared road” means a private road that is clear from obstructions that may prevent access of a waste collection vehicle. Such obstructions may include, but are not limited to, snow, ice, potholes and tree limbs;
- (2) “Homeowner” means the property owner, or collection of property owners, that share a private road and are responsible for its maintenance;
- (3) “Municipality” means the Municipality of the County of Antigonish;
- (4) “private road” means any street, road, lane, bridge or other thoroughfare accessible to motor vehicles that is not a municipal street or provincial highway.
- (5) “turning area” means an area on or with direct access to the private road that is configured so as to permit collection vehicles to turn around 180 degrees;
- (6) “waste collection vehicle” means any vehicle owned or contracted by the Municipality to collect waste;

2.0 **Ownership of Private Roads:**

- 2.1 The Municipality of the County of Antigonish shall not assume ownership of a private road.

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- 2.2 Municipal Council may consider assuming ownership of a private road only if the road is designed and constructed to a public road standard, as outlined in the Municipality's Subdivision Bylaw.
- 2.3 The Municipality shall not provide nor fund road maintenance or road repairs on private roads.
- 3.0 **Provision of Waste Collection Services**
- 3.1 The Municipality may consider providing waste collection services on private roads if the conditions herein are satisfied.
- 4.0 **Minimum Access Standards:**
- 4.1 In order for a waste collection vehicle to travel on a private road, it must be:
- 4.1.1 Identified with a sign that meets the requirements of the Municipality's Civic Addressing By-law, utilizing a name approved by the Civic Addressing Coordinator of the Municipality, that is visible from the municipal street or provincial highway;
 - 4.1.2 A minimum of 3.6 metres (12 feet) wide at its narrowest point;
 - 4.1.3 Finished with a surface treatment such as gravel, tar and chip, asphalt or concrete; and,
 - 4.1.4 A cleared road, free of obstructions and maintained as necessary to permit safe passage of the waste collection vehicle.
- 4.2 A turning area must be provided at the expense of the Homeowner in a location and of a design approved by the Director of Public Works or their designate.
- 4.3 Private roads with bridge or culvert structures, steep slopes, rail crossings, and overhanging structures will be evaluated for waste collection vehicle access on a case-by-case basis by the Director of Public Works or their designate.
- 4.4 The Director of Public Works or their designate reserve the right to refuse to permit waste collection vehicles to travel on a private road if minimum access standards are not satisfied.
- 5.0 **Petition to Commence Service**
- 5.1 Prior to commencing waste collection on a private road, the Homeowner, or at least 75% of the property owners requiring waste collection on the private road, must complete and submit to the Municipality the questionnaire found in Appendix "A".
- 5.2 On an annual basis, the Homeowner shall provide the Municipality with the name and contact information of a representative that can be contacted if issues arise with waste collection on that private road.

6.0 Liability and Service Limitations

- 6.1 The Municipality will not be responsible for any damage to private property that may occur as a result of a Homeowner allowing waste collection vehicles on a private road. This includes damage to the road itself, due to soft or wet road conditions.
- 6.2 The Municipality reserves the right to discontinue private road waste collection service on a temporary or permanent basis at its discretion.

Property Owner / Contact: _____

Telephone #: _____

Civic Address #: _____

Private Road Name: _____

Mailing Address: _____

Owner of Private Road: _____

Does this private road belong to a “cottage association”, “road association” or other similar arrangement?	Yes	No
If “yes”, please provide the name and contact information for the group representative:		
Name of Association:		
Name of Spokesperson:		
Telephone #:		
Please mark the appropriate box with an “x”:	Yes	No
Do you wish to allow waste collection vehicles to travel on your private road?		
Are you prepared to accept responsibility for damage to your private road/property that may unintentionally be caused by waste collection vehicles?		
Is this property utilized between October and May (during the fall and winter)?		
Is your private road identified by a sign that can be seen clearly from a public road?		
If there is no suitable “turning area” at the end of your private road, are you prepared to provide one?		
Do you agree to maintain the private road to a standard that will permit safe access, at the discretion of the waste collection vehicle operator, including snow and ice removal?		
Does your private road include any of the following?		
Low-hanging branches and trees		
A bridge or culvert crossing		
A railway crossing		
Steep slopes		
Travel under a structure, such as a bridge or archway		

Please submit this form to publicworks@antigonishcounty.ns.ca or “Director, Public Works, 261 Beech Hill Road, Beech Hill, NS B2G 0B4”

For Staff Use Only			
Date Questionnaire Received			
Name of staff member who took in questionnaire			
Follow-up Inspection Required?	Yes	No	
Staff sign-off if no inspection necessary:			
Date of Inspection			
Inspection Notes:			
Private Road Approved for Waste Collection Services?	Yes	No	
Date that applicant was notified of decision			
Staff sign-off post-inspection / notification			