

Road Use Agreements Policy

Date Approved by Council:

County Commissioner:

1. **Purpose**

To define consistent practice regarding the use and enforcement of Road Use Agreements by Sturgeon County with persons or businesses who may cause unusual damages to roads within the jurisdictional boundaries of Sturgeon County.

2. **Revision History**

<i>Approval Date</i>	<i>Revision Number</i>	<i>Modification</i>
<i>Year/Month/Date</i>	<i>1.0</i>	<i>New Document</i>

3. **Persons/Areas Affected**

Transportation Services
Protective Services

4. **Policy Master Statement**

Road infrastructure in Sturgeon County is intended for public use. Sturgeon County recognizes that business and industry rely on road infrastructure. However, it is acknowledged that at times demands placed upon roads by truck traffic often exceed capacity of the roads, resulting in damage to the roadways that render the roads unsafe. This Policy is directed at preserving road infrastructure by reducing road damage while minimizing publicly funded maintenance costs and protecting the safety of all road users.

5. **Definitions**

County – the municipality of Sturgeon County.

Road – any street, road or highway under the direction, control and management of the County shown as a road on a plan of survey filed and registered with Land Titles or land used as a public road, and includes a bridge forming a part of the public road and any structure incidental to the road.

Road Use Agreement – the approved Road Use Agreement, as amended from time to time by the Manager, Transportation Services, or his or her designate, attached to this Policy as Appendix “A”.

Agricultural Industry – limited to vehicles with farm license plates directly involved in the growth or production of crops, forages and livestock, or used in transporting agricultural products to or from markets. ~~Agricultural activities including fertilizer and grain lift operations are also exempt from this policy.~~

6. Responsibilities

Road Use Agreements will be administered by the Manager, Municipal Services through the Manager, Transportation Services or his/her designate. Enforcement of terms and conditions of Road Use Agreements will be conducted by Peace Officers of Protective Services.

7. Policy Statement

- a. All roads within the control, direction and management of the County are maintained for public use, and no single road user shall damage roads to the detriment of other road users. All road users shall utilize the roads in a manner which minimizes and prevents damage to roads within the jurisdictional boundaries of the County.
- b. The Manager, Transportation Services, or his or her designate, is delegated the authority to approve the form and content of the Road Use Agreement, and has the authority to implement, negotiate and enforce this Policy and any Road Use Agreement.
- c. Prior to undertaking any business, operation, activity or development which may require multiple loads per day (excessive loads in terms of weight and/or heavy or oversized loads which exceed a road ban issued by the County), a person or business shall obtain prior approval from the Manager, Transportation Services, or his or her designate, and enter into a Road Use Agreement with the County in the form and content attached as Appendix “A” of this Policy.
- d. The Manager, Transportation Services, or his or her designate, may contact a person or business which may meet the requirements of this

Policy (whether on his or her own initiative or in response to a complaint received regarding the person's or business's use of roads within the County) to inform them of the Policy and the obligations thereunder and require that a person or business enter into a Road Use Agreement with the County.

- e. A person or business who has entered into a Road Use Agreement with Sturgeon County shall comply with all terms and conditions of the Road Use Agreement, in addition to any road bans issued by the County, and all requirements of the Province of Alberta Commercial Vehicle Dimensions and Weight Regulations at all times while utilizing any road within the jurisdictional boundaries of the County. This includes but is not limited to pre- and post-haul inspections, providing appropriate security deposit and insurance during the term of the Road Use Agreement and undertaking all required maintenance and restoration of roads in accordance with the County's engineering and road standards.
 - f. Where a person or business that has entered into a Road Use Agreement is in default of the terms and conditions of the same, the County may either suspend or terminate the Road Use Agreement.
 - g. All oil and gas industry related hauling require a Road Use Agreement.
 - h. All sand and/or gravel hauling require a Road Use Agreement.
8. **Exemptions**
Farming activity, the agriculture industry (activities include fertilizer and grain lift operations), and potable water hauling are exempt from the requirements of this Policy. On a case-by-case basis, the Transportation Manager in consultation with the General Manager of Municipal Services may exempt certain activities over a specified time period from this policy.
9. **Legal Reference**
Not applicable.
10. **Cross Reference**
Bylaw 1278/12, Traffic Bylaw and any amendments thereto
Bylaw 1419/18, Regulation of Traffic and any amendments thereto