



OGDEN

Municipalité de Ogden

70 chemin Ogden
Ogden, Québec J0B 3E3

CANADA
PROVINCE DE QUÉBEC
MUNICIPALITÉ DE OGDEN

BYLAW No. 2014-10 Concerning the installation and maintenance of culverts

WHEREAS the prescribed bylaw 2013.05 *Bylaw concerning the installation and maintenance of culverts* must be modified;

WHEREAS the municipality desires to standardize and regulate the installation of culverts by property owners, and to regulate the maintenance of culverts in the territory of the municipality, as well as to stipulate the standards to respect;

WHEREAS the mandatory application of this bylaw came into force on July 4th, 1994;

WHEREAS since its' coming into force, municipalities are responsible for following this bylaw and for having it followed;

WHEREAS a notice of motion was duly given by councillor Mr. Joe Stairs at the regular council meeting of September 2nd, 2014.

CONSEQUENTLY:

THAT bylaw 2014.10 be adopted, and by the said bylaw, it is decreed as follows:

Article 1:

The preamble and the annexe form an integral part of the present bylaw;

Article 2:

The present bylaw repeals bylaw no. 2013.05 concerning the installation and maintenance of culverts;

Article 3: Interpretation

In the present bylaw, except if the context requires a different meaning, the following expressions, words or terms signify:

- 1) *Inspector*: The municipal road inspector and any employees under his or her supervision.
- 2) *Municipality* : The Municipality of Ogden
- 3) *Occupant*: Any person, notably the owner, the tenant, the usufructuary, the possessor, who occupies, in a continuing manner or not, an isolated residence or a commercial building.
- 4) *Property owner*: Any person who is the owner of an isolated residence or a commercial building.



OGDEN

Municipalité de Ogden

70 chemin Ogden
Ogden, Québec J0B 3E3

CANADA
PROVINCE DE QUÉBEC
MUNICIPALITÉ DE OGDEN

BYLAW No. 2014-10 Concerning the installation and maintenance of culverts

- 5) *Culvert*: All embankment work done in a ditch or in a stream in order to allow its crossing while ensuring the proper flow of water.
- 6) *Public service vehicles*: Motorized vehicles, such as the recycling and garbage trucks, the snow removal trucks, the school buses, etc. who are authorized to turn around in a private entrance.

Article 4: Installation and maintenance of culverts on municipal roads and ditches

All culverts used or installed alongside, under or in roads and ditches which are or should be under the control of the municipality, following the coming into force of this bylaw, and which are used or installed for access to properties from such roads or over such ditches, shall be installed and maintained, and must conform, in the manner hereinafter indicated;

Article 5: Installation of culverts on a private property

Where an access for entry to private property is improved or a new access for entry to private property is created, by the installation of a culvert, the cost of the culvert and of its installation shall be at the expense of the property owner; any failure to pay the cost shall be considered a contravention of this bylaw;

Article 6: Installation of new culverts if an access to a private property has been removed by the Municipality

If, while building a new ditch, the municipality removes an access to private property that was in existence and was being used immediately prior to the existence of the ditch, the municipality shall provide a reasonable access to the property by installing a culvert to replace the prior access, and the cost of the culvert and of its installation shall be at the expense of the municipality;

Article 7: Conformity to the standards determined by the Minister of Transport

In all cases, culverts must be those which conform to the standards set by the Minister of Transport, attached hereto, as amended from time to time. The following standards must notably be respected:

1. The form requesting the installation of a culvert, attached hereto as Annexe A, must be completed and signed prior to any work being done.
2. The minimal size of a culvert's diameter is 450 mm.
3. The interior of the culvert must be smooth.



OGDEN

Municipalité de Ogden

70 chemin Ogden
Ogden, Québec J0B 3E3

CANADA
PROVINCE DE QUÉBEC
MUNICIPALITÉ DE OGDEN

BYLAW No. 2014-10 **Concerning the installation and maintenance of culverts**

4. The authorized lengths of culverts are as follows:
 - a) Residential zone: 6 metres
 - b) Agricultural zone: 8 metres
 - c) Commercial and industrial zone: 11 metres
5. It is mandatory that stones be placed at both ends of any culvert that has a depth of over 900 mm, and such stones must be 100 – 300 mm.
6. The emplacement of the culvert must be finished in MG20b or in asphalt.

Article 8: Installation by the Municipality

In all cases, the culverts shall be installed according to the standards established in article 7 of this bylaw and shall be installed by the property owner or by the municipality, by choice of the property owner, however under the supervision and subject to the approval of the municipal road inspector; the cost of the culvert at its installation shall be assumed by the property owner, as stipulated in article 5.

Article 9: Cost of the maintenance of the culvert

In all cases, the cost of the maintenance of culverts shall be at the expense of the Municipality, but subject to article 10;

Article 10: Cost of replacement of a deteriorated culvert

Where a culvert is replaced due to deterioration or any other reason, (inspection to be done by the road inspector), the cost of the culvert shall be at the expense of the property owner, as stipulated in article 5, including its installation and subsequent maintenance. Any entrances that are used by public service vehicles shall be exempt and the total cost of the replacement shall be assumed entirely by the municipality;

Article 11: Penal Provisions

Any contravention to the present bylaw will render the offender subject to a maximum fine of \$300 to be determined before and fixed by the competent judge or court, at their discretion;

Article 12: Coming into force

The present bylaw will go into effect in accordance with the law.



OGDEN

Municipalité de Ogden

70 chemin Ogden
Ogden, Québec J0B 3E3

CANADA
PROVINCE DE QUÉBEC
MUNICIPALITÉ DE OGDEN

BYLAW No. 2014-10 **Concerning the installation and maintenance of culverts**

Michael Sudlow
Mayor

Vickie Comeau
Director General

NOTICE OF MOTION:	September 2 nd 2014
ADOPTION:	October 6 th 2014
PUBLIC NOTICE:	October 9 th 2014
COMING INTO FORCE:	October 9 th 2014



OGDEN

Municipalité de Ogden

70 chemin Ogden
Ogden, Québec J0B 3E3

CANADA
PROVINCE DE QUÉBEC
MUNICIPALITÉ DE OGDEN

BYLAW No. 2014-10
Concerning the installation and maintenance of culverts

ANNEXE A

Form requesting the installation of a culvert
Municipality of Ogden



OGDEN

Municipalité de Ogden

70 chemin Ogden
Ogden, Québec J0B 3E3

CANADA
PROVINCE DE QUÉBEC
MUNICIPALITÉ DE OGDEN

BYLAW No. 2014-10 Concerning the installation and maintenance of culverts

Application form requesting the installation of a culvert Municipality of Ogden

Name of owner: _____
Name of the applicant: _____
Address: _____
Telephone: _____
Roll number: _____
Date of application: _____
Installation date: _____

Location of wires: yes: _____ no: _____

Permit required by MTQ: yes: _____ no: _____
Type of entrance: Residential (6m) _____ Agricultural (8m) _____
 Commercial (11m) _____ Industrial (11m) _____

Depth: _____
(if more than 900mm deep, stone or rocks that are 100-300 mm are required at both ends)

Finished surface: MG20B _____ Asphalt _____

Location plan:

Conditions to respect:

- Access to the property must comply with the building standards in force and set out by the MTQ
- The installation of a mail box must comply with the standards for individual mail boxes (Normes, Tome 4, chapitre 11,3 MTQ) and the standards of Canada Post
- The purchase cost of the culvert is the responsibility of the land owner, however the municipality is responsible for the purchase of the culvert in order to ensure the obtaining of the correct size.

I, _____, understand the terms and conditions of this application request and agree to abide by them.

Signature: _____

Date: _____

Réservé à la Municipalité

Fonctionnaire : _____

Signature : _____

Date analyse : _____

Date effectué : _____

Profondeur : _____

Longueur : _____