



The Corporation of the Township of Tiny Public Works Department

Procedure / Policy Name: Municipal Land Access Permit		Number: PWF-01-01
Effective Date: 14 April 2014	Revision Date: 08 November 2018	Page: 1 of 5

Introduction

Municipal Land Access Areas are Township-owned lands that provide a direct or indirect access route to privately owned properties from the public roadway. Private property owners and their contractors may occasionally require the use of these Municipal Land Access Areas to carry out construction, maintenance and/or emergency repair operations with respect to proposed or existing buildings, structures or land landscaping features located or to be located on private property including adjacent shoreline areas.

Objective

The purpose of this policy is to provide a standard authorization procedure to allow private property owners and their contractors access via Municipal Land Access Areas to the privately-owned property for the construction, maintenance and/or emergency repairs to be carried out with respect to the private property including installation of Wells or Septics or such other events as deemed appropriate by the Director of Public Works, while protecting the integrity of adjacent land areas as well as Municipal Land Access Areas including any necessary restoration work.

Policy

1. The Township does not have jurisdiction over private property. The property owner or contractor requiring access over private property must have written permission from affected property owners prior to seeking Township approval for any access required over Municipal Land Access Areas.
2. The property owner or contractor must complete both *PWF-01-01 Municipal Land Access Permit* and *Schedule A* and submit the completed forms to the Township of Tiny Municipal Office or the Roads Superintendent prior to using the Township access.
3. The forms *PWF-01-01 Municipal Land Access Permit* and *Schedule A* are available from the Public Works Receptionist at the Township of Tiny Municipal Office.
4. The Municipal Land Access Permit is valid to the date of expiry as approved by the Director of Public Works.
5. Barriers that have been installed by the Township to prevent motorized access through or over Municipal Land Access Areas may only be removed by Township personnel or approved contractors.
6. The property owner or contractor is responsible for any damage or alteration to the Municipal Land Access Area(s).
7. The property owner and/or the contract shall provide the Township with proof of liability insurance coverage as outlined in Schedule "A" to this Policy which insurance coverage shall be suitable for the activities to be carried out by the owner contractor including use of the Municipal Land Access Area(s) required to achieve access to privately owned property and for the purposes of completing any construction, maintenance and/or emergency repair operations in form satisfactory to the Township, acting reasonably. The Township shall be named or added as an additional insured to the policy



The Corporation of the Township of Tiny
Public Works Department

Procedure / Policy Name: Municipal Land Access Permit		Number: PWF-01-01
Effective Date: 14 April 2014	Revision Date: 08 November 2018	Page: 2 of 5

throughout the duration of the Permit issued pursuant to this Policy. Contractors shall also provide the Township with proof of WSIB coverage.

8. Except in cases of emergency, the owner and/or contractor shall only operate machinery and equipment in accordance with the Township's by-laws and the failure to do so may result in an immediate suspension of the Permit and any use of the Municipal Land Access Area(s) until such time as the Director of Public Works is satisfied that work may resume in compliance with all applicable laws.
9. The owner and/or operator shall at all times operate machinery and equipment in a responsible manner having due regard for public safety and in compliance with applicable laws of the Province of Ontario.



The Corporation of the Township of Tiny
Public Works Department

Procedure / Policy Name: Municipal Land Access Permit		Number: PWF-01-01
Effective Date: 14 April 2014	Revision Date: 08 November 2018	Page: 3 of 5

Name of Owner:
Name of Contractor (If Applicable):
Phone Number:
Municipal Address to be Serviced:
Location of Municipal Land Access Area:
Date Required:

- This Permit is being requested for the purpose of:

_____.

- By initialing and signing below, the owner / contractor:

- Acknowledges that permission to use the Township owned Municipal Land Access Area(s) does not in any way imply permission to use privately owned property; _____ (initial)
- Has obtained written permission from all applicable property owners to access the property upon which or with respect to which the construction, maintenance and/or emergency repair work is to be carried; (the applicant is to provide written verification of permission to access across each property, as applicable, from the owners of each property that is to be traversed, before the permit is issued). Received by Township; _____ (initial)
- Has completed and submitted the *Schedule "A"* form; _____ (initial)
- Is responsible for any damages or alterations made to the Municipal Land Access Area(s) and agrees to return the Municipal Land Access Area(s) to its/their original condition; _____ (initial)

- **This Permit expires on** _____

Signature of Owner: _____ DATE

Signature of Contractor: _____ DATE

Date: _____ DATE

Township Approval: _____ DATE

(Director of Public Works)

DATE

"Please contact the Ministry of Natural Resources at 705-725-7500 and the Department of Fisheries and Oceans at 1-866-290-3731 for additional regulatory guidance."



The Corporation of the Township of Tiny
Public Works Department

Procedure/ Policy: Municipal Land Access Permit		Number: PWF-01-01
Effective Date: 14 April 2014	Revision Date: 08 November 2018	Page: 4 of 5

Schedule "A"

This Schedule A forms part of Policy PWF-01-01. Sign off on PWF-01-01 and Schedule A are required.

Date: _____

Property Owner: _____

Property Address: _____

- 1- The access request was reviewed and it was deemed necessary to use a Municipal Land Access Area to do works on Private Property.
- 2- Access across private property will require a written notice signed by the private property owner that permits the owner/contractor to cross the privately owned property.
- 3- The selected contractor must be able to demonstrate they have insurance which includes liability (minimum \$2.0M) and WSIB.
- 4- The contractor must carry a spill kit at all times. Any spills must be reported immediately to the Ontario Spill Action Centre at 1-800-268-6060 followed by the Township. The contractor/resident will be responsible for all costs associated with a spill and its remediation.
- 5- Prior to the start of any work, a site review with a representative of the Township's Department of Public Works must occur to note the condition of the Municipal Access Area(s) being utilized and to list any unique items or features so as to ensure that the Municipal Access Area(s) being used will be put back to original condition or better upon completion of the work being carried out and, in any event, prior to the expiry of the Municipal Access Area Permit. Failure to return Municipal property to its original state will result in Township staff repairing the area at the cost of the owner by invoice and shall constitute a debt owing to the Township collectible in the same manner as municipal taxes and which, if unpaid, shall be added to the property owner's municipal tax bill.
- 6- No in water works are permitted without authorization from the proper Government authorities. (MOECP, MNRF, DFO, etc.)
- 7- All conditions noted on the Municipal Land Access Permit PWF-01-01 must be met.
- 8- Any barriers that are in place must be removed and replaced by Township personnel. A ten working day notice is required for removal and replacement of any barrier.
- 9- The work that is to be carried out is not to materially interfere with the public enjoyment of the area.



The Corporation of the Township of Tiny
Public Works Department

Procedure/ Policy: Municipal Land Access Permit		Number: PWF-01-01
Effective Date: 14 April 2014	Revision Date: 08 November 2018	Page: 5 of 5

This “Schedule A” forms part of Policy PWF-01-01. Sign off on PWF-01-01 and “Schedule A” are required.

Signatures:

Director of Public Works DATE

Property Owner DATE

Contractor DATE