

Municipality of  
*Bluewater*

**ROAD OCCUPANCY INFORMATION PACKAGE**



**The Municipality of Bluewater  
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P: 519.236.4351  
Public Works Department**

## **POLICY STATEMENT**

The Municipality of Bluewater requires that a Road Occupancy Permit be obtained by all persons, companies, utilities, agencies and municipalities prior to commencing any work within the Municipality's Road Allowances.

## **BACKGROUND**

As a municipal road authority, the Municipality has a duty and responsibility to be an informed owner and to ensure that the roads under its jurisdiction are kept in a reasonable state of repair. The Municipal Act, 2001, states the following regarding the Municipality's obligations and liabilities:

### **MAINTENANCE**

44. (1) The Municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge. 2001, c. 25, s. 44(1).

### **LIABILITY**

(2) A Municipality that defaults in complying with subsection (1) is, subject to the *Negligence Act*, liable for all damages any person sustains because of the default. 2001, c. 25, s. 44(2).

### **DEFENCE**

(3) Despite subsection (2), a Municipality is not liable for failing to keep a highway or bridge in a reasonable state of repair if:

- a) It did not know and could not reasonably have been expected to have known about the state of repair of the highway or bridge;
- b) It took reasonable steps to prevent the default from arising; or
- c) At the time the cause of action arose, minimum standards established under subsection

(4) Applied to the highway or bridge and to the alleged default and those standards have been met. 2001, c. 25, s. 44(3).

To ensure that the Municipality is adequately informed and exercising due diligence, a formal process is necessary for the approval of works within the Municipality's Road Allowances. Of particular concern is any work which may occur within the travelled portion of the highway. It is also important to ensure that adequate and appropriate measures are implemented to ensure the safety of both road users and those carrying out the work.

## **PROCEDURES**

The following are the procedures to be followed to acquire a Road Occupancy Permit to undertake work within the Municipality's Road Allowances:

### **PLANNED WORK**

Planned work are activities that can be planned and scheduled in advance of construction. Planned work would include new infrastructure projects as well as the expansion, reconstruction and rehabilitation of existing infrastructure. Work in this category may be performed by a variety of agencies or organizations, including local municipalities, utility companies, developers and private contractors.

Work that can be planned or scheduled in advance will be subject to a more detailed and formal review process as follows:

1. All applications must be submitted in writing and accompanied by a Road Occupancy Application.
2. The application must be supported by plans and specifications that sufficiently detail the proposed work and how it is to be completed.
3. The Applicant will be required to provide a detailed Traffic Management Plan and a Traffic Protection Plan, which identifies the measures to be implemented to protect the health and safety of the road users and the workers on site.
4. The Applicant will be required to provide liability insurance, indemnifying the Municipality from all liabilities arising out of the work, in the amount of \$5,000,000. A Certificate of Liability Insurance in which the Municipality of Bluewater is named as an Additional Insured is required.
5. Applications will be reviewed for conflicts with existing and future Municipal infrastructure, as well as compliance with Municipal Standards and Policies. Applicants are encouraged to pre-consult with Municipal Staff to confirm the requirements prior to submitting an application.
6. The Applicant may be required to post a Performance Security to ensure that all work, including surface restoration, is completed to the Municipality's satisfaction. The security will be in the form of a letter of credit and be valid for a minimum period of one (1) year after the work is completed. Provided no problems are encountered within the one (1) year period, the securities will be returned to the Applicant. Local Municipalities are exempted from this requirement.
7. Once all application requirements have been satisfied, a Road Occupancy Permit will be issued and the Applicant will be permitted to proceed with the work, subject to the terms and conditions listed in the Permit.
8. Upon completion of the work, Municipal Staff will inspect the work zone to ensure that all conditions of approval, including surface restoration, have been complied with.

## **GENERAL CONDITIONS**

1. All subsurface road crossings are to be completed using trenchless technology techniques wherever possible. Open cut excavations across Municipal Roads will only be permitted when specifically approved by the Manager of Public Works.
2. The Applicant is responsible for notifying all emergency services, school boards, transportation companies and the public of the proposed work, in advance of commencing any work.
3. Permits will be honoured for a period of one (1) year from the date of approval. It is the responsibility of the Applicant to notify the Municipality when the work is completed and ready for final inspection. If a final inspection has not been requested by the Applicant and one (1) year's time has passed from the date of approval, the bond will be forfeited to the Municipality. If a final inspection has been requested and the work has been completed but not to the satisfaction of the Municipality, under the conditions of this application, the Municipality may elect to finish or restore the works with the Applicant's bond and without any prior notice.
4. Under any Permit application the Municipality may elect to exceed the minimum requirements and conditions as specified in this document. The Municipality may request additional insurance coverage, restoration, amount of cash bond or any other work deemed necessary to accommodate the application.

5. Municipal Roads will not be closed without express written permission. A minimum of one (1) driving lane will always be open to traffic. All excavations within four (4) metres of any driving lane will be backfilled at each day's end. The Applicant shall maintain pedestrian access and vehicle access to all public and private properties.
6. Roads will not be open cut without express written permission; therefore, all road crossings shall be bored or directionally drilled. All plant being located under the road surface shall be placed at a minimum of 1.2 metres under the road surface (that is 1.2 metres under the elevation of the shoulder rounding). If written permission has been granted to open excavate a road, restoration methods will be specified and a cash bond in the amount of the cost of restoration shall be submitted and retained for up to 12 months after the completion of the specified works. No planned excavations will be permitted within the roadway between **November 1<sup>st</sup> and May 1<sup>st</sup>**.
7. If, to carry out the work, it is necessary to alter, break or disturb any existing pavement, sidewalk or curb and gutter, the Applicant will be responsible for temporarily and permanently restoring the site to its original condition. Material specifications shall be determined by Public Works Staff. If weather dictates the permanent restoration cannot be accomplished, the Applicant shall temporarily repair any disturbed asphalt or concrete surfaces with a 50-millimetre thickness of hot mix asphalt. Temporary and/or final repairs shall be to the satisfaction of the Municipality and at the expense of the Applicant.
8. When required, a security deposit shall be given to the Municipality representing 100% of the cost to perform the necessary restoration. The Municipality shall set this deposit amount. The Applicant will be responsible for any temporary and/or final restoration costs. The restoration shall be completed as per the direction of the Municipality. Upon completion of the final restoration the site will be inspected by Municipal Staff and if satisfied (interim acceptance) the security deposit will be returned within a 12-month period from the date of final inspection.
9. When conditions or unforeseen difficulties require a longer period of completion than is indicated on the Permit, the Applicant shall notify the Municipality of the additional time required and the reason thereof.
10. All barricades, signs and signals required to direct or guide motorists and/or pedestrians, shall be erected and maintained by the Applicant in accordance with the "Ontario Traffic Manual, Book 7 – Temporary Conditions", most current edition. All detour signing and materials when required, shall be supplied, erected and maintained by the Applicant.
11. Prior to the approval of the Road Occupancy Application, the Applicant shall supply proof of liability insurance in the minimum amount of **\$5,000,000.00**.
12. It is the responsibility of the Applicant not to damage any existing plant, survey markers of infrastructure, including drainage works. The Applicant will assume all costs and liabilities from such damage. Utility locates are the responsibility of the Applicant and this document will release the Municipality of Bluewater from all claims arising from the damage of any plant.
13. Excavated material shall not be piled in such a manner as to obstruct vehicular and/or pedestrian traffic at a minimum of four (4) metres from edge of pavement. All construction equipment and vehicles shall also maintain this "clear zone" when not in use.
14. Payment of fees: a non-refundable application fee of **\$200.00** is due within seven (7) days of submitting the Road Occupancy Application. Payment is accepted by cheque, cash or debit at the Municipal Office.



**GENERAL CONDITIONS**

1. **Payment by cheque, debit or cash are accepted at the Municipal Office during regular business hours. Credit card is not accepted currently.**
2. Prior to commencing work, locates must be obtained from utilities by the Applicant.
3. The Public Works Manager must be informed **48 hours before** work is commenced.
4. A copy of this Permit and utility locates must always be on site when working.
5. This Permit is not valid unless signed by the Municipality of Bluewater.
6. Construction and site plans must be submitted with this permit, when required (Access Permit).
7. Positive drainage shall be maintained during the course of work.
8. Lanes of traffic must be maintained as indicated on this permit during working hours as per OTM Book 7, and traffic plans must be faxed to (519)565-2112 prior to commencement of work. All lanes of traffic must be maintained when not working.
9. All utilities shall be protected and supported, to the satisfaction of the utility concerned.
10. All road surfaces and sidewalks shall be kept clear of obstructions and/or debris, to avoid hazard or inconvenience to the public.
11. Mud tracking or dust nuisance shall not be allowed. Any accumulation must be cleaned from the road and/or shoulders immediately. Cleaning instructions may be given by Municipal field supervisory personnel. **If at any point Municipal supervisory staff find that mud tracking or dust nuisance is excessive, the work shall be stopped.**
12. The Applicant shall not cut, trim or interfere with any trees in the right-of-way without Municipality of Bluewater approval.
13. All changes and/or deviations from the submitted approved plans and/or locations shall be subject to re-approval from the Municipality of Bluewater.
14. Subject to Municipality of Bluewater approval, **the use of steel plating shall not generally be permitted.**
15. The road shall not be closed without the consent in writing of the Public Works Manager.
16. Property owners and/or residents shall receive a minimum of 24 hours written notice prior to temporary closing of an access to homes and businesses.
17. The Applicant agrees and accepts full responsibility to supply, maintain, clean and place all barricades, warning signs, delineators, and flashing lights, necessary for the protection of the public and the safe operation of the installation, at the Applicant's own expense, as per the Ontario Traffic Control Manual, Book 7, Temporary Conditions latest revision. (Note: This manual depicts minimum standards, additional signing may be required by the Municipality of Bluewater.)
18. All disturbed or affected areas to be maintained and guaranteed for **two years** after completion and acceptance of the work by the Municipality of Bluewater, at the Applicant's expense.
19. The Applicant accepts the Municipality 's right to perform any necessary remedial work caused by the Applicant's operation, subject to the following conditions:
  - a) The Municipality of Bluewater will give the Applicant not less than twenty-four (24) hours notice of any remedial work required, except for emergency work.
  - b) If at the expiration of the time allowed the Applicant or his/her contractor has not commenced remedial work to the Municipality's satisfaction, the Municipality of Bluewater may undertake to have this work done by whatever means it deems necessary.
  - c) The Applicant to reimburse the Municipality of Bluewater for all costs incurred and/or to supply the Municipality with a Security Deposit, for a specified amount, if requested.
20. A non-refundable application fee of \$200.00 is due within seven (7) days of submitting the Road Occupancy Application.

**TRENCHES AND PITS**

19. Trenches shall be fully compacted by mechanical mean, (roadway -100% SPMDD, roadside - 95% SPMDD) and all surfaces restored to original condition. Positive drainage shall be maintained during the course of the operation.
20. Mechanical and/or vibratory compaction equipment shall be on site prior to commencing work.
21. Trench to be backfilled with Granular Subbase Course Class "B", in 150 mm (6") layers to 450 mm (18") below the road surface, and each lift shall be compacted using mechanical tampers or vibrators. Water to be used, if needed, to obtain the required compaction, i.e. 100% SPMDD (Unshrinkable backfill material may be used as a granular substitute, as per OPSS 1010 for native material up to the bottom of the road subbase material).
22. Granular base Course Class "A" to 150 mm (6") below the asphalt base in two layers, and compacted to 100% SPMDD.

**BOULEVARD WORKS**

23. Shoulders to be repaired as per conditions number 29 and 30, cleaned of mud and clay, etc., and restored to original cross-section and appearance.
24. In grassed areas adjacent to homes and businesses, sodding is required as per OPSS 571. All other areas shall be seeded and straw mulched as per OPSS 572. Topsoil shall be placed to a minimum of 100 mm (4") depth prior to seeding or sodding as per Municipality of Bluewater requirements.
25. All disturbed ditches to be restored with at least four rows of sod placed in the bottom, as per OPSD 218.01.
26. Driveways shall be repaired in the same manner as the road, as outlined below.
27. Asphalt strips and centre medians shall be restored to original condition or better.
28. Sidewalks shall be restored to match the area Municipality's standards.

**ROAD WORKS - ASPHALT**

29. On hot-mix asphalt pavement, cutting shall be done by means of sawing full depth to leave a clean straight edge. Excavation equipment such as backhoes, etc., shall not be used for this purpose. The adjoining pavement shall be protected from damage by equipment.
30. Cold patching to be placed immediately as a temporary surface. Permanent pavement repairs using hot-mix asphalt shall be made within 14 days. All Municipal roads having heavy traffic volumes must be repaired immediately with hot-mix asphalt. Between November 15th and May 15th all cuts must be filled immediately with hot mix. Under no circumstances shall a cut be left with a granular surface.
31. Prior to permanent pavement repairs, a 300 mm (12") wide strip of asphalt each side of the excavation shall be removed by full depth saw cutting.
32. The application of a bonding agent (SS1 emulsion) shall be applied to all cold asphalt joints and exposed concrete faces as per OPSS 1103.
33. Limit of pavement construction joint to be sealed with "TBond HMA Joint Tape", "Densoband" or approved equivalent.
34. 100 mm (4") Heavy Duty HL8 (PG-64-28) placed in two 50 mm lifts as per OPSS 310.
35. 50 mm (2") HL 1 (PGAC-64-28) placed as per OPSS 310.

**ROAD WORKS - CONCRETE BASE/MISC. CONCRETE**

36. Existing concrete base must be saw cut a minimum of 300 mm wider, each side of excavated trench.
37. Concrete Pavement Reinstatement OPSD 509.101.
38. 35MPa high early strength concrete to be placed to match existing, as per OPSS 1350.
39. Concrete restoration shall not be open to traffic until concrete has reached 75 per cent of the 28-day strength.
40. Unless otherwise noted, all concrete work shall comply with current CSA and OPSS standards and specifications.
41. Where the Municipality of Bluewater issues a Permit on a Municipal Road that has been reconstructed and/or resurfaced within the past 5 years, the Municipality reserves the right to specify the extent of restoration required.

**ACCESS**

42. The access shall have a minimum platform width of 6m (20 feet).
43. All topsoil within the limits of the proposed access, from the edge of the existing shoulder to the street line, shall be removed and disposed of by the Applicant.
44. Minimum compacted granular base within the right-of-way shall be 200 mm (8") of granular "A".
45. Fencing, gates, curbs etc. shall not be constructed or installed on the right-of-way unless approved by the Municipality of Bluewater.
46. Culverts shall be new, corrugated, 16-gauge galvanized steel spiral, polyethylene or approved equivalent (diameter and length on front of Permit).
47. Culverts shall be backfilled with a minimum compacted cover of 300 mm (12") of granular "A". The remainder of the access within the right-of-way shall have a minimum compacted thickness of 200 mm (8") granular "A".

**ALL CONDITIONS ARE SUBJECT TO REVISION AS NECESSARY. REPAIRS SHALL BE EQUAL OR SUPERIOR TO THE ORIGINAL CONDITION**