

Policy: Soil Management in Municipal Ditches

Section: Public Works Operations

Policy #2012-01

Resolution #112-12

Effective Date: May 22, 2012

Whereas Section 82 of the Municipal Act states that a council is responsible (a) for developing and evaluating the policies and programs of the municipality;

And whereas the RM of Gilbert Plains Council is committed to the adoption of proper soil conservation practices on farmland within the Municipality and to the prevention of the loss of soil and soil productivity through negligence and misuse.

Therefore, the following policy will govern the process for the management of soil within Municipal right-of-ways or ditches.

In conditions where tillage practice and wind or water erosion negatively impact municipal infrastructure, such as ditches and culverts, the municipality will attempt to remedy, maintain and support its infrastructure.

Landowners, who are prepared to reclaim soil, will do so at their own expense, through the following process:

- 1) Landowner will make contact with the RM Office or Public Works Manager (PWM).
- 2) PWM will assess the ditch and recommend the depth and amount of soil to be recovered by the landowner, as required through the Minor Works Program set out by Water Stewardship – Province of Manitoba.
- 3) The landowner will sign a Landowner Release Form, which provides authorization to proceed on the reclamation process.
- 4) The PWM will evaluate the completed soil removal done from the approved area to ensure compliance is met.

In the event that the PWM has assessed that ditch maintenance is required due to excessive soil interfering with the integrity of municipal infrastructure (culvert and/or ditch) and the landowner is not prepared to remove the soil at their own expense; the following process will be adhered to:

- 1) On the first occurrence, the RM will reclaim the soil from the ditch/culvert and cost-share the expense of soil removal with the landowner (50%) by invoicing landowner. (In the event that soil conditions in the ditches and culvert are deemed to be excessive, Council may assess that the landowner is required to bear full costs of ditch and culvert cleaning.)

- 2) If soil continues to fill in the ditch in subsequent events, in a following year, which requires cleaning, the RM may reclaim the soil and expense the landowner for full costs (100%).

Any and all work to be completed by the Municipality will be at the discretion of the Council and/or Public Works Manager and will be scheduled in accordance with the priorities of the Municipality.

This policy is authorized by Resolution #112-12, dated May 22, 2012.