

**TOWN OF STONEWALL
BY-LAW NO. 10-24**

Being a By-Law of the Town of Stonewall to establish the Policy and Standards for the Construction of Private Approaches and the Installation of Culverts in the annexed lands of the Town of Stonewall.

WHEREAS Subsection 232(1)(e)(f)(h) of The Municipal Act permits a Town to enact By-Laws respecting private works on, over, along, or under municipal roads, property adjacent to highways or municipal roads whether the property is publicly or privately owned; and drains and drainage on private or public property;

AND WHEREAS Subsection 232(2)(e)(i) of The Municipal Act allows a Town to pass a By-Law to establish fees and terms of payment of fees for inspections, licenses, permits, and approvals including fees related to recovering the costs of regulation;

NOW THEREFORE the Council of the Town of Stonewall, in Council duly assembled, enacts as follows:

1. **DEFINITIONS:**

"Annexed Lands" means the lands located in the five quarter sections identified as: NE35-13-1E, SE35-13-1E, NE26-13-1E, and NW19-13-2E.

"Town" means the Town of Stonewall.

2. **All parties within the annexed lands shall adhere to:**

- (a) the specifications of the Town of Stonewall Policy 8.5A, Construction of Private Approaches, Installation of Culverts Installed by the Town; and
- (b) the specifications of the Town of Stonewall Policy 8.5B, Construction of Private Approaches, Installation of Culverts installed by the Applicant.

3. **Application/Permit:**

That Appendix "A", attached to the above policies, shall be the form prescribed by the Council of the Town of Stonewall as the "Application/Permit for Construction of Private Approaches, Installation of Culverts Installed by the Town and Application/Permit for Construction of Private Approaches, Installation of Culverts Installed by the Applicant". Approaches onto a paved curb and gutter street are excluded from this By-Law.

4. **Minimum Widths of Crossings:**

That the minimum widths of crossings shall be as stated in the Town of Stonewall Policy 8.5A, Construction of Private Approaches, Installation of Culverts installed by the Town and the Town of Stonewall Policy 8.5B Construction of Private Approaches, Installation of Culverts installed by the Applicant.

5. **Criteria for Construction of Private Approach:**

Upon the Landowner/Applicant making application for the construction of a private approach and installation of a culvert, the Landowner/Applicant shall pre-pay the cost of the work upon completion of Part I by the Landowner/Applicant and completion of Part II of the Application/Permit by the Town and prior to commencement of the work.

6. The Town of Stonewall may review the rates annually for the construction and installation of culverts/approaches. Any fees set out in this By-Law shall be set, from time to time, by Resolution of Council.

7. That any person violating any provisions of this By-Law shall:
- i) be liable for the cost of the removal of the illegal crossing. If that person is in default of effecting the removal of the illegal crossing, the Town of Stonewall may effect the removal and charge the cost thereof to that person, or, add the cost to the Roll and collect same in the identical manner as ordinary taxes;
 - ii) be liable to the Town of Stonewall for any expense suffered by the Town as a result of the violation; and
 - iii) be liable for the cost of repairs as a result of the violation. If that person is in default of effecting the repairs, the Town of Stonewall may effect the repairs and charge the cost thereof to that person, or, add the cost to the Roll and collect same in the identical manner as ordinary taxes.

DONE AND PASSED as a By-Law of the Town of Stonewall by the Council, duly assembled in the Town Hall this 10th day of January A.D., 2024.





MAYOR



CHIEF ADMINISTRATIVE OFFICER

Read a first time this 20th day of December, A.D. 2023;
Read a second time this 10th day of January, A.D. 2024;
Read a third time this 10th day of January, A.D. 2024.