

MUNICIPALITY OF BROCKTON

POLICY #2001-07

EFFECTIVE DATE:	November 26 th , 2001
APPLIES TO:	All Road Allowances in Brockton
RE:	Repairs/Replacement of Encroachments on Road Allowance

PURPOSE

To identify responsibility for expenditures to repair or replace encroachments (structures, plantings or services etc.) whether above ground or underground, installed on municipal road allowance by private property owners within the Municipality of Brockton.

It is the Policy of the Corporation of the Municipality of Brockton that:

- For underground irrigation systems and/or underground sensory cables installed by private property owners on road allowances, it shall be the sole responsibility of the property owner to have these encroachments removed from the road allowance at the owners expense prior to construction excavation;
- The Municipality of Brockton shall not be responsible for damages to encroachments placed on road allowances. These encroachments shall include but not be limited to, shrubs, trees, hedges, flowers, gardens, fences, lamp posts and underground installations;
- If the Municipality of Brockton has to remove any of the above referenced encroachments during construction/re-construction of the road allowance, the encroachments will not be replaced by the Municipality;
- If the Municipality of Brockton damages any of the above referenced encroachments due to maintenance of road allowance or snow plowing activity, it shall be the owners responsibility to repair the damage to the encroachment at the owners expense;
- The Municipality will replace those sections of sidewalk or driveway, only, that are located on road allowance and may have to be excavated as part of construction work undertaken by the Municipality with the same material and to the same length and width as existed at the time of excavation. This practice applies only if the sidewalk or driveway was existing in gravel, regular asphalt or regular concrete. If the sidewalk or driveway existed in stone, impressed asphalt or impressed concrete the Municipality will replace it in regular asphalt or regular concrete. If the property owner wishes to upgrade the material to stone, impressed asphalt or impressed concrete, the additional cost for this upgrade over and above regular asphalt or regular concrete will be the property owners expense. If the sidewalk or driveway existed in interlocking brick, the Municipality will set aside these bricks from the excavated area and re-install the removed bricks once the excavation is complete. If a municipal sidewalk existed in the area to be excavated and it is not being replaced, the area previously occupied by the municipal sidewalk will be resurfaced with regular asphalt or regular concrete. If the property owner wishes to upgrade this sidewalk area to anything other than regular asphalt or regular concrete it will be at the property owners expense;

- Where the Municipality chooses to grass areas of road allowances that have been excavated by the Municipality these areas shall be grassed by seed rather than sod. Where excavation involves slopes that require stability considerations the decision to use sod versus seed will remain with the Municipality.