

## THE CITY OF CORNER BROOK DRIVEWAY CULVERTS REGULATIONS

PURSUANT to the powers vested in it under Section 245, 246, 247, 248, 280.1, 280.2 and 280.4 of the *City of Corner Brook Act*, R.S.N.L. 1990, c. C-15 and all other powers it enabling, the Corner Brook City Council, in a session convened on the 21<sup>st</sup> day of April, 2008, hereby passes and enacts the following regulations


1. These Regulations may be cited as the *City of Corner Brook Driveway Culverts Regulations*.

### DEFINITIONS

2. For the purpose of these Regulations:
  - (a) "City" means the City of Corner Brook;
  - (b) "Council" means Corner Brook City Council;
  - (c) "Director" means the Director of Operational Services;
3. No person shall install, repair or remove, or permit or cause to be installed, repaired or removed any culvert in the City without a written permit to do so.
4. Upon receiving a written request for a permit pursuant to section three (3) of these Regulations, the Director may, in his or her sole discretion:
  - a) grant a permit to install a culvert upon such conditions and to such specifications as the Director determines is in accordance with the storm drainage standards then applied by the City, and in the absence of such standards, upon such conditions and to such specifications as the Director deems appropriate;
  - b) advise the applicant that the culvert will be installed by the City under section five (5) of these Regulations; or
  - c) decline to grant a permit, either absolutely or until such conditions as the Director deems appropriate are met by the applicant.
5. (a) Upon a request by the owner of a property in the City the Director may install a culvert.

- (b) Prior to installing the culvert the Director shall require from the property owner a deposit in the form of cash or a certified cheque, bank draft or money order, which deposit shall be equal to the amount of the estimated cost of such installing the culvert.
- (c) Council may set the actual cost of labour, materials and any other costs that may be incurred in installation, repair or removal of a culvert by way of a tariff or fixed fee schedule and this may be done either as a separate resolution or as a part of the City's annual budget.
- (d) The owner of the property shall pay to the City the actual cost of such installation, regardless of the estimated costs of the installation.
- (e) Payment of the cost of materials and installation shall not convey to the owner of the property any right, title or interest in a culvert installed on City property or in an easement or right of way in favor of the City, and all right, title and interest in such culvert shall vest in and remain with the City.
6. Where any person contravenes any of the provisions of these Regulations:
- (a) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment or both in accordance with s. 438 of the *City of Corner Brook Act*; and
- (b) such person may be issued a violation notice pursuant to section 280.1 of the *City of Corner Brook Act*.
7. Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the *City of Corner Brook Act* for any contravention or failure to comply with these Regulations.
8. These regulations shall come into force as of the date enacted by Council and the Driveway Culverts By-law No 21 and all amendments thereto is hereby repealed upon the coming into force of these Regulations.

**IN WITNESS WHEREOF** these Regulations are sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of the Council by the Mayor and City Clerk at Corner Brook, in the Province of Newfoundland and Labrador, this 5<sup>th</sup> day of May, 2008.



Mayor



City Clerk



Published in the Western Star – March 12, 2008

First Reading – March 3, 2008

Second Reading – April 21, 2008