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## Municipality of Cumberland Policy 00-01

### Municipal Public Road Policy

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#### 1. PURPOSE

This policy is intended to set out the conditions and standards which must be met before the Municipality (Council) will accept ownership of any Municipal Public Road.

#### 2. DESIGN AND CONSTRUCTION

2.1 Where a proposed Municipal Public Road intersects with a road owned by the province of Nova Scotia, the intersection must be approved by the Nova Scotia Department of Transportation and Public Works (NSDOT).

2.2 Where a proposed Municipal Public Road intersects with an existing Municipal Public Road, the intersection must be approved by the Municipality. The criteria used by the NSDOT when approving similar intersections will be used by the Municipality. Modifications made from time to time in the NSDOT policy will be used by the Municipality.

2.3 All Municipal Public Roads shall be designed and constructed to the requirements of NSDOT's "Specifications for Subdivision Roads in Urban and Rural Areas" as they may be varied from time to time, and to the "Standard Specification for Municipal Services, as published by the Nova Scotia Road Builders Association/Nova Scotia Consulting Engineers Association Joint Committee on Contract Documents.

2.4 Notwithstanding section 2.3 above, the right of way width for a new Municipal Road may be reduced from 66 feet to a width not less than 50 feet if approved by Council. Certification by a Professional Engineer that all components of the road, including the drainage system and backslopes have been designed and constructed within the lesser width right of way, will be required. This provision may only be applied if permitted by the Subdivision Bylaw.

#### 3. APPROVAL AND ACCEPTANCE REQUIREMENTS

3.1 Prior to commencing construction the Developer must submit two copies of the proposed road design including plan and profile drawings indicating the following:

- a) existing and proposed profiles of road centerline,

- b) proposed ditch profiles,
  - c) proposed grades (%),
  - d) horizontal and vertical curve data sufficient to ensure compliance with this policy, and
  - e) detail showing proposed road cross section elements; along with two copies of a boundary survey of the proposed right of way for the road.
- 3.2 The Developer shall arrange for and pay all costs associated with testing of the road.
- 3.3 The Developer shall provide the Municipality with written certification from a Professional Engineer that the road construction has been inspected at the below indicated intervals, and that it meets or exceeds the minimum standards referenced herein:
- a) after clearing (pre-construction),
  - b) after grubbing (pre culvert and drains),
  - c) prior to any gravels being applied,
  - d) prior to paving (where applicable), and
  - e) upon project completion.
- 3.4 Notification shall be given to the Municipality at least 24 hours in advance to gravels being applied and prior to paving, to allow the Municipality or its representative to carry out inspections.
- 3.5 The Developer must supply certification from a Professional Engineer that all elements of the road have been constructed in accordance with the submitted (approved) plans and the specifications referenced herein.
- 3.6 The Developer must supply the Municipality with written confirmation from the Nova Scotia Department of the Environment that all their requirements have been met.
- 3.7 The Municipality will not consider accepting any road unless at least one residential or commercial development is in existence for each two hundred meters of road to be accepted.
- 3.8 When the foregoing requirements have been met, the Developer may formally apply to the Municipality to accept the road. The application shall be accompanied by the following:

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- a) 2 copies of the final plan for the road, as built,
- b) 2 additional copies of a complete survey of the road right of way,
- c) a warranty deed conveying all rights of way to the Municipality,
- d) a warranty and bond or irrevocable letter of credit in the amount of 110% of the construction cost of the road, to cover three years from the date of formal application, and
- e) the Developer's written undertaking to perform all required maintenance on the road for a period of one year following Municipal acceptance (this undertaking must also be covered by the bond or letter of credit submitted in support of the warranty).

4. PREVIOUSLY BUILT ROADS

4.1 In the case of roads which have been substantially constructed prior to the adoption of this policy, in anticipation of Provincial or Municipal takeover, the design, construction, survey, and deed provisions of this Policy must still be complied with, however the other approval, acceptance, warranty, and maintenance provisions may be varied by the Municipality if it appears (in the sole discretion of the Municipality) to be reasonable to do so.

AS AMENDED

Date: January 5, 2000 Section 4.1

**Clerks Annotation for the Official Policy Book**

Date of Notice to Council of intent to consider(7 day minimum): \_\_\_\_\_

Date of Passage of Current Policy: \_\_\_\_\_

I certify that this Municipal Public Roads Policy was adopted by Council as indicated above.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date