



ADMINISTRATIVE POLICY	No. 5
Yard areas and private driveways located within a public street right-of-way	Resolution # 2000-225 Adopted on: Sept. 18, 2000

1. PURPOSE

To establish uniform rules, standards and procedures that will apply to all Edmundston residents regarding construction and maintenance work on yard areas and private driveways located within a public street right-of-way.

2. SCOPE

This policy applies to all Edmundston residents.

3. OBJECTIVES

- a) To define responsibility for construction and maintenance work on the yard areas and private driveways that are within a municipal right-of-way abutting private properties.
- b) To promote the beautification of residential properties.

4. TERMS OF THE PROGRAM

4.1 YARD AREAS

4.1.1 - General

- a) All owners of residential, institutional, commercial or industrial land are responsible for the landscaping and maintenance work on the yard area that is within the street right-of-way abutting their property.
- b) The municipality is responsible for repairing and restoring to its original condition or as close to it as possible, any yard area or landscaping that is located within the public street right-of-way, and which has been damaged by repair or maintenance work, or by activities performed by the municipality.

4.1.2 – Residential area – New properties

- a) In order to promote the beautification of new residential properties, the municipality is committed to, upon request from the owner, reimbursing him according to the amounts and distances listed below, for each street frontage abutting the yard area within the municipal right-of-way. This reimbursement is given to help cover the costs for the landscaping done within the street right-of-way:

0	to	18 m (60 ft.)	\$100
18.3 m (61 ft.)	to	37 m (120 ft.)	\$200
37.3 m (121 ft.)	to	55 m (180 ft.)	\$300
55.3 m (181 ft.)		and more	\$400

- b) The application and reimbursement process will be as described in section 5 of this policy.

4.1.3 – Residential area – New streets

- a) When the municipality is paving new streets and/or building curbs or sidewalks on these new streets, all residential land owners who have not completed the yard area abutting a street right-of-way will be eligible for a monetary compensation as set forth in section 4.1.2 a).
- b) When the municipality is paving new streets and/or building curbs or sidewalks on these new streets, all residential land owners who have completed the yard area abutting a municipal right-of-way will be eligible for a monetary compensation of \$150 for each frontage involved, to help them make the link between the municipality's construction and the existing yard area.

4.1.4 – Institutional, commercial, industrial and other areas:

- a) The residential area incentives provided in section 4.1.2 a) do not apply to land owners in institutional, commercial, industrial or any other areas.

4.2 PRIVATE DRIVEWAYS

4.2.1 – General

- a) All owners of residential, institutional, commercial or industrial land are responsible for the construction, maintenance and paving of the portion of their private driveway that is within a street right-of-way abutting their property.
- b) The municipality is responsible for repairing and restoring to its original condition, or as close to it as possible, any private driveway within a public street right-of-way, which has been damaged by repair or maintenance work, or by activities performed by the municipality.

4.2.2 – Private driveways within streets that are already paved

- a) The owner of any private driveway who paves his driveway within a street that is already paved is responsible for linking his driveway with the demarcation of the existing paving of the aforementioned street.
- b) Any owner who has paved or asphalted his driveway only up to his property line will be responsible for continuing the paving or asphaltting from his driveway up to the street border, the side of the sidewalk or the border of the future street. This is not the responsibility of the municipality.
- c) When the municipality is asphaltting new streets and building curbs and sidewalks, it is responsible for repairing or restoring to their original condition or as close to it as possible, all private driveways already paved or asphalted, within a public street right-of-way, that have been damaged or affected during the work.

- d) All repairs on private driveways by the municipality will be done by using materials that are similar to those previously used in the driveway needing the repair.
- e) After a street has been paved, if the street is no longer on the same level as the street's private driveways, the municipality commits to making the necessary corrections, on the public street right-of-way only, in order to link the private driveways with the level of the street.

4.2.3 – Private driveways where the street is not yet asphalted

- a) The owner of any private driveway who proceeds to pave his driveway on a street that is not yet paved is responsible for paving or asphaltting his driveway up to the border of the future street or as near to it as possible, including within the municipal right-of-way.

5. APPLICATION AND REIMBURSEMENT PROCESS

- a) Any owner wishing to take advantage of the incentive provided under section 4.1.2a) will have to submit an application to the Public Works and Environment Department;
- b) The request will be evaluated by the Department and approved by the Director of Public Works and Environment or his representative.
- c) After the approval of the request, the owner will have to provide a copy of the invoice from his contractor or for the cost of materials.
- d) The municipality will visit the premises to verify that the work has been properly completed. The applicable reimbursement will only be granted if everything is satisfactory.

6. ABROGATION

This policy replaces any previous policy of the former municipalities of Edmundston, Saint-Jacques, Saint-Basile and Verret regarding yard areas and private driveways within a municipal right-of-way.

Mayor

Clerk