
CHAPTER SWDT 1 POLICY

1. The procedural requirements in this Policy are intended to guide the Municipality with issues and responsibilities surrounding Storm Water, Driveways, and Trees.
2. In this policy, unless the context otherwise requires,
 - (i) “C.A.O.” means the Chief Administrative Officer of the Town;
 - (ii) “Council” means the Council of the Town of Montague;
 - (iii) “property owner” means a person, firm or corporation who or which is listed as the owner of a specified property or properties;
 - (iv) “storm water” and/or “run-off” means precipitation from roads and/or property that is, or would usually be, collected in a system of pipes or open channels.
 - (v) “shared responsibility” means a tree that is partially on Town property and partially on any property not wholly owned by the Town;

STORM WATER

3. It shall be the policy of the Town of Montague that the Town:
 - (i) does not do work on private property. Any work completed will be on the right-of-way;
 - (ii) require a grading plan for new development or significant changes to existing property, and that such plan is submitted and approved by the development officer to ensure surface water is directed to an appropriate outlet;
 - (iii) in conjunction with the property owner, determine the source/location of the run-off and look to see if there is an easy fix to collect/redirect the water to an appropriate area.
 - (iv) that unless it is determined that the cause is due to negligence on the part of the Town (i.e. something done differently/incorrectly at this particular property or properties), it shall be the property owners responsibility to take corrective action.
4. It shall be the policy of the Town of Montague that all property owners:
 - (i) be treated in a fair and consistent manner; and
 - (ii) grade their respective property to ensure that surface water, from whatever source, is directed away from any building on the property; and
 - (iii) for new development or significant changes to existing property, that a grading plan is submitted and approved by the development officer to ensure surface water is directed to an appropriate outlet.

5. The C.A.O. shall arrange inspection of the suspect property in conjunction with the property owner, Chair of Public Works, and Maintenance Supervisor.

DRIVEWAYS

6. It shall be the policy of the Town of Montague that the Town:
 - (i) does not do work on private property. Any work completed will be on the right-of-way;
 - (ii) does not do work on entrances (driveways) to any property, these shall be the responsibility of the property owner;
 - (iii) require a grading plan for new development or significant changes to existing property, and that such plan is submitted and approved by the development officer to ensure surface water is directed to an appropriate outlet;
 - (iv) require that all property owners provide adequate protection from driveway washout by the installation of culverts, water diversion methods, paving, or any other method not causing or likely to cause issues to neighbouring properties.

TREES

7. It shall be the policy of the Town of Montague that the Town:
 - (i) does not do work on private property. Any work completed will be on the right-of-way;
 - (ii) does not clean up trees on private property unless it is determined that the tree came from Town property. Trees on private property shall be the responsibility of the property owner;
 - (iii) shares responsibility on an equal basis for any tree determined to be of a shared responsibility due to its being partially on Town property and any property not wholly owned by the Town.
 - (iv) will notify property owners of damaged/diseased trees that are of a shared responsibility only if they are determined to be such by a professional arborist.
 - (v) is under no obligation to inspect and/or determine which trees are damaged and/or diseased.
 - (vi) has the right to trim, prune or remove any tree determined to be damaged and/or diseased whether that tree is wholly owned by the Town or a shared responsibility.
 - (vii) has the right to trim, prune or remove any tree determined to be of a safety concern, including the obscuring of street lighting, signage, sidewalks, or obstructing sidewalk clearing equipment, whether or not that tree has been determined to be damaged and/or diseased and whether or not that tree is wholly owned by the Town, a shared responsibility, or privately owned.
8. It shall be the policy of the Town of Montague that all property owners:
 - (i) be treated in a fair and consistent manner; and

- (ii) grade their respective property to ensure that surface water, from whatever source, is directed away from any building on the property; and
 - (iii) for new development or significant changes to existing property, that a grading plan is submitted and approved by the development officer to ensure surface water is directed to an appropriate outlet.
 - (iv) Subsections (i), (ii), and (iii) in this Section also apply to Sections 6 and 7.
9. The C.A.O. shall arrange inspection of the suspect property in conjunction with the property owner, Chair of Public Works, and Maintenance Supervisor.