

## **CYPRESS COUNTY POLICY**

<b>TITLE:</b>	<b>Haying of County Road Ditches</b>	<b>POLICY NO.:</b>	<b>R 23</b>
<b>AUTHORITY:</b>	<b>Resolution No.:2020/123</b>	<b>DATE:</b>	<b>April 7, 2020</b>
<b>REVISED:</b>		<b>DATE:</b>	

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### **PURPOSE**

To provide guidelines and procedures in relation to requests from ratepayers/residents for permission to cut hay in County road ditches.

### **GUIDELINES**

1. Written requests are to be forwarded to Public Works Department by May 15 of each calendar year. The timeline for receipt of requests is set to provide sufficient time for administration to compile a list of requests granted prior to carrying out that year's Roadside Mowing and Spraying programs.
2. The request form will be made available through the County office and will be posted on the County's website.
3. Information to be provided by the applicant and included on the request form shall include but will not necessarily be limited to the following:
  - a) name, address and telephone number of the person who will be cutting the hay;
  - b) the road where the hay will be cut;
  - c) the specific area of the road to be cut; and
  - d) which side(s) of the road are to be cut.
4. Those persons receiving permission to cut hay in a County ditch will be required to enter into an agreement with Cypress County which will include but not be limited to an indemnity agreement for the County.
5. In instances where more than one application may be received for mowing a particular ditch, preference will be given to the adjacent landowner.
6. In instances where approval is provided to someone other than the adjacent landowner, the applicant receiving permission to cut hay is responsible to contact the adjacent landowner advising of the permission provided.

7. Due to safety concerns bales must be left 3 or more meters from the edge of the road and must not be left in an area that will block drainage.
8. Haying operations will be conducted in a safe and workman like manner that creates no hazard to traffic.
9. Cutting must be completed no later than August 1, and the bales are to be removed from the ditch no later than 72 hours after the cutting, failure to do so may result in denial of future haying requests. This deadline may be extended for extenuating circumstances at the discretion of Public Works.
10. The applicant will be responsible for noxious and prohibited noxious weed control in the requested area during the time period that the permission has been granted. Once the cut has been complete the responsibility reverts back to the County.
11. The Contractor shall, without limiting his obligations herein, and at his own expense, provide and maintain Farm, Comprehensive or Commercial General Liability Insurance in an amount not less than Two Million (\$2,000,000.00) Dollars per occurrence against bodily injury, personal injury and property damage, and completed operations liability.



## CYPRESS COUNTY

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### APPLICATION AND AGREEMENT FOR HAYING OF COUNTY ROAD DITCHES

**BETWEEN:**

Cypress County

(Hereinafter referred to as the "County")

**AND:**

(Hereinafter referred to as the "Contractor")

**WHEREAS** the Contractor wishes to utilize property owned by the Municipality, or which is under the direction, control and management of the County, and subject to terms and conditions set out herein the County is willing to grant access to the Contractor at the location(s) and for the purposes set out herein.

**AND WHEREAS** the Contractor has submitted a written request to perform the required services.

**NOW THEREFORE** the County and the Contractor agree to the considerations, mutual terms, covenants and conditions as set forth as follows:

Contractor Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Date submitted: \_\_\_\_\_

Road(s) where the hay will be cut: *(example – Eagle Butte Road between Twp Rd 104 and Twp Rd 114)*

\_\_\_\_\_  
\_\_\_\_\_

Check which sides of the road will be cut:

North South East West

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Expected date of when cutting will begin:

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Expected Date of when bales will be removed:

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**The contractor hereby releases, indemnifies and holds harmless the County**, and its employees agents, representatives, and related entities from any and all liability which may arise from or be related to the Contractor's acts or omissions, or anything arising from or associated with this Agreement or the matters set out herein, including, without restricting the generality of the foregoing, any and all third party claims, demands, actions or proceedings that may arise, directly or indirectly, out of any act, failure to act or omissions of the Contractor, or the Contractor's employees, agents or subcontractors

We, the undersigned, understand and agree to the terms and conditions of this Agreement and Policy R 23 Haying of County Road Ditches, inclusive of the Schedules forming part of this Agreement:

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*Contractor (signature)*

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*Date*

This Work Agreement is hereby accepted and approved on behalf of Cypress County:

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*Witness (signature)*

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*Public Works (signature)*

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*Chief Administrative Officer (signature)*

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*Date*