

CYPRESS COUNTY POLICY

TITLE:	<i>Construction of Roads to Permanent Residences</i>	POLICY NO:	<i>R 14</i>
AUTHORITY:	<i>Resolution No. 98/186</i>	DATE:	<i>June 2, 1998</i>
REVISED:	<i>Resolution No. 99/90 Resolution No. 2000/83 Resolution No. 2003/154 Resolution No. 2003/168 Resolution No. 2006/141 Resolution No. 2008/166 Resolution No. 2011/13</i>	DATE:	<i>April 6, 1999 March 21, 2000 June 3, 2003 June 17, 2003 May 16, 2006 June 17, 2008 January 18, 2011</i>

DEFINITIONS:

Extenuating Circumstances - includes any factors which the Council may wish to consider.

Owner - a person whose name appears on the assessment roll of the County in respect to land liable to assessment and taxation for general municipal purposes.

Public Works Supervisor - Includes in his absence someone designated in his absence, the County Manager, or Assistant Manager.

POLICY STATEMENT

Cypress County is not under any obligation to develop an access road to any property in the County. As development continues to grow, the County is coming under increasing pressure to provide road access to permanent residences. The County may at its discretion provide a road to the quarter line, on which a permanent residence or subdivision is located subject to the following conditions:

1. Subject to funding availability within the approved County budget.
2. The County will pay 75% of the total cost to a maximum of \$75,000, for that portion of the road to the nearest quarter line. The owner or developer of the home will contribute 25% of the cost of the road. Any such contribution does not obligate the County to build the road and Council can exercise sole discretion as to whether a road is built or not. The County will decide which contractor will do the work and no tender is required. No existing parcels adjacent to the new road will be charged for a portion of this cost, unless mutually agreed upon by their respective owners. Within five (5) years of the road completion, in accordance with Policy R17, the County will endeavor to assist in the recovery of a proportionate share of the owner or developer's cost of the road upgrade where it provides access to a new development on a parcel accessing the road.

3. The road will be built on public right of way (includes property owned by the County) to the quarter line, which is closest to an existing developed road. In the case of extenuating circumstances the County can exercise sole discretion to which quarter line the road is built.
4. Roads within multi lot Country Residential Subdivisions are not included under this policy and will be the responsibility of the developer.
5. The County Public Works Supervisor (or designate) will decide when the road is constructed. Council may overrule his decision.
6. The owner may request the County to build beyond the nearest quarter line to a yard site or subdivision, but the owner will cost share the construction as follows. The County will pay 50% of the total cost to a maximum of \$30,000 whichever is less, for that portion of the road beyond the quarter line and the owner, or developer, will pay the balance. Any such road must be on a road allowance so that the road could be continued beyond the yard site or subdivision, and where the road allowance is not suitable, the County can deviate from the road allowance so far as it is required to get around the obstacle on the road allowance, and if such is required the applicant must negotiate the road right of way from the owner.
7. Upgrading of roads will fall under the same terms as new construction.
8. The Council reserves the right to make the final decision on whether a road is eligible under this policy.
9. This policy does not apply to hamlets.

ADMINISTRATION AND PROCEDURE:

1. The County must receive a written application for a road. An application for a road to a new residence may be considered subject to availability of equipment and scheduling of contractor's work.
2. The Public Works Supervisor will evaluate whether the application complies with the policy.
3. The Public Works Supervisor may approve a road built to a "High Grade Standard". In all other cases the application will come to Council for a final decision.
4. If the application has been refused, the applicant will be notified in writing as to why it was refused.
5. Prior to the road being constructed, the owners must pay the County the owner's share based on the estimated cost pursuant to Section (2) and/or Section (6) of the Policy Statement, however the final owner's cost share will be determined by actual cost, and any balance must be paid [or refunded] on final completion.