

The Rural Municipality of Dufferin
POLICY & PROCEDURES MANUAL

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| <i>Reference</i> Surface & Tile Drainage Policy | <i>Classification</i> Policy |
| <i>Subject</i> Drainage | <i>Pages</i> 7 |
| <i>Authority</i> Council | <i>Effective Date</i> June 19 th , 2018 |
| <i>Approved</i> June 19 th , 2018, Resolution #13 | <i>Index</i> |

Council Meeting - Tuesday, June 19th, 2018 #13 Re: Surface & Drainage Policy – Councillors Fraser/Dunn

Resolved that the Council of the Rural Municipality of Dufferin approve the following Surface & Tile Drainage Policy as attached.

Motion Carried

RM OF DUFFERIN DRAINAGE POLICY

The RM of Dufferin is the drainage authority for all lands in its jurisdiction with the exception of natural waterways and Province of Manitoba designated drains.

Definition of Drainage

Drainage means a natural or artificial channel or subsurface tile which provides a course for water flowing continuously or intermittently.

Surface Drainage Policy

1. Construction and maintenance of municipal ditches are the jurisdiction of the RM of Dufferin and Manitoba Water Stewardship.
2. Construction and maintenance of MIT provincial highway ditches are the jurisdiction of the RM of Dufferin, Manitoba Water Stewardship and MIT.
3. Construction and maintenance of Provincial drains and natural waterways are the jurisdiction of Manitoba Water Resources and Manitoba Water Stewardship.
4. The municipality expects all private drains to be licenced in compliance with Manitoba Government rules and regulations. The municipality may refuse drainage requests if the landowner is not in compliance.

5. Land owner requests for improvements to municipal, provincial or Highway drains should be made to the appropriate ward councillor or to the RM of Dufferin, preferably in writing, attached as schedule "B";
Ward 1 – Township 6-3 & 7-3
Ward 2 – Township 6-4 & 7-4
Ward 3 – Township 6-5
Ward 4 – Township 6-6 & 6-7
Ward 5 – Township 7-5 & East ½ of 7-6
Ward 6 – Township West ½ of 7-6 & 7-7
6. All requests received will be reviewed by Council. The Council of the RM of Dufferin establishes an annual municipal drainage works plan to be funded as part of the municipal budget. Additional drainage projects may be added as time and budget allow.
7. The Municipal Foreman delegates and completes the surveying and licensing and provincial approvals as required.
8. The Municipal Foreman in consultation with Council determines the timing and scope of work.
9. Council shall receive a monthly progress report during construction season.
10. The excess material excavated during construction shall be stored directly adjacent to the maintained drain. The Municipality will undertake to spread the material in the same calendar year as the work is completed or as soon as practically possible.
11. The landowner may request use of the material. The landowner will be required to sign an excess stockpiled material agreement complying with conditions as per municipal policy, attached as Schedule "C".
12. The municipality attempts to mitigate erosion which may occur as a result of new drainage works.
13. Erosion control methods of field drain outlets into municipal drains are an important component of erosion mitigation. The Municipality and La Salle Redboine Conservation District are available to provide expertise and assistance in this matter.
14. Requests for additional culverts or modified field approaches are addressed as per the Approaches and Culvert Policy.
15. The RM of Dufferin allows private works in municipal right of ways upon the approval of the Application for Private Drainage Works.

Tile Drainage Policy

Tile drainage is a widely used drainage system employed in most major crop producing areas in North America. The RM of Dufferin will work with producers to accommodate tile drainage systems but these installations shall be installed in accordance with the following rules and regulations:

1. Tile drainage must comply with all rules and regulations of the Province of Manitoba.
2. Tile drainage which outlets into the municipal drainage system must be approved by the Council as per the following requirements;
 - a) Initial requests shall be directed to either the local Councillor or the RM of Dufferin, preferably in writing.
 - b) The Council shall require copies of tile drainage licensing to be completed prior to the commencement of installation of tile drainage. Landowners seeking tile drainage

- approvals should submit preliminary plans before June 1st of each year for council to review. Final plans should be submitted to council not later than August 1st of each year for final Council approval. The Ward Councillor and Municipal Foreman will attend the site for a review of the project prior to approval.
- c) The application shall be dated, shall have the designer's name and contact information and shall have the installer's name and contact information. The maps must be clear and depict the drainage design in detail including type and location of outlets.
 - d) Drainage coefficient of the tile outlet shall not exceed one quarter of an inch. Tile drainage installations shall not use perforated main drains unless prior approval has been received.
 - e) Erosion control measures of the outlets shall be installed.
 - f) The licence holder of the tile drainage must be responsible for mowing and maintenance of ditches downstream of tile outlets up to the natural waterway to mitigate future cattails from forming.
 - g) Tile drainage water shall only be discharged into a natural grassed waterway, municipal or provincial drain and shall not cross private lands without prior licensed approval. Tile drain outlets should discharge into natural or provincial waterways as directly as possible to minimize impact on downstream municipal drains. If Tile Drain outlets require a source of power, the powerlines must be marked and may be required to be buried at a depth determined by council. Council may require all irrigation and tile outlet lines to be buried on private land with any require easements in place prior to the installation.
 - h) Where possible tile water should be part of an integrated water management strategy including drainage and irrigation.
3. Tile drainage projects requiring modifications to existing municipal drains shall be the sole responsibility of the applicant, the outlet must be construction in a way that water cannot breach the back slopes of the municipal drain and run across private property; the flow must be directed all the way to the natural or provincial waterways prior to the approval of the installation of Tile Drainage and requires approval of the Private Drainage Works Application attached as Schedule "A".

Failure to comply with the above rules and regulations in regards to surface or tile drainage shall be subject to the RM of Dufferin drainage enforcement bylaw and all fines, penalties and sanctions as may be applied by the Province of Manitoba.

RURAL MUNICIPALITY OF DUFFERIN
Schedule "A" for the Application for Private Drainage Works
Revised June 19th, 2018

The Rural Municipality of Dufferin will permit the work once the landowner and/or the applicant has reviewed this agreement letter and returned a signed copy to our office, confirming the acceptance of the following conditions:

LOCATION: _____

1. The Rural Municipality of Dufferin will acquire the necessary drainage license from Manitoba Water Stewardship. A copy of this license shall be forwarded to you when you provide our office with a signed copy of this agreement, and before any works commence. The drainage license area will be staked by the municipality in accordance with survey for the licensed drain.
2. The work shall be constructed as per the conditions outlined in the approved Drainage License from Manitoba Water Stewardship;
 - a. Unless specified, the applicant and/or the landowner will control the spring water runoff and assure the proposed drainage works do not increase the downstream water flow in spring runoff conditions.
 - b. The applicant and/or the landowner shall submit the proposed drainage project in a timely fashion. The proposal should include an initial survey including proposed slopes and grades.
 - c. If the initial proposal is approved by the RM Dufferin a detailed survey and scope of work will be provided by the RM. The applicant shall comply with all requirements provided in the scope of work.
 - d. The applicant and/or the landowner will ensure that proper erosion control methods are followed, including the use of erosion control blankets, rip-rap material and temporary biodegradable erosion control blanket;
3. The Municipality will request all utility locates but the applicant and/or the landowner shall be responsible for all utility re-location and protection, including MTS, Manitoba Hydro and Dufferin Waterline Distribution System, and shall be liable for damage caused to utilities located at this site;
4. When requested, all disturbed areas (i.e. grade slopes, ditches, field drains) shall be trimmed, re-seeded and restored to an acceptable condition within 60 days of completion.
5. The applicant and/or the landowner shall be responsible for the restoration of any erosion, slope failure, or road settlements, for a period extended to December 31 of the year following the date on which work has completed the construction or modification.
6. Any excess excavated material shall be disposed of or leveled to an acceptable condition;
7. The construction, installation, and maintenance operations of the permitted drainage works, shall be accomplished with minimal interference of the use, operation and maintenance of the Province's right-of-way, and shall in no way, endanger the general public in its authorized/legal use of the right-of-way.
8. The applicant and/or the landowner, shall contact the RM of Dufferin a minimum of 48 hours in advance of the work being undertaken;
9. The applicant and/or the landowner shall be held liable for any damage, injury, or destruction resulting from the negligence of their staff and/or agents and maintain ongoing \$5 million liability insurance coverage for the duration of the work, and if requested shall provide evidence;

- 10. The Rural Municipality of Dufferin requires that all downstream landowners and any other landowners that may be affected by the drainage works be contacted concerning the permitted work.
- 11. This agreement is subject to any restrictions and/or regulations imposed by any other Government body (i.e. Manitoba Environment, DFO) and does not relieve the landowner and/or applicant from having to comply with the requirements.
- 12. If remedial works are required to be done by the RM of Dufferin to rectify a drain that does not comply with the Manitoba Water Stewardship License and the Drainage Plan of the RM of Dufferin as approved, the costs of such works will be the responsibility of the landowner.

The Municipality will notify the following landowners downstream upon completion of the signing of the application; NAME LEGAL DESCRIPTION

- 1.
- 2.
- 3.
- 4.
- 5.

Thank you for your cooperation in this matter. Construction must not commence until the applicant and/or the landowner has received a signed copy back from the Rural Municipality of Dufferin.

ACKNOWLEDGEMENT:

I, _____ of _____
 Agree to comply with the conditions and recommendations outlined in this letter.

IN WITNESS WHEREOF the parties hereto agree to the above conditions.

Signatures:

Date: _____

 Landowner(required signature)

 Witness

 Applicant(only if different
 from the landowner)

 Witness

APPROVAL:

 Sharla Murray, Chief Administrative Officer

RURAL MUNICIPALITY OF DUFFERIN
Schedule "B" for the Application for Drainage Works
Revised June 19th, 2018

The Rural Municipality of Dufferin will permit the work once the landowner and/or the applicant has made their formal request in writing and has been reviewed and approved by council.

Date: _____

Work Order #: _____

Name: _____

Start Date: _____

Location: _____

Completion Date: _____

Description of Work: _____

Machine: _____

Materials: _____

Labour: _____

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|--|--|--|--|
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| | | | |
| | | | |

Locates

Water _____

MTS _____

Hydro _____

Gas _____

Drainage License

RURAL MUNICIPALITY OF DUFFERIN
Schedule "C" for the Application for Excess Stockpiled Material Agreement
Revised June 19th, 2018

The Rural Municipality of Dufferin will permit the excess stockpiled material to be used by the landowner and/or the applicant that has made their formal request in writing and has been reviewed and approved by council.

The excess material excavated during construction shall be stored directly adjacent to the maintained drain. If the Municipality has approved the excess stockpiled material use by the landowner and/or the applicant, they must undertake to use/spread the material within the next calendar year, no later than October 31st. If the landowner and/or the applicant does not use/spread the excess stockpiled material by the deadline, the Municipality will undertake to spread the material as soon as practically possible. The Municipality reserves the right to deny any future requests of this nature if the requirements are not complied by.

The landowner and/or the applicant is not allowed to receive any remuneration for the excess stockpiled material that they have been granted the use of.

Thank you for your cooperation in this matter. Use of the excess stockpiled material must not commence until the applicant and/or the landowner has received a signed copy back from the Rural Municipality of Dufferin.

ACKNOWLEDGEMENT:

I, _____ of _____
Agree to comply with the conditions and recommendations outlined in this letter.

IN WITNESS WHEREOF the parties hereto agree to the above conditions.

Signatures:

Date: _____

Landowner(required signature)

Witness

Applicant(only if different
from the landowner)

Witness

APPROVAL:

Sharla Murray, Chief Administrative Officer