

Policy: Rural Sidewalk Policy

Date Originally Approved: September 27, 2001

**Motion: "The Council approve the Rural Sidewalk Policy as amended."
Motion carried.**

This Policy is current as of: October 3, 2001

Municipality of the County of Colchester Rural Sidewalk Policy

Introduction

This Policy acknowledges that a different sidewalk standard can be adopted in areas not serviced by central sewer in order to reduce capital and maintenance costs.

This Policy will outline the process for the creation of a new area rate to cover the cost of the construction and maintenance of a new sidewalk in areas not serviced by central sewer.

This Policy is limited to a proposed sidewalk of half a kilometre or greater.

Definitions

1. Ratepayer: In this Policy a “ratepayer” means the owner of any taxable property in the defined area, exclusive of farm and forest acreage. For the purpose of determining support for the proposed sidewalk, one vote shall be cast for each taxable property in the defined area, regardless of ownership.

Application Process

2. The application, which must be submitted to the County by November 1st of any given year, will include the area in which the proposed sidewalk is to be located, the defined area in which the area rate will be levied and the names of five ratepayers who support the project.
3. Upon receipt of the application the Municipality will take the issue to a Council Committee meeting, where Council will determine if they support the project proceeding to the petition phase. If Council agrees to proceed with the application, staff will:
 - ~ determine the type and location of the sidewalk to be installed;
 - ~ consult with and receive preliminary approval from the Department of Transportation and other regulatory authorities which may be involved;
 - ~ estimate the costs associated with the construction and maintenance of the sidewalk;
 - ~ determine the total assessed value of the properties within the defined area and
 - ~ calculate the area rate necessary to pay for the construction and maintenance of the proposed sidewalk.

Withdrawal of application

4. If the applicants decide that the area rate is more than they are prepared to pay, they may submit a letter to the Municipal Council stating that they are no longer interested in proceeding with the process. This letter must be signed by all the original applicants.

Preparation of Petition

5. If the applicants choose to proceed, the Municipality will prepare a petition, for the applicants, who will be responsible for obtaining the signatures on the petition. The petition will include the civic address, when possible, of all properties in the defined area from the most recent information available to the Municipality, including the name of the ratepayer to the extent possible. The petition will also state the location of the proposed sidewalk and the amount of the area rate.

Public Meeting

6. A public meeting must be held prior to the applicants circulating the petition. The applicants are required to notify the area Councillor and the Director of Public Works for the Municipality of the date, time and location of the meeting. At the public meeting the applicants shall explain their reason(s) for requesting a new sidewalk and the associated costs. Notice of the meeting shall be given to residents at least two weeks in advance of the meeting. The notice, which shall be delivered by the Municipality, shall include the date, time, location and purpose of the meeting, and include the name and phone number of the person to contact for further information. This notice may be delivered to each property owner via mail or door to door delivery; or be posted in local community buildings and advertised in a local paper.

Signed Petition

7. All signed petitions must be submitted to the County, by February 1st, in order for the area rate to be set by Council and collected during the next fiscal year. Staff may require that petitions be submitted prior to that time, should the petition cover a large geographic area, or there is more than one application for a sidewalk that year.
8. Staff will review the petition for verification of the signatures and a determination of the amount of support for the new area rate.

Creation of a new area rate

9. Area rates levied under this Policy will be levied on all ratepayers in a defined area.
10. The area rate will be approved by Council, if the petition is determined to be valid and have the support of ratepayers in the area. The level of support required will depend on the type of road adjacent to the proposed sidewalk. For example, a Collector road, as defined by the Department of Transportation, will require the support of 50% of the ratepayers in the defined area, and a Local road, as defined by the Department of Transportation or the Municipality, will require the support of 66% of the ratepayers in the defined area. The reason for the difference is that Collector roads carry a higher volume of traffic and therefore may warrant the installation of a sidewalk for safety purposes.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members
of Intent to Consider (7 days minimum): _____
Date of Passage of Current Policy: _____

I certify that this Policy was adopted by Council as indicated above.

Municipal Clerk

Date

Municipality of the County of Colchester

Application for a Rural Sidewalk

Supporters of the Project

1. Name: _____

Address: _____

Phone number: _____

2. Name: _____

Address: _____

Phone number: _____

3. Name: _____

Address: _____

Phone number: _____

4. Name: _____

Address: _____

Phone number: _____

5. Name: _____

Address: _____

Phone number: _____

Please provide your civic and mailing addresses.

Information on the Proposed Sidewalk

Proposed location of the sidewalk (please list the name(s) of the street(s) on which the sidewalk will be located):

Approximate length of the sidewalk in metres: _____

Proposed area in which the area rate will be levied to pay for the sidewalk (please list the name(s) of the street(s) and the first and last property on each street(s), in the proposed area):

Reason(s) for requesting the sidewalk:

Please attach a sketch of both the location of the sidewalk and the boundary line for the area which will pay for the sidewalk.