



THE RURAL MUNICIPALITY OF LAC DU BONNET
POLICY & PROCEDURES MANUAL

<i>Reference</i>	Public Works	<i>Classification</i>	Policy
<i>Subject</i>	Municipal Private Works Policy	<i>Pages</i>	2
<i>Authority</i>	Council Rural Municipality of Lac du Bonnet	<i>Effective Date</i>	November 16, 2021
<i>Approved</i>	Resolution No. 2021-0636	<i>Index</i>	

1) PURPOSE AND OBJECTIVE:

Establishing a Private Works Policy ensures that municipal equipment and resources are used in a fair and equitable manner for all ratepayers of the municipality. It also serves to enhance the overall accountability and transparency of the municipality.

The purpose of this policy is to outline Council's requirements for the undertaking of private works by the municipality in accordance with the *Municipal Act*.

This policy operates in addition to other policies and by-laws of the municipality.

2) DEFINITIONS:

- a) **Employee** – means a person employed by the municipality, and includes the Chief Administrative Officer, designated officers, full-time, part-time, seasonal, contract or casual employees.
- b) **Private Works** – any work undertaken by the municipality on private property other than a public work that is the responsibility of the municipality.
- c) **Equipment** – means excavator, grader (road & lot grading with blade/wing), grader (snow removal with snowplows/wing) or any heavy-duty equipment utilized for construction purposes.
- d) **Materials** – means aggregate materials used for drainage or road construction included but not limited to traffic gravel, base gravel, sand, rock, etc.

3) SCOPE:

- a) Private works are not the core function of the municipality and will not take precedence over public works. Private works will only be considered if a situation is deemed an emergency and detrimental to public safety.

- b) In addition, private works will only be considered if private contractors or equipment are not available within the municipality to either supply the service or perform required work.
- c) The municipality will refer requests for private works to local private operators where available.
- d) This policy applies to works and services carried out by the municipality on private property within the municipality.

4) FEES/RATES:

- a) Rates charged for private works are set at the current Manitoba Heavy Construction Association rates and are billed for a minimum of one hour, including travel time.
- b) Any material needed for the project will be subject to current municipal rates and charged to the applicant.

5) APPLICATIONS AND APPROVALS:

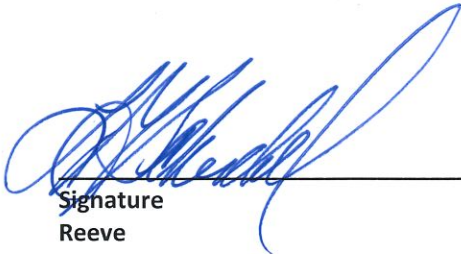
- a) All private works applications must be made in writing to the municipality and approved by the Chief Administrative Officer of the municipality.
- b) The applicant and the municipality must enter into a written agreement before any work begins.
- c) The Chief Administrative Officer will forward a copy of the approved application and written agreement to Council. Council reserves the right to review and consider, prior to the work being undertaken by the municipality, any private works project.
- d) The applicant will be provided with a cost estimate prior to the municipality undertaking the works. The applicant will be required to sign an approval form of the written estimate for a private works project estimated by the municipality.
- e) The municipality reserves the right to deny an application based on staffing, equipment, and material availability.

6) PAYMENT:

- a) The applicant will be invoiced for all private works undertaken by the municipality at the rates mentioned in section four (4) of this policy.
- b) Payment is due on receipt of invoice from the municipality.
- c) Interest will be charged at the rate of 5% per month, on any balance outstanding after 30 days of the invoice date.
- d) If payment is not received from the applicant within 6 months of the invoice the municipality reserves the right to collect the full amount owing in the same manner as a tax may be collected or enforced under the *Municipal Act*.

7) LIABILITY WAIVER:

- a) The applicant shall indemnify the municipality against any claim, action or process for damage or injury which might arise during the process of such private works.
- b) The applicant may be required to sign a waiver form before the private work is undertaken by the municipality.



Signature
Reeve



Signature
Deputy Chief Administrative Officer