

City of Prince Albert Statement of POLICY and PROCEDURE			
Department:	Public Works	Policy No.	85.2
Section:	Transportation	Issued:	May 16, 2016
Subject:	Encroachment Policy	Effective:	June 26, 2020
Council Resolution # and Date:	Council Resolution No. 0407 dated August 8, 2017	Page:	1 of 11
		Replaces:	85.1
Issued by:	Transportation & Traffic Manager	Dated:	August 8, 2017
Approved by:	Director of Public Works	Procedure Amendment	June 26, 2020

1 POLICY

- 1.01 The City of Prince Albert will allow encroachment onto the City Right of Way under certain permitted conditions. Major encroachments involve the closure of roadways or alleyways and Minor encroachments involve the use of the parking lane for uses that are not the standing of a vehicle.

2 PURPOSE

- 2.01 To establish clear guidelines on what may be permitted to encroach on City of Prince Albert Right of Way.

3 SCOPE

- 3.01 This Statement of Policy and Procedure applies to:
- a) Major Encroachments – Closure of an alleyway or roadway.
 - b) Minor Encroachments – Use of a roadway parking lane for purposes other than the standing of a vehicle.
 - c) Boulevard Parking Permits – Parking a vehicle on the boulevard on a gravelled residential street with no defined curb.

4 RESPONSIBILITY

- 4.01 The Director of Public Works is responsible for issuing encroachment permits under the scope of this Policy.
- 4.02 The Applicant is responsible for providing all appropriate details of encroachment to the Public Works Department.
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- 4.03 The Permit Holder is responsible for ensuring compliance with all relevant provincial and municipal laws and bylaws.
- 4.04 The Permit Holder is responsible for displaying the permit as dictated by this Policy for the duration of the encroachment.
- 4.05 The Permit Holder is responsible for ensuring compliance with all conditions of the permit.
- 4.06 The Bylaw Enforcement Division of the Prince Albert Police Service is responsible for enforcement of The Traffic Bylaw as it relates to this Policy.

5 DEFINITIONS

- 5.01 “Encroachment” means the intrusion upon a street, sidewalk, or boulevard during the construction, repair, or demolition of a building structure or object. It includes both standing objects and vehicles passing over street, sidewalk or boulevard with the potential to cause damage.
- 5.02 “Major Encroachment” means the closure of an alleyway or roadway.
- 5.03 “Minor Encroachment” the use of a roadway parking lane for purposes other than the standing of a vehicle, where no alteration to City property will take place and pedestrian and motorist movement will not be affected. Objects encroaching on a parking lane for purposes other than the standing of a vehicle include but are not limited to garbage containers, a construction trailer at an active construction site without the towing unit attached and a Recreation vehicle longer than 8m in length on the street and/or without the towing unit attached while actively loading and unloading.
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- 5.04 “Recreational Vehicle loading or unloading” means those wishing to load or unload material from the Recreational Vehicle for a period of 48 hours.
- 5.05 “Applicant” means the company or individual who makes the application for a minor or major encroachment onto the Public Right of Way.
- 5.06 “Permit Holder” means the company or individual who is approved by the City of Prince Albert for a minor or major encroachment onto the Public Right of Way.
- 5.07 “Bylaw Enforcement” means any member of the Prince Albert Police Service and any person appointed as a Bylaw Enforcement Officer.
- 5.08 “Parking” means the standing of a vehicle, whether occupied or not, on a public highway, otherwise than temporary for the purpose of and while actually engaged in loading or unloading or in obedience of traffic regulations, signs or signals.
- 5.09 “Garbage Bins” means a large container used for the disposal of materials.
- 5.10 “Cans” means any container that is used for the temporary storage of goods while they are transported from one place to another
- 5.11 “Trailers” means a vehicle without motive motor power that is designed to be towed by another vehicle.
- 5.12 “On Street Temporary Storage” means a self-contained unit that allows for temporary storage of materials.
- 5.13 “Blanket Permits” means a permit that allows the permit holder to utilize the permit at multiple sites and is renewed annually
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- 5.14 “Fee” means a payment of \$20 is required for a minor encroachment permit and a payment of \$40 that can be used as a deposit for traffic accommodation fees is required for a major encroachment permit
- 5.15 “Graveled residential street” means a street within the limits of the City of Prince Albert that has not been hard surfaced by asphalt, concrete but a gravelled surface remains
- 5.16 “Defined Curb” means a maintained curb or boulevard with grass and/or concrete or asphalt curbing
- 5.17 “Metered Parking Stall” means an area where Council has resolved that parking meters or multi-space parking machines be installed
- 5.18 “Recreational vehicle” means a motor vehicle or trailer which includes living quarters designed for accommodation. Types of Recreational Vehicles include motorhomes, campervans, caravans (also known as travel trailers and camper trailers), fifth-wheel trailers, popup campers and truck campers.
- 5.19 “Utility Cut Request” For those requiring city locates or need to cut City infrastructure to complete work a Utility cut request is required. Once approved the City will provide the required field support and information required to complete the cuts, finish the work and restore the site.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

- 6.01 Bylaw 1 of 2013 – The Traffic Bylaw.
- 6.02 Snow and Ice Control Policy
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- 6.03 Zoning Bylaw
- 6.04 Portable Sign bylaw
- 6.05 Building Bylaw
- 6.06 Utility cut request handbook

7 PROCEDURE

Minor Encroachment:

7.01 Minor Encroachment Application Procedure

1. Applicant will fill out application form (as attached to this Policy as Schedule "A").
2. Applicant will submit application to the Public Works Department at least two (2) business days before encroachment is to occur.
3. Public Works Department will review and issue permit, if approved.
4. The Public Works Department will issue the permit once the permit fee of \$20 has been received.

7.02 Minor Encroachment Criteria

1. Permit must be clearly displayed at all times on the object encroaching onto City property.
 2. Any changes of location under a permit must be reported to the Public Works Department. The permit is only valid on the sites and dates as reported to the Public Works Department.
 3. It is the responsibility of the applicant to secure the object on the street.
 4. Object must not be placed on any sidewalk or in a way that
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prevents access to adjacent private or public property (i.e., driveway).

5. Object must be installed safely and must not cause any hazardous conditions for the surrounding area.
 6. Object must not be positioned on a street if a more adequate location exists within 75 meters of the project site.
 7. Object must be installed so as not to block pedestrian access.
 8. The City has the right to enforce additional conditions as required to provide safety and convenience to the surrounding area of the object's location.
 9. The City has the right to terminate the permit if the applicant does not conform to the conditions herein.
 10. With the execution of this application, the applicant certifies that all information and statements provided are truthful, accurate, and complete. The permit may be revoked unilaterally by the City should any errors or inconsistencies or safety concerns be observed in the field.
 11. It is the responsibility of the applicant to be aware of and comply with all provisions of The Traffic Bylaw No. 1 of 2013.
 12. It is the responsibility of the applicant to pay for the cost associated with hooding of meters where applicable.
 13. It is the responsibility of the applicant to clean, maintain and repair any damages or refuse from City property, including but not limited to, streets, sidewalks, curbs, gutters, trees, boulevard landscaping, etc., due to work occurring at the site. The cost of maintenance, repair, and/or replacement of the damaged City property will be at the applicant's sole expense.
 14. 3rd party advertising is not permitted within a site occupancy zone, and any containers, equipment, or materials placed on City
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property may not contain 3rd Party advertising.

15. No permits will be considered for arterial streets and/or emergency routes, unless there are exceptional extenuating circumstances.
16. The maximum site duration that will be considered is three (3) weeks, and permits may be renewed at the discretion of the Director of Public Works or designate.
17. Permits issued in the winter are subject to the City's Snow and Ice Control Policy. If no parking signs are placed indicating snow removal will occur in the area or if the encroachment occurs on a snow route when a snow route parking ban has been declared the object on the roadway must be removed.
18. The City reserves the right to cancel this permit at any time.
19. The applicant hereby agrees to abide by all the bylaws of the City of Prince Albert and save the City harmless from any loss through damage caused to persons or property from the use of the City Property.
20. Construction Trailers are permitted to use a City parking lane with a Minor Encroachment Permit without the towing unit attached at an active construction site if all other conditions are met.
21. Recreational vehicles/Trailers are permitted to use a City parking lane with a Minor Encroachment permit without the towing unit attached or for units longer than 8m long during the process of loading or unloading for a period of no longer than 48 hours if all other conditions are met.

Major Encroachment:

7.03 Major Encroachment Application Procedure

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1. Applicant will fill out application form (as attached to this Policy as Schedule "B").
2. Applicant will submit application to the Public Works Department at least five (5) business days before encroachment is to occur.
3. Public Works Department will review and issue permit, if approved, within five (5) business days
4. Once the Permit is issued the permit holder is responsible for following all instructions on the permit including notifying the City of Prince Albert in advance of any closure so that adequate public notification can be given.
5. The Public Works Department will issue the permit once the \$40 permit fee has been received, or the custom work order for Traffic Accommodation has been set up.
6. Utility Companies that apply for a Utility Cut Permit and require street closure or Major Encroachment on a City Street will not be required to fill out a Major Encroachment permit in addition to the Utility Cut Permit. Once the Utility permit is approved the Utility applicant may operate as if they have an approved Major Encroachment Permit and will be responsible for any costs associated with providing Traffic Accommodation and all requirements of a Major encroachment permit.

7.04 Major Encroachment Criteria

1. A Street use and safety plan is required for all major encroachments and must include a description of project, proposed desired street use, justification for the need for use of the street, project schedule, and a traffic accommodation plan.
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2. Permits must be obtained a minimum of 5 business days in advance.
 3. Best efforts shall be made to display the encroachment permit on any object, vehicle, or item at the encroachment site.
 4. A copy of this permit shall be kept at the Company office and shall be made available upon request.
 5. Any changes of location under a blanket permit must be reported to the Public Works Department. The permit is only valid on the sites and dates as reported to the Public Works Department.
 6. It is the responsibility of the applicant to secure any object left on the street.
 7. The City has the right to enforce additional conditions as required to provide safety and convenience to the surrounding area of the object's location.
 8. The City has the right to terminate the permit if the applicant does not conform to the conditions herein.
 9. The City has the right to terminate the permit if safety issues arise out of encroachment.
 10. With the execution of this application, the applicant certifies that all information and statements provided are truthful, accurate, and complete. The permit may be revoked unilaterally by the City should any errors or inconsistencies be observed in the field.
 11. It is the responsibility of the applicant to be aware of and comply with all provisions of The Traffic Bylaw No. 1 of 2013.
 12. It is the responsibility of the applicant pay for any costs associated with Traffic Accommodation by the City of Prince Albert if required.
 13. It is the responsibility of the applicant to arrange for the hooding of parking meters when encroachment will block metered parking
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stalls.

14. It is the responsibility of the applicant to pay the fees associated with hooding of a parking meter if required by the encroachment.
 15. It is the responsibility of the applicant to clean, maintain and repair any damages or refuse from City property, including but not limited to, streets, sidewalks, curbs, gutters, trees, boulevard landscaping, etc., due to work occurring at the site. The cost of maintenance, repair, and/or replacement of the damaged City property will be at the applicant's sole expenses. Applicant must fill out a Utility Cut request if cuts will be made into City infrastructure.
 16. 3rd Party advertising is not permitted within a site occupancy zone, and any containers, equipment, or materials placed on City property may not contain 3rd party advertising.
 17. The maximum site duration will be at the discretion of the Director of Public Works or designate.
 18. The City reserves the right to cancel this permit at any time.
 19. The applicant hereby agrees to abide by all bylaws of the City of Prince Albert and save the City harmless from any loss through damage caused to persons or property from the use of the City Property.
 20. Traffic controls must be as per the City of Prince Albert Work Zone Traffic Control Manual. The City of Prince Albert will also provide traffic control, through the custom work order policy if required.
 21. The City of Prince Albert must be notified of a closure of any Roadway, Alley or sidewalk in order to maintain adequate public notice.
 22. Any impact on adjacent businesses/residents considering; any loss of parking, reduction of business, interruption to solid waste services and delivery disruptions must be noted and best efforts
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made to minimize impacts. When negative impacts are unavoidable to adjacent property owners, owners shall be notified by the permit holder.

23. Provisions shall be made at all times for the safe passage of pedestrians past the site, a clear travel path of at least 1.5m in width must be maintained.
24. A 3m corner visibility triangle must be maintained during encroachment.
25. The applicant hereby agrees to abide by all the bylaws of the City of Prince Albert and save the City harmless from any loss through damage caused to persons or property from the use of the City Property.

Boulevard Parking Permit

7.05 Boulevard Parking Permit

1. A blanket parking permit that allows parking on the boulevard is recognized for all vehicles parked on residential streets that are gravelled with no defined curbing.
 2. Permits are not required in the vehicle at the time of parking.
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