



<b>Policy Number</b> PW_05-17	<i>Tile Drainage Policy</i>
<b>Date</b> November 21 <sup>st</sup> , 2017	<b>Resolution Number</b> 248-17
<b>References</b> Municipal	Mayor _____  CAO _____

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

### Definitions

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

**Municipality** means Riverdale Municipality.

### Tile Drainage

1. Tile drainage is a widely used drainage system employed in most major crop producing areas in North America. The Municipality will work with producers to accommodate tile drainage systems. Tile drainage shall be installed in accordance with the following requirements:
  - a) Applications to the Municipality for tile drainage approval must include a completed [Schedule A - Application for Tile Drainage](#).
  - b) Tile drainage must comply with all rules and regulations of the Province of Manitoba or any other regulatory body having jurisdiction;
  - c) The Municipality shall require receipt of copies of all licenses from other regulatory bodies prior to the commencement of installation of tile drainage.
  - d) Landowners seeking tile drainage approvals should submit a completed Schedule A and preliminary submission before May 1st of each year for

council to review. Final or detailed submission should be submitted to the Municipality council not later than July 1st of each year for final Council approval for fall construction in the same calendar year. The Public Works Manager will attend the site for a review of the project prior to approval;

- e) There is no obligation on the Municipality to improve the existing municipal drainage system to accommodate a tile drainage project;
- f) The proponent will be required to enter into a development agreement with the Municipality if the tile drainage project will be discharging water into a municipal drainage system;
- g) Any work within a public right of way shall be accomplished with minimal interference of the use, operation and maintenance of the right-of-way, and shall in no way endanger the general public in its authorized/legal use of the right-of-way;
- h) The Municipality may authorize or direct the proponent to perform private works in a municipal drain to accommodate a tile drainage project, however the Municipality would establish the elevation levels and the hiring of a contractor to perform the work and the proponent would be responsible for all costs associated with the work.
- i) Upon completion of all work within a Municipal Right of Way or Municipal drain all disturbed areas shall be restored to original condition or altered acceptable altered condition within 60 days of completion of construction. This is to include any, but not limited to any required slope stabilization or re-seeding.
- j) 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;
- k) Any excess excavated material shall be disposed of or leveled to an acceptable condition;
- l) This may require the proponent to address a steep drop or loose soil conditions;
- m) Any tile drainage being installed in the Municipality must be installed by a professional installer;
- n) Erosion control measures of the outlets shall be installed to the satisfaction of the municipality;

- o) All tile drain projects must include the installation of an approved control device to restrict or shut off the discharge of water into a municipal or natural drain;
  - p) 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;
  - q) No discharge of water from tile drainage will be permitted into municipal drains after October 1 unless written authorization from the Municipality is obtained to extend this date;
  - r) The Municipality may at any time instruct the landowner(s) to discontinue discharge of water from tile drainage due to overloading of the Municipal ditches as per the Public Works Manager. If turn off instructions are not followed the landowner will be liable to fines as per the Municipal Act.
  - s) The license holder of the tile drainage system shall be responsible for mowing and maintenance of ditches downstream of tile outlets up to the natural waterway where it is reasonably determined cattails grow as a result of the tile drainage being installed. Where the license holder does not perform the required work, the Municipality may do the work and charge the license holder. Collection of billing from the Municipality may include adding these charges to the taxes on the property;
  - t) The proponent may be responsible for any future drain maintenance costs such as mowing, the removal of siltation and/or blocks in the drain;
  - u) Prior to any livestock manure being applied to any tiled land, the land shall be worked to reduce the risk of any nutrients entering the tile system;
  - v) The Municipality may require the applicant, at the applicant's expense, to have water from the outlet tested for nutrients and salts. All testing will be done using the most current and appropriate methods available;
2. Tile drainage projects requiring modifications to existing municipal drains shall be the sole responsibility of the applicant and shall comply with [Schedule "A" – Application for Tile Drainage](#).

3. Failure to comply with the above rules and regulations in regards to surface or tile drainage shall be subject to the municipality's bylaws and all fines, penalties and sanctions as may be applied by the Province of Manitoba.

# Schedule “A”

## Application for Tile Drainage

All applicants must complete this application as part of the submission to Riverdale Municipality requesting approval to install and tile drainage system or significantly alter an existing tile drainage system.

Applicant Name: \_\_\_\_\_

Date of Application: \_\_\_\_\_

By completing and signing this application the applicant agrees to the terms of the Tile Drainage Policy PW\_05-17. ***Operation of the tile drainage system must always be operated with the terms of the present and future amendments to the Tile Drainage Policy PW\_05-17***

Preliminary Submission

1. Location of Proposed Tile Drainage Project

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2. Names of adjacent property owners that may be affected by the water run-off:

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3. Name of certified installer employed to do this project:

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## Final or Detailed Submission

1. All technical information for the project is to be submitted. This information is to include as a minimum but not limited to the following items.
  - a. the proposed control device to restrict or shut off the discharge of water into municipal or natural drain.
  - b. Proposed annual operating period. Note that operation beyond October 1<sup>st</sup> will require written authorization from the Municipality
  - c. location of the project,
  - d. discharge point,
  - e. map illustrating properties affected by discharge from the project for a distance of 3.2 km from discharge point,
  - f. location and details of any required work within a Municipal Right of Way including any required piping or culverts.
  
2. Proposed Start Date of Project \_\_\_\_\_

Proposed Completion Date: \_\_\_\_\_

## Miscellaneous Terms of Application

1. The applicant and/or the landowner will request all utility locates and shall be responsible for all utility re-location and protection, including MTS, Manitoba Hydro and Rivers and Kenton (Rural) Waterline Distribution System, and shall be liable for damage caused to utilities located at this site;
  
2. The applicant and/or the landowner, shall contact the Municipality a minimum of 48 hours in advance of the work being undertaken;
  
3. 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;
  
4. If remedial works are required to be done by the Municipality to rectify a drain that does not comply with the project as approved the costs of such works will be the responsibility of the landowner.

ACKNOWLEDGEMENT:

I, \_\_\_\_\_ of \_\_\_\_\_

agree to comply with the conditions and recommendations outlined in this application.

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

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Landowner(required signature)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Applicant(only if different  
from the landowner)

\_\_\_\_\_  
Witness

Submit this application with a copy of your Tile Drainage Plan

Application Fee: \$100.00 [Resolution No. 248-17 – Nov 21/17]