

# Licensing Undeveloped Road Allowances Policy

## Section 1 - Definitions

“**applicant**” shall mean the person or persons applying for the license

“**adjacent landowner**” shall mean the owners of all properties which abut the portion of the road allowance the applicant is applying to license.

“**council**” shall mean the Council of the County of St. Paul #19

“**licensee**” shall mean the person or persons the license has been granted to.

“**use or occupation**” of an undeveloped road allowance shall mean solely for the purpose of grazing livestock. No other activity, whatsoever, will be permitted within the License Area without the written permission of the County of St. Paul and all adjacent landowners.

## Section 2 - Application

Application for use or occupation of an undeveloped road allowance, within the boundaries of the County of St. Paul #19, requires the acquisition of a license.

In order to apply for a license the applicant must provide written approval/consent from all adjacent landowners affected by issuance of the proposed license.

The enclosed **Adjacent Landowner Consent to License an Undeveloped Road Allowance**, (refer to Section 7) should be completed by all effected landowners and must accompany application for the license.

## Section 3 - Application Fee

The applicant must pay one time fee of \$100.00 to process the application which covers the expense of placing an ad in the local newspaper indicating the applicant’s intent to license the road allowance.

## Section 4 - Approval

The applicant must demonstrate to Council a willingness to comply with all the terms and conditions set out in this Policy, (Section 7) and have the required consent forms completed before the License application will be considered.

## **Section 5 - Annual licensing Fee**

Upon approval The County of St. Paul will charge the licensee an annual fee for occupation of the Road Allowance according to an authorized fee schedule.

## **Section 6 -Terms and Conditions**

1. The licensee must clearly state the intended use of the road allowance and any improvements/additions/alterations, which may be made to accommodate this use (i.e. the construction of a fence, brushing, clear-cutting, etc.)
2. All improvements/additions/alterations must be constructed according to specifications determined by the County. Maintenance of these improvements/additions/alterations is the sole responsibility of the Licensee.
3. The Road Allowance must be maintained to the satisfaction of the County of St. Paul. All debris created during the occupation of the property by the licensee, (i.e. brushing) must be removed within a reasonable period of time from the time that it occurred.
4. The Licensee shall abide by all laws, bylaws, legislative and regulatory requirements of any government relating to the use and occupation of the License area.
5. During the term of the License, the Licensee has the right to restrict access to the property, with the exception of County Personnel or third parties contracted to the County. The Licensee may post signs restricting access. These signs must quote the name of the Licensee and the License #.
6. The County of St. Paul reserves the right to occupy and use the License Area in any manner whatsoever, provided that the County shall not unreasonably interfere with the activities permitted the licensee. These include, but are not limited to, access of third parties for the installation of underground or above ground utility lines, pipeline facilities, transmission lines and drainage swells which cross the License area.
7. The Licensee must carry liability insurance. Such insurance shall name the County as an insured party, and shall contain a waiver of subrogation against the County. The Licensee must provide proof of such insurance to the satisfaction of the County.
8. The Licensee is responsible for any claims, demands, suits, proceedings or actions whatsoever that may be brought against the County due to the actions of the Licensee.
9. Failure to comply with any of the above conditions could result in the termination of the licensing agreement.
10. Upon the termination of the License the Licensee is required to restore the Road Allowance to its former condition, to the satisfaction of the County of St. Paul. All improvements/additions/alterations (i.e. fences and subsequent debris etc.) must be removed.

**Section 7 - Adjacent Landowner Consent to License an Undeveloped Road Allowance**  
 (Each adjacent landowner must complete a copy of this form)

I ROY A. COUSINEAU  
& JANET E. COUSINEAU am (are) applying to obtain a license to  
Full name(s) of applicant(s)

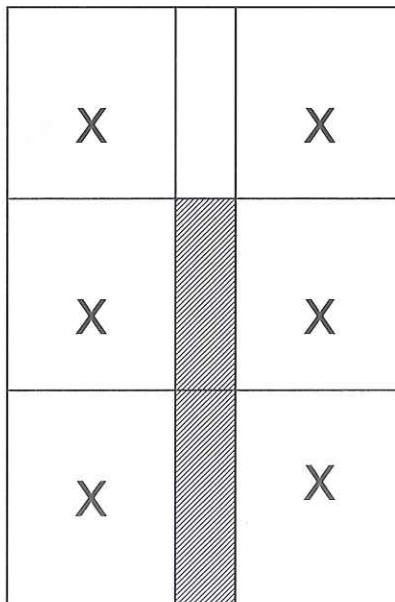
occupy the undeveloped road allowance situated 59201 RGE RD 102  
provide legal location

for the sole purpose of STOPPING TRAFFIC FROM COMING  
Describe in detail the intended use  
INTO MY YARD

If improvements or alterations are required in order to undertake the above stated activity please detail the type and extent of the improvements required: I WANT TO PUT  
Detail the improvements  
A GATE ACROSS THE ROADWAY TO STOP  
UNWANTED TRAFFIC FROM DRIVING INTO MY YARD

The application for a license to occupy an undeveloped road allowance requires that I obtain consent from all adjacent landowners abutting the proposed license area.

“**Abutting**” means any property (indicated by “X”) touching the road allowance which is being closed, unless it is separated by another road allowance.



**CONSENT:**

Having been informed of the proposed license application, and I Fern Piquette  
Name of landowner

Owner of 1/2 - NW - 11-59-10 - W4 have no objection to Roy  
Provide legal location Name of applicant(s)

applying to license the road allowance abutting my property for the purpose described above.

Signed [Signature]  
Witness [Signature] R.A.C.  
Keith Keen

Date Aug. 16th 2011  
Date Aug 16 / 2011

**CONSENT:**

Having been informed of the proposed license application, and I DOUG SALLSTROM  
Name of landowner

Owner of SW 14-59-10-W4 have no objection to Roy  
Provide legal location Name of applicant(s)

applying to license the road allowance abutting my property for the purpose described above.

Signed [Signature]  
Witness Keith Keen

Date 2011/08/15.  
Date Aug 16 / 2011

**CONSENT:**

Having been informed of the proposed license application, and I \_\_\_\_\_  
Name of landowner

Owner of \_\_\_\_\_ have no objection to \_\_\_\_\_  
Provide legal location Name of applicant(s)

applying to license the road allowance abutting my property for the purpose described above.

Signed \_\_\_\_\_  
Witness \_\_\_\_\_

Date \_\_\_\_\_  
Date \_\_\_\_\_



1 MI  
1 Km



**Current Scale 1:** 10053



08/18/2011



08/18/2011