

Rural Municipality of Heart's Hill No. 352

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6.22 APPROACHES – Oil and Gas Requests (revised April 7, 2022)

DEFINITION:

A constructed vehicle/equipment access road from a developed roadway, across the Municipal right-of-way to private land

POLICY:

To access lease sites off of any road within the Municipality where the Municipality owns the right of way, Oil and Gas Companies must request approval from the Municipality to construct an approach crossing the Municipal right-of-way. Requests must include a legal survey plan indicating the approach specifications. Council is at liberty to deny, to approve or to approve with conditions.

All requests approved with conditions, must clearly state that the requesting Oil or Gas Company is responsible for the construction and all costs incurred in the construction of the approach. The requesting Oil or Gas company and/or their successors are also responsible for all future upkeep and maintenance of the approach as well as insuring all culverts are open in the spring to accommodate spring runoff. The Oil and Gas company and/or their successors are also responsible for any road damage related to the approach's existence from the date of the initial construction until its removal.

RATIONALE:

The Municipality is the legal owner of all right-of-ways and has the right and responsibility to oversee any work done on Municipal right of ways. It is the responsibility of the Municipality to insure the Municipality is compensated for any road damage beyond general daily use by a third party and that the addition and placement of an approach does not jeopardize the flow and safety of public traffic along the roadway.

Oil and Gas companies are expected to bear the cost of the construction and maintenance of all requested approaches as these approaches are in addition to the one approach per quarter section Municipal Policy No. 6.19. Oil and Gas approaches are also posted with Hazard signs and *No Trespassing* and lead directly to well sites. Should the Oil or Gas Company reclaim a wellsite, the approach will be removed unless the landowner submits a request to the Municipality. If the request is granted, the approach maintenance will become the responsibility of the Municipality.

AUTHORITY:

Resolution 262/20

Highways and Transportation Act, 1997: 34(1)

Municipalities Act, 12(i)