

	<b>MUNICIPALITY OF RHINELAND</b>	<b>POLICY NO. P-2026-02</b>
	<b>ADOPTED BY: Resolution No. 30/26</b>	<b>Last Updated: NEW</b>
	<b>DATE: January 28, 2026</b>	<b>Page: 1 of 3</b>
	<b>TITLE: Drainage on Private Property Policy</b>	<b>Department: All</b>

**PURPOSE:** To establish clear guidelines for landowners seeking drainage improvements on private property and to outline the Municipality’s role in surveying, preparing applications, and assisting with drainage works where appropriate. This policy complies with provincial regulations.

**SCOPE:** This policy applies to all private landowners within the Municipality of Rhineland requesting drainage alterations, cleanouts, or construction of new drains.

**I. Landowner Responsibilities**

- a. Submit a written request for drainage work.
- b. Provide property access for municipal staff and equipment.
- c. Sign all required provincial or municipal documents.
- d. Cover any costs not provided by the Municipality.
- e. Unlicensed drainage work is not permitted.
- f. Obtain written permission from all affected landowners if the drain crosses multiple properties. All affected landowners must consent to the proposed work and provide the Municipality with authority to complete required surveying and access to their properties.

**II. Municipal Responsibilities**

- a. Conduct site/drain assessment through Public Works.
- b. Complete surveying of the full drain alignment, not just the requested portion.
- c. Assist the landowner in preparing and submitting provincial drainage license applications.
- d. Complete drainage cleanouts once approved by the Public Works Director, subject to equipment availability, scheduling and an expense agreement.

- e. Maintain records of surveys, approvals, and completed work. These will be shared by the Municipality with the landowner.
- f. Invite all involved and impacted landowners to a meeting before work proceeds to review assessment, survey, projected costs, timeline and discuss any concerns.
- g. Operational drainage decisions are final.

### **III. Conditions for Municipal Assistance**

Municipal assistance/approval will be evaluated using the following conditions:

- a. Staff/equipment availability.
- b. Agreement on how costs will be shared for the project.
- c. The request is deemed a municipal drainage priority.
- d. Landowners consent including the properties both downstream and upstream of the requested drainage work.
- e. Provincial license approval.
- f. Scheduling: No specific timelines are guaranteed; work will be completed as resources allow.

### **IV. Role of Council**

Council is not involved in operational decisions regarding individual drain projects. Their role is to provide overall policy direction.

### **V. Unauthorized Drainage**

The Municipality will not complete drainage work without the required licensing, as doing so may result in penalties under the Water Rights Act and may require site restoration, except where unforeseen circumstances exist and a State of Local Emergency has been declared in accordance with legislation.

### **VI. Liability**

The Municipality is not responsible for damages that may occur during drainage work on private property or the downstream drainage impact to neighbouring property owners. The property owner is responsible for all drainage licenses that are in their name.

### **VII. Cost Responsibilities**

- a. Within Municipal Right-of-Way:
  - The Municipality covers replacement and repair costs for work completed inside the municipal right-of-way.
  - For low-level crossings, the Municipality is responsible for installation and associated costs.

b. On Private Land:

- The landowner and Municipality will need to reach an agreement for all costs when work occurs outside the municipal right-of-way before starting on the project.

### **VIII. Revision**

This policy will be reviewed every 3 years or as needed.