

SECTION: TRANSPORTATION

SUBJECT: UNDEVELOPED ROAD ALLOWANCE USE

Original Resolution No.: 85-03-13
Revision Resolution No.: 97-06-21
Revision Resolution No.: 11-01-13

Revision Resolution No.: 11-12-10

Undeveloped Road Allowance Use Policy

It is the policy of the County of Warner No. 5 to allow the use of undeveloped road allowances for agricultural purposes by the adjacent landowner.

Guidelines

1. Use of the undeveloped road allowance will be restricted to the adjacent landowner only and will also be restricted to raising of agricultural products and for grazing purposes.
2. No physical obstructions, improvements (fencing, etc.) and/or developments are allowed on the road allowance, except for a cross gate, which must be unlocked and accessible to the public. The gate must be perpendicular to the road allowance. No signs (such as No Trespassing or Private Road) are allowed.
3. If the road allowance is to be fenced within the adjacent landowner's property, access to the public must be allowed by placing gates at the entrance and exit of the road allowance.
4. Access to the road allowance cannot be restricted by the adjacent landowner to any member of the public.
5. Use of the road allowance by the adjacent landowner can be terminated at any time by Management for any cause or reason that is deemed to be justified by Management.
6. The adjacent landowner requesting use of an undeveloped road allowance must obtain written permission from the other adjacent landowner for occupation of the road allowance. This must be submitted to the County Office. If a mutual agreement cannot be reached by both parties, neither may utilize the road allowance for the raising of agricultural products and for grazing purposes.
7. Adjacent landowners may appeal the decision of Management for terminating the use of the road allowance to the County Council. Council's decision will be considered final.
8. The County assumes no responsibility or liability for damages to agricultural products (crops, hay or livestock), caused by the public who access the undeveloped road allowance. The adjacent landowner understands that damages may occur to their hay, crops and livestock that may be located upon the road allowance.
9. The County will not be responsible for any damages sustained by the adjacent landowner that may be caused by the public who have access to the undeveloped road allowance.