

PUBLIC WORKS POLICY SECTION 9.4 - GUIDELINES AND PROCEDURES FOR OUTSIDE PARTIES	9.4.7 PIPELINE WORKS IN OR ADJACENT TO MUNICIPAL RIGHTS-OF-WAY Page 1/4
Effective Date:	Revised: Nov. 24/09 CM – Res. 09-708 Revised: Feb. 15/11 CM – Res. 11-106 Policy Reviewed: Mar. 6/17 – C of W

PURPOSE

Section 39 of the *Pipeline Act* requires approval of the local authority for pipelines constructed on, across, over or under a road, or within 30 metres of the boundary of a road. This policy provides guidelines for outside parties wishing to carry out oil or gas pipeline operations in and within 30 metres of municipal road rights-of-way.

POLICY

1. Road Crossings

- a. Road crossings for gas and oil pipelines are approved by the Transportation and Agriculture Department. The County requires that gas and oil pipelines be buried a minimum of 1.2 metres (47 inches) below the lowest part of the ditch for low pressure lines and a minimum of 1.4 metres (55 inches) below the lowest part of the ditch for high pressure lines.
- b. Pipeline crossings should be constructed as close to a 90-degree angle as possible to the municipal road without any vertical or horizontal bends in the pipeline.
- c. Written permission is required from Wheatland County to construct, install, repair and maintain pipelines under municipal roads. Written approval will include required terms and conditions in accordance with this policy.
- d. All open-cut or bored crossings require an Access and Work Agreement.
- e. Boring is the preferred method of constructing pipeline crossings across developed municipal roads to minimize damage or disturbance to the roadway surface or embankment. No open excavations are permitted within three (3) metres of the edge of the traveled road surface. When location conditions prevent the use of boring, the open-cut method may be used with written approval from the municipality.
- f. Locations for pipeline crossings shall be selected with due consideration to any features of municipal roads, as well as any known plans of the municipality to upgrade or relocate roads. Pipeline crossings should be avoided which may have a detrimental effect on the future operation or upgrading of municipal roads.

Applications must provide a detailed plan of proposed locations of proposed pipeline crossings.

2. Costs:

- a. Inspections will be performed at the discretion of the Transportation and Agriculture department. All pipeline approvals will be charged a fee of \$150.00 per inspection.

3. Operations Within 30 Metres of Municipal Road Rights-of-Way

- a. Any lines being buried adjacent to municipal road rights-of-way shall be a minimum of fifteen (15) metres from the legal boundary of the road right-of-way. As per the *Pipeline Act*, any lines buried between the minimum fifteen (15) metres and thirty (30) metres from the legal boundary of the road right-of-way require municipal approval.
- b. Any proposed pipelines located closer than thirty (30) metres from the legal boundary of a road right-of-way may be approved by the Transportation and Agriculture Department on a case-by-case basis. Approval will require that a relaxation agreement be signed by the landowner and pipeline owner and be provided to Wheatland County. The relaxation will be applied to the Certificate of Title for that land as a caveat. Relaxation agreements must require that the pipeline owner move the pipeline at the County's request, at the company's cost and in a timely manner when road construction occurs in the adjacent road right-of-way.

RESPONSIBILITIES

1. Contractor and Pipeline Owner Responsibilities

- a. Pipelines must be installed, operated and maintained in accordance with all pertinent Acts and Regulations and in a manner so as not to interrupt, interfere with or endanger public usage of municipal roads. Contractors shall provide proper and adequate signage, barricades, and traffic control at all times that work is being carried out in or adjacent to municipal rights of way.
- b. All excavations and disturbances created within a municipal road right-of-way must be backfilled, compacted, and reseeded to the satisfaction of the municipality. Contractors and/or pipeline owners shall be responsible for all future work and costs required to correct any settlement, erosion or other adverse impacts to municipal roads resulting from the construction, operation, or maintenance of a pipeline.
- c. Contractors wishing to construct, install, repair and maintain pipelines in and adjacent to municipal road rights-of-way must acknowledge and agree that every cost and expense incurred in the installation, construction and future maintenance and repair of pipelines within municipal road rights-of-way shall not be the

responsibility of the municipality.

- d. In the event that the municipality, at any time in the future, requires modifications, adjustments, relocation or other alteration of pipelines within municipal road rights-of-way or within thirty (30) metres on either side of a right-of-way, contractors and/or pipeline owners, at their own cost and expense, shall carry out any such modifications, adjustment, relocation, or alteration in a prompt and efficient manner within a maximum of 180 days from the date of formal written notice.
- e. Notification of work:
 - i. Contractors, except in the case of an emergency, shall provide a minimum of two (2) working days notification to the municipality of their intentions to commence pipeline construction or carry out activities in municipal road rights-of-way.
- f. Inspection of Work:
 - i. Contractors shall provide a minimum of two (2) working days' notice to the municipality to allow for inspection of disturbance within municipal road rights-of-way.
 - ii. Contractors shall provide a written record of recorded pipeline depths to the municipality. If, in the future, it is found that actual depths vary significantly from depths specified in any agreements or approvals, then the Contractor will be held responsible for future lowering or modification costs if required in the event of road construction costs or maintenance work being carried out.
- g. Contractors shall install permanent pipeline marker signs on both sides of municipal road rights-of-way indicating the existence and location of pipelines. Regular and emergency contact phone numbers must be included.
- h. Contractors shall, within ninety (90) days of completion of construction or installation of pipelines within municipal road rights-of-way, provide the municipality with as-built drawings for each pipeline crossing location indicating the as-built location and depth of pipelines relative to the road right-of-way and the structure within, to the satisfaction of the municipality.

DEFINITIONS

“Contractor” means any entity wishing to use property owned by Wheatland County or under the direction, control and management of Wheatland County. In this policy, Contractor refers specifically to entities wishing to construct, install, repair and maintain oil and gas pipelines within or adjacent to municipal road rights-of-way. A contractor may be a different entity or the same entity as the pipeline owner.

“High Pressure Pipelines” are defined as being designed or intended to be operated at a pressure in excess of 700 kPa

“Low Pressure Pipelines” are defined as being designed or intended to be operated at a pressure of 700 kPa or less

“Pipeline Owner” means the holder of a license under the *Pipeline Act* for construction and operation of a pipeline, or the entity otherwise responsible for the pipeline infrastructure once it has been built. A pipeline owner may be a different entity or the same entity as the contractor.

“Relaxation Agreement” refers to an agreement between the landowner and pipeline company to allow pipeline activity within thirty (30) meters of a road right-of-way.

REFERENCES

- Pipeline Act, R.S.A 2000, c P-15
- Wheatland County Access and Work Agreement

DOCUMENT OWNER

General Manager of Transportation & Agriculture