



DEVELOPMENT AND INFRASTRUCTURE SERVICES – PUBLIC WORKS SERVICES
TOWN OF NEWMARKET
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March 30, 2015

**DEVELOPMENT AND INFRASTRUCTURE SERVICES REPORT
PUBLIC WORKS SERVICES 2015-27**

TO: Committee of the Whole
SUBJECT: Road Occupancy By-law (By-law 2009-32) Minor Amendments
ORIGIN: Director, Public Works Services

RECOMMENDATIONS

THAT Development and Infrastructure Services Report – Public Works Services 2015-27 dated March 30, 2015 regarding Road Occupancy By-law (By-law 2009-32) be received and the following recommendation(s) be adopted:

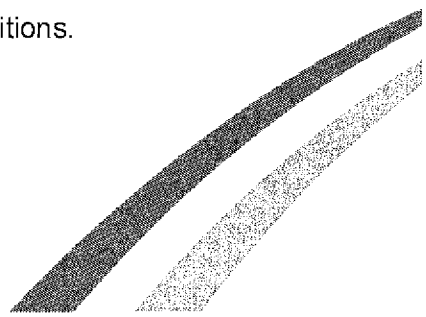
1. **THAT the definition of Applicant be deleted, and the new definition be added;**
“Applicant” means any person making application for a Road Occupancy Permit.
2. **AND THAT 7.2 (b) be amended by removing ‘two million dollars (\$2,000,000.00)’, and adding ‘five million dollars (\$5,000,000.00)’; for required insurance coverage**
3. **AND THAT a Bylaw be prepared for Council.**

COMMENTS

This Report and Amending By-law updates By-law #2009-32 with minor housekeeping changes. The most significant change would be the definition of “Applicant”, to eliminate any ambiguity regarding eligibility and allow for Contractors or third parties to apply for Road Occupancy Permits (ROPs) on behalf of others. The proposed new definition allows for more flexibility and creates a more all-inclusive process. The ROP requests will continue to have the same degree of scrutiny as before and the rest of the process will remain unchanged.

It was recognized by staff from various Departments that additional liability coverage was needed for third party construction within the Town of Newmarket’s right’s-of-way. It was recommended by Legislative Service that five million dollars of insurance coverage should be considered sufficient to cover any potential legal claims. The increase is now standard practice for construction contracts throughout the Town.

All other recommended changes are minor, grammatical and/or for clarity of definitions.



PUBLIC CONSULTATION

No public consultation was undertaken for this report.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Living Well: Deliver efficient, effective and environmentally sound maintenance services to an appropriate level that achieves Council and/or Provincially mandated service levels, which meet public health and safety requirements and enhances quality of life while ensuring that system capital assets retain their value and are managed and funded according to sustainable, lifecycle based principles and practices.

HUMAN RESOURCE CONSIDERATIONS

No impact to current staffing levels.

IMPACT ON BUDGET

Operating Budget (Current and Future)

No impact to the Operating Budget.

Capital Budget

No impact to the Capital Budget.

CONTACT

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