

CITY OF LEDUC POLICY

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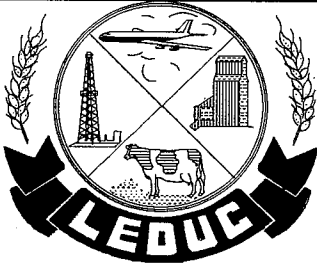
AUTHORITY	Director Of Planning and Engineering Services	ISSUE DATE: 11/14/94 SUPERSEDES: NEW
AREA/CHAPTER	Department Operations	
POLICY NAME/TITLE/SUBJECT:	Maintenance Of Local Improvements	
DEPARTMENT/SECTION	Planning & Development	
RELEVANT LEGISLATIVE:	City Of Leduc Engineering Standards, Development Agreements, & City Of Leduc Policy 61.00:9	
RELEVANT BYLAW/RESOLUTION:	Resolution #286-94	

Policy Objective :

To standardize the method and procedure of providing and maintaining local improvements in new developments by the Developer.

Policy :

- A. Multiple Lot Subdivisions (Not including Bareland Condominiums):
1. Local improvements shall meet the City of Leduc's Engineering Design Standards. A letter of credit will be held by the City until all conditions have been satisfied. The letter of credit may be reduced at the discretion of the Director of the Planning and Engineering Services in accordance with City Policy No. 61.00:9.
 2. The Developer shall maintain and repair the local improvements covered by the Development Agreement for the Guarantee Period.
 3. Maintenance and repair of the local improvements during the Guarantee Period shall be restricted to repair of defects in construction, workmanship and material and damage caused by the Developer or its servants or agents or a person or persons working in the subdivision area. This does not include ordinary wear and tear or inadequacies of design or specifications provided that the design is in accordance with the approved plans and design standards.

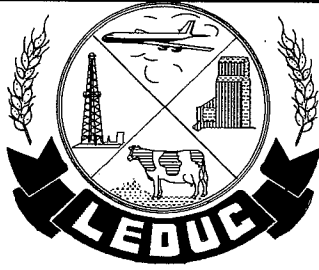


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4. The Developer shall be responsible for maintenance and repairs including, but not restricted to, the remedying of, failure of, or damage to the underground municipal improvements resulting from defective materials or improper installation or workmanship, settlement of ditches, grading, and graveling, repairs or replacement of road and lane surfaces, sidewalks, curbs and gutters, catch basins and lands and road surfaces which constructed by the Developer or his contractor, adjustment and repairs to water mains, main valves, valves operating mechanisms, and repairs, replacements and adjustments to sewer mains, sewer services, manholes, manhole frames and covers.
 5. Until final acceptance of the local improvements, all public roads, streets, lanes, culverts, boulevards, ornamental parks or other public places that are constructed or maintained are subject to the direction, management and control of the Developer, including crossings, sewer culverts, water mains, approach grades, sidewalks or other work done by the Developer, shall be kept in a reasonable state of repair by the Developer, reasonable wear and tear excepted. If an emergency exists, the City may do the repairs at the Developer's expense.
 6. If defects become apparent in any of the local improvements installed during the Guarantee Period, the City may require the Developer to undertake the repairs to or replacement of the same.
 7. After receipt of such notice, the Developer shall undertake the repairs or replacement requested by the City. This shall be accomplished in not more than 30 days after receipt of the notice.
 8. If the Developer defaults in performance of the request or any emergency exists, the City, without notice, may do the repairs or replacement, and the Developer shall, upon demand by the City, pay the costs of the repairs or replacement.
 9. The City will undertake normal routine maintenance of the local improvements during the Guarantee Period. This will include the checking and maintaining of fire hydrants and their stop valves, cleaning of catch basins when required and washing and keeping clean the streets to the same standards as is generally provided to the City, and flushing and cleaning out the sanitary sewers.
 10. The Developer shall continue maintenance of the local improvements until the end of the Guarantee Period, however, upon completion of the Guarantee
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Period, the Developer's liability for the same shall cease unless there is an order outstanding from the City to correct some matter of maintenance or repair.

11. The Developer shall make application to the City two months before expiration of the Guarantee Period for each local improvement for final inspection and acceptance. The Developer and the City shall inspect the local improvements together, and the Developer shall promptly correct all defects noted. The Guarantee Period shall not expire unless the joint inspection is completed and all defects have been corrected.
12. Written notice that the local improvements within the subdivision area have been accepted will be mailed to the Developer not more than 14 days after the inspection.

B. Bareland Condominium Development:

1. Local improvements must meet the City of Leduc's Engineering Design Standards. A letter of credit shall be held to ensure compliance with all conditions of this policy. The letter of credit may be reduced at the discretion of the Director of Planning and Engineering Services in accordance with City Policy No. 61.00:9.
 2. The Developer shall be responsible for maintenance and repairs including, but not restricted to, the remedying of, failure of, or damage to the underground municipal improvements resulting from defective materials or improper installation or workmanship, settlement of ditches, grading and graveling, repairs or replacement of road and lane surfaces, sidewalks, curbs and gutters, catch basins and lands and road surfaces which were constructed by the Developer or his contractor, adjustment and repairs to water mains, main valves, valves operating mechanisms, and repairs, replacements and adjustments to sewer mains, sewer services, manholes, manhole frames and covers.
 3. All private roads, streets, lanes, culverts, boulevards, ornamental parks or other private places that are constructed or maintained or are subject to the direction, management and control of the Developer, including crossings, sewer culverts, water mains, approach grades, sidewalks or other work done by the Developer, shall be kept in a reasonable state of repair by the Developer, reasonable wear
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and tear excepted. If an emergency exists, the City may do the repairs at the Developer's expense.

4. The Developer shall make application to the City after installation of the local improvement for final inspection and acceptance. The Developer and the City shall inspect the local improvements together, and the Developer shall promptly correct all defects noted.
5. The Developer shall undertake all repairs or replacement requested by the City. This shall be accomplished in not more than 30 days after receipt of notice.
6. If the Developer defaults in performance of the request or any emergency exists, the City, without notice, may do the repairs or replacement, and the Developer shall, upon demand by the City, pay the costs of the repairs or replacement.
7. Written notice that the local improvements within the subdivision area have been accepted will be mailed to the Developer not more than 14 days after the inspection.
8. All infrastructure construction on any public lands shall be constructed and maintained as per multiple lot subdivisions policy.

C. Condominium Development:

1. Local improvements must meet the City of Leduc's Engineering Design Standards.
 2. The Developer shall be responsible for maintenance and repairs including, but not restricted to, the remedying of, failure of, or damage to the underground municipal improvements resulting from defective materials or improper installation or workmanship, settlement of ditches, grading and graveling, repairs or replacement of road and lane surfaces, sidewalks, curbs and gutters, catch basins and lands and road surfaces which were constructed by the Developer or his contractor, adjustment and repairs to water mains, main valves, valves operating mechanisms, and repairs, replacements and adjustments to sewer mains, sewer services, manholes, manhole frames and covers.
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3. All private roads, streets, lanes, culverts, boulevards, ornamental parks or other private places that are constructed or maintained or are subject to the direction, management and control of the Developer, including crossings, sewer culverts, water mains, approach grades, sidewalks or other work done by the Developer, shall be kept in a reasonable state of repair by the Developer, reasonable wear and tear excepted. If an emergency exists, the City may do the repairs at the Developer's expense.
4. The Developer shall make application to the City after installation of the local improvement for final inspection and acceptance. The Developer and the City shall inspect the local improvements together, and the Developer shall promptly correct all defects noted.
5. The Developer shall undertake all repairs or replacement requested by the City. This shall be accomplished in not more than 30 days after receipt of notice.
6. If the Developer defaults in performance of the request or any emergency exists, the City, without notice, may do the repairs or replacement, and the Developer shall, upon demand by the City, pay the costs of the repairs or replacement.
7. Written notice that the local improvements within the subdivision area have been accepted will be mailed to the Developer not more than 14 days after the inspection.
8. All infrastructure construction on any public lands shall be constructed and maintained as per multiple lot subdivisions policy.

AUTHORITY'S SIGNATURE:
