



Halifax Regional Council
February 19, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
Kulvinder Dhillon, Director of Public Works & Transportation

DATE: February 12, 2002

SUBJECT: Plow Damage to Private Property

INFORMATION REPORT

ORIGIN

At the January 29, 2002, Council meeting under Item 11.3.2(i) regarding Councillor Warshick's inquiry, Council requested a Staff Report on sod damage to private property from HRM snow and ice operations.

BACKGROUND

Property abutters are responsible for maintenance of all grass areas on their private property. Under Section 11, "Maintenance of Grass" of Part 2 of the Streets By-Law S-300, the abutter is also responsible for maintaining the grass area between the curb and sidewalk within the street right-of-way. However, when damage to the grass area of a private residence or in the area between the curb and sidewalk is done by snow plows operating in Public Works and Transportation's snow and ice operations, Halifax Regional Municipality takes responsibility for the repairs.

DISCUSSION

All locations of sod damage reported to Public Works & Transportation are verified by staff and logged for inclusion in the next spring and summer maintenance programs. The approach to these repairs varies based on a number of circumstances. Many abutters routinely carry out repairs themselves to minor sod damage as part of the spring clean-up of their properties. As well, if the sod damage is on a snow route that has been serviced exclusively by hired contractor equipment, the contractor is responsible to effect the necessary repairs. If these situations do not apply, Public Works & Transportation carries out the necessary sod repairs as part of the routine spring clean-up and summer maintenance programs. Often the required repairs can be as simple as returning the existing sodding that was disturbed to the area it was removed from. In other cases, as required the old sod is removed and replaced with new sod. In both cases, once the repairs have been completed, we rely on the abutter to provide their ongoing maintenance, i.e., watering and cutting the grass to better ensure the effectiveness of the repairs. This approach has proven effective in the past for the majority of locations. However, in those situations where the sod repairs are reported to staff not to have taken despite the maintenance efforts of the abutter, Public Works & Transportation will revisit the repairs.

In 2000/2001, Public Works & Transportation recorded approximately 134 HRM responsibility locations where grass areas were damaged by our snow and ice operations. The cost to carry out the necessary repairs was approximately \$29,000.

BUDGET IMPLICATIONS

Funds for the cost of repairs to grass areas damaged by HRM snow and ice operations are included in the Public Works' snow and ice control operating budget. The amount expended varies each year based on the actual weather conditions and related snow plowing requirements experienced.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

There are no recommended alternatives.

ATTACHMENTS

Not applicable.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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