



Water Agreements

Public Works
Policy N51

Policy:	N51 - Water Agreements
Policy Department(s):	Public Works
Adoption Date:	December 12, 2022
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Effective Date:	December 12, 2022
Last Amended:	N/A

Policy Purpose

To establish a policy for entering into water-related agreements with the County of Grande Prairie No. 1.

Policy Statement

The County of Grande Prairie builds on its natural environment to provide an unmatched quality of life and opportunity for all, while being good stewards of our land, air, and water.

Definitions

“Applicant” means the landowner or Resource Company requesting to enter into an Agreement and obtain consent from the County to engage in water related activity.

“County” means the municipality of the County of Grande Prairie No. 1 having jurisdiction under the Municipal Government Act and other applicable legislation.

“Landowner” means a person(s) or corporation whose name appears on the title at the Alberta Land Titles for the subject property.

“Resource Company” means a company whose principal business includes but is not limited to oil and gas, energy, forestry, mining exploration, development, and/or production.

“Right of Way” is a general term referring to land between property lines that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, or for pedestrian use, and can include, but not limited to, a sidewalk, boulevard, carriageway, berm, ditch, swale, bicycle facility, noise attenuation facility, and landscaping.

“Sub-contractor” means a person or entity that is contracted by, affiliated with, or authorized by the Applicant to engage in water related activity.

“Water Agreement” means an agreement duly endorsed by the County of Grande Prairie No. 1 and the applicant which establishes the conditions and responsibilities of both parties when engaging in water related activity.



Policy Guidelines

1. The County will enter into Water Agreements with landowners and Resource Companies (the “Applicant”) to provide consent to engage in water related activities in County right of way and on County owned or managed lands.
2. All requests must be submitted to the County in writing for consideration.
3. The Applicant will:
 - 3.1. Be responsible for any and all damages resulting from and/or incurred during installation, removal, and/or operation of water related activity.
 - 3.2. Be responsible for all costs associated with water related activity.
 - 3.3. Absolve the County of any and all legal liability associated with water related activity.
 - 3.4. Adhere to any and all applicable laws, policies, standards, regulations and safety protocols for the duration of water related activity.
 - 3.5. Assume responsibility for all sub-contractors, ensuring compliance with guidelines of this policy and the Water Agreement.
4. All Water Agreements must be signed by all parties concerned and all fees received prior to commencing activity.
5. Fees shall be defined in the County Schedule of Fees, Rates and Charges Bylaw, as amended from time to time.
6. The County may require auxiliary supporting documentation to approve a request. Obtaining and providing said documentation is the sole responsibility of the Applicant.
7. The County may in its sole discretion revoke agreements prior to being signed by all concerned parties.
8. Failure to comply may result in the County denying, suspending, or revoking a Water Agreement.
9. Exceptions to this policy may be considered and are at the discretion of the Director of Public Works, or their designate.

Attachments

N/A



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References

Legal Authorities	N/A
Related Plans, Bylaws, Policies, Etc.	Policy B1 – Policy Development
Other	Agreement to Install a Flatline in a Right of Way Yearly Blanket Pump-Off Consent Agreement For Access to Water (On County of Grande Prairie Owned or Managed Lands)

Revision History

Review Date	Description
December 12, 2022	Adoption Date CM20221212.019