

MUNICIPALITY OF LOUISE

INSTALLATION OF DRAIN TILE ON AGRICULTURAL LAND

BY-LAW 2020-10

BEING a By-law of the Municipality of Louise to establish requirements of landowners installing drain tile on agricultural land.

WHEREAS Section 232 (1) of The Municipal Act provides that ‘council may pass by-laws for municipal purposes respecting the following matters:

- f) property adjacent to highways or municipal roads, whether the property is publicly or privately owned;
- h) drains and drainage on private or public property

NOW THEREFORE BE IT AND IT IS HEREBY ENACTED BY THE COUNCIL OF THE MUNICIPALITY OF LOUISE IN SESSION DULY ASSEMBLED, AS FOLLOWS:

1. Definitions:

In this By law the following definitions shall apply:

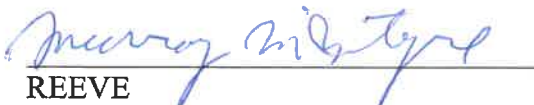
- a) ‘Applicant’ means the landowner or on the landowner’s behalf, an installer of the tile project
- b) ‘Corrugated plastic tubing’ means extruded plastic tubing with a corrugated wall and when perforated, used for subsurface drains
- c) ‘Designated Officer’ means any person appointed by the Municipality to administer and enforce the provisions of this By law
- d) ‘Drainage’ means the process of removing surface or subsurface water from a soil profile or area
- e) ‘Drainage coefficient’ means the rate at which water is to be removed from a drainage area; expressed as depth per day or flow rate per unit of area
- f) ‘Municipality’ means the Municipality of Louise
- g) ‘Point of adequate outlet’ means outlets for all drainage projects must be of adequate size and capacity to accommodate target drainage flows without compromising surrounding land or other drainage networks, nor those resulting from flood events
- h) ‘Professional/Certified Installer’ means an experienced installer of drain tile
- i) ‘Subsurface drain’ means subsurface conduits used primarily to remove subsurface water from soil. Classifications of subsurface drains include pipe drains, tile drains and blind drains.
- j) ‘Tile drainage’ means a regulated practice of installing perforated pipes in the ground to remove excess water from the soil profile
- k) ‘Water Control Works’ means any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert, borehole or contrivance for carrying or conducting water that
 - i) Temporarily or permanently alters or may alter the flow or level of water including but not limited to water in a water body, by any means, including drainage, or
 - ii) Changes or may change the location or direction of flow of water including but not limited to water in a water body, by any means, including drainage.

2. Process

- a) Prior to any construction, the applicant proposing to instal drain tile must submit a formal application to the Municipality of Louise. This application will detail the proposed project including drain outlets into municipal ditches or provincial drains.
- b) Once the Municipality has approved the application, the applicant must apply for and obtain all necessary provincial or federal permits required for the proposed project. All projects must receive approval from all relevant levels of government before construction can begin.
- c) Drainage coefficient of the tile outlet shall not exceed one quarter of an inch (1/4") per day. Drain tile installations shall not use perforated main drains unless prior approval has been received from Council.
- d) Any repairs needed to fix damage to municipal property resulting from the installation of drain tile shall be the responsibility of the landowner. Erosion control measures must be installed and maintained at the outlet by the landowner.
- e) The Municipality will not deepen or alter any municipal ditches for the sole purpose of installing drain tile.
- f) The outlet must be constructed in a way that water cannot breach the back-slopes of the municipal drain and run across private property.
- g) Where possible tile water should be part of an integrated water management strategy including drainage, retention and recycling.
- h) Outlets should be discharged into natural or provincial waterways as directly as possible to minimize impact on downstream municipal drains. If the outlet requires a source of power the powerlines must be marked and may be required to be buried at a depth determined by Council. Council may require all tile outlet lines be buried on private land with any required easements in place prior to the installation.
- i) Any pipe crossing a municipal road allowance must either be sleeved or must meet industry specifications to ensure the pipe will not collapse under the road.
- j) Any pipe crossing a municipal road allowance will be the responsibility of the landowner and will be approved as agreed upon.

DONE AND PASSED by the Council of the Municipality of Louise, assembled in the LUD of Crystal City, in the Province of Manitoba, this 8th day of July 2020 AD

Municipality of Louise


REEVE


CHIEF ADMINISTRATIVE OFFICER

Given first reading this 10th day of June 2020
Given second reading this 8th day of July 2020
Given third reading this 8th day of July 2020