

POLICY	#PW 006	POLICY TITLE:	DUST SUPPRESSION
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APPROVAL DATE AND MOTION:	July 1999 (1999-07-57)	CROSS-REFERENCE:	Current Fee Bylaw
RESPONSIBILITY:	Public Works Department	APPENDICES:	Dust Suppression Residential Agreement Schedule A & B
APPROVER:	Council	EFFECTIVE DATE:	July 1999 (1999-07-57)
REVISION DATE(S)/ MOTION #	(2003-03-25); (2008-04-85); (2011-04-16); April 22, 2014 (2014-04-73); May 24, 2022 (2022-05-21) May 23, 2023 (2023-05-56), May 28, 2024 (2024-05-76), November 19, 2024 (2024-11-29)	NEXT REVIEW DATE:	November 2025

1. DEFINITIONS

- 1.a. **County** means the County of Vermillion River.
- 1.b. **Council** means the Council of the County of Vermillion River.
- 1.c. **Dust Suppression** means a product that is applied to a gravel road surface that reduces the dust created by vehicle traffic. Examples of **dust suppression** products include but are not limited to mixed brine solutions, magnesium hydroxide, calcium chloride, mixed in place oiled road, cold mix asphalt, and hot mix asphalt.
- 1.d. **Municipal Limit** means the boundary lines of the County of Vermillion River and the neighbouring municipalities.
- 1.e. **Non-resident** means a person who is registered under the Land Titles Act as owner of the land that is outside of the **Municipal Limit** of the County of Vermillion River.

- 1.f. **Resident** means a person who is registered under the Land Titles Act as owner of the land that is within the **Municipal Limit** of the County of Vermilion River.
- 1.g. **Residential Property** means an occupied property that is the primary residence of a **resident, non-resident**, or their tenant.
- 1.h. **Industry Operator** means a business or company that owns or operates commercial or industrial facilities within the **County** and require a road use permit for **heavy vehicle** traffic. They may hire sub-contractors who will be utilizing the road use permit on their behalf.
- 1.i. **Heavy Vehicle** means any vehicle with a registered weight of 22,500 kg or more.
- 1.j. **Agricultural Producer** mean a person that produces crops or feeds livestock through day-to-day labour and operations.
- 1.k. **Tax Arrears** means any outstanding balance owed to the County that is part the posted due date.

2. POLICY STATEMENT

- 2.a. The County of Vermilion River, in an effort to reduce the amount of dust on gravel roads, will provide an option to apply **dust suppression** materials to roads utilized by **residents** and industry at a cost that will be set annually.

3. OBJECTIVE

- 3.a. To provide an option for reducing dust on gravel roads for public and industry
- 3.b. To enhance quality of life for **residents** and the traveling public.
- 3.c. To provide an option for **agricultural producers** to purchase **dust suppressant** at a predetermined rate set by **Council** to minimize the effects of dust on agricultural operations, including crops and animals.

4. BACKGROUND

- 4.a. The **Dust Suppression** policy was created to provide guidance on the application of **dust suppression** on road segments with the **County**. The policy was significantly revised in 2022 to require that **residents** enter into a **Dust Suppression Residential Agreement** annually and limited the no cost application of **dust suppression** to

200 meters per **residential property** unless the **residential property** is located on a road segment with a 30+ average daily **heavy vehicle** traffic volume.

5. GUIDING PRINCIPLES

- 5.a. **Dust suppression** under this program will be based on **heavy vehicle** traffic or when requested from the **resident**. **Dust suppression** will be completed utilizing MG30, with no other **dust suppression** products to be applied.
- 5.a.i. The **County** will provide a total of 200 meters of **dust suppression** per **residential property** where the primary residence is within 250 meters of the road and the property is not located at the end of a no exit road or a transition to an undeveloped road at no cost to the **resident**. Existing **dust suppression** products, such as cold mix, contribute to the total 200 meters. The **resident** must request the application of **dust suppression** by completing the **Dust Suppression Residential Agreement Schedule A** and **Schedule B**. The requested location of the **dust suppression** application is to be indicated on **Schedule B**. The **dust suppression** application area must be within 250 meters of the primary residence. The final location of the **dust suppression** application area will be at the sole discretion of the **County**.
- 5.a.ii. Immediately upon entering into a **Dust Suppression Residential Agreement**, the rate payer agrees to the terms of this agreement.
- 5.a.iii. If the **residential property** is occupied by a tenant, the **Dust Suppression Residential Agreement** must be executed by the registered owner of the property. A tenant can not enter into a **Dust Suppression Residential Agreement**. In the case of requests for **dust suppression** application from a **resident** whose **residential property** is located on a road where the maintenance is the responsibility of another municipality, and the **resident** is eligible for 200 meters of **dust suppression** at no cost, the **resident** may enter into a **Dust Suppression Residential Agreement**. An agreement between the **County** and the other municipality must be entered into prior to **dust suppression** being applied.
- 5.a.iv. In the case of requests for a **dust suppression** application on two roads for a **residential property** located at a corner, only 200-meters total of **dust suppression** will be applied at no cost to the **resident**.

- 5.a.v. In the case of two **residential properties** located in close proximity, one continuous application of **dust suppression** will be done to facilitate road maintenance. This could mean that each **residential property** may receive more than or less than 200 meters of **dust suppression**. The length of the **dust suppression** application will be at the sole discretion of the **County**.
- 5.a.vi. Any additional length of **dust suppression** requested by the **resident** on the **Dust Suppression Residential Agreement** over the initial 200-meter application per **residential property** will be at their sole cost based on the predetermined rate set by **Council**, reviewed annually, as per the **County's** Goods and Services Fee Schedule Bylaw.
- 5.a.vii. The following are not eligible to receive the application of 200 meters of **dust suppression** at no cost:
 - 5.a.vii.a **Residential properties** where the primary residence is more than 250 meters from the municipal road.
 - 5.a.vii.b The **residential property** is the last residence on a no exit road or a transition to an undeveloped road.
 - 5.a.vii.c The **residential property** is not located within the **municipal limit** of the County of Vermilion River. I.e. A **Non-Resident**.
 - 5.a.vii.d The application of **dust suppression** is requested by an **agricultural producer** for a road segment that is not within 250 meters of their primary residence.
 - 5.a.vii.e The **residential property** is in **tax arrears**. If all outstanding tax arrears are paid prior to the application deadline, the **resident** is eligible for the service.
- 5.a.viii. Those that are not eligible under 5.a.vii. can enter into a **Dust Suppression Residential Agreement** where the **dust suppression** will be applied at their sole cost based on a predetermined rate set by **Council**, reviewed annually, as per the **County's** Goods and Services Fee Schedule Bylaw. In the case of requests for a single application to serve adjoining **residential properties** it will be the responsibility of the owners of the **residential properties** to work out the distribution of costs. The **County** will not bill more than one individual or firm for one application.
- 5.a.ix. The **County** in its sole discretion will determine when and if repairs and maintenance on the product are required after the initial

application has been laid. No guarantee of effectiveness or duration is made.

- 5.a.x. The **County** discourages the use of cold mix as a **dust suppression** unless the entire road is done and properly constructed. No repairs will be done using cold mix, unless the **County** deems that adding more cold mix would increase the life of the product and is cost efficient.
- 5.a.xi. When existing cold mix roads deteriorate in front of a residence, it will be at the sole discretion of the **County** to remove and revert to a graveled surface.
- 5.a.xii. **Dust suppression** applications must be received within the application period set for each year; any requests received after the deadline will not be considered.
- 5.a.xiii. **Residents** may request that no **dust suppression** be applied in front of their **residential property**. Requests must be received by June 1st of each year and will be reviewed on an individual basis. The **County** in its sole discretion will determine if the **residents** request that no **dust suppression** be applied be granted.
- 5.b. **Dust suppression** will be initiated with **industry operators** when an application to develop or access commercial or industrial facilities via **County** Road is submitted.
 - 5.b.i. Upon application from an **industry Operator** to access their facilities via **County** Road, the **County** will determine a designated haul route.
 - 5.b.ii. **Industry operators** will be required to sign a Road Protection Maintenance Agreement which specifies **dust suppression** responsibilities. All road segments required for the designated haul route will be listed on the Road Protection Maintenance Agreement Appendix A. They will be considered a permit holder for those road segments.
 - 5.b.iii. On the designated haul route assigned, the **County** will determine the number of residences that will be affected, and which will require **dust suppression** application.
 - 5.b.iv. **Industry operators** will be responsible for a cost share of the application of a minimum of 200 meters of **dust suppression** for each residence affected. **Industry operators** will pay a pre-determined rate set by **Council**, which is reviewed annually, set out in the **County's** Goods and Services Fee Schedule Bylaw.

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- 5.b.v. **Industry operators** will be held to the same standard as used to determine the Residential **Dust Suppression** Program.
- 5.b.vi. On road segments where **dust suppression** has been applied that have more than one permit holder the cost of **dust suppression** will be split between the number of permit holders. In situations where there are **residential properties** that are within 250 meters of the road surface, the **County** will be considered a permit holder and participate in the cost share of dust suppression.
- 5.b.vii. **Industry operators'** contribution to **dust suppression** shall be based on the road protection agreements in place on each road segment.
- 5.b.viii. This policy will set goals and targets for the **dust suppression** program, but it should be noted that many of the objectives listed are based on Municipal Revenues and may need to be adjusted from time to time.

5.c The following standards apply to both the Residential and Industrial **Dust Suppression** Programs:

Average Daily Heavy Vehicle Traffic	Dust Suppression Application Area
11-29	In Front of Residence (200m)
30+	Additional areas at the discretion of the County

6. ROLES & RESPONSIBILITIES

ROLE/TASK	TITLE(S) OF PERSON RESPONSIBLE
HANDLING INQUIRIES	General Manager – Public Works Operations or Designate
MONITORING REVIEWS AND REVISIONS	General Manager – Public Works Operations
IMPLEMENTING POLICY	Council
COMMUNICATING POLICY	Chief Administrative Officer

INTERNAL STAKEHOLDERS	Administration; Council
EXTERNAL STAKEHOLDERS	Resident /Landowner; Industry & Public

7. EXCEPTIONS

- 7.a. Additional road segments will be considered for an application of 200 meters of **dust suppression** at no cost at the sole discretion of the General Manager – Public Works Operations or their designate where the application of the product will improve the quality of life relative to a community facility or function. Areas to be considered are road segments adjacent to:
 - 7.a.i. Community Halls
 - 7.a.ii. Community and **County** Parks
 - 7.a.iii. Cemeteries

8. POLICY EVALUATION

- 8.a The evaluation will include the following:
 - 8.a.i. That the **County** will engage in a Policy Evaluation every year to monitor the effectiveness of the policy and review opportunities for improvement.
 - 8.a.ii. Needs assessment if required.
 - 8.a.iii. Process Evaluation to measure whether the policy is meeting its intended objectives; and
 - 8.a.iv. Outcome evaluation to determine whether the policy has met its objectives and whether additional opportunities for improvement in the policy can be identified.