



DISCOVER. GROW. BELONG.

Title: Private Works Policy	Date Approved:
Policy #: TS 01-2025	Council Resolution #: 9
Department: Transportation Services	Revision: RES #:
Rescinds: TS 1-2021	Procedure #:

Preamble:

Establishing a Private Works Policy ensures that Town of Carberry equipment and resources are used fairly and equitably. It also serves to enhance the overall accountability and transparency of the Town of Carberry.

The purpose of this policy is to outline Council’s requirements for the undertaking of private works using Town equipment, personnel and resources, and ensuring alignment with the Town of Carberry By-law 09/2024 – Fees and Charges By-law.

Legislative Authority:

The Municipal Act allows as follows:

250(2) Without limiting generality of subsection (1), a municipality may for municipal purposes do the following:

(e) use municipal equipment, materials and labour to carry out private works on private property.

General Standards and Regulations:

- This policy operates in addition to other policies and by-laws of the Town of Carberry, including By-law 09/2024.
- Private works are not a core function of the Town of Carberry and will not take precedence over public works.
- Private works will only be considered if private contractors or equipment are not available within the municipality to either supply the service or perform the required work.
- The Town will refer requests for private works to local private operators where available.
- This policy applies to works and services carried out by the Town of Carberry on private property, within and outside the boundaries of the Town.

Policy:

1. Rates charged for private works (including an operator) will be based on By-law 09/2024, the Town of Carberry Fees and Charges By-law.

2. Applications and Approvals:

(a) All private works applications must be made in writing to the Town of Carberry and approved by the Public Works Foreman or the CAO or designated officer of the Town of Carberry.

(b) The applicant will be provided with a cost estimate prior to the Town of Carberry undertaking the works. The applicant will be required to sign an approval form of the written estimate for a private works project estimated by the Town of Carberry to exceed a cost of \$500.00.

(c) Council reserves the right to review and consider, prior to the work being undertaken by the Town of Carberry, any private works project estimated to exceed a cost of \$5,000.00.

3. Payment:

(a) The applicant will be invoiced for private works undertaken by the Town of Carberry, at the rates in effect at the time. Payment is due on receipt of invoice from the Town. In the event that payment for the invoiced work is not recovered, refer to the Town of Carberry Accounts Receivable Policy number FS 3-2021 for late payment procedures.

4. Legal Liability:

(a) The applicant shall indemnify the Town of Carberry against any claim, action or process for damage or injury which might arise during the progress of such private work. The applicant may be required to sign a waiver form before the private work is undertaken by the Town.

Revision adopted by Resolution of Council # ____-25 at Carberry, Manitoba, this ____ day of _____, 2025.