

## Report TR-TAPS-31-14

**To:** Chair Barfoot and Members of the Transportation and Public Safety Committee  
**From:** M.J. Kelly, Director of Transportation Services  
**Meeting Date:** April 17, 2014  
**Subject:** Flower Plantings on Grey County Bridges  
**Status:** Recommendation adopted as presented per Resolution TAPS52-13; Endorsed by County Council May 6, 2014 per Resolution CC60-14;

### Recommendation(s)

**WHEREAS the County has received a request for a volunteer group to place flowers on a County bridge and for the County to provide the insurance for this activity;**

**AND WHEREAS the County does not provide insurance to other organizations completing volunteer work within the road right-of-way;**

**AND WHEREAS beatification initiatives should be approved by local municipalities;**

**NOW THEREFORE BE IT RESOLVED THAT Report TR-TAPS-31-14 regarding the undertaking of flower plantings on Grey County bridges be received;**

**AND THAT the Transportation Services Department incorporates a section into the Encroachment Permit Procedure that would permit local municipalities to submit an encroachment permit for local beatification projects on County Road right-of-ways.**

### Background

Grey County has recently received a request from the Friends of Clarksburg, a volunteer group, requesting permission to place flowers on the Beaver Creek Bridge.

The Friends of Clarksburg have indicated that they would be responsible for maintaining the flowers for several hours each night utilizing volunteers that will wear safety vests and use pylons to stop bike and foot traffic.

The Friends of Clarksburg have requested Grey County to provide the insurance for their initiative.

The volunteers have indicated that they have maintained flowers at this location for approximately 15 years.

Grey County staff recognizes and promotes volunteers beautifying Grey County.

Grey County is responsible for 194 structures and therefore, if this activity is sanctioned on one bridge, it should be considered on all structures.

The volunteers are not Grey County employees and as a result, are not eligible for Grey County insurance.

The volunteers are not under the supervision of Grey County staff.

## Existing Programs

Grey County has a Road Permits Policy and an Encroachment Permit Procedure for organizations wishing to complete work within the County Road rights-of-way. Encroachment permits are typically for works completed within a short length of time on County property.

Grey County has an Adopt A Highway program for volunteers to pick up debris within Grey County right-of-ways.

Both the Encroachment Permit and the Adopt A Highway program require the participants to provide their own insurance and to indemnify the County.

## Risks

There are several liability risks that must be considered such as:

1. If the flowers or flower apparatus infringe onto the sidewalk or the roadway and the public is impacted, the County could receive a claim.
2. If volunteers are working on the flowers for several hours a night, pedestrians and bicyclist could be inconvenienced by crossing the road.
3. The bridge could be damaged.

## Options

1. Decline the offer from volunteer groups wishing to place flowers on Grey County bridges.
2. Include a section under the Encroachment Permit that would permit beautification flowers to be placed on bridges as well as the requirement of submitting insurance.
3. Include a section under the Encroachment Permit that would permit municipalities to apply on behalf of volunteers wishing to place beautification flowers on County bridges. The municipalities would be

responsible for providing insurance and monitoring the operation. Staff has spoken to the Local Municipality and they have recognized that they should have involvement with initiatives such as these.

## Recommendation

It is important that beautification measures within a municipality meet the desires of and be controlled by the local municipality. Therefore, it is recommended that Grey County implement a new section into the Encroachment Procedure that will allow the local municipality to apply for County approval to place beautification flowers on a County bridge. The municipalities would be responsible for providing insurance and monitoring the operation.

## Financial / Staffing / Legal / Information Technology

### Considerations

The County is ultimately responsible for activities that occur within its road rights-of-way. If there is an accident related to the placement of material or the people undertaking the activities the County could have some liability. Therefore approval and monitoring is required for all activities being completed within the rights-of-way.

If an Encroachment Permit is approved for a municipality, it would be responsible for ensuring that the activity meets with their wishes and it would be responsible for the activities.

## Link to Strategic Goals / Priorities

Strategic Item 1.1: support initiatives that promote local business retention and expansion.

## Attachments

[Road Permits Policy](#)

[Encroachment Permit Procedure](#)

Letter from Friends of Clarksburg

Respectfully submitted by,

M.J. Kelly  
Director of Transportation Service

Friends of Clarksburg

c/o Box 164, Clarksburg, On N0H 1J0

Town of the Blue Mountains

Thornbury, On. N0H 2P0

To Troy Speck, Corina Giles, Shawn Everitt and Members of Council:

To help beautify the village of Clarksburg a group of volunteers have decided to look after the purchasing of flowers for the bridge only .This group will not be organizing any events and wishes it to be known that they are not involved with any other group in the village of Clarksburg.

We are not organizing a formal committee. The cost of the flowers will be funded through private donations. The only persons that will be the contacts, should it be necessary to contact someone, will be Marcel Rutte at 705-446-7400 and /or Doug or Sue Bumstead at 519-599-3671. Arrangements for watering the baskets on the bridge will be arranged at a later date. Please contact Marcel, Doug or Sue if you have any questions.

Thank you.

Yours truly,

Sue Bumstead  
James V. Thompson  
Debra L. Carroll  
P.D. McCormack  
Lynette M. Cook  
Marcel Rutte  
Lynne  
H. Alt  
Doan  
Dennis Plummer  
Doug Bumstead