

	<h1>Town of Cochrane Policy</h1>
<b>Policy No.:</b> <b>Policy Title:</b> <b>Approval Date:</b> <b>Revision Date:</b> <b>Department:</b>	<b>2001-01</b> <b>Builder Security</b> <b>July 14, 2003</b>  <b>Planning &amp; Engineering Services</b>

**Policy Statement:**

The Town of Cochrane will collect damage deposits from all builders in residential subdivisions where Final Acceptance Certificate applications for surface improvements have been made. Reason for Policy

**1. Reason for Policy**

- 1.1 Once Final Acceptance Certificates have been issued in new subdivisions the Town of Cochrane becomes responsible for maintenance of the infrastructure including the utilities, roads, sidewalks and curbs located within the public Right of Ways. The residential builders in these new subdivisions are causing extensive damage to the newly built Town owned facilities. The Town is looking to mitigate the costs of repairing these damages by collecting security deposits from the builders.

**2. Definitions**

- 2.1 Final Acceptance Certificate (FAC) means certificates issued at the expiry of the maintenance period for each utility and surface improvement. Final Acceptance Certificates (FAC's) certify the correctness of the work and that the work is free from damages or flaws and are subject to approval by the Town Engineer. Once the FAC is issued the work becomes the property of the Town.
- 2.2 Damage means cracks, chips and any other deficiencies caused by construction equipment, vehicles and personnel to infrastructure within the public right of way.

**3. Definitions**

**4. Responsibilities**

- 4.1 Town Council to:

- 4.1.1 Approve by resolution this policy, and any amendments.
- 4.2.1 Consider the allocation of resources for successful implementation of this policy in the annual budget process.
- 4.2 Chief Administrative Officer to:
  - 4.2.1 Implement this policy and approve procedures.
  - 4.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.
- 4.3 Director of the Departments to:
  - 4.3.1 Ensure implementation of this policy and procedure.
  - 4.3.2 Ensure that this policy is reviewed every three years.
  - 4.3.3 Make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.
- 4.4 Supervisor to:
  - 4.4.1 Understand, and adhere to this policy and procedure.
  - 4.4.2 Ensure employees are aware of this policy and procedure.
- 4.5 Employees to:
  - 4.4.1 Understand and adhere to this policy.
  - 4.4.2 Conduct any assigned duties in accordance with this policy.

## **5. End of Policy**

	<h1>Town of Cochrane Procedure</h1>
<b>Policy No.:</b> <b>Policy Title:</b> <b>Department:</b>	<b>2001-01</b> <b>Builder Security</b> <b>Corporate Services</b>


- 1.1 Planning and Engineering Services will begin to collect builder damage deposits for a subdivision when the FAC's for Paved Roads and for Sidewalks, Curbs and Gutters, and Catch Basins have been issued. The Subdivision and Development Engineer will notify the Chief Safety Codes Officer in writing, when the applicable FAC's have been issued.
- 1.2 Planning and Engineering Services will collect security from the builders as part of the building permit application and code it to the account set up for this purpose.
- 1.3 It will be the responsibility of the builder to report any existing damage to the sidewalks, curbs and gutters, concrete swales, boulevards, asphalt, and service valves, in front of the unit for which the building permit application is being made. This report must be made in writing, to the safety codes officer and shall accompany the Building Permit application. If the builder fails to report any existing damage the builder will be responsible for repairing the existing damage and any new damage, prior to the release of the damage deposit.
- 1.4 The builder may request release of the security once the occupancy permit has been issued, the lot has been set to final landscape grade and all damages have been repaired.
- 1.5 If the builder does not apply for release of the deposit within one (1) year of occupancy, the builder forfeits his deposit and the Town of Cochrane will use the deposit to rectify the damage.
- 1.6 The Safety Codes officer will notify the Roads Transport Supervisor and Utilities Supervisor that lot inspections are required.
- 1.7 Roads Transport and/or Utilities will conduct the lot inspection within 5 working days of receiving notice, and provide a written inspection report to

will notify the builder. The builder will complete the repairs within 30 days of the inspection (allowances will be made for weather conditions). If the repairs are not completed within this time period, the Town of Cochrane will complete the repairs and will charge the cost of the repairs plus a 15% administration fee against the security. Any remaining security will be returned to the builder once the repairs have been completed. Repairs made by the builder must meet the current Town of Cochrane specifications.

- 1.9 If no damages are identified during the lot inspection, Planning and Engineering Services will immediately notify Corporate Services in writing, that the security may be released back to the builder. The security will be returned to the builder within 30 days of the notification.

## 2. End of Procedure

Approval



Julian deCocq, C.A.O.

JANUARY 10 2008  
Date