

SMOKY LAKE COUNTY



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| Title: Livestock Guards (Texas Gates) | Policy No.: 01-03 <i>E</i> |
| Section: 03 | Page No.: 1 of 9 |

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| Legislation Reference: | Municipal Government Act, Section 18 |
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| Purpose: | To implement a framework for the installation of a Livestock Guard. |
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| Policy Statement and Guidelines: |
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| <p>The County will consider requests for Livestock Guards subject to the Applicant entering into the attached <i>“LIVESTOCK GUARD AGREEMENT”</i> with the Applicant absolving the County from legal liability, maintenance, sign installation and removal of the gate if the County so requires.</p> <p>The Applicant shall complete the following schedules to be considered for Livestock Guards- (Texas Gates)-</p> <ol style="list-style-type: none"> 1. Application for Livestock Guards (Texas Gates) – Schedule “A”. 2. Livestock Agreement – Schedule “B”: |

| | Date | Resolution Number |
|----------|-------------------|------------------------|
| Approved | April 18, 1996 | # 391 - Page # 5995 |
| Amended | July 27, 2000 | # 552 - Page # 6893 |
| Amended | November 25, 2010 | # 120-10 - Page # 9544 |



Schedule "A"
**APPLICATION
FOR
LIVESTOCK GUARDS (Texas Gates)**

1. APPLICANT

Name: _____

Address: _____

Postal Code: _____ Phone: _____

2. LEGAL DESCRIPTION

Legal Description of roadway to be affected by the Livestock Guard being requested.

**Please attached a map to accompany this application
indicating clearly the location of the Livestock Guard**

3. REASON(S) FOR THIS APPLICATION:

a. _____

b. _____

Applicant Signature

Date

Schedule "B"



LIVESTOCK GUARD AGREEMENT

**SMOKY LAKE COUNTY
SMOKY LAKE, ALBERTA**

DATE: _____



BETWEEN:

Smoky Lake County
(hereinafter referred to as "the County");

and

(hereinafter referred to as "the Applicant")

Smoky Lake County does grant permission to construct a **Livestock Guard**, to be located across a Municipal road surveyed in the:

subject to the provisions of Bylaw No. _____ for the approval of the **Livestock Guard**, which reads as follows:

1. A Council on request from a person who is an owner, purchaser or leasee of land may authorize that person to construct a **Livestock Guard** across a Municipal road at the place and according to the specifications and conditions that may be imposed by the Municipality.
2. A **Livestock Guard** shall be constructed as per the *Livestock Guard Conditions* and kept in an excellent state of repair by the person receiving permission to construct it.
3. If that person does not keep the **Livestock Guard** referred to in this Agreement and the referenced Bylaw No. _____ in repair, that person and not the Municipality, is liable for damages sustained by any person by reason of default.

The **Livestock Guard Conditions** that the Applicant must adhere to are as follows:

1. The **Livestock Guard** must be constructed in strict adherence to specifications, forming part of this Agreement:
 - 1.1 with at least a traffic opening to the Municipal road of;

| | | | | |
|--|--------------------------|--|----------------|-----------|
| | a) Standard Highway Type | | - 6.1 M width | or |
| | b) Range Type | | - 4.50 M width | |
2. Warning signs with the wording:
 - 2.1 "LIVESTOCK GUARD 100 METRES" must be installed on either side of the **Livestock Guard**, for traffic approaching the **Livestock Guard**.
 - 2.2 "LIVESTOCK GUARD" at the location.
 - 2.3 The Applicant shall post and maintain "LIVESTOCK AT LARGE" signs on the Municipal road adjacent to the **Livestock Guard** to the satisfaction of the County warning users of the Municipal road that grazing animals are at large.
3. This permission is granted upon the strict adherence that the **Livestock Guard** and/or signs be maintained on a regular basis.
4. The Applicant must, at all times, keep the **Livestock Guard** in good repair.
 - 4.1 Failure of the Applicant to keep the **Livestock Guard** in good repair may result in the County, at its sole discretion, repairing the Livestock Guard and invoicing the Applicant for the cost of the same.
 - 4.2 County shall not be liable for any damage sustained by any person by reason of the default of the applicant to keep the **Livestock Guard** in repair.
5. The Applicant shall post signs on the roadway at least 500 feet in each direction from the **Livestock Guard** when the gate is under construction or repair to warn the traveling public.
6. The County Council may rescind this Agreement and Bylaw No. _____ granting permission to construct the **Livestock Guard** if any of the above conditions are not adhered to.
7. The County Council reserves the right at any time to rescind this Agreement and Bylaw No. _____ granting permission to construct the **Livestock Guard** if deemed in the public interest.
8. Should the **Livestock Guard** be requested to be removed by the County, the Applicant must restore the Municipal road to its original condition.
9. It is incumbent on the Applicant to notify the County should he/she cease to own or lease properties adjacent to the **Livestock Guard**. Failure to do so may result in the **Livestock Guard** being removed by the County and restoration of the road to its original condition; all being charged to the Applicant at the discretion of the County.
10. The Applicant shall indemnify and save harmless the County with respect to any costs, claims, damages or causes of action of any kind whatsoever brought by a third party against the County arising out of this Agreement and without restricting the generality of the foregoing with respect to any claims arising out of accidents involving bison, cattle, horses or any other domestic animal owned by or under the control and supervision of the Applicant grazing on the lands adjacent to the Municipal road where the **Livestock Guard** is located.

I (We) hereby agree to the provisions and conditions of this Agreement to be enforced and contained in Bylaw No. _____ of the Smoky Lake County and as outlined in this Agreement signed this _____ day of _____, 20__.

WITNESS

APPLICANT

SPECIFICATIONS LIVESTOCK GUARDS

1. General

Description

This specification covers the supply and fabrication of devices designed to allow safe passage of any motor vehicle across their width while safety restricting the passage of range cattle.

2. Design Standards

This Applicant shall provide full shop drawings showing all materials including specification and grade of steel, all material sizes and/or dimensions, and all connections including grades and sizes of bolts and sizes of weld. Drawings shall be fully dimensioned in metric units.

Designs must be certified by a registered Professional Engineer registered in the Province of Alberta, as to meeting the specified load capacity for each type of livestock guard outlined herein.

In cases where standards are quoted, such as Canadian Standards Association (CSA) or the Canadian Welding Bureau (CWB), the latest edition shall be used.

3. Materials

Livestock guards shall be fabricated using new or used quality material as specified and must be painted with one coat of oil alkyd type primer, meeting the requirements of the Canadian General Standards Board (CGSB) Spec. 1-GP-166M. Weathering Steel, which does not require paint, is also acceptable.

Finished products shall be identified with a trademark and also the date of manufacture stamped or welded in an area of the guard that can be easily read after installation.

Fencing detail shown on the drawings is for information only and with the exception of the application fence post sleeves, does not apply to this specification.

4. **Classification**

Livestock guards will be classified according to the following:

4.1 Standard Highway Type

Standard highway livestock guards are used on all other paved and unpaved roads and are designed to carry any legal highway vehicle at various speeds.

4.2 Range Type

Range type livestock guards are designed to be used on lightly or seldom traveled roads with no more than standard farm or ranch vehicles.

5. **Load Rating Applications**

In all load applications, the load shall be placed on the livestock guard in a location causing the greatest stress to the member in question.

5.1 Live Load Requirements

Range Type and Standard Highway Type livestock guards shall meet the live load capacity requirements of CSA bridge design code S6 for design truck: normal loading CS-600 truck (180 kN axle).

5.2 Impact Loading

An impact load shall be applied concurrently with the live load.
The impact load for all livestock guard types shall be:

- a vertical load equal to 40% of the live load or
- a vertical load equal to 20% of the live load combined with a horizontal load equal to 20% of the live load.

6. **Construction**

6.1 General

All livestock guards shall be constructed in accordance with the applicable drawings. Livestock guards shall be 2.44 m wide, edge to edge on the deck surface. Average overall height shall be as shown on the drawings.

Welding must be performed by a company approved by the Canadian Welding Bureau to CSA Standard W47.1 with work performed to CSA Standard W59.

6.2 Sill and Frame Construction

The frame shall be designed to allow even distribution of live loads to the sills.

Sills consist of round structural tubing which contacts the ground and forms the base for the structure.

The ends of the frame which contact the road surfaces shall include a fill guard to prevent road material falling between the deck and sills. The fill guard shall be welded to the side of the cattle guard.

6.3 Deck Construction

Deck construction shall consist of round structural tubing with dimensions as shown on the plans arranged perpendicular to traffic. A gusset reinforcement shall be used between each member. This reinforcement shall not permit the build-up of gravel or snow which may allow cattle to cross.

Fence post sleeves designed to accept a 60 mm (O.D.) diameter post must be connected through the deck and attached to the frame at an outward 115 degree slant. The top of the sleeve shall not protrude above the deck. Deck members shall be continuous over the length of the guard. Any splices shall develop the full strength of the member and shall be detailed on the drawings.

7. Site Plan

The Applicant must provide a detailed plan indicating the exact location of the **Livestock Guard**, in addition:

- 7.1 soil conditions;
- 7.2 and drainage patterns.