

# DISTRICT SCHOOL BOARD ONTARIO NORTH EAST POLICY MANUAL

<p><b>SECTION 2.1: SCHOOL RELATED OPERATIONS</b></p> <p><b>TITLE: PRIVATE PROPERTY POLICY</b></p>	<p><b>Policy Code</b></p> <p><b>Page 1 of 7</b></p> <p><b>REGULATIONS: YES</b></p> <p><b>PROCEDURES: YES</b></p> <p><b>MANUAL: NO</b></p>
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## POLICY STATEMENT

**1. Purpose:**

To establish guidelines and regulations as to when private property may be used for the purposes of student transportation as required for North East Tri-Board Student Transportation.

**2. Conditions:**

The use of private property may only be considered if,

- there is a recognizable hazard that warrants the use of private property as a safer means of use than the use of public property.
- there is a special circumstances, in which it would be the best interest of North East Tri-Board Student Transportation to use the private property.
- there is a special event which would require the use of private property.

**3. Special Considerations:**

The use of private property may be established based on special considerations as approved by both the North East Tri-Board Student Transportation Governance Committee and the Operations Committee.

**4. Authority:**

The authority to authorize the use of private property is that of the Transportation Supervisor or Transportation Officer.

**1<sup>st</sup> READING:**

**Motion #**

**2<sup>nd</sup> READING:**

**Motion #**

**3<sup>rd</sup> READING & APPROVAL:**

**Motion #**

**EFFECTIVE DATE:**

**Revision Date:**

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**5. Special Recommendations:**

Recommendations as to the use of private property may be provided by the school Boards, School Bus Operators, or the public, however they remain only recommendations and do not authorize the use of the property.

**6. Authority of Operators:**

School Bus Operators have the authority to initiate an investigation, by the Transportation Officer, on any approved use of private property due to safety reasons, hazard identification, or any other legitimate concern which would involve their employees or property with sufficient notice to North East Tri-Board Student Transportation as to that changes to the route can be made without hindrance to provided service.

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## PRIVATE PROPERTY RELEASE FORM

I (We), \_\_\_\_\_, owner(s) of the private property at the address of \_\_\_\_\_ in the city or township of \_\_\_\_\_ in the province of \_\_\_\_\_, give permission to the North East Tri-Board Student Transportation and its independent contractors to use the property mentioned above for the purposes of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this release form, the property owner, heirs, executors, administrators, successors and assigns, indemnify and hold harmless the North East Tri-Board Student Transportation, the School Boards within consortium, their officers, trustees, employees, servants, agents and independent contractors and their respective heirs, executors, administrators, successors and assigns from any manner of damage, injury, risk, claims, demands, actions, causes of actions, and costs arising out of or incurred by reasons of services performed by the School Bus Operator on this property.

Initial \_\_\_\_\_

The term of this release is effective for one calendar year, and terminated thereafter. The termination of this agreement prior to the one year term can only be accomplished by mutual consent as agreed in writing by the current property owner and the North East Tri-Board Student Transportation, or at anytime, by the North East Tri-Board Student Transportation, without notice.

Initial \_\_\_\_\_

Property Owner(s)	North East Tri-Board Student Transportation
(The undersigned has read and agreed to the terms and sections in the Use of Private Property Policy)	
_____ Print Name	_____ Supervisor of Transportation
_____ Signature	_____ Signature
_____ Date	_____ Date
_____ Print Name	
_____ Signature	
_____ Date	
	<div data-bbox="852 1570 1427 1900" style="border: 1px solid black; padding: 5px;"><p>For office use only</p><p>File Number: _____</p><p>Location: _____</p><p>Expiry: _____</p><p style="text-align: center;">____ / ____ / ____</p></div>

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<p><b>1. <u>Purpose:</u></b></p> <ul style="list-style-type: none"><li>• To identify and document the written permission to use private property for the purposes of school bus transportation as required in the Agreement for Transportation, Sec 2.2.</li></ul> <p><b>2. <u>Uses:</u></b></p> <p>As mentioned in Sec 2.2 of the Agreement for Transportation, private property may be used with written permission from the owner as a:</p> <ul style="list-style-type: none"><li>• Turn around:<ul style="list-style-type: none"><li>○ the use of the property to have a vehicle turn round as to the finish direction being 180* from starting position.</li></ul></li><li>• Road:<ul style="list-style-type: none"><li>○ the use of the property to traverse the property from one point to another.</li></ul></li><li>• Drop-off location:<ul style="list-style-type: none"><li>○ the use of the property to have students or rider either embark or disembark from the school bus in a safe manner.</li></ul></li></ul> <p>Any other means of use must be described on the release form and approved by the Transportation Officer.</p> <p><b>3. <u>Authority:</u></b></p> <p>The Joint Transportation Policy and any other policy or procedure in effect with the North East Tri-Board Student Transportation supersedes the Private Property Policy and Private Property Release Form conditions.</p>	
<b>EFFECTIVE DATE:</b>	<b>Revision Date:</b>

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#### 4. Property Requirements

The private property must:

- be properly maintained during all seasons as to ensure the safe use at all times.
- have proper drainage as to ensure the integrity of the used surface.
- not contain obstructions or hazards that would impede the safe use of the area.
- provide proper lighting during all hours of a day and night to ensure adequate visibility for the driver while using the property.
- be able to support the use of a maintenance vehicle or tow truck while being used by the school vehicle.
- be capable of supporting the maximum weight of the vehicle with a full load of passengers.
- have clear entrances and exits as to ensure the safe entrance or exit of the vehicle from and to the property. These exits must not endanger or create any hazards to the vehicle or any public person, vehicle, or property.
- comply with any other regulation not mentioned above that may be described, without notice, by the authorized inspector of the property.

#### 5. Special Considerations

##### Turn Around

- The area where the vehicle will turn around should be greater than the space needed for the vehicle to turn without having to travel in reverse.
- If the vehicle must travel in reverse, the vehicle must be able to backup straight back or back up from the driver's side without obstruction.
- If the vehicle must travel in reverse, it must be able to complete the turn around on the private property and at no time reverse onto a public roadway or side walk.
- The area where the turn around is situated should not have any obstacle or hazards that would impede the safety.

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## ADMINISTRATIVE REGULATIONS

### Road

- The property must be laid out in such a fashion that the driver will be able to maintain optimal visibility at all times.
- The private roadway would not receive any exemption from that of a municipally, provincially or federally maintained road, as to ensure due diligence and safety.

### Drop-off location

- The drop-off point must be in a safe area, while providing the pupil with a safe route to walk in the desired direction.
- The drop-off location will be treated as any other drop-off location as defined in the Joint Transportation Policy.

### 6. Liability:

The position of the board, while the operator is using private property for the purposes outlined in this policy, is stated in section 2.1 of the Agreement of Transportation and summarized on the Private Property Release form. This position as stated in sec 2.1 in the Agreement of Transportation is:

“For himself, his heir, executors, administrators, successors and assigns, indemnify and hold harmless the Board and its officers, trustees, employees, servants, agents and independent contractors and their respective heirs, executors, administrators, successors and assigns from any and all manner of damage or injury, risk, claim, demands, actions, causes of actions, damages and costs arising out of or incurred by reason of the services performed by the Operator ...”

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## ADMINISTRATIVE REGULATIONS

**7. Terms:**

The term of the private property release is effective for one school year, and terminated thereafter. The termination of this agreement prior to the one year term can only be accomplished by mutual consent as agreed in writing by the current property owner and the North East Tri-Board Student Transportation, or at anytime, by the North East Tri-Board Student Transportation, without notice

**8. Amendments:**

Amendments and changes to this document or the Private Property release form may be made by the North East Tri-Board Student Transportation at any time without notice to property owner who are currently in agreement with the terms of any previous version of this document and Private Property release form.

**9. Application of use:**

The use of the Private Property Release Form and Private Property Policy is applied as per the condition and special considerations outlined in the Use of Private Property Policy and can only be applied by the approval of the Transportation Supervisor or one of his designates.

Special Notes:

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Transportation Officer initial: \_\_\_\_\_

*Initial* \_\_\_\_\_

**EFFECTIVE DATE:**

***Revision Date:***