



## NIPISSING-PARRY SOUND STUDENT TRANSPORTATION SERVICES

Section <b>Transportation – Service Levels</b>	Revised June 18, 2014
<b>SL – 009 Use of Private Property</b>	
<b>General Statement</b>	<p>The Nipissing-Parry Sound Student Transportation Services (NPSSTS) will make use of private property in the provision of transportation to eligible students in the Districts of Nipissing and Parry Sound in accordance with the guidelines outlined herein.</p>
<b>Operational Procedure</b>	<p><b>GENERAL</b></p> <ol style="list-style-type: none"> <li>1. Student transportation will not be provided via a private road or other private property, unless expressly authorized by the General Manager of the NPSSTS (or designate), in accordance with these guidelines.</li> <li>2. Recommendations and/or requests to use private property for student transportation may come from operators, NPSSTS or board staff, or members of the public and must be submitted in writing. However, written submissions do not authorize the use of the property, even if coming from the property’s owner; the authority to allow the use of such property remains with the General Manager (or designate).</li> <li>3. School boards are not obligated to provide student transportation, but NPSSTS Member Boards do so for students who qualify within the terms established by the individual boards. Prime considerations in the design and operation of the resultant transportation system shall be safety, efficiency, and economy, concurrently reflecting maximum entitlement to applicable provincial grants. Transportation may be suspended or revoked for any student should their behaviour violate the Code of Conduct or otherwise be unduly disruptive to the provision of transportation, or should conditions change or agreements for the use of private property not be met.</li> <li>4. Student Transportation Operators have the authority to decline any approved use of private property due to safety reasons, hazard identification or any other legitimate concern which would involve their employees or property, provided they give sufficient notice to the NPSSTS so that changes to the route can be made without hindrance to the provision of transportation services.</li> <li>5. The guidelines of the NPSSTS and any other policy, guideline, or</li> </ol>



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	<p>procedure in effect with the NPSSTS supersedes SL – 009 Use of Private Property and "Private Property Release Form" (SL-009-1) conditions.</p> <p><b>CRITERIA AND USES</b></p> <ol style="list-style-type: none"> <li>1. The General Manager (or designate) may provide written authorization for the use of private property in situations meeting one or more of the following criteria:             <ol style="list-style-type: none"> <li>i) there is a recognizable hazard that warrants the use of private property as a safer means of providing student transportation than the use of public property;</li> <li>ii) there are special circumstances or considerations such that it would be in the best interests of the NPSSTS to use the private property;</li> <li>iii) there is a special event which would require the use of private property.</li> </ol> <p>Written agreements between the owner of the private property and the NPSSTS must accompany authorizations for use under the first two of the above criteria (please see Release Form) and may accompany authorizations for use under the third criteria.</p> </li> <li>2. Private property may be used with written permission from the owner as a:             <ul style="list-style-type: none"> <li>- Turn around: to have a vehicle turn around 180° from its starting position;</li> <li>- Road: to traverse the property from one point to another;</li> <li>- Bus stop location: to have student(s) embark and/or disembark from the vehicle in a safe manner.</li> </ul> <p>Any other uses must be described on the release form and approved by the General Manager (or designate).</p> <p><b>CONDITIONS</b></p> <ol style="list-style-type: none"> <li>1. The private property must:             <ul style="list-style-type: none"> <li>- be maintained during all seasons so as to ensure the safe use of the property at all times;</li> <li>- have proper drainage so as to ensure the integrity of the used surface;</li> <li>- be clear of any obstructions or hazards that would impede the safe use of the area;</li> <li>- have sufficient lighting during all hours of use so as to ensure adequate visibility for the driver, the students, and any others who may be present while the property is in use by a</li> </ul> </li> </ol> </li> </ol>
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	<p>school-purpose vehicle;</p> <ul style="list-style-type: none"> <li>- be able to support the use of a maintenance vehicle or tow truck at the same time as the school-purpose vehicle, should one be needed;</li> <li>- be capable of supporting the maximum weight of the vehicle with a full load of passengers;</li> <li>- have clear entrance and exit points so as to ensure the safe entrance and exit of the vehicle to and from the property. These exits must not endanger or create any hazards to any person, vehicle, or property.</li> </ul> <p>2. For private property to be used for as a turn-around location, the following conditions apply:</p> <ul style="list-style-type: none"> <li>- turn-around area should be greater than needed for the vehicle to turn without travelling in reverse;</li> <li>- if the vehicle must travel in reverse, there must be sufficient space to backup either straight back or from the driver's side, without obstruction;</li> <li>- 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 sidewalk;</li> <li>- turn-around area must be clear of any obstacles or hazards that would impede the safety of the driver, the students, or any others who may be present while the property is in use by a school-purpose vehicle.</li> </ul> <p>3. For private property to be used for as a road, the following conditions apply:</p> <ul style="list-style-type: none"> <li>- the property must be laid out in such a fashion that the driver will be able to maintain optimal visibility at all times;</li> <li>- the private roadway would be subject to the same terms and conditions as municipally-, provincially- or federally-maintained roads, in terms of ensuring due diligence and safety.</li> </ul> <p>4. For private property to be used for as a bus stop location, the following conditions apply:</p> <ul style="list-style-type: none"> <li>- The bus stop location must be in a safe area which provides the student with a safe route to walk to their final destination (i.e. home or child care location);</li> <li>- The bus stop location will be treated as would any other bus stop location, as it relates to other NPSSTS guidelines and procedures.</li> </ul> <p>5. As specified in the Private Property Release Form, the property</p>
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	<p>owner (and heirs, executors, etc.) will “indemnify and hold harmless” the NPSSTS, the school board(s), the contracted operator(s), the staff of any of these organizations and businesses (and heirs, executors, etc.) “from any and all manner of damage, injury, risk, claims, demands, actions, causes of actions, and costs arising out of or incurred by reasons of the services performed” on their property.</p> <p>6. As specified in the Private Property Release Form, the term of the private property release is “one school year calendar.” A new release must be signed each year that the use of the private property is to continue. “The termination of this agreement prior to the one year term can only be accomplished by mutual consent as agreed to in writing by the current property owner and the NPSSTS, or at anytime by the NPSSTS, with or without notice.”</p> <p>7. Amendments and changes to this document or to the Private Property Release Form may be made by the NPSSTS at any time, with or without notice to property owner(s) who are currently in agreement with the terms of any previous version of either document.</p>
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