

**\*2021 OFFICE CONSOLIDATION\***  
**May 3, 2021 (Res #51-2021) Amend Schedules 'A' & 'B'**  
**BY-LAW NUMBER 2018-56**

**THE CORPORATION OF THE TOWNSHIP OF RIDEAU LAKES**

**BEING** a By-Law to adopt a Policy Statement entitled "Private Road Grant Policy."

**WHEREAS** Section 9 of the *Municipal Act S.O. 2001, Chapter 25* states that a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other act;

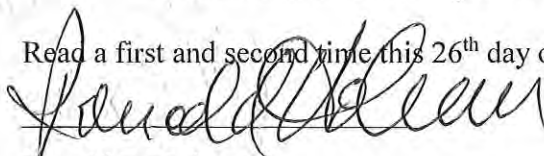
**AND WHEREAS** the Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

**AND WHEREAS** the Township of Rideau Lakes deems it necessary to establish a policy for the process and criteria for the awarding of Private Road Grants used to help offset costs for capital improvements and maintenance of private roads with the Township of Rideau Lakes;

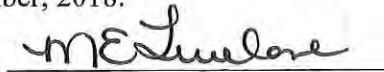
**NOW THEREFORE** the Council of The Corporation of the Township of Rideau Lakes enacts as follows:

1. That the Policy Statement, as attached hereto as Schedule 'A' and entitled "Private Road Grant Policy" be approved and adopted.
2. That the Application, as attached hereto as Schedule 'B' and entitled "Private Road Grant Application" be approved and adopted.
3. That Schedule 'A' and 'B' to this By-Law may be updated from time to time as deemed desirable by Resolution of Council.
4. That any other By-Laws, Resolutions, Motions or actions of Council that are in contravention of this By-Law are hereby repealed including By-Law 2006-45.

Read a first and second time this 26<sup>th</sup> day of November, 2018.



Ronald E. Holman  
Mayor



Mary Ellen Truelove  
Clerk

Read a third time and finally passed this 26<sup>th</sup> day of November, 2018.



Ronald E. Holman  
Mayor



Mary Ellen Truelove  
Clerk



**Policy Name:** Private Road Grant Policy

Developed By: Cynthia Laprade, Treasurer

Date: April 21, 2021

Reviewed By: Council Res #51-2021

Date: May 3, 2021

Approved By: Current By-Law #2018-56

Date: November 26, 2018

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**Policy Statement and Rational:**

To establish the process and criteria for the awarding of Private Road Grants which are to be used to help offset costs for capital improvements and maintenance of private roads with the Township of Rideau Lakes.

**Scope:**

All private roads in the Township of Rideau Lakes.

**Definitions:**

**Administrative Costs:** Overhead costs of the association, e.g., insurance, office supplies, salaries, if any and similar types of costs. Expenses not directly related to road improvement or maintenance.

**Application Due Date:** March 15<sup>th</sup>

**By-Law Breach:** Includes, but is not limited to, incorrect or misleading information on the application, use of the funds by the association in a manner inconsistent with this policy; knowingly issuing a false attestation on the application.

**Capital Improvements:** Expenditures made on the private road to improve the road, where the improvement lasts longer than one year, e.g., surface treatments, gravel, grading and culvert replacement.

**Executive of Association:** President, Secretary, Treasurer

**Private Road:** Private roads are those rights-of-way which provide access to two or more properties, but which have not been assumed by the Township for maintenance purposes.

**Road Maintenance:** Snow plowing, ditching, hard-top maintenance, roadside maintenance, loose-top maintenance, etc. Costs directly for the maintenance of the road.

## **Policy, Procedure, and Implementation:**

### **1. Responsibilities:**

#### **a. Municipal Council**

Municipal Council shall:

- i. Approve the amount of funds available each year for Private Road Grants during budget deliberation;
- ii. Review all suspected breaches of By-Law to determine if breach and set penalty in accordance with Policy;
- iii. Approve the Road Grant Policy, By-Law and any future revisions.

#### **b. Treasurer**

The Treasurer shall:

- i. Receive all applications before March 15<sup>th</sup> of the year in which the payments are to be made;
- ii. Determine if all documentation required has been received;
- iii. Bring any suspected breaches of By-Law to Council for determination of breach and penalty;
- iv. Determine eligibility for a road grant based on this policy;
- v. Confirm the number of kilometers for each application received;
- vi. Determine the amount to be paid to each applicant;
- vii. Issue payments to each eligible applicant prior to May 31<sup>st</sup>.

### **2. Eligibility for Application:**

- a. An association which represents two thirds of all properties that use a private road(s);
- b. An association can represent multiple distinct roads as long as all eligibility factors are met;
- c. The association must hold at least an Annual General Meeting; appoint executive officers; including a President, Secretary and Treasurer. These positions must be held by at least two people from different households. Positions can be combined, e.g. the Secretary role can be combined with one of the other executive roles.
- d. A bank account must be held for the exclusive use of the road association and must have two signing authorities, e.g. President and Treasurer. The two signing authorities must be two different people from different households.

- e. Minutes for all association meetings must be taken and stored appropriately;
- f. The kilometers of road should be provided, however Township staff are ultimately responsible for determining the private road length for grant purposes
- g. Completed applications should be addressed to the Treasurer and must be received by March 15th of each year. Applications received after this date will not be processed. No application will be considered for previous year(s)
- h. Grants are dependent upon their inclusion in, and Council acceptance of the annual Township budget and payment will normally be made in May.

### **3. Applications:**

A completed application form must be provided. See Schedule B to this policy.

### **4. Eligible and Ineligible Expenses:**

All procurement shall ensure best value for each dollar spent.

#### **Eligible Expenses:**

- a. Capital Improvements
- b. Road Maintenance

#### **Ineligible Expenses:**

- a. Administrative costs of association;
- b. Any cost not directly associated with the maintenance or improvement of the private road.

### **5. Penalty for Breach of By-Law**

- a. All sanctions are determined by Council;
- b. Minor or first-time breach – association may be excluded from receiving funds in the following year of the breach and executive cannot be the same in the next application year following breach if an application for funds is made;
- c. Serious breach and/or multiple breaches – may result in parties or roads being completely excluded from any future Private Road Grant process.



# Rideau Lakes

## Private Road Grant Application:

### *Requirements and Guidelines*

***It is important to read the Private Road Grant Policy before completing and submitting your Private Road Grant Application to the Township. Applications that do not contain all the required documentation, as detailed below, will be considered incomplete and ineligible to receive a Private Road Grant.***

### PLEASE COMPLETE THE FOLLOWING INFORMATION:

1. Name of Private Road Association: \_\_\_\_\_
2. Year of Application: \_\_\_\_\_
3. Is this the first year to request a Private Road Grant? (Yes/No) \_\_\_\_\_ If yes, please include all documentation requested in item number 22 below.
4. Road Association Representative Name/Phone#/email address:

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

5. Mailing Address for Road Grant Payments:

\_\_\_\_\_

6. Number of Kilometers of Private Road(s): \_\_\_\_\_

7. Name of Road(s): (list all roads included and kms per road)

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

8. Number of properties on road(s): \_\_\_\_\_

9. Number of properties represented with members on association: \_\_\_\_\_

### ***A member of the Executive is required to attest to the following:***

10. A current bank account is held specifically for use by the association: Initials: \_\_\_\_\_

11. The name of Financial Institution? \_\_\_\_\_

12. There are two signing authorities on the bank account: Initials: \_\_\_\_\_

13. All payments made from the bank account, or funds removed from account have been agreed to by the association and are solely for the use of maintenance, repairs, or capital work on the road: Initials: \_\_\_\_\_

14. <sup>1</sup>Association meetings were held during the year: Initials: \_\_\_\_\_

\_\_\_\_\_

<sup>1</sup> Indicate N/A if Council waives this requirement for unusual circumstances, e.g., pandemic

15. Minutes were taken and are on file and available for viewing: Initials: \_\_\_\_\_
16. There is a current list of a members of the association: Initials: \_\_\_\_\_
17. All procurement was done to ensure best value for dollar spent: Initials: \_\_\_\_\_
18. If the previous years road grant has not been spent, provide proof that funds are still in the bank account by providing a copy of the December 31<sup>st</sup> bank statement, or Road Association Representative to attest to the fact the funds are still in the bank account:  
Initials: \_\_\_\_\_ And: \_\_\_\_\_
19. Identify what the unspent road grant funds are being held for:  
\_\_\_\_\_  
\_\_\_\_\_
20. Copies of receipts for expenses incurred in the prior year for an amount equal to or greater than the amount of the grant received are attached to this application:  
(Yes/No) \_\_\_\_\_ (Copies of receipts **must** be attached to application)

**Name & Position of Person Making Attestations:**

\_\_\_\_\_

**Signature:**

**Date:**

\_\_\_\_\_

\_\_\_\_\_

21. Identify the proposed use of the road grant requested:

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

22. If this is the first year for a Road association the following items must be included with the application: Copy of bank statement dated December 31 or if account only recently opened, copy most recent statement; List of all members of the association, including civic addresses and positions; a copy of the minutes creating the association or other appropriate establishing documentation such as constitution by-law, etc.

22. Executive of Association:

\_\_\_\_\_  
President Name – Print

\_\_\_\_\_  
President Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Treasurer Name – Print

\_\_\_\_\_  
Treasurer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary Name – Print

\_\_\_\_\_  
Secretary Signature

\_\_\_\_\_  
Date