

THE CORPORATION OF THE MUNICIPALITY OF WHITESTONE

BY-LAW NO. 30-2017

**Being a by-law to adopt a protocol for the authorizing
of annual grants for the purposes of assisting road maintenance costs
to property owners on private and unassumed roads**

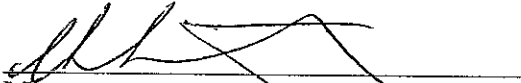
WHEREAS the Municipal Act, 2001 Revised allows a Municipal Council to pass by-laws respecting to matters within the spheres of jurisdiction of sec. 11 (3) Subsection 1 Highways, including parking and traffic on highways in the Municipality of Whitestone;

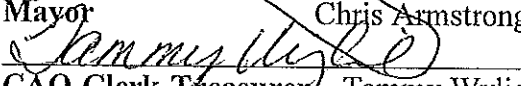
WHEREAS the Council of the Municipality of Whitestone deems it desirable to adopt a protocol for the authorizing of annual grants for the purposes of assisting road maintenance costs to property owners on private and unassumed roads:

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Municipality of Whitestone as follows:

1. The Corporation adopts protocol for the authorizing of annual grants for the purposes of assisting road maintenance costs to property owners on private and unassumed roads within the Municipality of Whitestone as per Schedule "A" to By-Law No. 30-2017.
2. This by-law shall take effect and come into force upon passage by Council.
3. By-Law No. 24-2016 is hereby rescinded.

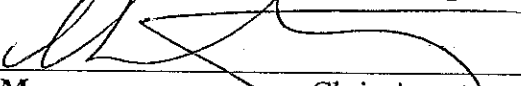
Read a **First and Second** time this 19th day of June, 2017.




Mayor Chris Armstrong


CAO-Clerk-Treasurer Tammy Wylie

Read a **Third** time and **Passed, Signed and Sealed** this 19th day of June, 2017.



Mayor Chris Armstrong


CAO-Clerk-Treasurer Tammy Wylie

Schedule 'A' of By-Law 30-2017

Protocol for the authorizing of annual grants for the purposes of assisting property owners with their costs of maintaining private and unassumed roads:

1. To be eligible to receive a grant, property owners fronting on and/or utilizing one or more opened private or unassumed road(s) must form a "road group", duly constituted as defined in paragraph 2, whose membership must include/represent at least two-thirds (2/3) of the households serviced by the road, including undeveloped lots.
2. "Duly constituted" means that the property owners served by the road have, from time to time, agreed in writing:
 - to submit an application for a grant;
 - how any grant received will be used to maintain the road; and
 - to designate one or more members of the group to represent it with respect to the applications and authorize them to arrange for maintenance work to be completed and to report its completion to the Municipality.

It is not necessary for the road group to be incorporated; however road groups are encouraged to have written constitutions providing for election/appointment of officers and to facilitate group decision making with respect to maintenance to be undertaken. A ratepayers association may serve as a road group for purposes of this By-Law.

3. If a private road, the application must be accompanied with written confirmation from the owner of the road approving the application and the work to be completed, unless the applicant(s) can demonstrate that the owner of the road is inaccessible, to the satisfaction of the CAO-Clerk-Treasurer.
4. The grant to be provided shall be determined by Council during the yearly budget process, based on a calculation of x factor and y factor, where:
 - x factor represents dollars (\$) per kilometer, and
 - y factor represents dollars (\$) per household.
5. A road group representing several different roads may apply for grants for any or all affected roads unless a separate road group has already applied for a road grant on their own.
6. Approved grants will be given in one draw, with a grant application deadline of September 30th. Funds will be released at the discretion of the Municipal Treasurer.
7. Applications shall be accompanied by a budget of estimated annual expenditures and a statement of current uncommitted funds on hand in the Road Group's statement of record.

8. All applications shall be forwarded to the Municipal Treasurer who shall have the responsibility/authority of determining grant eligibility and authorizing grants.
9. The Road Group will be solely responsible to oversee the administration and supervision of annual work programs and related budget and furthermore the Municipality will have no responsibility, obligation or exercise any degree of operational control with respect to maintenance of the affected roads.
10. Grants are not guaranteed and due to budgeting constraints may be curtailed at any time by resolution of Council.
11. Council may from time to time establish further conditions on the approval of grants that may be generally applied or specific to a particular situation.
12. All grants must be used on specified roads in the calendar year of issuance and a written summary of money spent must be submitted to the Municipality.
13. Failure to follow reporting requirements will result in that particular road group not to be included for grants in the following calendar year.