

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

BY-LAW NUMBER 86-2019

Being a By-law to adopt a Lakeshore Roads Grant Policy

WHEREAS under Section 11. (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended a lower-tier municipality and an upper-tier municipality may provide any service or thing that the municipality considers as necessary or desirable for the public, subject to the rules set out in subsection (4); and

WHEREAS the Council of the Corporation of the Municipality of Bluewater wish to provide for reimbursement of costs relating to maintenance of lakeshore roads by Associations; and

NOW THEREFORE The Council of the Corporation of the Municipality of Bluewater enacts as follows:


1. That the Lakeshore Roads Grant Policy is hereby adopted.
2. That this By-law shall come into full force and effect upon passage.
3. That By-law Number 118 – 2015 is hereby repealed.

By-law read a first and second time this 3rd day of September, 2019.

By-law read a third time and finally passed this 3rd day of September, 2019.

Paul Klopp, Mayor

Chandra Alexander, Clerk

		STATEMENT of POLICY and PROCEDURE	
Responsibility:	Roads	No.:	
Policy:	Lakeshore Roads Grant Policy	Date:	Dec 21, 2015
Approved by:	By-law No. 86 - 2019	Revised:	Sept 3, 2019
		Pages:	3

Purpose:

This policy describes the Municipality of Bluewater Roads Grant Criteria and Procedures for claiming a Roads Grant.

Definitions:

“Association” means an association of property owners served by an unassumed road, private road or access. The association shall be organized as an Ontario not-for-profit corporation without share capital under the *Corporations Act*, R.S.O. 1990, c. C.38;

“Council” means the Council for the Corporation of the Municipality of Bluewater;

“Letters Patent” means the articles of incorporation for the not-for-profit corporation issued by the Province of Ontario;

“Treasurer” means the Treasurer of the Corporation of the Municipality of Bluewater or any successor to that position and in that person’s absence includes the acting Treasurer;

“Manager of Public Works” means the Manager of Public Works of the Corporation of the Municipality of Bluewater or any successor to that position and in that person’s absence includes the acting Manager of Public Works;

“Grant Amount” means the maximum amount of costs that can be reimbursed annually, not including the approved administration fee;

“Municipality” means the Corporation of the Municipality of Bluewater;

“Owner(s)” means with respect to a property, the person appearing to be its owner by the last returned assessment roll as most recently revised in the absence of evidence to the contrary;

“Private Road” means a road that is not owned by or under the jurisdiction of the Municipality;

“Right-of-way/Easement” means a right of use over the property of another;

“Road” for the purposes of the Roads Grant Policy only, means the method of ingress and egress to an owner’s property and may include an unassumed municipal highway, land for widening, a private road, a block, a right-of-way and an easement but does not include a private individual driveway and roadway access in residential, trailer or tent parks;

“Roads Grant” means funds reimbursed to qualifying parties according to the terms of the approved Roads Grant Policy;

“Unassumed” means maintenance is not performed by the Municipality;

General Policies:

1. This policy does not apply to roads on a plan of subdivision or plan of condominium registered after January 1, 2002. This policy does not apply to any road access created by easement or any other means after January 1, 2002.
2. This policy applies to unassumed road or private roads located west of Bluewater Highway (Provincial Highway 21) and south of Crystal Springs Road in the Municipality;
3. The Roads Grant eligibility period is annually between November 1st of the previous year and October 31st of the current year.
4. Associations wishing to apply for a Roads Grant must provide a copy of the Association Letters Patent and any amendments to the Municipality.
5. Applications for Roads Grants must be submitted and signed by a person who is a current signing authority for the Association.
6. Reimbursable costs for roads can include grading, snow ploughing, tree removal & trimming, noxious weed control, gravel, dust control, road way grass cutting, road drainage including ditches and catch basins, road reconstruction and road surfacing.
7. Road reconstruction and road surfacing must be completed in accordance with the Road Design Standards and shall be pre-authorized in writing by the Manager of Public Works.
8. Roads under this policy must be open for public use. “No Trespassing”, “Private Road” or any signage restricting travel on the road is prohibited.
9. When a road is assumed by the Municipality for maintenance by a by-law, costs incurred by an Association following the date of passage of the by-law are not eligible for reimbursement.
10. The Roads Grant is comprised of:
 - a) actual reimbursement of costs as per section 5 above
 - b) one \$550 administration fee per Association
11. The Grant Amount is set out on the Submission for Roads Grant. The Grant amount will be reviewed by Council from time to time.

Annual Submission Requirements:

Associations must submit the following information to the Treasurer:

- a) a complete Application for Roads Grant
- b) a copy of the Association Letters Patent if not previously provided and any amendments to Letters Patent
- c) Copies of invoices for each reimbursement requested
- d) Proof of payment i.e. copy of bank account statement with payment identified

Processing Procedure

An Association must submit each year prior to December 1st for the Roads Grant period. Late submissions will not be considered. If no submission is made for a specific year, no funds are allocated for the Roads Grant. In the case of the first application, the Manager of Public Works will confirm the length of the road eligible for cost reimbursement.

Each Association's annual eligible allocation will be recorded. Unused funds shall be carried forward and reserved for future use. The reserve amount shall not exceed three times the annual allocation. No deficits will be permitted.

Changes to the submission form that are administrative in nature may be made by municipal staff.

Responsibilities

The Municipality of Bluewater Council and staff are responsible for adhering to this policy.

Forms

Appendix "A" - Annual Road Grant Submission Form

ANNUAL ROAD GRANT SUBMISSION FORM

The Municipality requires the association to review the Lakeshore Roads Grant Policy annually and confirm that are in compliance with the Lakeshore Roads Grant Policy and are eligible for receipt of the grant.

(Please check the box.)

The subject roads are open for public use. There are no signs posted indicating "No Trespassing" or "Private Road" for the submission year of 20 .

There is a formal subdivision association and copies of the establishing/authorizing documentation have been provided to the Municipality

Any capital improvements to subject roads are to municipal specifications

I, _____, by submission of these documents do certify such to be true and exact and that I am authorized by the above noted subdivision association to be the person to receive such monies on behalf of the said subdivision association.

Signed: _____

Date: _____

Cheque to be mailed to:

Subdivision: _____

Contact Name: _____

Telephone Number: _____

Mailing Address: _____

Statement of Expenditures for the period of November 1st to October 31st

Name of Subdivision _____

Eligible Roads/km

Total \$ Allotment _____

Balance of Reserves _____

Proof of Payment attached	Invoice attached	Date	Invoice #	Contractor/Supplier	Type of Work Completed	Amount Paid
					Total submitted:	

Note: Annual grant amount is established by Council during annual budget deliberations.

Minimum grant amount \$1,000.00
\$550 Administration Fee in addition to per/kilometer amount

The Annual Submission Form is due on or before December 1st of the current year. The Form will include the following supporting documentation:

- Copies of paid invoices
- Supporting Proof of Payment (copy of Association bank statement)
- **Please note late submissions will not be considered**

Failure to do so will result in that expense being ineligible to qualify for reimbursement.

Associations must submit every year in order to receive a grant. Non-submission in a year will result in loss of eligible amount for that year.

Cheques will be issued to the Association and mailed to the address indicated on the page 1.