

THE CORPORATION OF THE MUNICIPALITY OF WHITESTONE

BY-LAW NO. 44-2010

**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. 44-2010.
2. This by-law shall take effect and come into force upon passage by Council

Read a First and Second time this 7th day of June, 2010.

Mayor Chris Armstrong

CAO-Clerk Liliane Nolan

Read a Third time and **Passed, Signed and Sealed** this 7th day of June, 2009.

Mayor Chris Armstrong

CAO-Clerk Liliane Nolan

Schedule 'A' of By-Law 44-2010

Protocol for the authorizing of annual grants for the purposes of assisting road maintenance costs to property owners on private and unassumed roads:

1. The property owners (including undeveloped lots) fronting and/or utilizing one or more opened private or unassumed road(s) must form a ratepayers or similar association, duly constituted which memberships shall include/represent at least two-thirds (2/3) of those households;
2. The grant to be provided shall be determined by Council based on a calculation of x factor and y factor during the yearly budget process;

X factor represents dollars (\$) per kilometer and y factor represents dollars (\$) per household. An association representing several different roads may apply for grant for any or all affected roads unless a separate associated association has already applied for a road grant on their own;

3. 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;
4. Applications shall be accompanied by a budget of estimated annual expenditures and a statement of current uncommitted funds on hand in the Association's statement of record;
5. The Association's constitution, slate of officers and books shall be supplied to the Municipality with the application for a grant annually and all applications shall be considered only when protocols have been met;

Definition of constitution (Encarta World English Dictionary)

A written statement outlining the basic laws or principles by which the organization is governed;

6. All applications shall be forwarded to the Municipal Treasurer who shall have the responsibility/authority of determining grant eligibility and authorizing grants based on having met the protocols;
7. The Association 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;
8. Grants are not guaranteed and due to budgeting constraints may be curtailed at any time by resolution of Council;
9. 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;
10. 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;
11. Failure to follow reporting requirements will result in that particular road association not to be included for grants in the following calendar year.