

| The Township of Horton Policy and Procedures | | | |
|---|-------------------------------------|----------------------------------|--------------------------|
| SECTION: TRANSPORTATION | | | POLICY #: T-01 |
| POLICY: Grant Assistance Program for Improvement Costs of Private Roads | | | |
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1.0 POLICY STATEMENT

The Township of Horton Council has established a policy to establish a Grant Program to Assist with Improvement Costs of Private Roads.

2.0 DEFINITIONS

“**Approved**” means approved by the municipal council or the pertinent authority as described in this policy.

“**Association Representative**” means the individual granted Signatory authority by the road maintenance association.

“**Chief Administrative Officer/Clerk**” means the person appointed by by-law of the Council to act as Chief Administrative Officer/Clerk of the Corporation.

“**Construction**” means the action of building something.

“**Corporation**” means the Corporation of the Township of Horton.

“**Council**” means the Council of the Corporation of the Township of Horton.

“**Charge**” means a charge imposed pursuant to Section 391(2) of the Municipal Act.

“**Damage**” means any injury, harm, hurt, impairment, mutilation, destruction, or loss to any property, personal or otherwise.

“**Deficient**” means a quality of incompleteness or inadequacy.

“**Fee**” or “**Rate**” means a charge or payment for a service; a price or amount to be paid that is set.

“**Finish Grading**” means the action of a grader working with the preplaced top 2 inches of granular “A” or “M”, at most, to achieve a smooth roadway profile.

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“Grading” means finishing work to attain a smooth gravel surface of the travelled portion of a private road which does not include participation in application or compaction or the granular materials.

“Improvement” means the work undertaken on a road or within a right-of-way to increase or improve upon the existing condition or level of service of a road and shall include, but not be limited to road surface, road subsurface, ditching, brushing, road widening, right-of-way widening, utility relocation.

“Maintenance” means the care or upkeep of a road.

“Municipal Boundary” means the physical limits or borderline of the Township of Horton.

“Normal Conditions” means operational conditions, such as weather conditions, resulting in typical operational situations.

“Own or Owner(s)” means that:

- a. An owner, part owner, joint owner, tenant in common or joint tenant of any interest in the whole or any part or parcel of land,
- b. In the case of the absence or incapacity of a person or persons having ownership of any interest in the parcel of land, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of land.
- c. In the absence of proof to the contrary, the person assessed for the taxes on the parcel of land.

“Participating Owners” means owning property with sole access from the private roadway and are an active member of the road association that has contributed funding to road maintenance during the year the of application.

“Pertinent Authority” means Council unless otherwise designated to another person or body.

“Private Road” means any street, roadway, highway, travelled way, or right-of-way not dedicated and accepted as, or otherwise deemed at law to be a public highway, that serves as a privately maintained motor vehicle access-route to one or more abutting, legally conveyable parcels of land.

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“**Public Roadway**” means a highway, travelled way, or right-of-way dedicated and accepted as a public highway.

“**Rehabilitation**” means the action of restoring something that has been damaged to its former condition.

“**Road Maintenance Association**” means an organization of property owners who reside, or own property accessed by a private road that are represented by one (1) property owner who has signatory authority which also resides or owns property on the private roadway.

“**Signatory Authority**” means the person the Road Maintenance Association has granted the legal right to submit to this grant program or sign a release of liability on behalf of all the property owners on the private roadway.

“**Sole Access**” means the private roadway is utilized as the primary access point to and from the property and recognized as such in the County of Renfrew Civic Addressing System (911 system)

“**Structure**” is as defined in the general definitions section of the most current version of the Ontario Structural Inspection Manual (OSIM).

“**Site**” means the spatial location of the private road where grading shall be undertaken, including vertical and horizontal clearances as required.

“**Standard Specifications**” means a standard set by the municipality.

“**Special Provisions**” means work, or procedures not covered in the standard specifications, and as necessary to supplement or modify items in the standard specifications and/or to cover items of work unique to a specific site.

“**Summer Maintenance**” means actions performed to a private roadway to attain or maintain the standards listed within this policy that does not include storm/disaster recovery.

“**Township**” or “**Municipality**” means the Corporation of the Township of Horton.

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“**Winter Maintenance**” means actions such as snow clearing, snow removal or de-icing.

3.0 OBJECTIVE

The objective of this grant program is to support and encourage regular maintenance of private roads to attain and or maintain an acceptable accessibility standard for Owners and Emergency Response Services in addition to inspiring growth and tourism within the Township.

4.0 PROCEDURE

Procedure for grant application for the purpose of assisting with summer road maintenance costs to participating property owners on private roads:

1. The property owners (including undeveloped lots) fronting and/or utilizing a specific private road shall form a road maintenance association which shall include or represent at least two-thirds (67%) of those property owners;
2. The road maintenance association shall designate one (1) signatory authority that has been authorized to represent the entire association, file an application to the grant program and sign a release of liability on behalf of all property owners.
3. The grant allotment shall be determined by the Township of Horton’s Public Works Manager and approved by Council between September 30th and December 31st of the calendar year of the application based on the calculation of “x” factor plus “y” factor during the yearly budget process.
4. “x” factor shall represent a dollar value per kilometer of roadway and “y” factor shall represent a dollar value per property owner as defined in Appendix A attached to this policy.
5. All applications (attached to this policy as Appendix B) shall be submitted in person at the Township office and forwarded to the Public Works Manager who shall have the sole responsibility/authority of determining grant eligibility and recommending the applications approval to Council.

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6. Grant applications shall be submitted by September 30th. Approved grants shall reimburse property owners to assist with summer road maintenance and shall be paid in one lump sum by cheque to the signatory authority and shall be mailed to the mailing address specified within the submitted application within a timeframe deemed appropriate by the Township's Treasurer.
7. Grant funding is not guaranteed and due to budget constraints may be curtailed at any time by resolution of Council.
8. Council may from time to time establish further criteria or special provisions to the approval of grants that may be generally applied or specific to a particular application or private road.

5.0 CRITERIA

Grant applications meeting the following criteria and all provisions or special provisions specified in this policy or by the pertinent authority shall be deemed eligible and recommended to Council for approval:

1. The Private Road shall be named and recognized in the County of Renfrew Civic Addressing System (911 system) and shall be a minimum of 100m in length (300').
2. Only Private Roads located within the municipal boundary of the Township of Horton shall be eligible.
3. Private roads that branch directly off a main private road may be submitted under one application if all private roads that branch off the main private road are participating and part of the same association and meet all other criteria specified in this policy.
4. The "x" and "y" factors shall be clearly and accurately presented and coincide with the values investigated by the Township.
5. The application (Appendix B) shall be completed in full and include all supporting documentation listed as specified within this policy.

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6. Only private roadways that have formed a road maintenance association and established a one (1) signatory authority may apply to the grant program.
7. The road maintenance association shall be solely responsible to oversee the administration and supervision of annual work programs and related budget and furthermore the Municipality shall assume no responsibility, obligation or exercise any degree of operational control with respect to maintenance of the affected roads.
8. The grant program shall not be utilized to offset any cost of winter maintenance activities or storm/disaster recovery activities.
9. All private roads shall display improvements and maintenance to attain the criteria set out in this policy to be considered for grant approval.
10. The application shall clearly display improvements with before and after pictures to the following standards and provide all documentation listed within this policy and requested by the pertinent authority or the roadway may be deemed deficient, and the application shall be rejected:
 - i. The private roadway shall have a minimum of 100mm (4") of Granular "A" of "M" atop of the subgrade material.
 - ii. The private roadway shall have a minimum width of 4 m (13')
 - iii. The vertical clearance height shall be a minimum of 4m (13')
 - iv. The horizontal clearance shall be a minimum of 5.5m (18')
 - v. The private roadway shall have a minimum 7m (23') radius turn around at all termination points or an unobstructed turn around area acceptable to the Township and its Emergency Response Services. (Turnarounds that do not accommodate Emergency Response Vehicles to perform a standard 3-point turn as defined in the most current version of the Official Ministry of Transportation Drivers Handbook shall be deemed deficient)
 - vi. The roadway under normal conditions shall be able to withstand a minimum vehicle load capacity of 20,412 kg or 45,000 lb.
 - vii. All structures shall be able to always withstand a minimum vehicle load capacity of 20,412 kg or 45,000 lb.
 - viii. Proof of an OSIM biennial inspection including a condition rating and load capacity rating report by a qualified professional for any structure greater than

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or equal to 3m in span. (No alternate routes or by-passes shall be considered acceptable to avoid crossing structures on the established routes of any given private roadway)

- ix. The private roadway shall have no obstructions that may cause delays, hazards or damage to emergency response vehicles or its operators.
- x. Documentation of participation by two-thirds (67%) of property owners in sharing the costs of road maintenance.
- xi. Presentation of paid invoices for road improvements in the current year.

- 11. The Township may at any time throughout the year perform an inspection on the private roadway or consult with emergency response services to compile special provisions and or confirm that the roadway is receiving improvements to attain or maintain the above criteria.

6.0 PROVISIONS

- 1. The Township of Horton’s primary objective is the maintenance of its public road network and therefore shall encourage the utilization of local contractors, however the Township may be contracted for finish grading activities only at the sole discretion of the Township of Horton’s Public Works Manager if scheduling allows for the work to be completed without hindering operations to maintain the public roadway network.
- 2. If the Township is contracted for finish grading the fee shall be per the applicable amount specified in the most current version of the Townships User Fees and Charges By-Law at a minimum on-site charge on three (3) hours. Payment in full shall be received for the three (3) hour minimum prior to any finish grading work being scheduled.
- 3. The Township shall not supply any manual labour, flaggers, signage, or compaction equipment.
- 4. The Township shall not partake in any construction or rehabilitation activities to any private roads including, but not be limited to, granular application to the road surface, road subsurface, ditching, brushing, road widening, right-of-way widening, turn around construction or widening, utility relocation or any other action that cannot be defined as finish grading.

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5. The Township shall not perform grading that requires crossing a structure without proof supplied by a qualified professional, within the biennial period as defined by the OSIM, that the structure can withstand a minimum vehicle weight rating of 20,412 kg or 45,000 lb.
6. The Township shall only complete work on roadways that have an established road maintenance association.
7. A release of liability waiver (attached as Appendix C to this policy) shall be completed and signed by the signatory authority prior to any finish grading work being scheduled.