

BELMONT LAKE FIRE ROUTE 25 ROAD ASSOCIATION (FR25RA)

By-law No. 1.0, Governance

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By-law No. 1, Governance BELMONT LAKE FIRE ROUTE 25 ROAD ASSOCIATION

1.0 - Voluntary Association

This By-law governs the affairs and transactions of the BELMONT LAKE FIRE ROUTE 25 ROAD ASSOCIATION (FR25RA), an organization of property owners along Fire Route 25, Belmont Lake, Havelock Ontario, K0L1Z0.

2.0 - Objective

The objective of FR25RA is to provide for the maintenance of a private, vehicular access road to service homes and cottages for the benefit of the Members and to promote safety for all persons using such road. Specifically the FR25RA exists to support the year-round safe access for Emergency Vehicles such as Police, Fire, Ambulance, Hydro, as well as Property Owners, their Guests, Suppliers/Contractors and Service Providers to Belmont Lake Fire Route 25.

3.0 - FR25RA Membership

3.1 Membership in FR25RA:

- a. Shall be based on ownership of any property (defined itself as being any land that is assessed by the municipality by roll number which allows for the construction of a single-family dwelling or residence or as recreational property) that is entitled to vehicular access via any portion of Fire Route 25. Where the registered title to a property is held by more than one person, the registered owners shall collectively constitute one Member, shall be assessed one annual Membership fee, and shall be entitled to one vote on any matter set forth in his by-law where a vote is allowed or required. Likewise if a registered property owner has title to multiple properties on the road, they will constitute one Member, shall be assessed one annual Membership fee, and shall be entitled to one vote on any matter set forth in his by-law where a vote is allowed or

required. For ease of use, the emergency access address number (Fire Route Number) will be used to determine property location and in cases where an owner may have property in multiple locations along the road, the highest emergency number will be utilized when determining location when assessing annual fees.

- b. Only Members who have paid their annual Membership fee as set by this by-law and by the Board of Directors shall be deemed Members in good standing with FR25RA
- c. Only Members in good standing with FR25RA shall be entitled to vote and receive notice on any matter authorized by this by-law.

4.0 - Communications

Whenever, under the provisions of the by-laws of FR25RA, notice is required to be given, such notice will be by email address, posting on the www.fireroute25.ca website, public posting at the entrance to Fire Route 25 or hand delivery of notice. For the purpose of sending any notice, the contact of any Member, Director or Officer shall be their last known email address as recorded in the books of FR25RA or hand delivery to the Fire route address if no email has been provided.

5.0 - Board of Directors

The Board of Directors shall be comprised of between 3 and 15 members who shall be Members of FR25RA in good standing. The Board shall meet at least twice per calendar year or more frequently as it shall determine.

The Directors shall manage or supervise the management of the activities and affairs of FR25RA.

The number of Directors on the Board of Directors shall be determined from time to time by resolution of the directors.

5.1 - Vacancies on the Board of Directors

A vacancy on the Board of Directors may, so long as a quorum of Directors remains in office, be filled by the remaining Directors by appointing a Member of the FR25RA in good standing. Alternatively the remaining Directors may determine that, or if there is no quorum of the remaining Directors, the vacancy shall be filled at the next annual meeting of the Members.

5.2 - Quorum and Meetings

Three members of the Board of Directors, at least one of which must be the President and/or Treasurer of the association, shall constitute a quorum of the Board.

Except for the annual meeting of Members, the Board may hold its meetings at such times and places as it may consider appropriate in its discretion. These meeting may be held electronically and/or in person. No formal notice of any such meeting shall be necessary if all the Directors are present, or if those absent have consented to the meeting being held in their absence. No error or omission in giving such notice for a meeting of the Board shall invalidate such meeting or invalidate or make void any proceedings taken or had at such meeting

The Board shall hold an annual meeting of the Members not more than 15 months after the holding of the last preceding annual meeting of Members.

5.3 - Voting at Board Meetings

Questions arising at any meeting of Directors shall be decided by a majority of Member votes. All votes at any such meeting shall be taken by ballot if so demanded by any Director present, but if no demand is made, the vote shall be taken in the usual way by assent or dissent. Some questions may be distributed prior to the Board meeting, in which case Board members may submit their votes by proxy to the President if they are unable to attend, in which case these votes will be included when determining decisions. A declaration by the President that a resolution has been carried and an entry to that effect in the minutes shall be proof of the fact thereof.

5.4 - Powers of Board of Directors

The Directors of FR25RA may administer the affairs of FR25RA in all things and make or cause to be made for FR25RA, in its name, any kind of contract which FR25RA may lawfully enter into and, save as hereinafter provided, may generally exercise all such other powers and do all such other acts and things as FR25RA is by its constitution or otherwise authorized to exercise and do.

5.5 - Remuneration of Officers and Directors

The Officers and Directors shall receive no remuneration for acting in either or both capacities. Reasonable expenses incurred by Officers or Directors that have been approved by the Board on behalf of FR25RA shall be reimbursable. Where a dispute arises, the Board shall determine the reasonableness of the expense.

6.0 - Officers

6.1- Duties of President

The President shall, when present, preside at all meetings of the Members of FR25RA and of the Board. The President is responsible for the general management and supervision of the affairs and operations of FR25RA. The President, along with the Treasurer or other officer appointed by the Board for the purpose, shall execute and bring into force all by-laws.

During the absence or inability of the President to preside over meetings, their duties and powers may be exercised by the Treasurer or other Road Committee member as appointed by the President

6.2 - Duties Of Treasurer

The Treasurer shall keep full and accurate accounts of all receipts and disbursements of FR25RA in proper books of account and shall deposit all monies or other valuable effects in the name and to the credit of FR25RA of such bank or banks as may from time to time

be designated by the Board. The Treasurer shall disburse the funds of FR25RA under the direction of the Board, taking proper receipts, statements and/or confirmations and shall render to the Board at regular meetings or whenever required of them, an account of all their transactions as Treasurer, and of the financial position of FR25RA. The role of treasurer may be shared, by a primary Treasurer and Associate Treasurer to ensure financial controls and continuity of financial management.

6.3 - Duties Of Secretary

The Secretary shall attend all meetings of the Board and record both the fact of the meeting and minutes of all proceedings in the books kept for that purpose. The Secretary shall ensure that all notices required to be given to Members and to Directors and shall be the custodian of all non-financial books, papers, records, correspondence, contracts and other documents belonging to FR25RA.

7.0 - Committees of the Board

The Board may appoint or elect such committees as the Board deems necessary to consider special projects or problems that may arise from time to time. The Board will define the terms of reference of each such committee and appoint Directors at its sole discretion. The Board may appoint Members of FR25RA or members of the public at large to a committee if it so determines.

7.1 - General Road Maintenance Committee

A sub-committee called the General Road Maintenance Committee shall be established for the purpose of administering and overseeing the Board's and FR25RA road maintenance plan and activities. The General Road Maintenance Committee is responsible for the maintenance of the road from early spring as snow melts and the road begins to thaw, through the first snowfall in the fall.

- a. The Committee will be composed of the Officers and/or Member volunteers. and will be led by the General Road Maintenance Committee Chair. The responsibilities of the General Road Maintenance Committee will include regular road inspections and arranging for such maintenance and improvements as they determine to be required based on their inspections.

- b. Speed restrictions and road safety signage: The General Road Maintenance Committee will be responsible for recommending any directional, warning, and speed signage and/or speed restriction measures necessary to maintain safety and integrity of the road.
- c. Spring Road Weight Restrictions: The General Road Maintenance Committee will be responsible for determining and imposing seasonal weight restrictions that may be required to protect the road.
- d. Flooding: The General Road Maintenance Committee will be responsible for recommending any flooding mitigation or remediation work that may be required and will work with individual property owners on solutions to protect accessibility, integrity and safety of the road, subject to the financial management bylaws herein.
- e. Road Suppliers/Contractors: All suppliers/contractors who are contracted to perform maintenance work on the road, must carry full liability insurance for employees and equipment

7.2 - Winter Road Maintenance Committee

A sub-committee called the Winter Road Maintenance Committee shall be established for the purpose of administering and overseeing the FR25RA road winter maintenance plan and activities:

- a. The Committee will be composed of the Officers and/or Member volunteers. and will be led by the Winter Road Maintenance Committee Chair. The responsibilities of the Winter Road Maintenance Committee will include recommendation and management of an appropriate contractor to provide snow plowing/removal and salting/sanding, subject to the financial management bylaws herein. The Chair will regularly report to the Board on the activities of the Committee.
- b. Signage and communications: It will be the responsibility of the Winter Road Maintenance Committee to provide appropriate signage (if required) and facilitate communication between residents and plowing contractors.

- c. **Road Suppliers/Contractors:** All suppliers/contractors who are contracted to perform winter maintenance work on the road must carry full liability insurance for employees and equipment.

8.0 - Road Use Agreements

FR25RA maintains Belmont Lake Fire Route 25 for the sole purpose of providing safe and reliable access to each Member's property, including safe and reliable access for Emergency vehicles, members, their guests, contractors and service providers.

Uses beyond this scope require a Special Road Use Agreement. The FR25RA, the Board, and/or the General Road Maintenance Committee are accountable for executing Special Road Use Agreements with parties that require special short term or ongoing access to Fire Route 25 (e.g. substantial construction projects that risk road integrity or safety, may cause disruption of access or for which road alterations may be required). The Board is authorized to deem when such agreements are necessary and are authorized to enter into these agreements. This entails assessing usage and negotiating terms of reference, including fees and/or maintenance obligations.

Spring Road Weight Restrictions: Recognizing that Spring thawing of snow and ice represents significant risk to the ongoing integrity of the road, The Board, based on recommendations from The General Road Maintenance Committee, and ideally aligned with similar restrictions imposed by the Township of Havelock-Belmont-Methuen, may impose temporary load/weight restrictions for vehicles wishing to access Fire Route 25.

Road Damage: If any Member of FR25RA, or their guests, contractors or other visitors to the Member's property, damages or impairs the road at any time of the year, it is the Member's responsibility to either repair the road at the Member's expense and to the satisfaction of the General Road Maintenance Committee or provide suitable restitution to FR25RA.

9.0 - Execution Of Documents

Transfers, licenses, contracts and engagements on behalf of FR25RA up to \$5,000 shall be signed by the President and by either of the Treasurer or Associate Treasurer. Amounts in excess of \$5,000 shall be signed by both by the President and the Treasurer.

Contracts in the ordinary course of FR25RA's operations may be entered into on behalf of FR25RA by the President and any one of Treasurer, Associate Treasurer, General Road Maintenance Committee Chair, Winter Maintenance Committee Chair or by any persons authorized by the Board.

10.0 - Annual Membership Fee

The Board has the right to impose and collect an annual fee from every FR25RA Member, using the membership criteria defined in this bylaw. All residents and/or property owners (identified by way of tax roll number as per the Township of Havelock-Belmont-Methuen records) who's properties connect via Belmont Lake Fire Route 25 are required to be Members of FR25RA.

The fixing of fees each year shall be recommended by the Board of Directors and approved at the annual meeting of Members.

Fees may be of a multi-level nature, with an annual base fee based on address and/or occasional winter access versus full-time usage, plus an optional surcharge fee for special maintenance, a capital expenditure, or a significant event that has damaged the road.

All Membership fees are due to be paid within two weeks of invoice date.

Annual membership fees for a single year may be waived or reduced for a specific resident/property owner by a unanimous vote of the Board. Renewal of this waiver for an additional year requires an additional unanimous Board approval in each subsequent year.

Fee Compliance: All members are required to pay annual fees. The board will make every attempt to communicate the importance of annual fees and facilitate easy collection of fees, however in accordance with established legal precedent, the Board may pass a resolution approving the legal pursuit of any Member who has failed to pay their fees.

11.0 - Annual and Other Meetings of Members

There shall be at least one annual meeting of Members per calendar year, to which all Members shall be invited with a minimum of two (2) weeks' notice. This meeting shall be in-person, or at the direction of a majority of the Board may be held electronically.

In addition to the annual meeting general meeting each year, additional special meeting(s) may be called by the President or at the request of the majority of the Board or at the request of at least fifty (50) percent of the Members in good standing.

No error or omission in giving notice of any annual, general or special meeting of the Members of FR25RA shall invalidate such meeting or make void any proceedings.

11.1 - Quorum of Members

The attendance of at least twenty (20) percent of the Members at a meeting shall constitute a quorum at any annual, general or special meeting of the Members, including Members in attendance by way of proxy.

11.2 - Voting of Members

Each Director and each Member shall, at all meetings of Members, be entitled to one (1) vote and they may vote by proxy. A person acting as a proxy shall, before voting, produce and deposit with the meeting organizer sufficient proof of appointment in writing from the Member who has appointed them. A person acting as a proxy for a Member need not be a Member.

Only Members in good standing shall be entitled, either in person or by proxy, to vote at meetings of FR25RA.

Prior to the commencement of a meeting, the meeting organizer shall record all Members present in person or by proxy.

Every motion shall be decided by a majority of the votes of the Members present in person or represented by proxy. Every motion shall be decided by a show of hands (virtually or in person) of Members unless a poll is demanded by any Member with the support of one third of Members present.

12.0 - Financial Year

Unless otherwise ordered by the Board, the fiscal year of FR25RA shall commence on July 1st and terminate on June 30th each year.

12.1 - Payments

Subject to sections 6.2 and 9.0, all banking will be the responsibility of the Treasurer. All payments issued in the name of FR25RA shall be issued by the Treasurer. The fees and financial assets of FR25RA shall be deposited for safekeeping with one or more bankers, trust companies or other financial institutions to be selected by the Board.

12.2 - Borrowing

No Director or Officer may borrow any money on behalf of FR25RA without agreement from a two-thirds majority of Members at a properly constituted meeting of the Membership.

12.3 - Liquidation and Dissolution

If FR25RA must be dissolved, any remaining assets will be used at the discretion of a majority of remaining Directors to continue road maintenance activities until all remaining funds are exhausted.

13.0 - Protection of Directors and Officers

No Director or Officer of FR25RA shall be liable for the acts, receipts, neglects or defaults of any other Director or Officer, or for joining in any receipts or other act for conformity, or for any loss or expense happening to FR25RA through the insufficiency or deficiency of title to any property acquired by order of the Board for or on behalf of FR25RA, or for the insufficiency or deficiency of any security in or upon which any of the monies of FR25RA shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any person with whom any of the monies, securities or effects of FR25RA shall be deposited, or for

any loss occasioned by any error of judgment or oversight on their part, or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of their office or in relation thereto.

13.1 - Indemnity of Directors and Officers

Every Director or Officer of FR25RA and their heirs, executors and administrators, and estate and effects, respectively, shall be indemnified and saved harmless, out of funds and insurance of FR25RA, from and against any liability and all costs, charges and expenses that they sustain or incur in respect of any action, suit or proceeding that is proposed or commenced against them for or in respect of anything done or permitted by them in respect of the execution of the duties of their office; and all other costs, charges and expenses that they sustain or incur in respect of the affairs of FR25RA.

14.0 - Insurance for Directors Officers and Members

The Board shall purchase and maintain insurance for:

- a. the benefit of the Directors and Officers of FR25RA against liabilities, costs, charges and expenses sustained or incurred by such Director or Officer in respect of the execution of the duties of their office or in respect of the affairs of FR25RA. Such insurance shall include both specific Directors and Officers (D&O) insurance and general commercial liability insurance; and
- b. the benefit of the Members of FR25RA against liabilities, costs and charges and expenses incurred against the FR25RA.

15.0 - By-law Amendments

New by-laws, or amendments to or repeals of this or other by-laws of FR25RA, shall be made at an annual meeting or at a special meeting. Written notice of such amendments and such meeting shall be given at least two (2) weeks prior to the date of the meeting. The notice must contain the Notice of Motion, together with the name(s) of Members moving and seconding the by-law changes. The Members may confirm, reject or amend the by-law, amendment or repeal by ordinary resolution.

A new by-law, an amended by-law, or repeal of a by-law may be passed by a two-thirds majority of the Members in good standing, provided that at such meeting there is a quorum of the Membership (see Section 11.1 – Quorum of Members). Any amendment so passed becomes effective immediately after the meeting at which it is formally adopted.

16.0 - Interpretation

The Board shall rule on any matter which it considers may be in conflict with or inconsistent with this By-law or on any matter on which this By-law may be silent.

ENACTED:

**The Board of Directors of the
Belmont Lake Fire Route 25 Road Association.
May, 2025**

APPENDIX A

Definition of Belmont Lake - Fire Route 25

“Fire Route 25”, as overseen by the FR25RA, is a four season maintained aggregate road surface, situated commencing at a corner of Preston Road approximately 800 meters east of the junction of Preston Road and 6th Line (44.49710N, 77.83947W) and terminating approximately 2.5 km (distance traveled over land) (44.49189N, 77.83121W) Approximately the first 200 meters of Fire Route 25, leading from Preston Road to the commencement of the FR25RA-administered portion, is maintained by the Township of Havelock-Belmont-Methuen.

Map:

