

The following provides an overview of what to consider for your private road in Ontario, and how FOCA can help along the way.

Warning: Road issues can be complex, multi-faceted and confusing. No two road stories are exactly alike, and information provided by FOCA should not be taken as—or as a replacement for—legal, insurance, or professional advice about your particular situation.

About you: If you're managing – or considering managing – a private road, you've got questions and concerns (see below), and you want answers and peer contacts!

About FOCA: FOCA has over 500 member Associations, and at least 200 of them are involved in maintaining private roads. This shared knowledge base enables FOCA to field road-related questions from member Associations, and to share information from peer reports and FOCA surveys.

What members say...

*"Wow Thank you so much!
What would I do without FOCA
for advice? Nice to be able to
quickly adapt winning ideas."
~email from J.C.*

The Evolution of a Road Group: A road group evolves over time and may develop in stages. **You might be starting at the very beginning, or you might already have some pieces in place but lack the support of a written set of bylaws, peer mentors, or other resources.** While some groups begin as "hand-shake" agreements between neighbours, most road organizations are becoming more standardized over time due to generational shifts (the "roads guy" is no longer able or willing to do the work) or ownership shifts (actual ownership and rights-of-way may not be well understood, and property sales mean re-starting the conversation with new players). Usage is shifting too, as some formerly "seasonal" roads do duty, year-round.

Roads - Stage 1:

At this stage, a few property owners are ready to commit to get some information together and think through possibilities, before arranging a meeting of all the property owners to review options and agree on the basics, such as:

- Who "owns" the road, and who has the right to access it?
- What is the standard for maintenance of the road? What condition is it in now?
- On a day-to-day basis, who makes decisions on behalf of the group? When everyone meets (usually at least once a year) to approve the next "directors", budget, annual fees, or priority projects: who gets to vote?
- How will liability be managed? What if there's an accident?
- Who pays for upkeep/maintenance, and who does the actual work?

FOCA can help with a free document: "*Starting and Building a Successful Road Association.*" Email the FOCA office for your copy: info@foca.on.ca

Roads - Stage 2:

In addition to the basic issues above, eventually your road group will likely face some or perhaps all of these additional questions:

- Have we covered all our bases? Are there templates or sample bylaws to consult?
- How do we get everyone to pay their fair share? What if they don't?
- Where will technical information or peer support be found?
- Should we become incorporated? Are there any annual filings we need to make?
- Are there "benchmark" statistics about costs to manage a road like ours?
- How will we handle changing usage? Will our "seasonal" road become "4-season", and if so, who pays for winter plowing – everyone, or only those using it?
- How will we fund large capital projects? (e.g., replacing a bridge or culverts, rebuilding the road in case of a washout...)
- Can we get our municipality to assume our private road, or at least provide some grants or annual funding for certain costs?

How to get answers to questions like these? You may already be an Individual Supporter of FOCA, or a member of one of our Lake Associations; however, to access dedicated **road resources and related benefits, your road group needs to join FOCA, in the name of the Road Association.** The annual fee is \$125 plus \$4/member*

Annual FOCA membership benefits include:

- **FOCA member discount** on Road Association liability insurance through the FOCA Insurance Program, administered by [Cade Associates Insurance Brokers](#)
 - **NEW!** – this insurance coverage also includes unlimited free access for the Association to a **legal helpline** service through Das Legal Protection Inc.
- access to FOCA's Road Survey summary, including **benchmark** budget/fees data
- samples and case studies about the questions posed above, access to FOCA's "**help line**" (call/email), additional resources, general advice, or peer road contacts.

What members say...

"We've recently been able to get all members to pay road maintenance costs, and the article FOCA had on requirements to do so, including legal precedent, was very helpful."

~member survey response

[Join FOCA now!](#)

Or contact FOCA's Membership Coordinator for assistance: info@foca.on.ca

* **Exception:** *If your road group's members have already been counted and paid for by the local Lake Association that is an existing, full FOCA Association member, you don't pay twice. In this case, a road group may join by paying the flat fee of \$125 and only for any members not already counted (which might be "zero") at \$4/member.*