THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 31-2012

Being a by-law to enter into an Agreement with the Township of North Huron to provide water service for fire hydrants, as required.

WHEREAS, the Municipal Act, 2001, as amended, permits the Councils of all municipalities to enter into certain agreements; and Section 11 (3) starts: A lower-tier municipality may pass by-laws, respecting matters within the following spheres of jurisdiction: and Subsection 4. authorizes Public Utilities;

AND WHEREAS, the Municipal Act, 2001, as amended, Section 20 (1) states: a municipality may enter into an agreement with one or more municipalities or local bodies, for their joint benefit, any matter which all of which they have the power to provide within their own boundaries; and Section 20 (2) – Joint Undertaking states: The Municipality may provide the matter in accordance with the agreement anywhere that any of the municipalities have the power to provide the matter;

AND WHEREAS, the Municipality of Morris-Turnberry is desirous to enter into an agreement with the Township of North Huron, for the installation of a fire hydrant to service 40550B Amberley Road;

NOW THEREFORE, the Municipal Council of the Municipality of Morris-Turnberry enacts as follows:

1. That the Municipality of Morris-Turnberry hereby enters into an agreement with the Township of North Huron, in accordance with the agreement attached hereto as Schedule 'A';

2. That the Mayor and Clerk are hereby empowered to sign and execute all necessary documents in order to effect this said agreement;

3. That the said by-law shall come into force on the final passing thereof.

Read a first, second, third and final time this 17th day of April, 2012

Mayor – Paul Gowing

Clerk - Nancy Miscie
DEVELOPMENT AGREEMENT

This agreement made in triplicate on the 17th day of April, 2012 A.D.

BETWEEN:
The Corporation of the Municipality of Morris-Turnberry
Hereinafter called ‘Morris-Turnberry’ of the First Part

-and-

The Corporation of the Township of North Huron
Hereinafter called the ‘North Huron’ of the Second Part

Whereas, North Huron is the owner of the water system:

And Whereas, the Morris-Turnberry has agreed to enter into an agreement with the North Huron, to allow for the installation of a fire hydrant;

And Whereas, North Huron estimates that the costs for the installation of a fire hydrant is approximately $3500.00 to $4000.00.

NOW THEREFORE BE IT RESOLVED THAT:

1.0 North Huron agrees that the fire hydrant at 40550B Amberley Road will be installed as soon as practically possible after design and all approvals are granted;

2.0 Morris-Turnberry agrees to pay the North Huron the total actual cost of the fire hydrant, with the estimated cost being $3500.00 to $4000.00;

3.0 That North Huron agrees to share all invoices and records involving the construction of the fire hydrant, at the request of Morris-Turnberry;

This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns.

In Witness whereof the parties hereto have executed this Agreement.

Signed, Sealed and Delivered this 17th day of April, 2012 A.D.

The Corporation of the Municipality of Morris-Turnberry

Mayor: Paul Gowing

Administrator Clerk-Treasurer: Nancy Michie
(We have authority to bind the Corporation)

The Corporation of the Township of North Huron

Reeve: Neil Vincent

CAO/ Clerk: Gary Long
(We have authority to bind the Corporation)