CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 35-2019

Being a by-law to provide for the delegation of authority to approve drainage assessment apportioning agreements for the Municipality of Morris-Turnberry.

WHEREAS Provision Consent granted by the Huron County Land Division Committee in the Municipality of Morris-Turnberry often includes a condition to ensure that Section 65 of the Drainage Act, R.S.O. 1990 is addressed to the satisfaction of the Township before final Consent is granted;

AND WHEREAS Section 65(2) of the Drainage Act, R.S.O. 1990 states that if owners of subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into an agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer be instructed;

AND WHEREAS Section 23.1 of the Municipal Act, R.S.O. 2001, as amended, authorizes a Municipality, without limiting sections 9, 10, and 11, to delegate its powers and duties under the Municipal Act or any other Act to a person or body;

AND WHEREAS the Council of the Municipality of Morris-Turnberry deems it desirable to delegate the authority to approve drainage assessment share agreements as per Section 65(2) of the Drainage Act as these agreements are considered routine administrative items;

NOW THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry ENACTS as follows:

1. THAT approval of drainage assessment share agreements, as per Section 65(2) of the Drainage Act is hereby delegated to the Clerk or designate of the Municipality of Morris-Turnberry

2. THAT this by-law shall come into full force and effect on the final passing thereof.

Read a FIRST and SECOND time this 7th day of May, 2019.

Read a THIRD TIME and FINALLY PASSED this 7th day of May, 2019.

[Signature]
Mayor, Jamie Huffer

[Signature]
Clerk, Trevor Hallam