THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

By-law No. 54 -2014

BEING A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY AND THE CORPORATION OF THE TOWNSHIP OF NORTH HURON, REGARDING THE MAINTENANCE AND REPAIR OF THE VICTORIA STREET BRIDGE, WINGHAM, ON

WHEREAS, The Municipal Act S.O. 2001, c. 25, as amended, Section 20(1) authorizes that a municipality may enter into an agreement with one or more municipalities or local bodies, as defined in Section 19 of the Act, or combination of both to jointly provide, for their joint benefit, any matter which all of them have the power to provide within their own boundaries;

AND WHEREAS, The Council of the Municipality of Morris-Turnberry hereby authorizes to enter into an agreement with the Township of North Huron to share the maintenance and repair of the Victoria Street Bridge.

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

1.0 That the Council of the Municipality of Morris-Turnberry hereby agree in enter into an agreement with the Township of North Huron, to share the maintenance and repair of the Victoria Street Bridge, located in Wingham, Ontario;

2.0 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';

3.0 That the Mayor and Clerk be hereby authorized to sign and execute the by-law;

4.0 This By-law shall come into full force and effect upon the 2nd day of September, 2014;

5.0 This By-law may be cited as the "Victoria Street Bridge Agreement By-law ".

Read a first, second, and third time and finally passed this 2nd day of September, 2014.

Mayor, Paul Gowing

Clerk, Nancy Michie
THIS AGREEMENT made the \( \text{a}^{\text{th}} \) day of \( \text{S}^{\text{nd}} \), 2014

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH HURON
Hereinafter called “North Huron”
OF THE FIRST PART

-and-

THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY
Hereinafter called “Morris-Turnberry”
OF THE SECOND PART

WHEREAS Section 52 (5) of the Municipal Act S. O. 2001, c. 25 states:
"If a highway is removed from an upper tier highway system, it is under the jurisdiction of the lower tier municipality in which the highway is located’’;

and Section 29(2) of the Municipal Act S. O. 2001, c. 25 states:
"Subject to a by-law passed under Section 52, if a bridge joins a highway under the jurisdiction of any municipality to a highway under the joint jurisdiction of another municipality, the bridge is under the joint jurisdiction of the municipalities’’;

AND WHEREAS, Morris-Turnberry and North Huron are desirous to share the maintenance and repair of the bridge on Victoria Street, Wingham which was removed from the County system by By-law 72-2012 of the County of Huron’;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the terms and conditions contained herein and other good and valuable consideration the parties hereto agree as follows:

1. That the Township of North Huron and the Municipality of Morris-Turnberry hereby agree to share the maintenance and repair of the Victoria Street bridge, with a 50-50 share of maintenance and repair costs;
2. This agreement will effective on the final passing thereof.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement.

THIS AGREEMENT is executed by “North Huron” this 5th day of August, 2014

[Signatures]

Mayor – Neil Vincent

Clerk/CAO – Gary Long
THIS AGREEMENT is executed by "Morris-Turnberry" this 2nd day of September, 2014

Mayor Paul Gowing

Administrator Clerk-Treasurer – Nancy Michie