THE CORPORATION OF THE
MUNICIPALITY OF MORRIS-TURNBERRY

BY-LAW NO. 81-2016

"Being a by-law to authorize the Mayor and Clerk to execute and affix the
Corporate Seal to an agreement for the Municipality of Morris-Turnberry and
the Municipality of Huron East,
Regarding the supply of water, sewer and street lighting service, to owners or
occupants of land beyond the limits of the municipality"

WHEREAS, Section 8 of the Municipal Act, 2001 S.O. 2001 C. 25 as amended, states
that; ‘Powers of a natural person – A Municipality has the capacity, rights, powers and
privileges of a natural person for the purpose of exercising its authority under this or any
other Act’;

AND WHEREAS, Section 20 (1) of the Municipal Act, 2001 S.O. 2001 C. 25 as
amended, authorizes a municipality to enter into an Agreement with one or more
municipalities or local bodies, as defined in Section 19, or a 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 deems it
advisable to enter into an Agreement with the Municipality of Huron East for the supply
of water, sewer and street lighting, to the owners or occupants of land beyond the limits
of the municipality;

AND WHEREAS, the Corporation of the Municipality of Morris-Turnberry enacts as
follows:
1. THAT the Council of the Municipality of Morris-Turnberry, hereby enters into
an Agreement to provide Water, Sewer and Street Lighting Services with the
Municipality of Huron East, and the agreement is hereby attached as Schedule
‘A’ to this by-law;

2. THAT this by-law hereby rescinds and repeals By-law No. 8-2007 of the
Municipality of Morris-Turnberry;

3. THAT the Mayor and Clerk of the Municipality be and are hereby authorized to
execute and affix the Corporate Seal to this By-law, and that the By-law be
known as the ‘Huron East- Water, Sewer and Street Lighting Services
Agreement’ By-law.

Read a FIRST and SECOND time this 6th day of September, 2016

Read a THIRD time and FINALLY PASSED this 6th day of September, 2016.

Mayor, Paul Gowing

Clerk, Nancy McHie
THIS AGREEMENT, made this 9th day of August 2016.

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY
Hereinafter called the
‘Municipality of Morris-Turnberry’

THE CORPORATION OF THE MUNICIPALITY OF HURON EAST
Hereinafter called the
‘Municipality of Huron East’

WHEREAS under the provisions of the Municipal Act, S.O. 2001 Chapter 25, as amended, municipalities may pass by-laws regarding the provisions of public utilities and may enter into agreements with municipalities to provide services in another municipality;

AND WHEREAS the Municipality of Huron East and the Municipality of Morris-Turnberry have previously entered into agreements for the provision of municipal water and sanitary sewage services from the Brussels Ward of Huron East to designated properties in Morris-Turnberry;

AND WHEREAS street lighting services are provided to designated properties in the Municipality of Morris-Turnberry from the Brussels Ward of the Municipality of Huron East;

NOW THEREFORE the parties hereto mutually covenant and agree as follows:

1. The Municipality of Huron East hereby provides or makes available municipal water and sanitary sewer services to properties in the Municipality of Morris-Turnberry as described on Schedule “B” attached hereto.

2. That the Municipality of Huron East will set annual water and wastewater rates for the Brussels Ward in accordance with the Water & Wastewater Financial Plan of the Municipality of Huron East and the rates for properties in the Municipality of Morris-Turnberry shall be at one and one half (1 ½) times the rates for municipal water and sewage rates within the Brussels Ward of Huron East.

3. The Municipality of Huron East will advise the Municipality of Morris-Turnberry of changes to the Brussels water and wastewater rates within 30 days of such changes being adopted by the Council of the Municipality of Huron East.

4. The Municipality of Morris-Turnberry will advise the Municipality of Huron East of any property owner in Schedule “B” who intends to connect to the Brussels Sanitary Sewer System.
5. The Municipality of Huron East hereby provides a municipal streetlighting system to properties in the Municipality of Morris-Turnberry as described in Schedule “B” attached hereto.

6. That the Municipality of Morris-Turnberry will annually before the 31st day of March provide the Municipality of Huron East with the individual taxable assessments for the properties in Schedule “B”. The Municipality of Huron East will calculate a tax rate for streetlighting purposes in the Brussels Ward of Huron East and shall provide such tax rate to the Municipality of Morris-Turnberry by the 30th day of April.

7. The Municipality of Huron East shall invoice the Municipality of Morris-Turnberry for water, wastewater and streetlighting services as follows:

   i) 50% of previous year’s water and wastewater levy will be issued by Huron East by March 31st
   ii) the balance of the water and wastewater levy and the levy for streetlight services shall be issued by the Municipality of Huron East by August 31st.

8. This Agreement shall remain in effect until repealed or terminated, which may only occur with the mutual consent of both Municipalities.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE HEREUNDER AFFIXED THEIR CORPORATE SEALS AND THE SIGNATURE OF THEIR RESPECTIVE OFFICERS.

THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

[Signature]
Paul Gowing, Mayor

[Signature]
Nancy Michie, Administrator, Clerk-Treasurer

THE CORPORATION OF THE MUNICIPALITY OF HURON EAST

[Signature]
Bernie MacLellan, Mayor

[Signature]
Brad Knight, CAO/Clerk