

The Corporation of the Municipality of South Huron

By-Law #64-2020

Being a By-Law to enter into a Boundary Road Agreement between the Corporation of the Municipality of South Huron and the Corporation of the County of Middlesex. (Whalen Line)

Whereas Section 29 and 29.1 of the Municipal Act, 2001, S.O. 2001, c. 25 provides that municipalities having joint jurisdiction over a boundary line highway may enter into an agreement by which each municipality agrees to keep any part of the highway in repair for its whole width and to indemnify the other municipality from any loss or damage arising from the lack of repair for that part; and

Whereas Ontario Regulation 239/02 made pursuant to the Municipal Act has set Minimum Maintenance Standards for Municipal Highways to which the highways covered by this Agreement are to be maintained; and

Whereas those highways described in Schedule "A" to this Agreement touch upon the road allowances of the Parties hereto and each has agreed that they shall be maintained in accordance with the Minimum Maintenance Standards for Municipal Highways by the Parties in accordance with the designation of responsibility for maintenance and repair as allocated in Schedule "A"; and

Whereas the Council of the corporation of the Municipality of South Huron deems it expedient to execute a boundary road agreement with the County of Middlesex for maintenance and repair of the Whalen Line which forms the boundary between the Municipality of South Huron in Huron County and the County of Middlesex;

Now Therefore in consideration of the covenants herein contained and other good and valuable consideration, the Parties hereto covenant and agree as follows:

1. That the Mayor and Clerk are hereby authorized to execute the Agreement to enter into a Boundary Road Agreement between the Corporations of the County of Middlesex with the Municipality of South Huron, identified as Schedule 'A' and attached hereto.
2. That the Agreement attached hereto as Schedule "A" forms part of this Bylaw.
3. That the Mayor and Clerk be authorized to execute the agreement on behalf of the Municipality of South Huron.
4. That this By-law shall come into force and effect on the date of final passing thereof.

5. That By-Law 32-2001 is hereby repealed.

Read a first and second time this 2 day of November, 2020.

Read a third time and finally passed this 2 day of November, 2020.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk