

The Corporation of the Township of Huron-Kinloss



BY-LAW

2019-59

Being a By-Law to Authorize the Signing of a Joint Recreation Cost Sharing Agreement
with the Corporation of the Municipality of Kincardine

WHEREAS the *Municipal Act S.O. 2001, c 25*, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act S.O. 2001, c 25*, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by by-law;

AND WHEREAS The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to enter into a joint recreation cost sharing agreement with the Municipality of Kincardine;

NOW THEREFORE the Municipal Council of the Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That the Township of Huron-Kinloss hereby enters into an agreement with the Municipality of Kincardine which is attached as Schedule "A" and forms part of this By-law.
- 2.0 That the Mayor and Clerk are hereby authorized to sign on behalf of the Council for The Corporation of the Township of Huron-Kinloss, any documents required and to affix the corporate seal of the Township of Huron-Kinloss.
- 3.0 This By-law shall come into force and effect upon its final passage.
- 4.0 This By-law may be cited as the "Huron-Kinloss and Kincardine Recreation Agreement By-law"

READ a FIRST and SECOND TIME this 15th day of April, 2019

READ a THIRD TIME and FINALLY PASSED this 15th day of April, 2019



Mitch Twolan, Mayor



Emily Dance, Clerk

THIS AGREEMENT made this 15 day of April, 2019

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE,
Hereinafter called "Kincardine"

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWNSHIP OF HURON-KINLOSS,
Hereinafter called "Huron-Kinloss"

OF THE SECOND PART

WHEREAS Kincardine and Huron-Kinloss wish to enter into a Joint Recreation Cost Sharing Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of Two (\$2.00) Dollars of lawful money of Canada now paid by Huron-Kinloss to Kincardine, the receipt whereof is hereby acknowledged, and in consideration of the sum of Two (\$2.00) Dollars of lawful money of Canada now paid by Kincardine to Huron-Kinloss, the receipt whereof is hereby acknowledged, and in consideration of the following further mutual covenants, the parties agree as follows:

1. Upon a mutual agreement by both parties recreational services will be provided to all residents of Huron-Kinloss on a year round basis, with the same rights and privileges as the residents of Kincardine.
2. In consideration of the above rights bestowed in Section 1, Huron-Kinloss shall financially remunerate to Kincardine yearly amounts commencing with base amount for 2020 of \$83,000 plus 2019 Ontario Consumer Price Index to a maximum of 3%. Thereafter, the previous year payment shall be increased each year by \$3,000 plus the Ontario Consumer Price Index for the previous year to a maximum of 3%.
3. The amounts outlined above shall be paid annually in four equal quarterly installments.
4. This agreement shall commence January 1st, 2020 and terminate December 31st, 2024.
5. Both parties agree to review this agreement in 2023, one year prior to the natural termination of this agreement in 2024.
6. Either party may terminate this agreement by providing upon 1 (one) year written notice to the other party.
7. Any notice required to be given pursuant to this Agreement shall be given by fax transmission, e-mail or courier service as follows:

For Kincardine:

Sharon Chambers
Chief Administrative Officer
Municipality of Kincardine
1475 Concession 5
R.R. # 5
Kincardine, Ontario N2Z 2X6
Fax: 519-396-8288
E-Mail: schambers@kincardine.net

Huron-Kinloss:

Emily Dance
Clerk
Township of Huron-Kinloss
21 Queen Street Box 130
Ripley, Ontario N0G 2R0
Fax: 519-395-4107
E-Mail: edance@huronkinloss.com

IN WITNESS WHEREOF Kincardine has hereunto affixed its corporate seal under the hand of its Mayor and Chief Administrative Officer and Huron-Kinloss has hereunto affixed its corporate seal under the hands of its Mayor and Clerk.

SIGNED, SEALED AND DELIVERED
In the presence of

) THE CORPORATION OF THE
) MUNICIPALITY OF KINCARDINE

) Per: 
) Anne Eadie, Mayor

) 
) Sharon Chambers, CAO

) We have authority to bind the Corporation.

) THE CORPORATION OF THE
) TOWNSHIP OF HURON-KINLOSS

) Per: 
) Mitch Twolan, Mayor

) Per: 
) Emily Dance, Clerk

) We have authority to bind the Corporation.