

THE CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NO. 2022-28

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF THE BOUNDARY ROAD AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF HORTON AND THE CORPORATION OF THE TOWNSHIP OF MCNAB/BRAESIDE

WHEREAS Section 8 of the Municipal Act 2001, R.S.O. 2001, as amended provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues; and

WHEREAS Section 5(3) of the Municipal Act 2001, R.S.O. 2001, 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 unless the municipality is specifically authorized to do otherwise; and

WHEREAS Section 27 of the Municipal Act 2001, R.S.O. 2001, as amended provides that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

WHEREAS Section 28(1) of the Municipal Act 2001, R.S.O. 2001, as amended sets out the highways over which a municipality has jurisdiction; and

WHEREAS Section 29.1(1) of the Municipal Act 2001, R.S.O. 2001, as amended provides that municipalities having joint jurisdiction over a boundary line highway may enter into an agreement 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 it is deemed necessary and desirable that the Council of the Corporation of the Township of Horton enact a by-law authorizing the Corporation to enter into a Boundary Road Agreement with the Corporation of the Township of McNab/Braeside;

NOW THEREFORE IT BE RESOLVED THAT The Council of the Township of Horton hereby **ENACTS AS FOLLOWS:**

1. **THAT** The Mayor and CAO/Clerk are hereby authorized to execute a Boundary Road Agreement with the Corporation of the Township of McNab/Braeside; and
2. **THAT** The Boundary Road Agreement attached hereto as Schedule "A" shall form part of this by-law; and
3. **THAT** This by-law shall come into force and effect on the date of its passing.

READ a first and second time this 7th day of June, 2022.

READ a third time and passed this 7th day of June, 2022.

MAYOR David M. Bennett

CAO/CLERK Hope Dillabough