

**BY-LAW NUMBER 15-40**

**OF**

**THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW**

**Being a By-Law to establish a Road Maintenance Agreement between the County of Simcoe and the Township of Clearview**

**Whereas** Section 20 of the Municipal Act, 12001, governs agreements between municipalities for the joint benefit of both parties

**And Whereas** as per By-Law No. 6395 a portion of Simcoe County Road 91 as described in Schedule A, was transferred to the Township

**And Whereas** the Township has requested that the county provide road maintenance services on this portion of Simcoe County Road 91

**And Whereas** the County has agreed to provide such road maintenance services

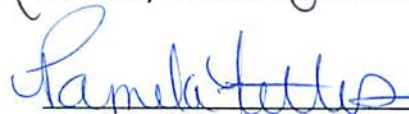
**And Whereas** it is deemed expedient and in the interests of the Corporation of the Township of Clearview to enter into an agreement with the County of Simcoe to provide such road maintenance services;

**NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW HEREBY ENACTS AS FOLLOWS:**

1. That the agreement form part of this by-law.
2. That the Mayor/County Councillor and Clerk be authorized to execute the agreement on behalf of the Township of Clearview.
3. That this By-Law shall come into force and effect on the date of final passing thereof.

By-Law Number 15-40 read a first, second and third time and finally passed this 11<sup>th</sup> day of May, 2015.

  
MAYOR/COUNTY COUNCILLOR

  
DIRECTOR OF LEGISLATIVE SERVICES/CLERK

THIS AGREEMENT made (in duplicate) the            day of            , 2015

BETWEEN:

THE CORPORATION OF THE COUNTY OF SIMCOE

AND

THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW

WHEREAS Section 20 of the Municipal Act, 2001, governs agreements between municipalities for the joint benefit of both parties.

AND WHEREAS as per By-Law No. 6395 a portion of Simcoe County Road 91 as described in Schedule A, was transferred to the Township.

AND WHEREAS the Township has requested that the County provide road maintenance services on this portion of Simcoe County Road 91.

AND WHEREAS the County has agreed to provide such road maintenance services.

NOW THEREFORE this agreement witnesseth that in consideration of the premises and of the mutual agreements and covenants hereinafter contained the parties hereto hereby agree each with the other as follows.

1. **Term:** The County hereby agrees to provide road maintenance services on County Road 91 (as described in Schedule A) for a maximum of 3 years from the date By-law No. 6395 was passed. This agreement shall continue for that time unless a termination notice is received in writing from either party which provides a minimum of 90 days notice.
2. **Level of Service:** The County hereby agrees to provide such road maintenance service at the level of service provided by the County during the term of this Agreement.
3. **Road Liability Insurance:** The County shall maintain, in full force and effect, adequate road liability insurance at all times and throughout the term of this agreement. Upon request the parties agree to provide the other with proof of insurance under this Agreement.
4. **Indemnity:** The County agrees to indemnify and save harmless the Township from and against any and all claims, actions, causes of action, losses, injuries, costs, and expenses arising from the County's negligence in performing the services required under this agreement at all times throughout the term of the agreement.
5. **Authority:** The Township warrants that it has taken all the necessary steps, done all acts, passed all by-laws and obtained all approvals required to give it the authority to enter into this Agreement.

IN WITNESS WHEREOF the County and the Township by their duly authorized representatives have set forth their signatures on the dates herein written below:

**THE CORPORATION OF THE COUNTY OF SIMCOE**

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Warden



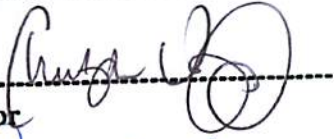
*David O'Neil*  
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Clerk

AUTHORIZED BY BY-LAW NO. 6432 PASSED  
BY THE COUNCIL OF THE CORPORATION OF THE  
COUNTY OF SIMCOE ON March 19, 2015

**THE CORPORATION OF THE TOWNSHIP OF CLEARVIEW**

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Mayor



*Pamela Hittes*  
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Clerk