

THE CORPORATION
OF THE
MUNICIPALITY OF HURON EAST
BY-LAW NO. 95 FOR 2013

Being a by-law to authorize the execution of an agreement with the Corporation of the County of Huron to acknowledge the transfer of boundary bridges from the County of Huron to the Corporation of the Municipality of Huron East.

WHEREAS Section 52(1) of the Municipal Act, S.O. 2001, c.25, as amended, authorizes an upper-tier municipality to add a lower tier highway, including a boundary line highway, to its highway system from any of its lower-tier municipalities;

AND WHEREAS under the provisions of the Municipal Act, the Corporation of the County of Huron has added a number of boundary road bridges to its highway system;

AND WHEREAS under the provisions of Section 52(4) of the Municipal Act, S.O. 2001, as amended, provides an upper-tier municipality with the authority to remove a highway, including a boundary line highway, from its system;

AND WHEREAS under the provisions of Section 52(7) of the Municipal Act, S.O. 2001, as amended, a highway that forms a boundary line between an upper-tier municipality and an adjoining municipality which is removed from the upper-tier highway system, the lower-tier municipality in which the highway is located and the adjoining municipality shall have joint jurisdiction over the highway;

AND WHEREAS the Corporation of the County of Huron has by by-law transferred responsibility for the following bridge structures to the Corporation of the Municipality of Huron East

- i) By-Law 15-2008 (Boundary Bridge 18)
- ii) By-Law 16-2008 (Boundary Bridge 19)
- iii) By-Law 3-2011 (Boundary Bridge 4)
- iv) By-Law 73-2012 (Boundary Bridge 15)
- v) By-Law 76-2013 (Boundary Bridges 5, 6 and 7)

AND WHEREAS the Corporation of the County of Huron is desirous of entering into an agreement with the Corporation of the Municipality of Huron East to provide a \$385,000 cash payment as a one-time payment in lieu of remediation to current County bridge standards;

NOW THEREFORE the Council of the Corporation of the Municipality of Huron East enacts as follows:

1. That the Mayor and CAO/Clerk are hereby authorized to sign and enact an agreement, attached hereto as Schedule "A" with the Corporation of the County of Huron to accept \$385,000 as a one-time payment in lieu of remediation for Boundary Bridges 5, 6 and 7 being transferred to the Corporation of the Municipality of Huron East under the provisions of County By-Law 76-2013.

2. That Schedule “B” to this By-Law shall be the official schedule and record of acceptance of boundary bridges that have been transferred from the Corporation of the County of Huron to the Corporation of the Municipality of Huron East and shall be amended from time to time to reflect future transfers of responsibilities.

3. That this by-law shall come into force and take effect on the date of final passing thereof.

Read a first and second time this 26th day of November, 2013.

Read a third time and finally passed this 26th day of November, 2013.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk

**The Corporation of the Municipality of Huron East
Schedule “B” to By-Law 95 for 2013
Boundary Bridges Transferred from the
County of Huron to the Municipality of Huron East**

Boundary Bridge	Huron County By-Law	Huron East Acknowledgement By-Law	Year Built	Replacement Value ¹	Depreciated Book Value ²	Estimated Remaining Life Span	Compensation ³	Boundary Road Agreements
BB18	15-2008	95-2013	1955	277,095	145,326	50-70 years	n/a	Municipality of West Perth (By-Law 100-2013, expires December 31, 2023)
BB19	16-2008	95-2013	1974	208,220	108,478	40-50 years	n/a	Municipality of South Huron (Boundary Road Agreement expired)
BB4	3-2011	95-2013	1962	435,000	212,557	40-50 years	n/a	Municipality of North Perth (By-Law 54-2004, expires December 31, 2013)
BB15	73-2012	95-2013	1982	652,500	319,000	40-50 years	n/a	Municipality of Central Huron (Boundary Road Agreement expired)
BB5	76-2013	95-2013	1959	525,590	262,795	40-50 years	108,000	Municipality of North Perth (By-Law 54-2004, expires December 31, 2013)
BB6	76-2013	95-2013	1979	677,980	338,990	40-50 years	133,000	Municipality of North Perth (By-Law 54-2004, expires December 31, 2013)
BB7	76-2013	95-2013	1976	740,180	370,090	40-50 years	144,000	Municipality of North Perth (By-Law 54-2004, expires December 31, 2013)
BB8			1976					Municipality of North Perth (By-Law 54-2004, expires December 31, 2013)
BB9			1977					Municipality of North Perth (By-Law 54-2004, expires December 31, 2013)
BB20			1971					Municipality of West Perth (By-Law 100-2013, expires December 31, 2023)
BB22			1960					Municipality of West Perth (By-Law 100-2013, expires December 31, 2023)
BB23			1961					Municipality of West Perth (By-Law 100-2013, expires December 31, 2023)
				<u>3,516,565</u>	<u>1,757,236</u>		<u>385,000</u>	

1. Replacement value in the year the bridge was transferred to the Municipality of Huron East.
2. Depreciated book value based on current replacement value and year of download to the Municipality of Huron East.
3. County of Huron policy states that “in order for the bridges to be transferred to the lower tier Municipality, one of the following conditions must be met”
 - (1) The bridge must have been remediated to the County standards, or
 - (2) The County and the lower tier Municipality must have entered into an Agreement for a one-time cash payment;”