

CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW 1999-62

A By-Law to transfer the jurisdiction and control over certain highway bridges from the County of Essex to The Town of Amherstburg.

WHEREAS the Council of the Corporation of the County of Essex, on the 4th day of December, 1968 passed By-law No. 1784, assuming jurisdiction and control over certain highway bridges, not on County Roads;

AND WHEREAS By-law No. 1784 has subsequently been amended by By-laws No. 1816, 2167, 2187 and 2378;

AND WHEREAS the Council of the County of Essex, on the 15th day of September, 1999 adopted resolution 72/99 of the Community Services Committee - Roads Section approving the transfer of the jurisdiction and control over the said highway bridges as set out in Schedule "A", from the County of Essex to the local municipalities subject to the payment of compensatory funding by the County of Essex as set out in Schedule "B";

AND WHEREAS Section 278(1) of the *Municipal Act*, Chapter M45, R.S.O. 1990 provides that where a bridge is not on a county road, the Council of the County may transfer by by-law its jurisdiction and control over the bridge to the council of the local municipality in the county that has jurisdiction over the highway on which the bridge is situate;


AND WHEREAS Section 278(2) of the *Municipal Act*, Chapter M45, R.S.O. 1990, provides that a by-law passed under Section 278(1) does not take effect until it is approved by a by-law of the local municipality to which the jurisdiction and control over the bridge is being transferred;

AND WHEREAS the Town of Amherstburg is prepared to accept the transfer of jurisdiction and control over the said bridges.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG HEREBY ENACTS AS FOLLOWS:

1. That the Town of Amherstburg accepts the transfer of the jurisdiction and control over highway bridges not on County roads which are more particularly described and located as shown on Schedule "A" attached hereto and forming a part of this By-law, from the County of Essex in accordance with the provisions of Section 278(1) of the *Municipal Act*, Chapter M45, R.S.O. 1990.
2. That the Corporation of the County of Essex shall make a one time payment of compensation funding at the time of the transfer to the Town of Amherstburg in the amount indicated on Schedule "B", attached hereto and forming a part of this By-law.
3. That this By-law shall come into force and take effect on January 1, 2000.

Read a first, second, and third time and finally passed this 13th day of December, 1999.


MAYOR


CLERK

SCHEDULE "A"
TO BY-LAW NO. 1999-62

<u>Bridge Location</u>	<u>Structure Site No.</u>
Canard River at North Sideroad, former Township of Anderdon	6-136
Canard River at Fifth Concession, former Township of Anderdon	6-135
Canard River at Eight Concession, former Township of Anderdon	6-142

SCHEDULE "B"
TO BY-LAW NO. 1999-62

<u>Bridge Location</u>	<u>Structure Site No.</u>	<u>Compensation</u>
Canard River at North Sideroad Former Township of Anderdon	6-136	\$ 53,400