

The Corporation of the Township of Southgate

By-law Number 2023-058

being a by-law to authorize a tripartite emergency response amending agreement between the Corporation of the Municipality of West Grey, the Corporation of the County of Grey and the Corporation of the Township of Southgate

Whereas the Municipal Act, 2001, Chapter 25, as amended, Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas Section 8 of the Municipal Act, 2001, Chapter 25, 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 9 of the Municipal Act, 2001, Chapter 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas it is deemed necessary and desirable that the Council of the Corporation of the Township of Southgate enact an amending agreement to amend the tripartite emergency response agreement with the Corporation of the Municipality of West Grey and the Corporation of the County of Grey,

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate enacts as follows:

1. **That** the amending agreement between the Corporation of the Municipality of West Grey, the Corporation of the County of Grey and the Corporation of the Township of Southgate attached hereto as Schedule A, is hereby ratified, and confirmed; and
2. **That** the Mayor and the Clerk are authorized and directed to sign the agreement, in substantially the same form as the agreement attached hereto as Schedule "A", on behalf of the Council of the Corporation of the Township of Southgate and all other documents as may be necessary to give effect thereto; and
3. **That** this by-law shall come into force and effect upon the final passing hereof.

Read a first, second, and third time and finally passed this 7th day of June, 2023.

Brian Milne – Mayor

Lindsey Green – Clerk

Amendment/Extension Tripartite Tiered Emergency Response Agreement

This Amending Agreement is made this 16th day of April, 2023, in duplicate between:

The Corporation of the County of Grey

(referred to in this Agreement as “the County”),

-And-

The Corporation of the Municipality of West Grey

(referred to in this Agreement as “Municipality 1”)

-And-

The Corporation of the Township of Southgate

(referred to in this Agreement as “Municipality 2”)

Whereas the County, Municipality 1 and Municipality 2 entered into a tripartite tiered emergency response agreement effective April 18, 2018 and expiring April 17, 2023 (the ‘Principal Agreement’);

And Whereas the County, Municipality 1 and Municipality 2 have agreed to enter into an amending agreement to the Principal Agreement;

Now Therefore in consideration of the mutual covenants and agreements below and other good and valuable consideration, (the receipt and sufficiency of which is hereby acknowledged), the County, Municipality 1 and Municipality 2 agree as follows:

1.0 General

- 1.1 All parties agree that this Agreement extends the Principal Agreement which remains in force and effect.
- 1.2 All parties agree that they are in favour of this extension subject to the required amendments.

2.0 Amendments

- 2.1 Add clause 20.0 General as follows:
“20.0 General
20.1 the terms defined in the recitals shall have the same meaning as if repeated here at length.”
- 2.2 Remove clause 2.1 of the Principal Agreement.
- 2.3 Add clause 2.1 of the Principal Agreement as follows: “This agreement shall be effective on the date that it is signed by all parties and shall continue until June 30, 2028 (the “Term”), unless it is otherwise terminated as per section 10 of this Agreement.”

3.0 Remaining Terms

- 3.1 All remaining terms of the Principal Agreement remain unchanged and in full force for the full term unless changed by written amendment.

4.0 Counterparts

- 4.1 This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which, taken together shall constitute one and the same instrument. Counterparts may be transmitted by fax or in electronically scanned form. Parties transmitting by fax or

electronically will also deliver the original counterpart to the other parties, but failure to do so does not invalidate this Agreement.

The County, Municipality 1, and Municipality 2, intending to be legally bound, have executed this Amending Agreement on the date first written above.

The Corporation of the County of Grey

Warden: Brian Milne

Date

Clerk: Tara Warder

Date

We have the authority to bind the County.

The Corporation of the Municipality of West Grey

Mayor: Kevin Eccles

Date

Clerk: Jamie Eckenswiller

Date

We have the authority to bind Municipality 1

Fire Chief: Phil Schwartz

Date

I have signed in acknowledgement of the terms and conditions agreed to herein by the Parties.

The Corporation of the Township of Southgate

Mayor: Brian Milne

Date

Clerk: Lindsey Green

Date

We have the authority to bind Municipality 2

Fire Chief: Derek Malynyk

Date

I have signed in acknowledgement of the terms and conditions agreed to herein by the Parties.