

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY LAW NUMBER 68-8

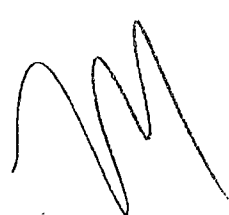
A BY LAW TO GRANT AID TO THE ESTABLISHMENT OF LANDING GROUNDS AND TO AUTHORIZE AN AGREEMENT TO BE ENTERED INTO WITH OTHER MUNICIPALITIES IN CONNECTION WITH THE SAID ESTABLISHMENT AND OPERATION OF THE SAID LANDING GROUNDS AND PROVIDING FOR MEMBERS TO BE APPOINTED TO A COMMISSION TO BE ESTABLISHED PURSUANT TO THE TERMS OF THIS AGREEMENT

WHEREAS pursuant to subsections (5) and (9) of Section 377 and Section 250a of the Municipal Act, R. S. O. 1960, Chapter 249 as amended, A municipal Council has authority to establish or grant aid to the establishment of air landing ground; for the acquisition of existing landing grounds or lands therefor; for the establishment of a Commission for the control and management of an air landing ground; and for entering into agreements with other municipalities for the joint management and operation of such municipal system, undertaking or project.

AND WHEREAS the Corporation of the Township of Westmeath has negotiated an Agreement with other municipalities to exercise their respective recited authorities for the purpose of jointly acquiring and operating an air landing ground in the Township of Petawawa, a copy of the said Agreement being attached hereto and marked Schedule "A".

THEREFORE the Council of the Corporation of the Township of Westmeath enacts as follows: -

- 1) THAT the Agreement between the Corporation of the Township of Westmeath and eleven other municipalities in the County of Renfrew, a copy of which is attached hereto as Schedule "A" shall be deemed to form a part of this by-law and shall be read and construed as if the text of the said Agreement were incorporated herein.
- 2) THAT the Reeve and Clerk be authorized and they are hereby authorized to execute the Agreement with the other municipalities which agreement is annexed hereto and is marked Exhibit "A".



3) THAT the Treasurer may, subject to the approval of the Council (declared by resolution) agree with any bank or person for temporary advance of any money required for the purpose of this by-law.

4) THAT the sum of four Thousand Three Hundred and Nine dollars and thirty-one cents (\$4,309.31) as set out in paragraph 4(b) of the Agreement, being the Corporation of the Township of Westmeath's apportionment of the monies necessary to initiate the undertaking, shall be paid from current revenue funds in equal instalments in the years 1968 and 1969.

5) THAT the Corporation of the Township of Westmeath shall by resolution annually appoint its representatives to the Airport Commission, as is in paragraph 2 of the said Agreement set out, said appointment to be made on or before January 15th, in each year, save and except in the year 1968 when the appointment shall be made on or before March 15th.

6) THIS by-law is intended as the full exercise of the Corporate powers of the Corporation of the Township of Westmeath in concert with other municipalities at their joint expense and for their joint benefit, to provide municipal air landing ground services and it is the declared intention of the Council of the Corporation of the Township of Westmeath that any section or sections of this by-law which may be found to be lacking legal validity shall be severable from the remainder and shall not be deemed to have persuaded or influenced the Council to pass the remainder of this by-law.

READ A FIRST AND SECOND TIME this 2 day of March 1968.

Carl F. Fletcher
Reeve

D. G. Hill
Clerk

READ A THIRD TIME AND PASSED this 2 day of March 1968.

Carl F. Fletcher

D. G. Hill

DATED:

1968.

THE CORPORATION OF THE
TOWNSHIP OF WESTMEATH

BY-LAW NO 8

A BY LAW TO GRANT AID TO THE
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BE APPOINTED TO A COMMISSION
TO BE ESTABLISHED PURSUANT
TO THE TERMS OF THIS AGREEMENT

HUCKABONE & O'BRIEN

Barristers & Solicitors
284 PEMBROKE ST. EAST
PEMBROKE — ONTARIO

THIS AGREEMENT made this day of 1968

BETWEEN:

- THE CORPORATION OF THE TOWN OF PEMBROKE
(hereinafter called "Pembroke") of the FIRST PART;
- AND - THE CORPORATION OF THE TOWN OF DEEP RIVER
(hereinafter called "Deep River") of the SECOND PART;
- AND - THE CORPORATION OF THE VILLAGE OF PETAWAWA
(hereinafter called "the Village of
Petawawa") of the THIRD PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF WESTMEATH
(hereinafter called "Westmeath") of the FOURTH PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF PETAWAWA
(hereinafter called "the Township of
Petawawa") of the FIFTH PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF STAFFORD
(hereinafter called "Stafford") of the SIXTH PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF ALICE
AND FRASER,
(hereinafter called "Alice and Fraser") of the SEVENTH PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF PEMBROKE
(hereinafter called "the Township of
Pembroke") of the EIGHTH PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF ROLPH,
BUCHANAN, WYLIE AND MCKAY,
(hereinafter called "Rolph, Buchanan"
of the NINTH PART;
- AND - THE CORPORATION OF THE VILLAGE OF CHALK
RIVER,
(hereinafter called "Chalk River") of the TENTH PART;
- AND - THE CORPORATION OF THE VILLAGE OF BEACHBURG,
(hereinafter called "Beachburg") of the ELEVENTH PART;
- AND - THE CORPORATION OF THE TOWNSHIP OF HEAD,
CLARA AND MARIA,
(hereinafter called "Head, Clara and Maria") of the TWELFTH PART;

WHEREAS the Municipal Act, R.S.O. 1960, Chapter 249,
Section 377, paragraph 9 (as amended 1965 Annual Statute,
Chapter 77, Section 26(i) and by 1960 Annual Statutes, Chapter
93, Section 21(i) authorizes a Council of a Municipality to pass
a by-law for the establishing, or for granting aid to the

establishment, of landing grounds in compliance with Air Regulations (Canada), and for granting aid for aeronautical research work and for the development and general advancement of the science of aeronautics and the use of aircraft.

AND WHEREAS Section 250 (a) of the said Municipal Act authorizes Municipalities to pass by-laws for entering into and performing any agreement with any other Council for fulfilling, executing or completing at their joint expense and for their joint benefit any undertaking, work or project within the jurisdiction of the Council.

AND WHEREAS, pursuant to the provisions of paragraph 9 of Section 377 of the Municipal Act a Council is empowered to pass a by-law entrusting the control and management of any landing ground established pursuant to the said paragraph 9 to a Commission appointed by the Council;

AND WHEREAS, pursuant to the provisions of paragraph (a) of said paragraph 9 of Section 377, the Council of a local municipality may acquire land in the Municipality, or any adjacent or adjoining Municipality, or may acquire an existing landing ground in any Municipality.

AND WHEREAS the parties hereto deem it advisable to acquire an existing landing ground in the Township of Petawawa and to establish landing grounds as hereinafter mentioned, and to provide for the joint exercise in connection with such landing grounds of all the powers and rights contained in said paragraph 9 of Section 377 and to entrust the control and management of such landing grounds to a Commission as hereinafter mentioned and to further grant aid to the establishment, operation and development of the said landing grounds.

AND WHEREAS the parties hereto deem it advisable to provide for the acquisition of sufficient land for the said landing ground including the existing landing ground, and additional land thereto at an estimated cost of Seventy-six thousand (\$76,000.00) dollars, including the present landing ground and the necessary additional grounds.

AND WHEREAS Pembroke has entered into an Option with one A. Bliss Brown and one Patricia Brown for the purchase of a strip of land, a portion of which is presently being used as a landing strip, for and at the price of Seventy-six thousand (\$76,000.00) dollars, the said strip of land having a length of 6,600 feet and a width of 660 feet, being composed of Lot No. 23 in the Third Concession and Lot No. 23 in the Fourth Concession of the said Township of Petawawa.

N O W THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto, in consideration of the premises and the mutual covenants and agreements hereinafter contained and expressed, MUTUALLY COVENANT AND AGREE as follows:

(1) The parties hereto shall establish a landing ground in the Township of Petawawa, in the County of Renfrew and for such purpose shall acquire the lands described in Schedule A hereto annexed, such landing ground to be established in compliance with the Air Regulations (Canada).

(2) That the control and management of such grounds is hereby entrusted to a Commission to be known as "The Pembroke and Area Airport Commission", the members of such Commission to be appointed by and represent the parties hereto as follows:

Pembroke shall appoint and shall be represented by two representatives with a total of four votes;

Deep River shall appoint and shall be represented by two representatives with a total of three votes;

The Township of Petawawa shall appoint and shall be represented by one representative with a total of two votes;

The Village of Petawawa shall appoint and shall be represented by one representative with one vote;

The Township of Stafford shall appoint and shall be represented by one representative with one vote;

Alice and Fraser shall appoint and shall be represented by one representative with one vote;

The Township of Pembroke shall appoint and shall be represented by one representative with one vote;

Beachburg shall appoint and shall be represented by one representative with one vote;

Westmeath shall appoint and shall be represented by one representative with one vote;

Rolph, Buchanan shall appoint and shall be represented by one representative with one vote;

Chalk River shall appoint and shall be represented by one representative with one vote;

Head, Clara and Maria shall appoint and shall be represented by one representative with one vote;

Each member of such Commission shall hold office for one year but shall continue in office until his successor is appointed and shall be eligible for re-appointment from year to year.

(3) THAT immediately upon the execution of this Agreement and upon the approval of the Municipal Board (if necessary) of all of the by-laws passed by the parties hereto authorizing the undertaking hereinbefore set out and further authorizing the parties hereto to execute this Agreement, and immediately upon the Airport Commission (hereinbefore provided for) being established, Pembroke will assign and set over to the said Airport Commission all of its right, title and interest in a certain Option made by one A. Bliss Brown and one Patricia Brown to the Corporation of the Town of Pembroke, which Option is dated the 14th day of September, 1967, (the time for exercising the said Option being extended by Extension of Option Agreement dated the 15th day of December 1967), which Option provides for the purchase of a presently used landing ground and additional undeveloped landing ground, so as to comprise and constitute an ultimate landing strip measuring in total length 6,600 feet and total width 660 feet, and being composed of the whole of Lot 23 in the Third Concession (excepting thereout and therefrom a rectangular piece of land in the easterly corner thereof having dimensions of 210 feet by 210 feet) and the whole of Lot 23 in the Fourth Concession. IT IS UNDERSTOOD and agreed by the parties hereto that the price required to exercise the said Option is the sum of Seventy-six thousand (\$76,000.00) dollars; and it is further understood and agreed that the sum of Three thousand (\$3,000.00) dollars paid by Pembroke to acquire the said Option and to procure the extension thereof was paid by the said Town of Pembroke out of current revenue for the year

1967 as a grant otherwise payable to the Pembroke and Area Economic Council for industrial development and the said amount does not form a part or portion of the monies hereinafter apportioned to the Town of Pembroke in connection with the obtaining and the development of the said landing ground.

(4) IT IS AGREED between the parties hereto that the total amount of money necessary to initiate the said undertaking is comprised as follows:

| | |
|--|---------------------|
| Acquisition of land | \$ 76,000.00 |
| Development and providing of facilities (Lounge, beacon, firefighting equipment and levelling) | 10,000.00 |
| Contingencies | <u>5,000.00</u> |
| | <u>\$ 91,000.00</u> |

The said sum of \$91,000.00 (Ninety-one thousand dollars) to be contributed by the parties hereto on an apportionment basis, based on the 1966 equalized assessment of the County of Renfrew as follows:

| | <u>Assessment</u> | <u>Apportionment</u> |
|-------------------------------------|----------------------|----------------------|
| <u>(a) TOWNS AND VILLAGES</u> | | |
| Deep River | \$ 13,831,004 | 24,384.45 |
| Pembroke | 19,256,169 | 33,949.28 |
| Beachburg | 400,201 | 705.52 |
| Chalk River | 544,558 | 960.05 |
| Petawawa | <u>3,039,231</u> | <u>5,358.26</u> |
| | 37,071,163 | 65,357.56 |
| <u>(b) TOWNSHIPS</u> | | |
| Alice and Fraser | 1,678,731 | 2,959.59 |
| Head, Clara & Maria | 269,905 | 475.84 |
| Pembroke | 1,277,603 | 2,252.43 |
| Petawawa | 4,903,332 | 8,644.73 |
| Rolph, Buchanan, Wylie and McKay | 1,727,344 | 3,045.32 |
| Stafford | 2,243,409 | 3,955.22 |
| Westmeath | <u>2,444,253</u> | <u>4,309.31</u> |
| | <u>14,544,577</u> | <u>25,642.44</u> |
| | <u>\$ 51,345,835</u> | <u>\$ 91,000.00</u> |

(5) The parties hereto agree that they (and each of them) will pay to the Commission, the establishment of which is provided for in paragraph 2 hereof) the amount of their (and its) apportionment immediately upon the execution of this Agreement and the

approval by the Municipal Board (if the same is necessary) of any by-laws by any of the parties hereto in connection with this undertaking and upon the establishment of the Airport Commission provided for in paragraph 2 hereof.

(6) The parties hereto agree that if any dispute arises in connection with any of the provisions herein contained between any of the parties hereto that such disputes shall be referred to the Municipal Board for hearing and determination in accordance with paragraph (j) of Section 53(i) of the Ontario Municipal Board Act, R.S.O. 1960, Chapter 274.

(7) The Pembroke and Area Airport Commission as provided to be established in paragraph 2 hereof shall have the right to acquire the land and landing strip as hereinbefore provided for and shall have the further right to :

- (a) Provide for the construction of a lounge, being of a cottage type winterized building, at the estimated cost of Four thousand (\$4,000.00) dollars, or to provide for the construction of additional buildings or lounge facilities as the same may be from time to time required.
- (b) Provide for the erection of a beacon as may be required by the Department of Transport and to provide other facilities or other aeronautical devices as may be from time to time required as matters of expediency or safety, or as may be required from time to time by the Air Regulations (Canada).
- (c) To enter into an Agreement with one A. Bliss Brown for a period not in excess of three years in connection with the maintenance, development and operation of the said landing strip, said Agreement to contain covenants by the said A. Bliss Brown to maintain and operate said landing strip and landing grounds in accordance with the requirements, regulations and standards as may be established or dictated or required from time to time by the Department of Transport or the Air Regulations (Canada).

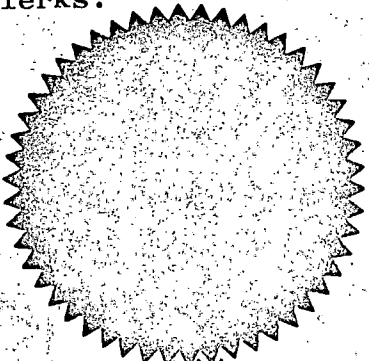
(d) The Commission is further empowered to generally supervise the operation, maintenance and development of the said landing grounds in accordance with the regulations of the Department of Transport and the Air Regulations (Canada) and for such purposes to expend a sum not to exceed Fifteen thousand (\$15,000.00) dollars annually and to assess each of the parties hereto with its respective share of such annual operational, development and maintenance costs in accordance with the following schedule:

| | | |
|-----------------------|-------------|----------|
| Deep River | \$ 4,019.42 | 26.7961% |
| Pembroke | 5,596.04 | 37.3069% |
| Beachburg | 116.29 | .7753% |
| Chalk River | 158.25 | 1.0050% |
| Petawawa Village | 883.23 | 5.8882% |
| Alice and Fraser | 487.84 | 3.2523% |
| Pembroke Township | 371.28 | 2.4752% |
| Petawawa Township | 1,424.96 | 9.4997% |
| Stafford Township | 651.96 | 4.3464% |
| Rolph, Buchanan | 501.97 | 3.3465% |
| Westmeath | 710.33 | 4.7355% |
| Head, Clara and Maria | 78.43 | .5229% |

IT IS UNDERSTOOD AND AGREED THAT the said Airport Commission shall have no further right (without the express authority of the parties hereto) to obligate the parties hereto to the expenditure of further monies and shall have no right to expend further monies other than such additional monies as may be hereafter from time to time provided for the said Commission by the parties hereto; PROVIDED FURTHER that the restriction on the expending of money herein contained shall not in any way apply to monies paid to, or apportioned to, or granted to the said Commission by any persons, firms, corporations, governmental agencies or governments other than the parties to this Agreement. PROVIDED that the first annual payment of each of the parties' share of the annual operational, development and maintenance costs provided for in this paragraph shall become due and be paid on or before the 31st day of December, 1968 and all future annual payments in connection with the operational, development and maintenance costs shall become due and be paid on or before the 31st day of December in each year thereafter with interest to be charged to the defaulting party or parties at the rate of 1% per month on the unpaid portion of its apportionment remaining

after December 31st in any year.

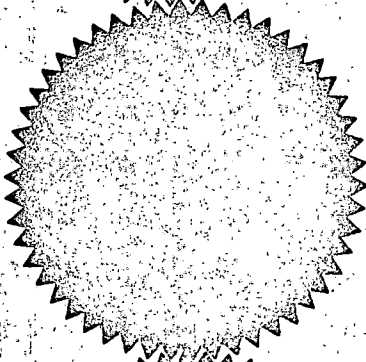
IN WITNESS WHEREOF the parties hereto have hereunto caused to be affixed their respective Corporate Seals under the hands of their respective Mayors or Reeves and Clerks.



) THE CORPORATION OF THE TOWN OF PEMBROKE

Mayor

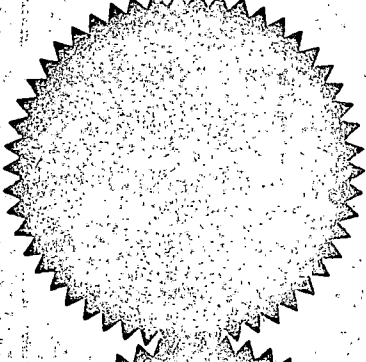
Clerk



) THE CORPORATION OF TOWN OF DEEP RIVER

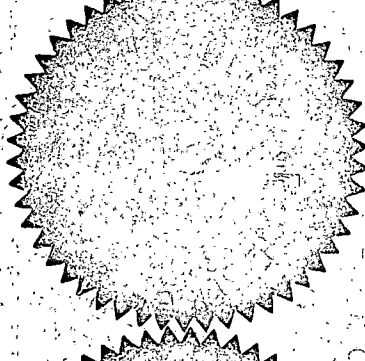
Mayor

Clerk



) THE CORPORATION OF THE VILLAGE OF PETAWAWA

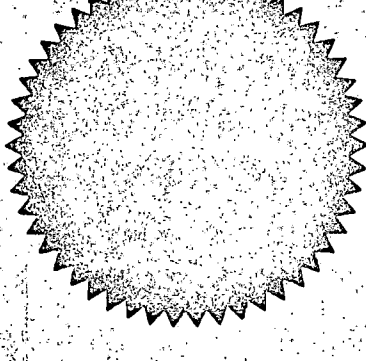
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) THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

Reeve

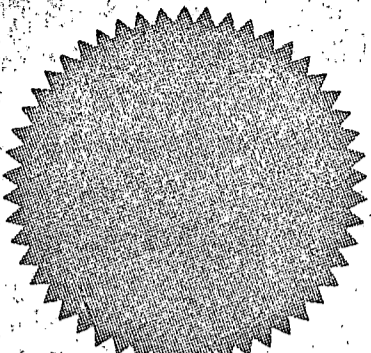
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) CORPORATION OF TOWNSHIP OF PETAWAWA

Reeve

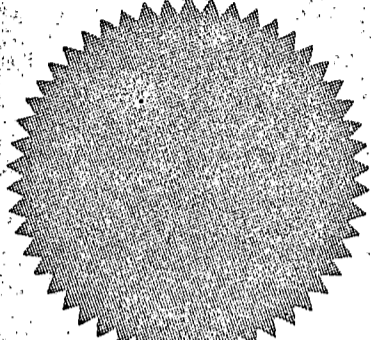
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) CORPORATION OF THE TOWNSHIP OF STAFFORD

Reeve

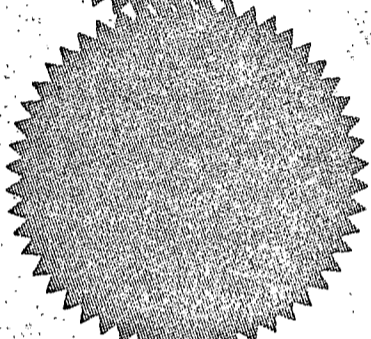
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) CORPORATION OF THE TOWNSHIP OF ALICE
) AND FRASER

Reeve

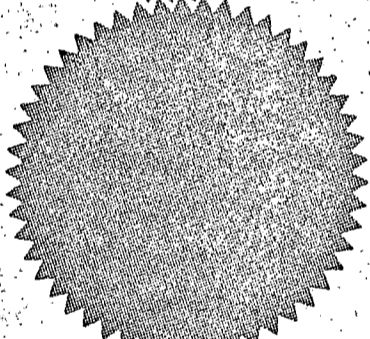
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) CORPORATION OF THE TOWNSHIP OF PEMBROKE

Reeve

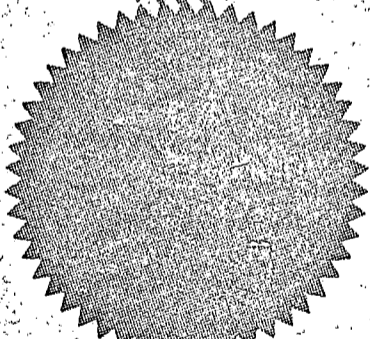
Clerk



) CORPORATION OF THE TOWNSHIP OF ROLPH,
) BUCHANAN, WYLIE AND MCKAY

Reeve

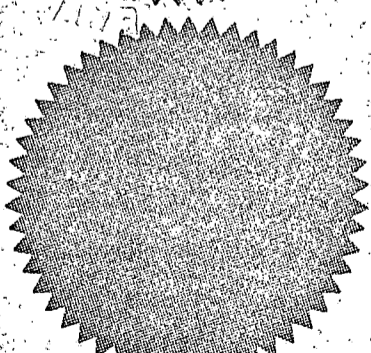
Clerk



) CORPORATION OF THE VILLAGE OF CHALK
) RIVER

Reeve

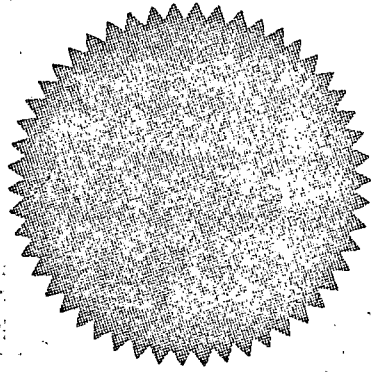
Clerk



) CORPORATION OF THE VILLAGE OF BEACHBURG

Reeve

Clerk



) CORPORATION OF THE TOWNSHIP OF
) HEAD, CLARA AND MARIA

Reeve

Clerk

SCHEDULE "A" referred to

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Township of Petawawa, in the County of Renfrew, more particularly described as follows:

FIRSTLY: Lot Number 23 in the Third Concession of the said Township of Petawawa EXCEPTING thereout and therefrom a small rectangular parcel of land in the easterly corner thereof, having dimensions of Two hundred and ten feet by Two hundred and ten feet;

SECONDLY: Lot Number 23 in the Fourth Concession of the said Township of Petawawa .

DATED: 1968

CORPORATION OF TOWN OF
PEMBROKE, et al.

A G R E E M E N T

LaFrance, Shaw and Foran,
Barristers & Solicitors,
182 Mackay Street,
Pembroke, Ontario.

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