

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW NO. 90-14

A By-Law to amend By-Law # 68-9, being a By-Law to enter into an agreement with other municipalities to establish, operate, maintain and improve an Aerodrome.

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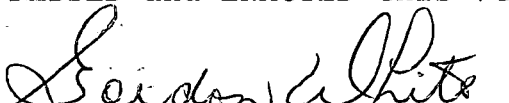
WHEREAS:

1. Pursuant to Chapter 302, Section 208(10) of the Municipal Act R.S.O. 1980 the Council of the Corporation of the Township of Westmeath has authority to enter into an agreement with other municipalities for establishing, operating, maintaining and improving an Aerodrome in compliance with the Air Regulations (Canada) and for entrusting the control and management of the Aerodrome so established to a commission.
2. The Council of the Corporation of the Township of Westmeath considers it expedient to enter into an agreement with other municipalities to establish, operate, maintain and improve an Aerodrome.

NOW THEREFORE the Council of the Corporation of the Township of Westmeath ENACTS as follows:-

- 1 That the Corporation of the Township of Westmeath enters into an agreement, known as Schedule 'A' and forming part of the by-law, with twelve other municipalities to establish, operate, maintain and improve an Aerodrome.
- 2 That the Council of the Corporation of the Township of Westmeath shall by resolution each year appoint a member to the Commission as per paragraph 3 of the Agreement.
- 3 That the Reeve and Clerk are hereby authorized to sign the agreement known as Schedule 'A' on behalf of the Corporation.

PASSED and ENACTED this 7th day of March, 1990

  
Reeve

  
Clerk

A G R E E M E N T

made this                      day of February A.D. 1990

BETWEEN:

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

WHEREAS by Agreement dated February 20 1968, the above member parties entered into an agreement for the establishment of the Pembroke and Area Airport Commission, to provide for the joint ownership, management and funding of a joint airport undertaking;

AND WHEREAS the parties wish to enter into a new agreement providing for changes which have occurred in the intervening twenty-one years;

AND WHEREAS the provision of the Municipal Act, R.S.O. 1980, Chap.302,s.208 (10) recited in the previous agreement or its successor sections provides the authority for municipal councils to appoint a Commission to control, manage, and operate Aerodromes;

AND WHEREAS the Aerodrome is located in the Township of Petawawa, in the County of Renfrew and known as part of Lots 22 and 23, Concession 2, 3, 4 and 5 and Part of Lot 6, 7, 8, 9 and 10, Range "C" in the said Township of Petawawa, in the County of Renfrew.

NOW 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) That this agreement shall replace the February 20 1968 agreement and each Member Municipality shall be relieved of its obligations under the former agreement upon execution of this agreement.
- (2) That the control and management of the Aerodrome referred to above in the Township of Petawawa shall be entrusted to the Commission which Commission shall continue to be known as the Pembroke & Area Airport Commission.
- (3) That each Member Municipality shall appoint one Member to the Commission, however, the two Municipalities with the largest equalized assesement shall each appoint one additional Member, each Member shall have one vote. It is further agreed that each Member shall hold office until a successor is appointed by the respective municipality.
- (4) That the twelve municipalities shall collectively contribute to the funding of necessary land acquisition for the Aerodrome on the basis of an annual levy, apportioned according to the County of Renfrew discounted equalized assessment. Said assessment to be updated annually (Schedule "A") and the total amount of the collective levies not to exceed \$30,000.00. The levies shall be payable on the 30th day of June in each year and late payments will be assessed a penalty of one per cent (1%) per month.
- (5) That it is further agreed that the percentage of ownership interest of each Member Municipality in the property of the Pembroke & Area Airport at any time shall be in accordance with the latest published discounted equalized assessment of the County of Renfrew, but in the event that the discounted equalized assessment schedule is not available both the ownership percentage and the annual levy shall be determined in accordance with Schedule "A" attached hereto, which Schedule shall form part of this agreement.
- (6) That the Commission will continue to meet the requirements for Transport Canada operational subsidy and will operate within pre-approved budget guidelines.
- (7) That the agreement shall not be changed or amended without prior written consent from all twelve member municipalities subject to clause (8).
- (8) That the parties hereto agree that any dispute which arises in connection with this agreement shall be referred to the Municipal Board for hearing and determination in accordance with Paragraph 199 of Section 53 (i) of the Ontario Municipal Act R.S.O 1980, Chapter 302.
- (9) IT IS AGREED that any decisions made in regard to the Aerodrome will require a quorum of eight members from the Airport Commission with a majority vote process.

(10) IT IS AGREED that after the execution of this agreement by the parties hereto, the Airport Commission shall make application to the Ontario Legislature to enact a Private Bill providing for the confirmation of the renewed contract and constituting the Commission as a body corporate. Thereafter the City of Pembroke shall transfer legal title of the properties held by the City in Trust for the Commission to the Pembroke & Area Airport Commission

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

THE CORPORATION OF THE CITY OF PEMBROKE

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Mayor Clerk

THE CORPORATION OF THE TOWN OF DEEP RIVER

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Mayor Clerk

THE CORPORATION OF THE VILLAGE OF PETAWAWA

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Reeve Clerk

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

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Reeve Clerk

THE CORPORATION OF THE TOWNSHIP OF PETAWAWA

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Reeve Clerk

THE CORPORATION OF THE TOWNSHIP OF STAFFORD

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Reeve Clerk

THE CORPORATION OF THE TOWNSHIP OF ALICE & FRASER

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Reeve Clerk

THE CORPORATION OF THE TOWNSHIP OF PEMBROKE

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Reeve

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Clerk

THE CORPORATION OF THE TOWNSHIPS OF ROLPH, BUCHANAN, WYLIE  
& MCKAY

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Reeve

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Clerk

THE CORPORATION OF THE VILLAGE OF CHALK RIVER

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Reeve

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Clerk

THE CORPORATION OF THE VILLAGE OF BEACHBURG

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Reeve

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Clerk

THE UNITED TOWNSHIP OF HEAD, CLARA & MARIA

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Reeve

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Clerk