

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 105

BY-LAW NO. S-0063-2004-103

A by-law to transfer the sewer system servicing the Community of King City
to the Corporation of the Township of King

WHEREAS The Regional Municipality of York has enacted and passed By-law No. S-0060-2001-071, being “A by-law to declare a proposed sewer system to be a trunk sewer system and to assume the trunk sewer system from the Corporation of the Township of King” (the By-law);

AND WHEREAS the Corporation of the Township of King and The Regional Municipality of York entered into an agreement dated December 11, 2003 under which the Region will transfer the local collection system to the Township, provided, amongst other things, that the Township obtain funding for a substantial portion of its financial obligations pursuant to the agreement;

AND WHEREAS Section 11 of the *Municipal Act, 2001* provides that the assignment of the collection of sanitary sewage to The Regional Municipality of York is non-exclusive and that therefore both the upper-tier and lower-tier municipalities have the power to pass by-laws respecting such matters so long as such by-laws do not conflict;

AND WHEREAS it is deemed to be in the public interest to enact a By-law as set out herein;

NOW THEREFORE, the Council of The Regional Municipality of York HEREBY ENACTS as follows:

1. The sewer system that services the Community of King City pursuant to Bylaw No. S-0060-2001-071 is hereby transferred to the Corporation of the Township of King.
2. Should notification in writing of funding in the amount of \$5,000,000 under the Canada-Ontario Municipal Rural Infrastructure Fund respecting the sewer system not be received before July 1, 2005, then all rights and obligations of the Corporation of the Township of King together with all lands and interests in lands, including easements, in relation to the sewer system are hereby assumed from the Corporation of the Township of King effective July 1, 2005.
3. This By-law shall come into force and effect on the date upon which the Corporation of the Township of King enacts a by-law assuming the sewer system transferred by the Region pursuant to this By-law provided that such by-law provides for the reversion to the Region of the sewer system on the same terms and conditions contained in Section 2 of this by-law.

ENACTED AND PASSED this 16th day of December, 2004.

Denis Kelly
Regional Clerk

Denis Kelly
Regional Chair