The Corporation of the Town of South Bruce Peninsula

By-Law Number 19-2014

Being a By-Law to Authorize the Mayor and Clerk to Sign an Agreement with the Minister of Community Safety and Correctional Services for the Provision of Police Services

Whereas the Municipal Act, 2001 Section 9, as may be amended from time to time, confers 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 Section 4. (1) of the Police Services Act, R.S.O. 1990, c. P. 15, as amended requires the municipality to provide adequate and effective police services in accordance with its needs;

And whereas Section 5 (1) 5 of the Police Services Act, R.S.O. 1990, c. P. 15 states that the Council may enter into an agreement under Section 10, alone or jointly with one or more other councils to have police services provided by the Ontario Provincial Police;

And whereas the Council for the Town of South Bruce Peninsula did execute an Agreement (By-Law 148-2008) for the provision of Police Services with the Minister of Community Safety and Correctional Services for the term commencing on August 26, 2008 and ending on August 25, 2013;

And whereas the Council for the Town of South Bruce Peninsula did execute a six month extension (By-Law 95-2013) to the original contract commencing on August 26, 2013 and ending on February 25, 2014;

And whereas pursuant to Section 32 of the agreement, the parties may amend the agreement by written agreement;

And whereas the Corporation of the Town of South Bruce Peninsula is desirous of executing a further amending agreement.

Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

1. That the Mayor and Clerk be authorized to sign an amending agreement with her Majesty the Queen in right of Ontario as represented by the Minister of Community Safety and Correctional Services which will extend the contact to December 31, 2014.
2. That the amending agreement referred to herein shall be attached hereto and form part of this by-law.

3. That this by-law shall come into full force and effect upon the final passing thereof.

4. That any by-law inconsistent with this by-law shall be hereby repealed.

Read a first and second time this 4th day of February, 2014.

Mayor

Clerk

Read a third time and finally passed this 4th day of February, 2014.

Mayor

Clerk
This SECOND AMENDING AGREEMENT, made in four (4) originally executed copies, is from the 25th day of February, 2014 to the 31st day of December, 2014.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

as represented by

THE MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES
("Ontario")

-and-

THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA
("the Municipality")

BACKGROUND

A. The Parties entered into the Agreement for the provision of Police Services under Section 10 of the Police Services Act (the "Agreement") which commenced on the 26th day of August, 2008.

B. The Parties amended the Agreement effective August 26, 2013.

C. The Agreement includes all the Schedules and Appendices to the Agreement.

D. Pursuant to Section 32 the Parties may amend the Agreement by written agreement.

E. The Parties wish to amend the Agreement as set out in this Amending Agreement, by extending the duration of the contract to conclude on the 31st day of December 2014, as supported by By-law # 19-2014 dated the 14th day of February 2014 of the Council of the Corporation of the Town of South Bruce Peninsula, (attached as Schedule "A-2").

NOW THEREFORE, the Parties agree as follows:

Section 29 of the Agreement shall be replaced with the following:

29. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 26th day of August, 2008 and shall conclude on the 31st day of December, 2014.
Relevant terms and conditions of the Agreement, that are not specifically amended but that relate to the amendments set out in this Amending Agreement shall be deemed to be amended so as to give effect to the changes herein.

Except for the amendments set out herein, the terms and conditions of the Agreement remain in full force and effect and time shall remain of the essence.

Notwithstanding the date upon which this Amending Agreement is signed, this Amending Agreement is effective from the 25th day of February 2014 to the 31st day of December, 2014.

FOR ONTARIO

The Minister of Community Safety and Correctional Services

FOR THE MUNICIPALITY

Mayor

Clerk

Date signed by the Municipality: Feb 14
Schedule “A-2”

BY-LAW OF THE MUNICIPAL COUNCIL