

# **The Corporation of the Town of Tecumseh**

## **By-Law Number 2021-58**

Being a by-law to authorize the execution of a Sewer Connection Agreement between The Corporation of the Town of Tecumseh and Amicone Holdings Limited.

**Whereas** Amicone Holdings Limited (Owner) owns certain lands situated within the corporate limits of the Town of Tecumseh (Lands);

**And Whereas** in accordance with Sections 8 and 11 of the *Municipal Act, 2001*, S.O. 2001 (Act), provides broad and specific powers to The Corporation of the Town of Tecumseh (Town) to regulate, prohibit or require persons to do things within the public utilities sphere of influence;

**And Whereas** the Town has constructed and commissioned certain sewer works currently located in the road allowance fronting the Lands as a service that is considered necessary and desirable for the public within the meaning of subsection 10(1) of the Act 9 (Sewer Works);

**And Whereas** in order to finance the construction and commissioning of the Sewer Works, the Town will be passing a by-law under the authority granted to it under Section 391 of the Act and/or under the *Development Charges Act* to recover costs from land owners within the servicing area of the Sewer Works;

**And Whereas** the Owner wishes to connect to the Sewer Works in advance of the passage of the by-law and as a condition of permitting the Owner to do so, the Town has requested the Owner enter into an agreement;

**And Whereas** under Section 5 of the Act, the powers of a municipality shall be exercised by its Council by by-law;

**Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:**

1. **That** the Mayor and the Clerk be and they are hereby authorized and empowered on behalf of The Corporation of the Town of Tecumseh, to execute a Sewer Connection Agreement dated the 27<sup>th</sup> day of July, 2021, between The Corporation of the Town of Tecumseh and Amicone Holdings Limited, a copy of which Sewer Connection Agreement is attached hereto and forms part of this by-law, and do such further and other acts which may be necessary to implement the said Sewer Connection Agreement.
2. **That** this By-law shall take effect as of and from the third and final reading hereof.

**Read** a first, second, third time and finally passed this 27th day of July, 2021.

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Gary McNamara, Mayor

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Laura Moy, Clerk