

The Corporation of the Town of Tecumseh

By-Law Number 2023-094

Being a by-law to amend By-Law 2021-53, being a by-law to authorize the execution of an Agreement with His Majesty the King of Right of Canada, and represented by the Minister of Transport and The Corporation of the Town of Tecumseh under the Rail Safety Improvement Program

Whereas His Majesty the King in Right of Canada as represented by the Minister of Trasport (Canada) is responsible for the Program entitled the Rail Safety Improvement Program (Program);

And whereas The Corporation of the Town of Tecumseh (Town) successfully submitted to Canada a proposal for the funding of improvements to the VIA Rail/Lesperance Road grade crossing – Chatham Mile 99.31 (Project) which qualified for funding under the Program;

And whereas Town entered into an Agreement dated July 23, 2021 setting out the terms and conditions for Canada's contributions of eighty percent of Eligible Expenditures for the roadway work and not more than fifty percent of Eligible Expenditures for the railway work up to a maximum of \$1,027,200.00 in federal funding for the Project;

And whereas the Town and Canada entered into amendments to the Agreement dated January 13, 2022 and again on May 12, 2022 as contemplated under the Agreement and to reallocate funding between Fiscal Years;

And whereas the Town is desirous of entering into a third amending agreement with Canada for the funding of the Project under the Program;

And whereas pursuant to the *Municipal Act, S.O. 2001, c.25 s.5(3)*, the powers of a municipality shall be exercised by by-law.

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

1. **That** the Mayor and Clerk be authorized and empowered on behalf of The Corporation of the Town of Tecumseh to execute an Amending Agreement for Grade Crossing Improvements funded under the Rail Safety Improvement Program, a copy of which Agreement is attached hereto and forms this By-Law and to do such further and other acts which may be necessary to implement said Agreement.
2. **That** this By-Law shall come into force and take effect on the date the third and final reading thereof.

Read a first, second, third time and finally passed this 12th day of August, 2023.

Gary McNamara, Mayor

Robert Auger, Clerk