



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 209-76

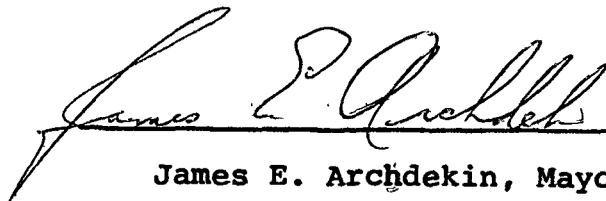
To authorize the execution of
an Agreement between The
Regional Municipality of Peel
and the Corporation of the
City of Brampton.

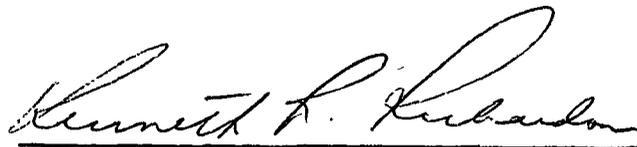
(Fletcher's Creek Sanitary Trunk
Sewer)

The Council of the Corporation of the City of Brampton ENACTS
as follows:-

- (1) That the Mayor and the Clerk are hereby authorized
to execute an Agreement between The Regional
Municipality of Peel and the Corporation of the
City of Brampton, in the form annexed hereto.

READ a FIRST, SECOND and THIRD TIME and Passed in Open
Council this 12th day of October, 1976.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

THIS AGREEMENT made in quadruplicate this 12th day of
October, 1976.

B E T W E E N:

THE CORPORATION OF THE CITY OF BRAMPTON

Hereinafter called the "City"

OF THE FIRST PART

A N D

THE REGIONAL MUNICIPALITY OF PEEL

Hereinafter called the "Region"

OF THE SECOND PART

WHEREAS The Region, pursuant to Section 77 (1) of The Regional Municipality of Peel Act, 1973, S. O. 1973, Chapter 60, as amended, has sole responsibility for the collection and disposal of all sewage in the Regional Area;

AND WHEREAS Section 77 (15) of The Regional Municipality of Peel Act, aforesaid, empowers the Regional Corporation to enter into an agreement with any area municipality regarding the recovery of costs of the collection and disposal of sewage;

AND WHEREAS the Town of Brampton in 1973 began construction of the Fletcher's Creek Sanitary Trunk Sewer which was continued by the City of Brampton in 1974;

AND WHEREAS due to late fall completion of the contract in 1974 the restoration (e.g., grading, top-soiling, sodding) was deleted from the contract, and the amount of \$26,459.00 was withheld from the Contractor by the City because of such deletion;

AND WHEREAS the source of financing for the project was O. W. R. C. acquisition proceeds paid to the City;

AND WHEREAS it is deemed expedient to enter into an agreement between the Region and the City with respect to the restoration work more particularly described in Clause 1 below;

NOW THEREFORE THIS AGREEMENT WITNESSETH that pursuant to Section 77 of The Regional Municipality of Peel Act and in consideration of other good and valuable consideration and the sum of One Dollar (\$1.00) of lawful money of Canada, now paid by each of the parties hereto to each of the parties hereto, (the receipt whereof is hereby acknowledged), the parties hereto hereby covenant, promise and agree with each other as follows:

1. The Region will cause to be completed the restoration works in the Fletcher's Creek Valley between Steeles Avenue and Harold Street.
2. The estimated cost of the restoration works is \$15,000.00 based on the letter dated 10th October, 1975, from Mr. J. Curran, P. Eng., Brampton City Engineer to Mr. W. J. Anderson, P. Eng., Regional Commissioner of Public Works, as outlined in the report of Mr. Dirk Peper, Treasurer and Commissioner of Finance to the Administration and Finance Committee dated 10th February, 1976.
3. The City and the Region agree that whichever municipality is deemed to be the proper recipient of the O. W. R. C. acquisition proceeds which were originally approved by O. M. B. Order G110 (d) to fund the Fletcher's Creek Sanitary Sewer shall fund the total cost of the restoration works described in Clause 1, despite the possibility that such costs may be substantially more than the cost estimated by Mr. Curran.
4. Until such time as the matters referred to in Clause 3 are settled the Region will provide interim financing for the project. Interim financing costs will be paid by the final recipient of the O.W.R.C. proceeds from the time the restoration project begins until the ownership of the assets has been decided.

5. The account for the project becomes due and payable upon completion of the project or upon settlement of the ownership of the assets whichever comes later.

IN WITNESS WHEREOF each of the parties hereto has executed this agreement under seal.

SIGNED, SEALED AND DELIVERED)

In the Presence of:

) THE CORPORATION OF THE
) CITY OF BRAMPTON

) James E. Archibald
) MAYOR

) Kenneth R. Luderer
) CLERK

) THE REGIONAL MUNICIPALITY
) OF PEEL

) L.H. Farrow
) CHAIRMAN

) Richard H. Frost
) CLERK

AUTHORITATION BY LAW
NUMBER 197-76
PARTIAL
COUNCIL 9
DAY OF September 19 76

PASSED October 12, 19 76



BY-LAW

No. 209-76

To authorize the execution of an
Agreement between The Regional
Municipality of Peel and the
Corporation of the City of Brampton.
(Fletcher's Creek Sanitary Trunk Sewer)