



The Corporation of the County of Essex

By-Law Number 2025-27

A By-law to Authorize the Execution of a Boundary Road Agreement Between the Corporation of the County of Essex and the Corporation of the Municipality of Chatham-Kent.

Whereas Section 8 of the *Municipal Act, 2001*, R.S.O. 2001, c. 25, as amended provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues; and,

Whereas Section 5(3) of the *Municipal Act, 2001*, R.S.O. 2001, c. 25, as amended provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and,

Whereas Section 27 of the *Municipal Act, 2001*, R.S.O. 2001, c. 25 as amended provides that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and,

Whereas Section 28(1) of the *Municipal Act, 2001*, R.S.O. 2001, c. 25, as amended sets out the highways over which a municipality has jurisdiction; and,

Whereas Section 29.1(1) of the *Municipal Act, 2001*, R.S.O. 2001, c. 25, as amended provides that municipalities having joint jurisdiction over a boundary line highway may enter into an agreement to keep any part of the highway in repair for its whole width and to indemnify the other municipality from any loss or damage arising from the lack or repair for that part; and,

Whereas it is deemed necessary and desirable that Council of the Corporation of the County of Essex enact a by-law authorizing the Corporation to enter into a Boundary Road Agreement with the Corporation of the Municipality of Chatham-Kent.

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Now Therefore the Council of the Corporation of the County of Essex hereby enacts as follows:

- 1) **That** the Warden and Clerk are hereby authorized to execute a Boundary Road Agreement with the Corporation of the Municipality of Chatham-Kent; and,
- 2) **That** the Boundary Road Agreement attached hereto as **Schedule A** shall form part of this By-law 2025-27; and,
- 3) **That** By-law 2025-27 be given three readings, and shall come into force and take effect after the final passing; and,
- 4) **That** this By-law 2025-27 shall take precedence over any by-law deemed to be inconsistent with this By-law 2025-27.

Read a first, second and third time and Finally Passed this Fourth day of June, 2025.

Hilda MacDonald, Warden

Katherine J. Hebert, Clerk

Clerk's Certificate

I, Katherine J. Hebert, Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy, of **By-law Number 2025-27** passed by the Council of the said Corporation on this **Fourth day of June, 2025.**

Katherine J. Hebert, Clerk
Corporation of the County of Essex