

The Corporation of the Municipality of Brockton



By-Law 2022-096

Being a By-Law to Authorize the Signing of an Agreement with the Municipality of West Grey for the Purpose of Joint Operation of the Elmwood Fire Department.

Whereas the Elmwood Fire Department supplies coverage to both the Municipality of Brockton and the Municipality of West Grey and each municipality had defined its respective fire area;

And Whereas the Councils of the said Municipalities have agreed on the terms under which they will set up and jointly maintain the Elmwood Fire Department.

And Whereas the Corporation of the Municipality of Brockton and the Corporation of the Municipality of West Grey entered into an Agreement for the provision of specific fire protection and suppression services, authorized By-Law 2013-047 on May 27, 2013;

Now Therefore the Council of the Corporation of the Municipality of Brockton enacts as follows;

- 1.0 That the Corporation of the Municipality of Brockton Council hereby enter into an agreement with the Municipality of West Grey, which is attached as "Schedule A" and forms part of this By-Law.
- 2.0 That the Mayor and Clerk be authorized to sign the agreement between the Corporation of the Municipality of Brockton and the Corporation of the Municipality of West Grey to set up and maintain the Elmwood Fire Department upon the terms of the agreement as attached.
- 3.0 If the provision of this By-Law conflicts with the provisions of any other By-Law, the provisions of this By-Law shall prevail.
- 4.0 That By-Law 2013-047 be hereby amended.
- 5.0 This By-Law shall come into full force and effect upon final passage.
- 6.0 This By-Law may be cited as the "West Grey Joint Operation of Elmwood Fire Department Agreement By-Law".

Read, Enacted, Signed and Sealed this 21st day of June, 2022.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk) –
Fiona Hamilton



**Schedule "A" to Bylaw No. 42-2022
Amending Agreement**

This amending agreement is made as of the 19th day of April, 2022,

Between:

The Corporation Of The Municipality Of West Grey

(hereinafter referred to as "West Grey")

Of the first part

-and-

The Corporation Of The Municipality Of Brockton

(hereinafter referred to as "Brockton")

Of the second part

Whereas the Corporation of the Municipality of West Grey and the Corporation of the Municipality of Brockton entered into an Agreement for the provision of specific fire protection and suppression services, authorized by West Grey Bylaw 44-2013 and Brockton Bylaw 2013-047; and

Whereas the 2013 Agreement is beneficial to both the Municipality of West Grey and the Municipality of Brockton; and

Whereas the parties wish to amend the response area as referred to in paragraph 1(d) of the 2013 Agreement and defined in Appendix A to the 2013 agreement;

Now therefore in consideration of the terms, conditions and mutual covenants contained herein set forth and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by the parties. The parties hereby covenant and agree as follows:

1. The areas served by the Elmwood Fire Department within the Municipality of Brockton boundaries shall be amended by replacing Appendix "A" to the 2013 Agreement with a revised Appendix "A", identified as Schedule "A" to this Amending Agreement, attached hereto and forming an integral part of this agreement.
2. The parties acknowledge and agree that the 2013 Agreement, save and except for the amendments referred to in this Amending Agreement, shall




remain in full force and effect, and if there is conflict between this Amending Agreement and the 2013 Agreement, the terms of this Amending Agreement shall prevail.


3. The invalidity or unenforceability of any provision in this Amending Agreement shall affect the validity and enforceability of such provision or covenant only and any such invalid provision shall be deemed to be severable from the balance of this Amending Agreement, which shall be enforced to the greatest extent permitted by law.
4. This Amending Agreement shall be governed by, and be construed and interpreted in accordance with, the laws of Ontario and the laws of Canada applicable in Ontario.
5. This Amending Agreement may be executed by facsimile or PDF transmission and in one or more counterparts, all of which shall be considered one and the same Agreement.
6. This Amending Agreement and the rights granted hereunder shall extend to, benefit and bind the parties hereto, their respective successors and permitted assigns.

This Agreement made this 19th day of April, 2022. In witness whereof the parties have hereunto affixed the signatures of their duly authorized officers together with their corporate seals.

**The Corporation Of The Municipality Of
West Grey**



Christine Robinson, Mayor



Genevieve Scharback, Clerk

We have the authority to bind the Corporation.

**The Corporation Of The Municipality Of
Brockton**

Chris Peabody, Mayor



Fiona Hamilton, Clerk

We have the authority to bind the Corporation.