

# THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

## Regular Meeting of Council

**Monday May 14, 2018 at 7:00 p.m. – Council Chambers  
102 Derby Street West, Alexandria, Ontario K0C 1A0**

## Draft Agenda

### THE MEETING WILL OPEN WITH THE CANADIAN NATIONAL ANTHEM

1. ACCEPT THE AGENDA (Additions/Deletions) ® (Carma)
2. DECLARATIONS OF CONFLICTS OF INTEREST
3. ADOPTION OF PREVIOUS MINUTES ® (Jacques)
  - a) Regular Meeting of Council – April 23, 2018
4. DELEGATION(S)
  - a) Glengarry Artist Collective – Ms. Yvonne Callaway
5. COMMITTEE RECOMMENDATIONS
6. CAO/CLERK'S DEPARTMENT – Steven Potter - Interim CAO/Clerk
7. COMMUNITY SERVICES DEPARTMENT –  
Anne Leduc, Director of Recreation/Community Services
  - a) Award tender - Outdoor Basketball Court ® (Brian)
  - b) Award tender – Replacement of floor in the Community Hall ® (Jeff)
  - c) Outdoor Exercise Equipment & Tennis Court ® (Michel)
8. TREASURY DEPARTMENT – Sarah Huskinson – Treasurer
  - a) By-law 27-2018 - Tax Rate By-law ® (Jeff)
9. PLANNING/BUILDING & BY-LAW ENFORCEMENT DEPARTMENT -  
Jacob Rhéaume – Director of Building, By-law & Planning / CBO
  - a) By-law 26-2018 – Agreement with Lakeside Green Environmental Consultant ® (Michel)
10. FIRE DEPARTMENT – Patrick Gauthier, North Glengarry Fire Chief
  - a) By-law 25-2018 - Open Air Burning By-law ® (Carma)
11. PUBLIC WORKS DEPARTMENT – Ryan Morton, Director of Public Works
12. CORRESPONDENCE
  - a) Proclamation for National Health and Fitness Day June 2, 2018 ® (Brian)
13. NEW BUSINESS
14. NOTICE OF MOTION  
Next Regular Public Meeting of Council  
Monday May 28, 2018 at 7:00 p.m. at the Centre Sandfield Centre, 102 Derby Street West,  
Alexandria, Ontario.  
Note: Meeting are subject to change or cancellation.

15. QUESTION PERIOD (limit of one question per person and subsequent question will be at the discretion of the Mayor/Chair).
16. CLOSED SESSION BUSINESS
17. CONFIRMING BY-LAW
  - a) By-law 28-2018 ® (Carma)
18. ADJOURN ® (Jacques)

# **Section 1**

**ACCEPT THE AGENDA**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

That the Council of the Township of North Glengarry accepts the agenda of the Regular Meeting of Council on Monday May 14, 2018.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**YEA**

**NEA**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

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**Section 1**



## **Section 2**

# **DECLARATIONS OF CONFLICTS OF INTEREST**

## **Section 3**

# **ADOPTION OF PREVIOUS MINUTES**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

That the minutes of the following meeting be adopted as circulated.

Regular Meeting of Council – April 23, 2018

**Carried**  
\_\_\_\_\_

**Defeated**  
\_\_\_\_\_

**Deferred**  
\_\_\_\_\_

\_\_\_\_\_  
**MAYOR / DEPUTY MAYOR**

	<b>YEA</b>	<b>NEA</b>
<b>Deputy Mayor:</b> Jamie MacDonald	_____	_____
<b>Councillor:</b> Jacques Massie	_____	_____
<b>Councillor:</b> Brian Caddell	_____	_____
<b>Councillor:</b> Jeff Manley	_____	_____
<b>Councillor:</b> Michel Depratto	_____	_____
<b>Councillor:</b> Carma Williams	_____	_____
<b>Mayor:</b> Chris McDonell	_____	_____



# THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

## REGULAR MEETING OF COUNCIL

**Monday April 23, 2018 at 7:00 p.m. – Council Chambers  
102 Derby Street West, Alexandria, On K0C 1A0**

A Regular meeting of the Municipal Council was held on April 23, 2018 at 7:00 p.m., with Mayor Chris McDonnell presiding.

**PRESENT:** Deputy Mayor - Jamie MacDonald  
Councillor at Large – Jacques Massie  
Councillor (Lochiel Ward) – Brian Caddell  
Councillor (Kenyon Ward) – Jeff Manley  
Councillor (Alexandria Ward) – Michel Depratto  
Councillor (Maxville Ward) – Carma Williams

**ALSO PRESENT:** CAO-Clerk – Sarah Huskinson  
Director of Community Services – Anne Leduc  
Director of Public Works – Ryan Morton  
Deputy Clerk – Lise Lavigne  
Consultant – Steven Potter

### 1. DECLARATIONS OF CONFLICTS OF INTEREST

### 2. ACCEPT THE AGENDA

#### Resolution No. 1

**Moved by:** Carma Williams

**Seconded by:** Michel Depratto

That the Council of the Township of North Glengarry accepts the agenda of the Regular Meeting of Council on Monday April 23, 2018 as amended.

**Carried**

#### Addition to the Agenda

6(e) Proclamation – Community Living Glengarry Month – May 2018

### 3. ADOPTION OF PREVIOUS MINUTES

#### Resolution No. 2

**Moved by:** Jamie MacDonald

**Seconded by:** Carma Williams

That the minutes of the following meetings be adopted as circulated.

Special Meeting of Council – April 9, 2018  
Regular Meeting of Council – April 9, 2018  
Special Meeting of Council – April 12, 2018

**Carried**

### 4. DELEGATION(S)

a) Raisin Region Conservation Authority – Normand Génier, Forestry Specialist

Normand Génier representing the Raisin Region Conservation Authority presented Council with the outline of their tree program.

Mayor Chris McDonnell read the Mayoral Proclamation and presented it to Allison St Jean.

**5. COMMITTEE RECOMMENDATIONS**

**6. CAO/CLERK'S DEPARTMENT** –Steven Potter, Interim CAO/Clerk

**a) By-law 20-2018 – Appoint Kim Champigny as Treasurer**

**Resolution No. 3**

**Moved by:** Jacques Massie

**Seconded by:** Jeff Manley

That the Council of the Township of North Glengarry receive By-law 20-2018; and

That Council adopt by-law 20-2018 being a by-law for the appointment of a Treasurer and that By-law 20-2018 be read a first, second, third time and enacted in Open Council this 23<sup>rd</sup> day of April, 2018; and

That By-law 20-2018 become effective on the 22<sup>nd</sup> day of May, 2018.

**Carried**

**b) By-law 21-2018 – Municipal Election Sign By-law**

**Resolution No. 4**

**Moved by:** Brian Caddell

**Seconded by:** Jeff Manley

THAT the Council for the Township of North Glengarry receives the Staff Report No. AD-2018-01; and

THAT Council pass a by-law to adopt By-law 21-2018 being a by-law to regulate Municipal and School Board Election signs within the Township of North Glengarry be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018.

**Carried**

**c) By-law 22-2018 – Election Related Resources Policy**

**Resolution No. 5**

**Moved by:** Jeff Manley

**Seconded by:** Brian Caddell

THAT the Council for the Township of North Glengarry receives the Staff Report No. AD-2018-02; and

THAT Council adopt a policy that provides direction to Members of Council and all staff on the administration of corporate resources with respect to election campaign matters; and

THAT Council adopt by law No. 22-2018 and that by-law be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018.

**Carried**

**d) By-law 23-2018 – Restricted Acts of Council (Lame Duck Periods)**

**Resolution No. 6**

**Moved by:** Michel Depratto

**Seconded by:** Carma Williams

THAT Council receive the Restricted Acts of Council report for information purposes, and



FURTHER THAT the CAO/ Clerk be directed to prepare the necessary by-law prior to Nomination Day, delegating authority to the Chief Administrative Officer from July 27, 2018 to December 3, 2018 to:

- a) Be the financial signing authority for expenditures, outside the current budget, exceeding \$50,000 and/or for the disposition of any real or personal property of the municipality which as a value exceeding \$50,000 at the time of disposal;
- b) Be the authority to hire or remove any officer or employee from or to employment with the Township of North Glengarry; and

THAT Council adopt by law No. 23-2018 and that by-law be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018; and

FURTHER THAT the by-law shall come into force only in the event, when determined by the CAO/Clerk with certainty, that less than seventy five percent of the current members of Council will be returning to sit on the new Council after Nomination Day of the 2018 Elections.

**Carried**

**e) Proclamation – Community Living Glengarry Month – May 2018**

Mayor Chris McDonell proclaimed the month of May as the Community Living Glengarry Month

**7. COMMUNITY SERVICES DEPARTMENT - Anne Leduc, Director Community Services**

**a) By-law 19-2018 – Funding through Main St Revitalization Initiative Program**

**Resolution No. 7**

**Moved by:** Carma Williams

**Seconded by:** Michel Depratto

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-16; and

THAT Council approves that \$7,500.00 in funding from the Main Street Revitalization Initiative Program is applied to Approved façade improvements for commercial buildings in designated CIP Areas and that \$32,500.00 in funding be applied to Streetscape and Landscaping Improvements listed as snowflakes & electrification of posts, the Mill Square Senate mural beautification, the Mill Square parking area markings, the Mill Square bump out, tables, planters & recycling centres, and the King George Park paths & quarry stone seating for a total of \$40,000.00 towards 2018 projects and the remaining \$6,589 be applied towards qualifying 2019 projects; and

THAT the Mayor and CAO/Clerk are hereby authorized to execute the Municipal Funding Agreement for the transfer of Main Streets Revitalization Initiatives funds between the Association of Municipalities of Ontario and the Township of North Glengarry; and

THAT Council adopt by law No. 19-2018 and that by-law be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018; and

**Carried**

**Action – AL/SH**

**8. TREASURY DEPARTMENT – Sarah Huskinson, Treasurer**

**9. PLANNING/BUILDING & BY-LAW ENFORCEMENT DEPARTMENT -  
Jacob Rhéaume – Director of the Building/By-law & Planning Services**

**a) By-law 17-2018 – Road Widening Binette Road**

**Resolution No. 8**



**Moved by:** Jamie MacDonald

**Seconded by:** Carma Williams

THAT the Council for the Township of North Glengarry receives the Staff Report No. BP-2018-04; and

THAT Council adopt by law No 17-2018 being a by-law to acquire and dedicate a portion of a property for road widening purposes; and

THAT Council adopt by law No. 17-2018 and that by-law be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018.

**Carried**

**Action - CL**

**b) By-law 18-2018 – Road Widening Gore Road**

**Resolution No. 9**

**Moved by:** Jacques Massie

**Seconded by:** Jeff Manley

THAT the Council for the Township of North Glengarry receives the Staff Report No. BP-2018-05; and

THAT Council adopt by law No 18-2018 being a by-law to acquire and dedicate a portion of a property for road widening purposes; and

THAT Council adopt by law No. 18-2018 and that by-law be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018.

**Carried**

**Action – CL**

**c) Z-02-2018 – Zoning Amendment**

**Resolution No. 10**

**Moved by:** Brian Caddell

**Seconded by:** Jeff Manley

THAT the Council for the Township of North Glengarry receives the Staff Report No. BP-2018-06; and

THAT Council adopt by law No. Z-02-2018 and that by-law be read a first, second and third time in Open Council this 23<sup>rd</sup> day of April, 2018.

**Carried**

**Action – CL**

**d) 2017 Provincially Legislated Annual Report on Building Permit Fees**

**Resolution No. 11**

**Moved by:** Jeff Manley

**Seconded by:** Brian Caddell

THAT the Council for the Township of North Glengarry receives the 2017 Provincially Legislated Annual Report on Building Permit Fees report for information purposes.

**Carried**

**10. FIRE DEPARTMENT – Patrick Gauthier, North Glengarry Fire Chief**

**11. PUBLIC WORKS DEPARTMENT** – Ryan Morton, Director of Public Works

**a) Aggregate Contract**

**Resolution No 12**

**Moved by:** Michel Depratto

**Seconded by:** Carma Williams

That the Council of the Township of North Glengarry authorizes the Mayor and CAO/Clerk to enter into an agreement with Blair Construction for the purpose of gravel road resurfacing in the amount of \$10.65/tonne.

**Carried**

**Action – RM**

**b) Grader Replacement**

**Resolution No. 13**

**Moved by:** Carma Williams

**Seconded by:** Michel Depratto

THAT the Council of the Township of North Glengarry authorizes the Director of Public Works to execute the purchase of a John Deere 770G from Nortrax Canada in the amount of \$284,970 excluding HST.

**Carried**

**Action – RM**

**c) Brodie Rd. Culvert**

**Resolution No. 14**

**Moved by:** Jamie MacDonald

**Seconded by:** Carma Williams

That the Council of the Township of North Glengarry authorizes the Director of Public Works to purchase a polymer laminated arch culvert from Atlantic Industries Limited in the amount of \$34,339.36 excluding HST.

**Carried**

**Action – RM**

**d) Asphalt Award**

**Resolution No. 15**

**Moved by:** Brian Caddell

**Seconded by:** Jeff Manley

That the Council of the Township of North Glengarry authorizes the Director of Public Works to proceed with the Township's paving program as per the United County's tender for hot mix in the amount of \$276,722 excluding HST.

**Carried**

**Action – RM**

**e) Dust Suppressant**

**Resolution No. 16**

**Moved by:** Jeff Manley

**Seconded by:** Brian Caddell

That the Council of the Township of North Glengarry authorizes the Director of Public Works to extend the contract for the supply of dust suppressant to Pollard Chemicals with an increase of 1.5% over the 2017 pricing.

**Carried**

**Action - RM**

**12. CORRESPONDENCE**

- a) Committee of Adjustment Minutes – August 8, 2017
- b) Recreation Committee Minutes – March 20, 2018
- c) Glengarry Sports Palace Minutes – March 20, 2018

**13. NEW BUSINESS**

**14. NOTICE OF MOTION** - Next Meeting of Council, May 14, 2018.

**15. QUESTION PERIOD**

**16. CLOSED SESSION BUSINESS**

**Resolution No. 17**

**Moved by:** Jeff Manley

**Seconded by:** Brian Caddell

**Proceed "In Closed Session",**

That the Council of the Township of North Glengarry proceeds in Closed session under Section 239 (2) of the *Ontario Municipal Act* at 8:01 p.m., in order to address,

Human Resources Matter (as this matter deals with personal matters about an identifiable individual, including municipal or local board employees they may be discussed in closed session under sections 239 (2)(b) of the *Ontario Municipal Act*);

Litigation or potential litigation (as this matter deals with litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board they may be discussed in closed session under sections 239 (2)(e) of the *Ontario Municipal Act*);

Litigation or potential litigation (as this matter deals with litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board they may be discussed in closed session under sections 239 (2)(e) of the *Ontario Municipal Act*);

And adopt the minutes of the Municipal Council Closed Session meeting of April 9, 2018.

**Carried**

**Resolution No. 18**

**Moved by:** Jamie MacDonald

**Seconded by:** Carma Williams

That we return to the Regular Meeting of Council at 8:49 p.m.

**Carried**



**17. CONFIRMING BY-LAW**

**a) By-law 24-2018**

**Resolution No. 19**

**Moved by:** Carma Williams

**Seconded by:** Michel Depratto

That the Council of the Township of North Glengarry receive By-law 24-2018; and

That Council adopt by-law 24-2018 being a by-law to adopt, confirm and ratify matters dealt with by Resolution and that By-law 24-2018 be read a first, second, third time and enacted in Open Council this 23<sup>rd</sup> day of April, 2018.

**Carried**

**18. ADJOURNMENT**

**Resolution No. 20**

**Moved by:** Jacques Massie

**Seconded by:** Jeff Manley

There being no further business to discuss, the meeting was adjourned at 8:51 p.m.

**Carried**

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**CAO/Clerk/ Deputy Clerk**

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**Mayor / Deputy Mayor**

## **Section 4**

# **DELEGATION**

4(a)



Presentation to  
Township of North Glengarry  
May 14, 2018



# Introduction

*Glengarry Artists' Collective / Collectif d'artistes de Glengarry* is interested in exploiting the artistic variety & richness of the area.

We're delighted to recap the various projects the Township has supported through its Community Grants Program--and a few extra.

# Summary of activities

- We've been busy since our founding in October 2016 with ideas and projects to help our artists (and the community) sprouting from one another. So this list isn't exactly chronological.

	Finished	Where	Mmbrs	Public	When
1	The Show. At Brent's Place 2017	At Brent's Place!	Y	Y	24-25 Feb17
2	WOW 2017	Main St, Alexandria	Y	Y	16Sep--14Oct 17
3	AGM-Golden Demo	Green Valley Community Centre	Y	N	25-Oct-17
4	The Show. At Brent's Place 2018.	At Brent's Place!	Y	Y	23-24 Feb18
5	Paint, Poesie & All That Jazz	Alexandria Arena, upstairs	Y	Y	31-Mar-18
	<b>Pending</b>				
6	Golden Mediums & Transfer Workshop	Green Valley Community Centre	Y	N	5-May-18
7	Mill Squares, The Collective Bake Sale	Mill Square	Y	Y	24-Jun-18
8	An Evening with Stuart McCormick	Sandfield Centre	Y	Y	4-Jul-18
9	Dunvegan Pioneer Museum Art Exhibit	Orange Lodge & Big Beaver Schoolhouse	Y	Y	21-29 Jul 18
10	WOW 2018	Main St, Alexandria	Y	Y	15 Sep-13Oct 18
11	The Show. At Brent's Place 2019	At Brent's Place!	Y	Y	22-23 Feb19
	<b>Misc.</b>				
12	Canada Day Parades		Y	Y	2017 & 18
13	General meetings		Y	Y	
14	Festival of Lights 2018		Y	Y	2018

# The Show: At Brent's Place 2017, 2018, 2019

A 2-day exhibit at Brent's Place (Glengarry Funeral Home) that attracted 300 attendees in 2017 and 500 this year. We had a twist in 2018! We issued a topical art challenge to our members and devoted one room of that show to **WOW2.eau** (pronounced *WOW two point oh.*)

Our artists' varied interpretations of water in our area – from the historical to potable to rain, etcetera make a striking tableau of an important theme.

This led to **Part 1 of . . .**

# THE MURAL PROJECT

## The H2O Mural

- The 42 water works have been photographed to make a 12 by 16 foot mural to be mounted on a private building.

## The School Murals

- Part 2 of The Mural Project represents the handiwork of local students from the five schools of Alexandria. This outreach is part of our ongoing concern to involve youth in art and the life of the township. The murals will be mounted on the TNG Water Works building, facing Mill Pond.

# École secondaire catholique Le Relais

Students depicted Alexandria landmarks:

- A stylized active community around town
- Mill Pond and Fireman's' Island in winter
- Tim Horton's Dome and a soccer pitch in the summer sun
- The cenotaph, Quirky Carrot and The Glengarry News buildings as well as the Centre Culturel Les trois p'tits points.



# École élémentaire publique Terre des Jeunes

Celebrates diversity in their school.

- The large Franco Ontarian flag is a nod to the language of instruction.
- Assembled of jigsaw pieces it represents the diversity of individuals affected by autism.  
<http://livingwithadifferentbrain.com/autism-represented-jigsaw-puzzle-piece/>
- “Photos” along the bottom edge of the piece reflect a range of activities and students. There is a nod to technology with the hashtag (#) carved affectionately into the tree.



# **École élémentaire catholique Elda- Rouleau**

- Celebrates the four seasons; and
- Sporting activities in Alexandria's park.

# Glengarry District High School (GDHS)

Proudly celebrates Canada's 150<sup>th</sup> anniversary

- With a Celtic take on the logo.
- Students personalised each square within the piece with gesture and colour.

# St. Finnan's Catholic School

Used an image of the school's Irish patron, an eloquent teacher from the 7<sup>th</sup> century.

- Students updated the image with swatches of modern pattern and colour.

# Windows On Our World (WOW) 2017

This was the big project last year

- Created a virtual gallery along Main Street from mid-September to mid-October.
- It generated excitement, involvement and, according to one merchant, “More traffic than many other events!”

Within **WOW** we offered

- An opening block party in Mill Square with entertainment, pop-up restaurants and walking tours of the art.
- Art-in-the-Park: an opportunity for families to try pottery-making, calligraphy, painting and multi-media works.
- A closing Coffee Break with the gift to the Township of an artwork by one of our members.

# Windows On Our World (WOW) 2018

The event was so popular we're bringing it back—we didn't have a choice.

- And with another artists' challenge to honour our Township: we're asking members to present their vision of Glengarry My Home &/or Alexandria 200.
- It can be historical, whimsical, autobiographical- whatever touches on the theme. And in 2019 these works will contribute to another mural.

# Windows On Our World (WOW)

## 2018

- We're starting locally with the murals but expect there will be a spill over effect: one school is interested in creating a large mural on an external wall of their building next year. We suspect other towns and businesses will be intrigued/inspired to create their own murals, celebrating our great area and creating a draw for residents and tourists alike.
- Mayor Eric Duncan of the Township of North Dundas visited **WOW** wanting to replicate the event for his town!



# Paint, Poesie & All That Jazz!

An afternoon of jazz standards and art improv.

- This was a great opportunity to paint, sketch, photograph, write or simply enjoy great music!
- We had easels and art materials for folks to try: artist members created sculpture and paintings on site.
- Again, the event was well received and we'll tweak and offer it next year—but not on Easter weekend!

# Mill Squares Bake Sale

- Sunday, June 24<sup>th</sup>, 2018
- We'll have baked goods, of course, also coffee and artists painting on the green.

# An Evening with Stuart McCormick

We're VERY excited about celebrating one of Glengarry's painting heroes with family members, artworks and stories.

- Originally planned as a member event, word got out and everyone wants a piece of that action!
- So we are opening the *Evening* to all, sharing art and history.

# Dunvegan Pioneer Museum Art Show

Glengarry is in our name and we're working at spreading over more of the Township.

- This is an exclusive show for The Collective and will be up for nine days.



# Canada Day Parades

## 2017, 2018

- We're a small but energetic participant in the Parade.

# Festival of Lights

- This year we have an artsy idea and will celebrate winter in the Township.

# Closing

- We're learning as we go along and occasionally making it up on the fly.
- We listen to our members; the wonderfully helpful folk from the Township offices and committees; and townspeople.
- We're adding more student outreach and our president gives an art class each week for Community Living.
- We've instituted Reading Nights to encourage our writer members. There's talk of a theatre branch!
- Each project is an opportunity to grow our membership and, importantly, to have a real effect on our community.

- Questions?



# **Section 5**

## **COMMITTEE**

### **RECOMMENDATIONS**

**Section 6**

**CAO/CLERK'S**

**DEPARTMENT**

**Sarah Huskinson**



**Section 7**

**COMMUNITY SERVICES**

**DEPARTMENT**

**Anne Leduc**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** April 23, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-17; and

THAT Council approves the award of the contract for Outdoor Basketball Court in the amount of \$49,700 plus HST to Dalcon Constructors Ltd.; and

THAT the Mayor and the Director of Community Services are hereby authorized to execute the documentation relevant to this project.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

**YEA**

**NEA**

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**Section 7 Item a**



7(a)

## STAFF REPORT TO COUNCIL

Report No: CS-2018-17

May 14, 2018

From: Anne Leduc – Director of Community Services

RE: Outdoor Basketball Court Award

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### Recommended Motion:

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-17; and

THAT Council approves the award of the contract for Outdoor Basketball Court in the amount of \$49,700 plus HST to Dalcon Constructors Ltd.; and

THAT the Mayor and the Director of Community Services are hereby authorized to execute the documentation relevant to this project.

### Background / Analysis:

During the public consultations held in the spring and summer of 2017 by MMM Group regarding the Island Park Master Plan, the addition of an outdoor basketball court was identified as a feature that was desired by the community.

Council supported this recommendation by allocating \$55,000 towards the construction of an outdoor basketball court as part of the Island Park Capital Budget during the 2018 budget exercise.

A Request for Proposal CS-2018-02 was issued on April 11<sup>th</sup>, 2018 to obtain bids for a concrete slab (Scope A) and an asphalt slab (Scope B), indicating that the Township was considering one option between these two scopes.

The bid results are as follows:

Name	Scope	Bid Price excluding HST
Dalcon Constructors Ltd	Scope A – Concrete slab	\$114,700.00
Dalcon Constructors Ltd.	Scope B – Asphalt slab	\$ 49,700.00
Cornwall Gravel Co.	Scope B – Asphalt slab	\$49,733.00



**Alternatives:**

Option 1 – Recommended – That Council approves the award to Dalcon Constructors Ltd.

Or

Option 2 – Not recommended – That Council declines awarding the contract.

**Financial Implications:**

The lowest price of \$49,700 is within the allocated 2018 Island Park Capital Budget of \$55,000 for the Outdoor Basketball Court.

**Attachments & Relevant Legislation:**

N/A

**Submitted by:**



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Anne Leduc – Director of Community Services

**Others consulted:**



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Sarah Huskinson – Chief Administrative Officer / Clerk

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-18; and

THAT Council approves the award of the contract for Replacement of the Floor in the Community Hall located in the Maxville and District Sports Complex in the amount of \$10,701.31 plus HST to Les Couvre-planchers Clément; and

THAT the Mayor and the Director of Community Services are hereby authorized to execute the documentation relevant to this project.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**YEA**

**NEA**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

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**Section 7 Item b**

## STAFF REPORT TO COUNCIL

Report No: CS-2018-18

May 14, 2018

From: Anne Leduc – Director of Community Services

RE: Replacement of the Floor in the Community Hall In the Maxville & District Sports Complex

### Recommended Motion:

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-18; and

THAT Council approves the award of the contract for Replacement of the Floor in the Community Hall located in the Maxville and District Sports Complex in the amount of \$10,701.31 plus HST to Les Couvre-planchers Clément; and

THAT the Mayor and the Director of Community Services are hereby authorized to execute the documentation relevant to this project.

### Background / Analysis:

The floor in the Community Hall requires replacement.

Council supported this recommendation by allocating \$15,000 towards the removal of the existing floor tiles and installation of new floor tiles as part of the Maxville and District Sport Complex' Capital Budget during the 2018 budget exercise.

A Request for Tender CS-2018-03 was issued on April 11<sup>th</sup>, 2018 to obtain bids for providing and installing commercial grade tiles in this facility.

The bid results are as follows:

Name	Tile Grade	Bid Price excluding HST
Les Couvre-planchers Clément	Commercial – Armstrong Excelron	\$10,701.31
Tapis Richard Ranger Carpet	Commercial – Armstrong Excelron	\$12,451.57
Tri-City Flooring Company	Commercial – Armstrong Excelron	\$13,819.00
Tapis Richard Ranger Carpet	Commercial – Polyflor Expona LVT	\$24,573.51

**Alternatives:**

Option 1 – Recommended – That Council approves the award to Les Couvre-planchers Clément.

Or

Option 2 – Not recommended – That Council declines awarding the contract.

**Financial Implications:**

The lowest price of \$10,701.31 is within the allocated 2018 Maxville and District Sports Complex Capital Budget of \$15,000 for the replacement of the floor tiles. Part of the remaining funds will be used to reinstall new wood baseboards around the circumference of the Community Hall.

**Attachments & Relevant Legislation:**

N/A

**Submitted by:**



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Anne Leduc – Director of Community Services

**Others consulted:**



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Sarah Huskinson – Chief Administrative Officer / Clerk

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-19; and

THAT Council approves the transfer of use in an upset amount of \$4400.00 plus HST from the Island Park Capital Budget towards the capital purchase of Outdoor Exercise Equipment; and

THAT Council approves the transfer of use in an upset amount of \$4700.00 plus HST to supplement the existing amount of \$8,000 approved to rehabilitate the Island Park Tennis Courts.

THAT the Director of Community Services are hereby authorized to execute the documentation relevant to this project.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

**YEA**

**NEA**

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**Section 7 Item c**



## STAFF REPORT TO COUNCIL

Report No: CS-2018-19

May 14, 2018

From: Anne Leduc – Director of Community Services

RE: Outdoor Exercise Equipment & Tennis Court

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### Recommended Motion:

THAT the Council for the Township of North Glengarry receives the Staff Report No. CS-2018-19; and

THAT Council approves the transfer of use in an upset amount of \$4400.00 plus HST from the Island Park Capital Budget towards the capital purchase of Outdoor Exercise Equipment; and

THAT Council approves the transfer of use in an upset amount of \$4700.00 plus HST to supplement the existing amount of \$8,000 approved to rehabilitate the Island Park Tennis Courts.

THAT the Director of Community Services are hereby authorized to execute the documentation relevant to this project.

### Background / Analysis:

Outdoor Exercise Equipment: Community Living Glengarry will be hosting the 3<sup>rd</sup> Annual CommUNITY Run on September 29, 2018. This year, Island Park will be the recipient of their fundraising activities with the purchase of an outdoor exercise station, namely a combination Recumbent Bike / Hand Station.

In order to enhance this project, Staff suggests the capital purchase of an additional station – the Lower Body Stretcher / Stepper Station. These two combination stations were selected in conjunction with Community Living Glengarry and the supplier as equipment that can be used by a diverse population. Staff plan to add two more stations in 2019 to complete the circuit, the Sit Up / Hyper Extension Bench Station and a Tai Chi / Accessible Tai Chi Station.

The two exercise stations will be placed in what will become a semi-circle around playground equipment, allowing users with children to keep tabs on their youngsters.

Tennis Court Rehabilitation: A quote was obtained in 2017 to fix the cracks running through the Island Park tennis courts. Prior to the work being done, Recreation Staff would fill the cavities with cold patch and compact the material. The company performing the rehabilitation would then smooth out the cavities with an epoxy product, add surface patches, sand down the areas, and paint and line the patched areas.

Additional quotes were requested to explore the full rehabilitation of the courts with works completed in entirety by an external contractor. The works quoted include the cleaning of the court surface, repair, leveling and filling of the cavities, the application of the resurfacing product and surface patches, the sanding down of affected areas, 2 coats of coloured acrylic topcoats (red for the courts and green for the surround) and lining of both tennis courts.

The Alexandria Recreation Committee is investing part of their approved 2018 Capital Budget in the tennis courts this year through the purchase of windscreen netting.

Staff recommends proceeding with the full rehabilitation of the courts which will extend the life and increase the enjoyment of this installation by our tennis and pickle ball users.

**Alternatives:**

Option 1 – Recommended – That Council approves the transfer of Capital Funds towards the purchase of these item.

Or

Option 2 – Not recommended – That Council approves the transfer of Capital Funds for the Outdoor Exercise Equipment only

Or

Option 3 – Not recommended – That Council approves the transfer of Capital Funds for the rehabilitation of the Tennis Courts only

Or

Option 4– Not recommended – That Council declines purchasing the outdoor exercise equipment.

**Financial Implications:**

At this point in the fiscal Island Park Capital Budget, staff has identified nearly \$10,000 in savings obtained through competitive pricing on projects and economies in the purchasing of equipment. This more than offsets the requested transfer of funding in the amount of \$9,100.00 plus HST requested to purchase the Lower Body Stretcher / Stepper Station and to supplement the shortfall to rehabilitate the Island Park Tennis Courts.

The funds remain within the same Capital Budget envelope and do not increase nor decrease the whole of the Capital funding for Island Park as allocated by Council.

**Attachments & Relevant Legislation:**

- ActiveFit Outdoor Exercise Equipment Selection
- Examples of rehab of Tennis Courts

**Submitted by:**

*Anne Leduc*

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Anne Leduc – Director of Community Services

**Others consulted:**

*Sarah Huskinson*

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Sarah Huskinson – Chief Administrative Officer / Clerk

## Activefit Outdoor Exercise Equipment

### Recumbent Bike / Hand Station



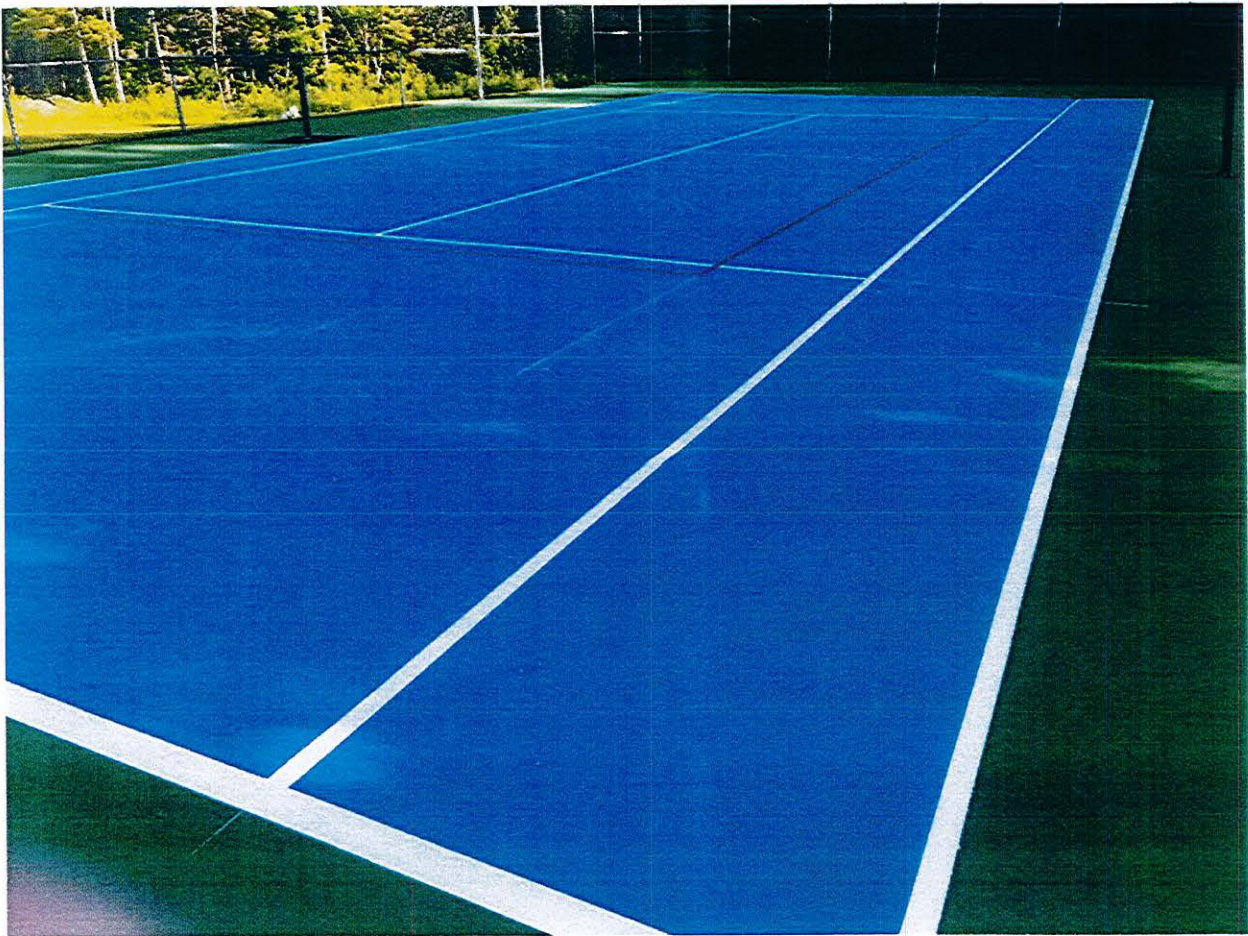
### Lower Body Stretcher / Stepper Station



- Units ship complete with combination English and French instructional use signs for a more inclusive and accessible park.
- Bilingual signs allow for simplified understanding of the numerous workouts and exercise options each fitness unit offers.
- All fitness stations are designed, manufactured and shipped from the Ontario facility.



Example of rehab of Tennis Courts  
(at two different facilities)





**Section 8**

**TREASURY DEPARTMENT**

**Sarah Huskinson**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

THAT Council adopt by-law #27-2018 being a by-law to adopt the tax rates for the year 2018 and that by-law be read a first, second and third time in Open Council this 14<sup>th</sup> day of May, 2018.

**Carried**

**Defeated**

**Deferred**

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\_\_\_\_\_

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**MAYOR / DEPUTY MAYOR**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

**YEA**

**NEA**

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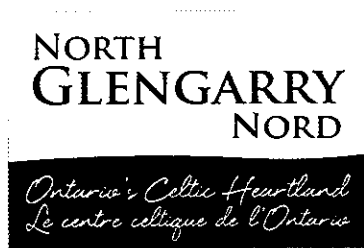
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**Section 8 Item a**



8/10

## STAFF REPORT TO COUNCIL

Report No: TR-2018-04

May 14, 2018

From: Sarah Huskinson – CAO/ Clerk, Treasurer/ Director of Finance

RE: 2018 Tax Rates

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### Recommended Motion:

THAT Council adopt by-law #27-2018 being a by-law to adopt the tax rates for the year 2018.

### Background / Analysis:

The 2018 Operating and Capital Budgets were approved by Council on February 5, 2018 for which \$5,525,976 in municipal tax dollars is required to be raised. Annually, a tax rate by-law is required to authorize tax rates that are sufficient to generate property taxes required to support the municipal budget, as well education and county tax rates.

There are many consideration and components to the property tax system: assessment value; tax ratios; tax rates; capping; and, the annual operating budget amount. The Township tax rates have a municipal, county and education rate component. Of the total tax rate, 46% of the dollars are sent to the County, 13% are sent to the Province for the Education Tax and 40% of the dollars remain in the Township.

The assessment for each property in the Township is set by MPAC, the Municipal Property Assessment Corporation. All properties are assessed by MPAC every four years. The 2017 taxation year was the first year of the new assessment cycle, which is based on a valuation date of January 1, 2016, and therefore, we are in the second year of the assessment cycle. All increases to properties, due to the reevaluation in 2016, are phased in over the period of the four year assessment cycle. Any decreases in valuation, as a result of the 2016 valuation, were applied in 2017. The 2017 assessment roll, used in the 2018 taxation calculation, includes all of the phased in values, as well as any assessment growth due to new construction.

Section 308 of the Municipal Act requires that Municipal Council establish tax ratios by passing a by-law each year. Tax ratios distribute the tax burden amongst property classes and therefore, must be set prior to establishing the annual tax rates. The Township is a lower tier municipality and as such, the County sets the tax ratios for the Township to utilize. These tax ratios have been set for the 2018 taxation year, as well as the County rates. The Provincial Government sets the Education tax rates annually

which are sent to the Township to include in the total tax rate to levy to residents. The Township tax rate is calculated by dividing the net requirement, or the \$5,525,976, by the total weighted assessment.

The original estimation presented to Council earlier this year suggested a 0% increase in the overall tax rate. Based on the education rate, the adopted county rate and the approved municipal levy, as predicted, there will be a 0% increase to the total tax rate.

**Alternatives:**

Option 1: Adopt the 2018 tax rates

Option 2: Do not adopt the 2018 tax rates.

**Financial Implications:**

The adoption of tax rates does not change the overall taxation revenue of the municipality.

**Attachments & Relevant Legislation:**

**Others Consulted:**



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Sarah Huskinson – CAO/ Clerk, Treasurer/ Director of Finance

**Township of North Glengarry - Schedule A - Bylaw #27-2018**  
**2018 Final Tax Rates**

Property Class		Current Value	Tax Rate	Municipal	%	Upper Tier	Upper Tier	%	Education	Education	%	Tax	Total
		Assessment	Municipal	Tax Dollars	Change	Rate	Tax Dollars	Change	Rate	Tax Dollars	Change	Rate	Collected
Residential & Farm	RT	793,079,776	0.5175	4,104,512	2.08%	0.5912	4,688,688	-0.35%	0.1700	1,348,236	-5.03%	1.2787	10,141,435
Residential - Education Only - EP	RD	211,400							0.1700	359		0.1700	359
Multi-Residential	MT	9,689,800	0.9263	89,758	2.08%	0.5912	57,286	-0.25%	0.1700	16,473	-5.03%	1.6875	163,517
Large Industrial	LT	0	2.1443	0	2.09%	2.4497	0	-0.25%	1.3400	0	-3.60%	5.9340	0
Farmlands	FT	350,182,922	0.1294	453,085	2.12%	0.1478	517,570	-0.25%	0.0425	148,828	-5.03%	0.3197	1,119,483
Commercial	CT	59,191,684	0.8457	500,570	2.09%	0.9661	571,851	-0.25%	1.3400	793,169	-3.60%	3.1518	1,865,589
Commercial Construction (New)	XT	15,672,984	0.8457	132,543	2.09%	0.9661	151,417	-0.25%	1.0900	170,836	-4.39%	2.9018	454,795
Industrial	IT	11,654,822	1.0679	124,463	2.08%	1.2200	142,189	-0.25%	1.3400	156,175	-3.60%	3.6279	422,827
Industrial Construction (New)	JT	2,971,170	1.0679	31,729	2.08%	1.2200	36,248	-0.25%	1.0900	32,386	-4.39%	3.3779	100,363
Pipeline	PT	4,880,748	0.7079	34,552	2.09%	0.8087	39,471	-0.25%	1.0832	52,868	-1.27%	2.5998	126,891
Managed Forest	TT	4,163,116	0.1294	5,386	2.12%	0.1478	6,153	-0.25%	0.0425	1,769	-5.03%	0.3197	13,309
Parking Lot	GT	32,750	0.8457	277	2.09%	0.9661	316	-0.25%	1.3400	439	-3.60%	3.1518	1,032
Shopping Centre	ST	0	0.8457	0	2.09%	0.9661	0	-0.25%	1.3400	0	-3.60%	3.1518	0
Construction Shopping Centre (NEW)	ZT	3,574,200	0.8457	30,226	2.09%	0.9661	34,530	-0.25%	1.3400	47,894	17.54%	3.1518	112,651
Commercial Excess Vacant Unit	CU	519,160	0.5920	3,073	2.08%	0.6763	3,511	-0.25%	0.9380	4,870	-3.60%	2.2063	11,454
Commercial Vacant Land	CX	2,113,950	0.5920	12,514	2.08%	0.6763	14,297	-0.25%	0.9380	19,829	-3.60%	2.2063	46,640
Commercial Excess Vacant (New Construct	XU	217,549	0.5920	1,288	2.08%	0.6763	1,471	-0.25%	0.7630	1,660	-4.39%	2.0313	4,419
Shopping Centre Excess Land	SU	0	0.5920	0	2.08%	0.6763	0	-0.25%	0.9380	0	-3.60%	2.2063	0
Industrial Excess Land	IU	109,590	0.7475	819	2.09%	0.8540	936	-0.25%	0.9380	1,028	-3.60%	2.5395	2,783
Industrial Vacant Land	IX	157,907	0.7475	1,180	2.09%	0.8540	1,349	-0.25%	0.9380	1,481	-3.60%	2.5395	4,010
Industrial Excess (New Construction)	JU		0.7475	0	2.09%	0.8540	0	-0.25%	0.7630	0	-4.39%	2.3645	0
Large Industrial Vacant Unit Excess Land	LU	0	1.5010	0	2.09%	1.7148	0	-0.25%	0.9380	0	-3.60%	4.1538	0
		<b>1,258,423,528</b>		<b>5,525,976</b>			<b>6,267,283</b>			<b>2,798,298</b>			<b>14,591,556</b>



**THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW NO. 27-2018**

**BEING A BY-LAW TO ADOPT THE ESTIMATES OF ALL SUMS REQUIRED DURING THE YEAR AND TO ADOPT TAX RATES FOR THE YEAR 2018**

**WHEREAS** Section 290 of the Municipal Act, 2001, as amended, provides that a local municipality shall in each year prepare and adopt a budget including estimates of all sums required during the year for the purposes of the municipality;

**AND WHEREAS** Section 312 (2) of the Municipal Act, 2001, as amended, provides that a local municipality shall, each year, pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality rateable for local municipality purposes;

**AND WHEREAS** Section 312 (4) of the Municipal Act, 2001, as amended, authorizes municipalities to pass by-laws for purposes of raising a special local municipality levy, a local municipality shall, each year, pass a by-law levying a separate tax rate, as specified in the by-law, on all or part of the assessment, as specified in the bylaw, in each property class in the local municipality rateable for local municipality purposes;

**AND WHEREAS** Section 312 (5) of the Municipal Act, 2001, as amended, indicates the assessment in each property class includes any adjustments made under section 32, 33, 34, 39.1 or 40 of the Assessment Act, R.S.O. 1990 Chapter A.31, as amended, to the assessments on the assessment roll as returned for the taxation year if the adjustments are made on the tax roll before the by-law mentioned in subsection (4) is passed for the taxation year;

**AND WHEREAS** Section 208 (1) of the Municipal Act, 2001, as amended, states that a municipality shall annually raise the amount required for the purposes of a board of management, including any interest payable on money borrowed by it for the purposes of the board of management;

**AND WHEREAS** Section 326 (1)(a)(e) of the Municipal Act, 2001, as amended, states that a municipality may by by-law identify a prescribed special service and determine whether all or a specified portion of the additional costs determined in clause (d) shall be raised under subsection (4) of Section 326;

**AND WHEREAS** the United Counties of Stormont, Dundas and Glengarry, has, under By-Law No. 5145 directed each lower-tier Municipality to levy Tax Ratio's;

**AND WHEREAS** the United Counties of Stormont, Dundas and Glengarry, has, under By-Law No. 5146 directed each lower-tier Municipality to levy specified tax rates for the purpose of raising the general upper-tier levy;

**AND WHEREAS** the United Counties of Stormont, Dundas and Glengarry, has, under By-Law 5144, adopted optional tools for the purposes of administering limits for the Commercial, Industrial and Multi-Residential Property Classes;

**THEREFORE** the Council of the Corporation of the Township of North Glengarry enacts as follows:

1. That the Council of the Corporation of the Township of North Glengarry has considered the estimates of the Municipality and deems it necessary that the amount of \$5,525,976 be adopted as its requirements for the year 2018.
2. That for the year 2018, the tax rates as shown on Schedule "A" to this by-law, shall be levied upon the whole of the assessment in each property class.
3. That the rate of 165.00 per Residential Unit (RU), and Farm Residential Unit (FRU) and Seasonal Dwelling (RDU) as defined and classed as such in the Collector's Roll from the Assessment Office be charged annually on the tax roll for Garbage and Recycling Fees.

4. That any amounts received by the interim instalments for 2018 shall be deducted from the amounts levied by this by-law. The amount for Interim Instalments were calculated by using the current Assessment Roll times 50% of the 2017 Tax Rate.
5. That for Payments-In-Lieu of taxes and railway right-of-ways due to the Corporation of the Township of North Glengarry, the actual amount due shall be based on the assessment roll and the tax rates for the year 2018.
6. That taxes shall be payable in two instalments (July 31<sup>st</sup>, 2018 and September 28<sup>th</sup>, 2018) for the uncapped classes.
7. That the due dates and instalments for the final taxes for the capped classes will be the same as in Item 6.
8. That the due dates for all Supplementary and Omitted assessments will be payable in two instalments.
9. That penalties for late payment shall be charged at 1.25% per month or 15% per annum charged on the first day of each month on the unpaid balance.
10. That the Treasurer is authorized to mail or cause to be mailed notice of taxes due to the address of the residence of the landowner or commercial property owner or to the address of the person to whom notice is required to be given.
11. That taxes shall be payable at the Township Office in Alexandria, at most Financial Institutions in Canada or by mail.
12. Taxpayers have the option of paying Realty and or Commercial taxes through pre-authorized payments, based on ten monthly payments per year electronically transferred from their bank accounts, through equalized monthly payments from January to and including October in each year. The tax account of the property owner must be up to date in order to enroll in this plan.
13. Taxpayers enrolled in the pre-authorized monthly payment plan who are making all their payments on the scheduled dates will not be subject to penalty for non payment of taxes on any outstanding balances on the due dates. The following exceptions will apply:
  - A) In the event of an "Insufficient Funds" notice the resident will be charged the appropriate NSF charge as well as penalty and interest for non-payment .
  - B) Two instances of "Insufficient Funds" notices by a taxpayer, in the course of the monthly update, will result in the removal of the subject taxpayer from the payment plan.
14. The Treasurer is empowered to accept part of the payment of taxes from time to time on account of taxes due.
15. The Treasurer is hereby authorized to place any outstanding amounts owed to the Municipality as a sum on the appropriate tax account to be collected in like manner as taxes.
16. That any remaining operating surpluses be transferred to the specific departments' working fund reserves (fire, roads, recreation, RARE and water/sewer departments) and any deficits incurred by these same departments be funded from their specific working fund reserve or capital expenditure reserves at year-end of the same fiscal year.
17. That any remaining operating surpluses for all other departments be transferred to the working fund reserve account and any operating deficits for all other departments be transferred from the working fund reserve account at year-end of the same fiscal year.
18. This By-Law replaces By-Law #19-2017 which is hereby repealed.

This By-Law shall come into force and effect upon the date of the final reading thereof.

**READ** a first, second and third time and passed in Open Council this 14<sup>th</sup> day of May, 2018.

\_\_\_\_\_  
**CAO/Clerk /Deputy Clerk**

\_\_\_\_\_  
**Mayor / Deputy Mayor**

I hereby certify this to be a true copy of By-Law No. 27-2018, and that such By-Law is in full force and effect.

\_\_\_\_\_  
**Date Certified**

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**

**Section 9**

**PLANNING/BUILDING  
BY-LAW  
DEPARTMENT**

**Jacob Rhéaume**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**THAT** Staff Report 2018-08 regarding septic inspections be received and;

**THAT** the Council of the Township of North Glengarry enter into a four year contract with Lakeside Green Environmental Consulting to provide plan review and inspection services for Part 8 (On Site Sewage System) of the Ontario Building Code.

**THAT** Council adopt by law No. 26-2018 and that by-law be read a first, second and third time in Open Council this 14<sup>th</sup> day of May, 2018.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**YEA**

**NEA**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

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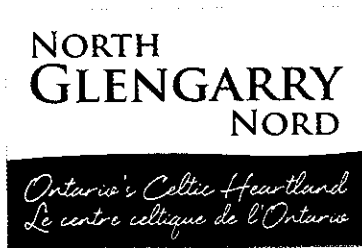
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**Section 9 Item a**



9 (a)

## STAFF REPORT TO COUNCIL

Report No: BP-2018-08

May 14, 2018

From: Jacob Rheume – Chief Building Official

RE: **Part 8 Septic System design reviews and onsite inspections**

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### Recommended Motion:

**THAT** Staff Report 2018-08 regarding septic inspections be received and;

**THAT** the Council of the Township of North Glengarry enter into a four year contract with Lakeside Green Environmental Consulting to provide plan review and inspection services for Part 8 (On Site Sewage System) of the Ontario Building Code.

### Background / Analysis:

In March of 2012, the municipality entered into a contract with Lakeside Green Environmental to provide plan review and inspection services for the implementation of the Pt 8 Septic System program administered by the municipality under the Ontario Building Code. The process has been running smoothly and quality of service has been excellent.

In late fall of 2013 Lakeside Green Environmental was requested to provide a proposal for continued Septic System Inspection services under Section 8 of the Ontario Building Code. The Terms of Reference for the proposal were similar to the original RFP that was issued jointly with South Glengarry except the term of the contract would be for four (4) years. That contract was signed on the 11<sup>th</sup> day of February, 2014 and therefore, has now expired.

The Scope of Work continues to be as the original proposal dated December 2011 with the new fee schedule (see Financial Implications), and the term of the contract will also be for four (4) years.

### Alternatives:

Option 1: **THAT** Council receives this report and **THAT** Council enters into a four year contract with Lakeside Green Environmental Consulting to provide plan review and inspection services for Part 8 (On Site Sewage System) of the Ontario Building Code.



Option 2: THAT Council does not receive this report and/or THAT Council does not enter into a four year contract with Lakeside Green Environmental Consulting to provide plan review and inspection services for Part 8 (On Site Sewage System) of the Ontario Building Code.

### **Financial Implications:**

Lakeside Green Environmental has maintained the pricing schedule related to the septic inspection services provided since March 2012, with increases based on the CPI at two year intervals. The pricing includes hours, mileage, insurance and incidentals required to complete inspection services, as continue to be delivered, since March 2012.

Lakeside Green Environmental Consulting proposes a slight increase to the price schedule originally agreed to March 2012; with the inclusion of one scheduled price increase, based on the Consumer Price Index (CPI), in January 2020. Two increases based on the CPI have been implemented since commencement of the contract, in January 2015 and 2017. Considering these moderate increases, the cost of Part 8 service delivery to the municipalities has remained well below permit revenue for Part 8 applications.

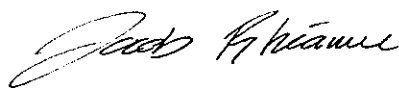
The pricing schedule includes a slight increase to reflect increasing external expenses required to provide services. Design Change and Administration fees have been added to the proposal to satisfy certain permits.

There is little impact on the 2018 budget as permit fees are established to offset the cost of this contract inspection services position and anticipated revenue and expense had already been included in the approved 2018 budget.

### **Attachments & Relevant Legislation:**

1. Proposal for Inspection Services under Part 8 of the OBC from Lakeside Green Environmental Consulting.

### **Others Consulted:**



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Jacob Rheame  
Chief Building Official



---

Sarah Huskinson  
Chief Administrative Officer/ Clerk

**THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW NO. 26-2018**

**BEING** a by-law to appoint an Inspector and By-law Enforcement Officer for the Township of North Glengarry.

**WHEREAS** the Township entered into an agreement with Lakeside Green Environmental Contractor on the terms outlined in the “Proposal for Inspection Services under Part 8 of the OBC” attached hereto (the Contract);

**AND WHEREAS** Section 3 (2) of the Building Code Act, S.O. 1992, C.23, as amended, requires that a council of a municipality appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the Building Code Act in the areas in which the municipality has jurisdiction;

**AND WHEREAS** the Municipal Act, S.O. 2001, c.25 as amended, authorizes the Council of any municipality to appoint certain officers and employees as may be necessary for the purposes of the Corporation, or for carrying into effect or enforcing any Act or by-law of the council;

**AND WHEREAS** pursuant to the Provincial Offences Act R.S.O., 1990, P.33 as amended, Council of the Corporation of the Township of North Glengarry wishes to appoint a By-law Enforcement Officer for the enforcement of the municipality’s by-law.

**NOW THEREFORE** the Council of the Corporation of the Township of North Glengarry enacts as follows:

1. **THAT** the Corporation of the Township of North Glengarry enter into an Agreement with Lakeside Green Environmental Consulting.

**THAT** Michael Madden be appointed as an Inspector for the purpose of administering and enforcing the Ontario Building Code Act, S.O. 1992, C.23 and a By-law Enforcement Officer for the purpose of administering and enforcing municipal By-laws.

**THAT** this appointment be for the term of the contract between Lakeside Green Environmental Consulting and the Corporation of the Township of North Glengarry and terminates upon expiration or termination of the contract.

**THAT** this by-law shall take precedence over any other by-law it is inconsistent with.

**READ** a first, second, third time and enacted in Open Council this 14<sup>th</sup> day May, 2018.

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**

\_\_\_\_\_  
**Mayor / Deputy Mayor**

I hereby certify this to be a true copy of By-law No. 26-2018, and that such by-law is in full force and effect.

\_\_\_\_\_  
**Date Certified**

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**

**TOWNSHIP OF NORTH GLENGARRY  
CONTRACT  
SEPTIC SYSTEM INSPECTION SERVICES  
FOR  
TOWNSHIP OF NORTH GLENGARRY  
--- CONTRACT AGREEMENT ---**

**THIS AGREEMENT MADE IN TRIPLICATE THIS  
14<sup>th</sup> DAY OF MAY 2018**

**BETWEEN**

**LAKESIDE GREEN ENVIRONMENTAL CONSULTING  
HEREINAFTER CALLED THE CONTRACTOR  
AND THE PARTY OF THE FIRST PART**

**AND**

**THE CORPORATION OF THE  
TOWNSHIP OF NORTH GLENGARRY**

**HEREINAFTER CALLED THE MUNICIPALITY  
AND THE PARTY OF THE SECOND PART**

**WITNESSETH THAT THE CONTRACTOR AND THE MUNICIPALITY FOR  
THE CONSIDERATION HEREINAFTER NAMED AGREE AS FOLLOWS:**



## Contract Lakeside

1. The Contractor agrees to execute and perform the whole of the work described in the Scope of Work appended to this Agreement in the "Proposal for Inspection Services under Part 8 of the OBC". Further it shall be the responsibility of the Contractor to maintain an appropriate number of adequately trained staff to carry out the service in a timely fashion at no additional cost to the Municipality.
2. The Contract will be for a four year term for the period starting May 14, 2018 and ending May 14, 2022.

The Contract may not be terminated prior to the end of May 14, 2022 as set out in Section 2 hereto unless such termination is agreed to in writing by both parties hereto or such termination is allowed under this Contract or the Scope of Work.

3. Notwithstanding the above, the Municipality may terminate the contract at any time prior to the end of the term set out in Section 2 if:
  - a) The Contractor has failed to comply with the Building Code Act or Ontario Building Code in fulfilling its obligations under the Contract or;
  - b) The Contractor is not carrying out its duties or obligations pursuant to this Contract and the Contractor fails to remedy the problem in a manner satisfactory to the Municipality or act responsibly within 120 days of being notified by the Municipality in writing of any such problem.
4. The Unit Price to be for each service shall be in the amount enumerated in the "Proposal for Inspection Services under Part 8 of the OBC" submitted by the Contractor dated March 12, 2018.
5. The Municipality agrees to pay the Contractor for the performance of this Agreement upon the written certification of the Chief Building Official.
6.
  - a) The Contractor agrees to provide the Municipality with proof of adequate insurance against any loss, cost, damages or expenses by reason of any damages occasioned through any act, commission or neglect of the Contractor while carrying out his Contract.
  - b) The Contractor agrees that in the event that the contract is terminated or ended that they will continue to maintain liability insurance for a period of 36 months after termination and ending of the contract and agree to add the Township as a named insured during that period and during the length of this contract. This clause survives this contract.
7. The conditions, terms and agreements herein contained shall insure to the benefit of and the binding upon, the parties hereto and their respective heirs, successors, representatives, administrators and assigns.
8. All parties agree any dispute arising from this agreement will be governed by the laws of Ontario and the laws of Canada applicable in Ontario.
9. In the event of a dispute the main body of this contract shall take precedence followed by the Scope of Work appended to this Agreement in the "Proposal for Inspection Services under Part 8 of the OBC", followed by the Contractor's submitted proposal.

IN WITNESS THEREOF, THE PARTIES HAVE SET THEIR HANDS AND SEALS ON  
THE \_\_\_\_\_ DAY OF FEBRUARY 2014

\_\_\_\_\_ ) LAKESIDE GREEN ENVIRONMENTAL CONSULTING  
WITNESS )  
          ) )  
          ) BY \_\_\_\_\_  
          ) THE PARTY OF THE FIRST PART

\_\_\_\_\_ )  
WITNESS ) THE CORPORATION "MUNICIPALITY" OF THE  
          ) TOWNSHIP OF NORTH GLENGARRY  
          ) )  
          ) )  
          ) MAYOR \_\_\_\_\_  
          ) )  
          ) )  
          ) CLERK \_\_\_\_\_  
          ) THE PARTY OF THE SECOND PART



**Section 10**

**FIRE DEPARTMENT**

**Patrick Gauthier**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

That Council approve the proposed changes to the revised version of the open air burning by-law.

And that by-law 25-2018 be read a first, second and third time in Open Council of May 14, 2018.

**Carried**

\_\_\_\_\_

**Defeated**

\_\_\_\_\_

**Deferred**

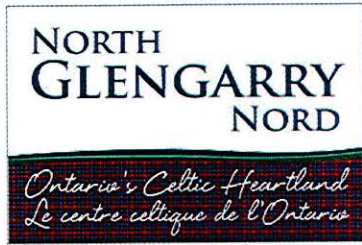
\_\_\_\_\_

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**MAYOR / DEPUTY MAYOR**

	<b>YEA</b>	<b>NEA</b>
<b>Deputy Mayor:</b> Jamie MacDonald	_____	_____
<b>Councillor:</b> Jacques Massie	_____	_____
<b>Councillor:</b> Brian Caddell	_____	_____
<b>Councillor:</b> Jeff Manley	_____	_____
<b>Councillor:</b> Michel Depratto	_____	_____
<b>Councillor:</b> Carma Williams	_____	_____
<b>Mayor:</b> Chris McDonell	_____	_____

**Section 10 Item a**



10(a)

FS-2018-01

## STAFF REPORT TO COUNCIL

May 3, 2018

From: Fire Chief Pat Gauthier

RE: Open Air Burning By-Law 24-2017 (revision)

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### Recommended Motion:

That Council approve the proposed changes to the revised version of the open air burning by-law.

And that by-law 25-2018 be read a first, second and third time in Open Council of May 14, 2018.

### Background / Analysis:

Following public concerns with regards to content and clarity of By-Law 24-2017 adopted by council on July 17<sup>th</sup> 2017, some changes are being proposed regarding language, layout, and fees associated with the different burn permits. Should council approve the by-law as revised, we propose the fee changes to be effective Jan 1<sup>st</sup> 2019.

### Alternatives:

- Option 1: That By-Law 25-2018 be approved.
- Option 2: That By-Law 24-2017 as approved by council July 17<sup>th</sup> 2017 remain as is.

### Financial Implications:

The elimination of the Brush Fire Fee (\$25.00-\$0) will have a slight impact on fire department revenues from 2019 on. The 2019 budget will be adjusted to remove this revenue.

### Others consulted:

Councillor Jeff Manley  
Fire Services Committee

### Attachments:

By-Law 24-2017 (revised copy) and new by-law 25-2018

**Others Consulted:**

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Patrick Gauthier, Fire Chief



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Sarah Huskinson – CAO/ Clerk, Treasurer/ Director of Finance



**THE CORPORATION  
OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW No. 25-2018**

**BEING** a by-law regulating the setting of fires and to institute precautions to be taken with open air fires, including establishing the times during which open air fires may be set.

**WHEREAS** Section 129 of the *Municipal Act, 2001, S.O.2001 c25*, as amended provides that the Council of a local municipality may pass by-laws prohibiting and regulating public nuisances;

**AND WHEREAS** Section 7.1(1) of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c4*, as amended, provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open air fires, including establishing the times during which open air fires may be set;

**AND WHEREAS** Section 11 of the *Municipal Act, 2001, S.O. 2001, c.25*, allows the municipality to regulate matters related to the health, safety and well-being of the inhabitants of the municipality;

**AND WHEREAS** the regulation of open air burning is important for the health, safety and wellbeing of persons and property;

**NOW THEREFORE**, the Council of the Corporation of the Township of North Glengarry ENACTS AS FOLLOWS:

**SHORT TITLE**

This By-law shall be known as the "*Open Air Burning By-law*"

**Part 1  
DEFINITIONS**

**1.1 Definitions**

In this By-Law:

"Adverse Effect" means impairment of the safety of any person and/or damage to property and includes:

- I. impairment of the quality of the natural environment
- II. injury or damage to property, plant or animal life
- III. harm or material discomfort to any person
- IV. an adverse effect on the health of any person
- V. impairment of the safety of any person; or
- VI. loss of enjoyment of normal use of property;

"Authorized Representative" means a person 18 years of age or older who is authorized to burn by the registered legal owner of the property and who name appears on the burn permit.

"Brush" means natural woody debris collected from a property and includes branches, chopped-off tree limbs, trunks and leaves;

"Corporation" means the Corporation of the Township of North Glengarry;

"Farm or Agricultural Operations" means an agricultural operation as defined under the Farming and Food Production Protection Act, 1998 Chapter 1, Section and operates with a Farm Business Number;

"Fire Chief" means the person appointed by Council of the Corporation of the Township of North Glengarry as defined in the Fire Protection and Prevention Act, 1997 and his or her designate;

"Firefighter" means the Fire Chief and any other person employed in, or appointed to the North Glengarry's Fire Service Division of the Corporation of the Township of North Glengarry, and assigned to undertake fire protection services;

"Grass Cuttings" means the lawn waste resulting from mowing;



"Municipal Law Enforcement Officer means the Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of North Glengarry.

"Normal Farm Practices" means a practice that:

- I. is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by a similar agricultural operations under similar circumstances; or
- II. makes use of innovative technology in a manner consistent with proper advanced farm management practices;

"Noxious Materials" includes tires, plastics, rubber products, drywall, demolition waste, household garbage, construction waste, paint, animal organic waste, vegetable waste, food waste, biomedical waste, tar, asphalt products, battery boxes, pressure-treated wood, creosote-treated wood, painted wood and other similar materials;

"Nuisance" means excessive smoke, odour, airborne sparks or embers that is likely to cause an Adverse Effect, disturb others, or that is likely to reduce visibility on roads in the vicinity of the Open Air Burning;

"Officer" means a Municipal Law Enforcement Officer or a Firefighter, including the Fire Chief and any member of the North Glengarry Fire Service Division;

"Open Air" means any area outside of a building or enclosed structure;

"Open Air Fire and Open Air Burning" means a fire set in the Open Air;

"Outdoor Fireplace" means a manufactured non-combustible enclosed container designed to hold a small fire for decorative purposes and the size of which is not larger than 1 meter in any direction, and may include, but is not limited to, chimneys, metal tubs, fire pits, and outdoor brick fireplaces;

"Owner means the registered owner or any person, firm or corporation having control over, or possession, of any portion of the building or property under consideration and includes the persons in the building or property;

"Permit" means a permit issued by the Fire Chief to set a fire in the Open Air for a specified time period;

"Person" includes an individual, association, firm, partnership, corporation, trust, organization, trustee, or agent, and their heirs, executors, or legal representatives;

"Receptacle" means anything used to contain or hold something else which is made of noncombustible materials and is not greater than 1 meter square;

"Recreational Fire" means a small, controlled and contained fire for the purpose of cooking, warmth or personal enjoyment;

"Settlement areas" means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses;
- b) lands which have been designated in an official plan for development over the long-term planning; and
- c) land designated as settlement area in the municipal official plan

"Smog Alert" means an alert issued by the Ministry of Environment and Climate Change with respect to air quality;

"Supervisor" means:

(a) a Person eighteen (18) years of age or more who is a registered legal owner of the property upon which the Open Air Fire is to be burned;

(b) a Person eighteen (18) years of age or more who is the occupier of the property upon which the Open Air Fire is to be burned and who has been provided with permission by a registered legal owner of the property to burn an Open Air Fire;  
or

(c) a Person eighteen (18) years of age or more who is an authorized representative of the registered legal owner of the property upon which the Open Air Fire is to be burned.

"Township" means the geographic area of the Corporation of the Township of North Glengarry.

**Part 2**  
**GENERAL REQUIREMENTS FOR OPEN AIR BURNING PERMITS**

- 2.1 No person shall start, set, maintain or permit to be started, set, or maintained an open air fire within the Township, except as permitted under this By-Law. Only Open air fires permitted under this By-Law shall be started, set or maintained.
- 2.2 A burning permit must be obtained as provided in this by-law before starting or setting a fire.
- 2.3 The North Glengarry Fire Service Division and North Glengarry Township Employees shall be exempt from the provisions of this by-law with respect to Open Air Fires and Open Air Burnings for the purposes of educating, training or any other purpose approved by the Fire Chief.
- 2.4 It is not permitted to set an Open Air Fire when the wind velocity is greater than 15 kilometers an hour.
- 2.5 All Open Air Fires must be monitored at all times by a Supervisor
- 2.6 It is not permitted to burn during dry periods as designated by the Fire Chief or the Ministry of Natural Resources.
- 2.7 It is not permitted to burn noxious materials and/or household garbage.
- 2.8 It is not permitted to burn buildings or machinery.
- 2.9 Barbeques used according to the manufactures instructions for the purpose of cooking food shall be exempt from this By-Law.
- 2.10 It is not permitted to burn on any road allowance, unopened road allowance or in a location that would interfere with traffic.
- 2.11 All Open Air Fires must be completely extinguished before vacating the location of the Open Air Fire.
- 2.12 Fires that have an adverse affect or are a nuisance as determined by the Fire Chief or designate shall be extinguished immediately.
- 2.13 Commercial, industrial or wrecking yard zoned properties are not permitted to have an open air fire
- 2.14 The only person entitled to apply for an open air fire permit as set out in schedule "A" as amended from time to time is a Supervisor.
- 2.15 The Supervisor is responsible to ensure that the conditions outlined in this bylaw are adhered to at all times.
- 2.16 All permits expire Dec 31<sup>st</sup> at midnight on the year it was issued.
- 2.17 An application for a Permit shall be completed on the forms provided in Schedule "A".
- 2.18 Any permit in effect during a dry period as designated by the Fire Chief or the Ministry of Natural Resources will be voided for the remainder of the dry period. No reimbursement and no extension of the permit will be permitted.
- 2.19 Supervisor shall produce the permit upon request by the Fire Chief or designate.
- 2.20 The Fire Chief or designate may refuse, revoke or suspend a permit at any time at his or her sole discretion.

- 2.21 The Supervisor or the Authorized Representative must have a copy of the permit with them at all times.
- 2.22 Types of Burning permits available are, as set out in Schedule A:
- a. Recreational Fire Permit
  - b. Brush Fire Permit
  - c. Farm or Agricultural Operation Fire Permit

### **Part 3**

#### **RECREATIONAL FIRES**

- 3.1 Recreational Fires shall:
- a. be for the purpose of cooking, warmth or personal enjoyment;
  - b. have a flame of no more than 1 cubic meter;
  - c. be located at least 5 meters from any structure, building, property line, tree, hedge, fence, roadway, deck, overhead wire or any other combustible material;
  - d. be located on a non combustible surface if an appliance is used
  - e. have, as a fuel, clean wood or charcoal.
- 3.2 Spark guards with openings no larger than 12 mm in diameter are recommended for all recreational fires

### **Part 4**

#### **BRUSH FIRES**

- 4.1 Brush Fires shall:
- a. be at least 50 meters from the nearest dwelling.
  - b. be at least 5 meters from the property line
  - c. be at least 15 meters from forest, woodland, or buildings
  - d. consist of brush and yard waste (except grass)
  - e. not exceed 2 cubic meters
  - f. be burned one pile at a time.

### **Part 5**

#### **FARM AND AGRICULTURAL FIRES**

- 5.1 Farm and Agricultural Operation Fire shall:
- a. be at least 75 meters from any building, structure, standing timber or flammable or combustible material.
  - b. be at least 200 meters from any residence not owned by the Supervisor.
  - c. Consist of burn piles of no more than 6 cubic meters.
  - d. Consist of burn piles at least 15 meters apart.
  - e. Not consist of a windrow
  - f. Consist of burn piles of dry timber, stumps, grass and dry brush, agricultural waste from farming operations on that property and any other organic material resulting from the clearing of land.
- 5.2 Material to be burned shall have been adequately dried prior to burning to ensure low moisture content and avoid excessive smoke.
- 5.3 Supervisor shall ensure sufficient personnel and equipment are provided to adequately control the fire and to prevent it from becoming dangerous to life or property.



- 5.4 Supervisor shall ensure accessibility (at least 10 feet wide) for fire department vehicles to safely gain access to the burn site.

## **Part 6 ADMINISTRATION AND ENFORCEMENT**

- 6.1 The Municipal Law Enforcement Officer, Fire chief or designate are authorized to:
- a) issue permits as provided in this by-law;
  - b) sign all permits on behalf of the Corporation;
  - c) limit the time for which a permit is issued;
  - d) undertake any technical investigation or inspection for the purpose of administering this by-law.
- 6.2 The Municipal Law Enforcement Officer, Fire Chief or designate may:
- a) demand the fire permit for inspection from any permit holder;
  - b) inspect any premises for which a fire permit has been issued;
  - c) enter at any time onto land to determine whether the provisions of this by-law are obeyed and to enforce or carry into effect this by-law.

## **Part 7 ORDERS**

- 7.1 Despite any other provisions of this by-law, if upon inspection of a fire, the Municipal Law Enforcement Officer, the Fire chief or designate is satisfied the fire poses a danger to the health or safety of any person or property, the Municipal Law Enforcement Officer, Fire Chief or designate shall cancel or suspend the fire permit and order the fire extinguished.
- 7.2 The area of burning must be restricted in order to enable the permit holder to extinguish the fire immediately if necessary due to a change in weather or other conditions or if so ordered by the Municipal Law Enforcement Officer, Fire Chief or designate.

## **Part 8 ENFORCEMENT**

### **8.1 Authority to Enforce**

(1) Any enforcement Officer is authorized to enforce this By-Law pursuant to the provisions hereof, the *Municipal Act, 2001*, the *Provincial Offences Act*, RSO 1990, c. P.33, and the *Fire Protection and Prevention Act, 1997*.

(2) No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-Law.

### **8.2 Right of Entry**

(1) An enforcement Officer shall be permitted to enter upon any land at any reasonable time for the purpose of enforcing this By-Law.

(2) A person exercising a power of entry on behalf of the Corporation of the Township of North Glengarry under this By-Law shall, on request, display or produce proper identification.

### **8.3 Order to Extinguish / Comply**

(1) An enforcement Officer may at his or her sole discretion, order a fire extinguished or brought into compliance with this By-Law and this order shall be final.

(2) Every person who is ordered by an enforcement Officer to extinguish a fire or otherwise bring a fire into compliance with this By-Law shall comply immediately.

(3) In the event that an order of an enforcement Officer under subsection (1) is not complied with, the enforcement Officer may take action to have the fire extinguished or otherwise brought into compliance with this By-Law.

(4) Every person who fails to comply with an order of an enforcement Officer under this By-Law shall be liable for any costs incurred by the North Glengarry Fire Service Division to extinguish the fire or bring it into compliance. Where applicable, such costs shall be calculated in accordance with the current Ministry of Transportation rate for Emergency Response Services.

#### **8.4 Remedial Costs and Recovery**

(1) The Corporation of the Township of North Glengarry may recover the remedial action costs incurred under this Part by action, or by adding such costs to the tax roll and collecting them in the same manner as taxes in accordance with section 446 of the *Municipal Act, 2001*. The remedial costs may include interest calculated at a rate of fifteen percent (15%), calculated for the period commencing on the day the municipality incurs the costs and ending on the day the costs, including interest are paid in full. The amount of the costs, including interest, constitutes a lien on the land upon the registration of a notice of lien in the Land Registry Office.

(2) Prior to recovering remedial costs under subsection (1), the Corporation of the Township of North Glengarry may invoice the owner requesting payment of the remedial costs.

### **Part 9**

#### **CONTRAVENTION OF BY-LAW – OFFENCES AND PENALTY**

##### **9.1 Offences**

(1) Every person who contravenes any provision of this By-Law is guilty of an offence.

(2) Where a corporation is convicted of an offence under this By-Law, every director or officer of a corporation who was in whole or in part responsible for the conduct of that part of the business of the corporation that gave rise to the offence is guilty of an offence, unless he or she satisfies the court that he or she took all reasonable care to prevent the commission of the offence.

(3) Every person who contravenes an Order issued by a court pursuant to this By-Law is guilty of an offence.

##### **9.2 Penalty**

(1) Every person who is found guilty of an offence under this By-Law is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33 with a fine as set out in Schedule "B".

(2) Every day or part of a day on which the offence occurs or continues shall constitute a separate offence and is punishable as such.

(3) If any provision of this By-Law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-Law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

(4) Any fine imposed under this Part shall be payable in addition to any fees, charges and costs payable under this By-Law.

(5) Schedule "B" shall come into force and take effect when it is approved and filed by Regional Senior Justice, pursuant to the *Provincial Offences Act* Part 1

### **Part 10 VALIDITY**

**10.1** If a court of competent jurisdiction declares any provision or a part of a provision of this bylaw to be invalid or to be of no force and effect, it is the intention of Council that the remainder of the by-law shall continue to be in force.

**10.2** This by-law is not constructed at any time in such a fashion as to hold the Corporation or its Officers liable for failing to ensure that persons comply with the provisions of this by-law.



**Part 11**  
**REPEAL OF EXISTING BYLAWS**

**11.1** Upon this bylaw coming into force, bylaw # 24-2017 shall be repealed.

**11.2** This bylaw shall come into force and take effect upon approval of the set fine amounts by the Regional Senior Justice.

READ a first, second, third time and enacted in Open Council, this 14th day of May 2018.

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**

\_\_\_\_\_  
**Mayor / Deputy Mayor**

I hereby certify that the foregoing is a true copy of By-law No. 25-2018 duly adopted by the Council of the Township of North Glengarry, on the 14<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
**Date Certified**

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**



### SCHEDULE "A"

This is schedule "A" to by-Law No. 25-2018 respecting application form to obtain a fire permit.

OPEN AIR BURNING PERMIT APPLICATION # \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

TELEPHONE RESIDENCE \_\_\_\_\_ CELL \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

LOCATION OF PROPOSED OPEN AIR FIRE:

CIVIC ADDRESS: \_\_\_\_\_

LOT: \_\_\_\_\_ CONCESSION: \_\_\_\_\_

CITY: \_\_\_\_\_ PROVINCE: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_

WHAT TYPE OF FIRE?

- \_\_\_\_\_ RECREATIONAL FIRE – FREE
- \_\_\_\_\_ BRUSH FIRE - \$25.00
- \_\_\_\_\_ FARM OR AGRICULTURAL OPERATION FIRE - \$50.00

\_\_\_\_\_ OWNER  
\_\_\_\_\_ WRITTEN PERMISSION GIVEN: OWNER'S NAME \_\_\_\_\_

List the other properties you own or on which you have written permission from the owner to burn at (only for Farm and Agricultural Operation Fires)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List Authorized Representative (s) **An Authorized Representative is a person 18 years of age or older who is authorized to burn by the registered legal owner of the property.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please be advised that the current by-law is posted on the municipal website at: [www.northglengarry.ca](http://www.northglengarry.ca) or contact the municipal office at 613-525-1110.

I understand that I have 30 days to pay the amount owing as per Schedule "C" of this permit. Failing to do so will result in all future application being denied and an invoice shall follow.

Invoice mailing address: \_\_\_\_\_

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

**SCHEDULE "B"**

**Township of North Glengarry  
Part 1 Provincial Offences Act  
Bylaw 25-2018: Open Air Burning By-Law**

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision creating or defining offence</b>	<b>Column 3 Set Fines</b>
1.	Burning or permit to set a fire within the settlement area	2.1	250.00
2.	Burning or permit to burn with wind velocity greater than 15km/h	2.2	250.00
3.	Burning or permit to burn during a dry period	2.3	400.00
4.	Burning or permit to burn petroleum products, plastics, rubber or any other material that causes excessive smoke or noxious fumes	2.4	400.00
5.	Burning or permit to burn buildings or machinery	2.6	400.00
6.	Burning or permit to burn on any type of road allowance or where it interferes with traffic	2.8	400.00
7.	Leaving a fire without fully extinguishing it	2.9	250.00
8.	Permit a fire to have an adverse affect	2.10	350.00
9.	Burning or permit to burn household garbage	2.11	350.00
10.	Having an open air fire in a commercial, industrial or wrecking yard zoned properties	2.12	500.00
11.	Failing to comply with the conditions of the permit	3.5	300.00
12.	Fail or refuse to produce permit	3.9(a)	150.00
13.	Fail to supervise fire continuously	3.9(b)	150.00
14.	Fail to comply with the conditions on the permit	3.9(c)	150.00
15.	Burning or permit to burn other material than those for which a permit was issued	3.9(d)	150.00
16.	Burning or permit to burn without a permit	4.1	450.00
17.	Burning or permit to burn within 75 meters of any building, structures, standing timber or any flammable or combustible material	4.3	350.00
18.	Burning or permit to burn a pile exceeding 10 meters in diameter or in height	4.4	400.00
19.	Failing to have 6 meters between burn piles	4.5	400.00
20.	Burning or permit to burn windrows	4.6	400.00
21.	Burning or permit to burn a fire within 200 meters adjacent to a residence	4.7	400.00
22.	Burning or permit to burn without a permit	5.1	300.00

23.	Burning or permit to burn within 50 meters of a dwelling or 5 meters within a property line	5.2	300.00
24.	Burning or permit to burn within 15 meters from a forest, woodland or building	5.3	300.00
25.	Burning or permit to burn during prohibited hours	5.4	300.00
26.	Burning or permit to burn other materials than brush	5.5	300.00
27.	Burning or permit to burn a pile exceeding 2 meter square	5.6	300.00
28.	Failing to have 5 metres between piles.	5.7	300.00
29.	Burning or permit to burn during prohibited hours for an open air brush fire.	6.2	300.00
30.	Burning or permit to burn other than brush, leaves or grass cuttings	6.3	300.00
31.	Burning or permit to burn within 50 meters of a dwelling or 5 meters within a property line	6.4	300.00
32.	Failing to comply with the conditions for recreational open air burning	7.2	250.00
33.	Obstruct an officer	10.1(a)	\$500.00
34.	Fail to comply with an order to extinguish	10.1(b)	\$500.00
35.	Fail to identify upon request	10.1(c)	\$500.00
36.	Give false or incorrect information	10.1(d)	\$250.00

Note: the general penalty provision for the offences listed above is section 10.1 of bylaw 25-2018, a certified copy of which has been filed and section 61 of the Provincial Offences Act, R.S.O. 1990,c.P.33.

#### SCHEDULE "C" - FEES

PERMIT	FEES
Open Air Burn Permit – Recreation Fire	NIL
Open Air Burn Permit – Brush Fire	\$ 25
Open Air Burn Permit – Farm or Agricultural Operation	\$ 50

#### SCHEDULE "D" Costs for Emergency Response

The cost for emergency fire department vehicles responding to a fire that is not in accordance with this By-Law shall be current MTO rates.

**THE CORPORATION  
OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW # 24-2017 REVISED**

**BEING** a by-law regulating the setting of fires and to institute precautions to be taken with open air fires, including establishing the times during which open air fires may be set.

**WHEREAS** Section 129 of the *Municipal Act, 2001, S.O.2001 c25*, as amended provides that the Council of a local municipality may pass by-laws prohibiting and regulating public nuisances:

**AND WHEREAS** Section 7.1(1) of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c4*, as amended, provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open air fires, including establishing the times during which open air fires may be set:

**AND WHEREAS** Section 11 of the *Municipal Act, 2001, S.O. 2001, c.25*, allows the municipality to regulate matters related to the health, safety and well-being of the inhabitants of the municipality:

**AND WHEREAS** the regulation of open air burning is important for the health, safety and wellbeing of persons and property;

**NOW THEREFORE**, the Council of the Corporation of the Township of North Glengarry ENACTS AS FOLLOWS:

**SHORT TITLE**

This By-law shall be known as the "*Open Air Burning By-law*"

**Part I  
DEFINITIONS**

**1.1 Definitions**

In this By-Law:

"Adverse Effect" means impairment of the safety of any person and/or damage to property and includes:

- I. impairment of the quality of the natural environment
- II. injury or damage to property, plant or animal life
- III. harm or material discomfort to any person
- IV. an adverse effect on the health of any person
- V. impairment of the safety of any person; or
- VI. loss of enjoyment of normal use of property;

"Authorized Representative" means a person 18 years of age or older who is authorized to burn by the registered legal owner of the property and who name appears on the burn permit.

"Brush" means natural woody debris collected from a property and includes branches, chopped-off tree limbs, trunks and leaves;

"Corporation" means the Corporation of the Township of North Glengarry;

"Farm or Agricultural Operations" means an agricultural operation as defined under the Farming and Food Production Protection Act, 1998 Chapter 1, Section and operates with a Farm Business Number;

"Fire Chief" means the person appointed by Council of the Corporation of the Township of North Glengarry as defined in the Fire Protection and Prevention Act, 1997 and his or her designate;

"Firefighter" means the Fire Chief and any other person employed in, or appointed to the North Glengarry's Fire Service Division of the Corporation of the Township of North Glengarry, and assigned to undertake fire protection services;

"Grass Cuttings" means the lawn waste resulting from mowing;



"Municipal Law Enforcement Officer means the Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of North Glengarry.

"Normal Farm Practices" means a practice that:

- I. is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by a similar agricultural operations under similar circumstances; or
- II. makes use of innovative technology in a manner consistent with proper advanced farm management practices;

"Noxious Materials" includes tires, plastics, rubber products, drywall, demolition waste, household garbage, construction waste, paint, animal organic waste, vegetable waste, food waste, biomedical waste, tar, asphalt products, battery boxes, pressure-treated wood, creosote-treated wood, painted wood and other similar materials;

"Nuisance" means excessive smoke, odour, airborne sparks or embers that is likely to cause an Adverse Effect, disturb others, or that is likely to reduce visibility on roads in the vicinity of the Open Air Burning;

"Officer" means a Municipal Law Enforcement Officer or a Firefighter, including the Fire Chief and any member of the North Glengarry Fire Service Division;

"Open Air" means any area outside of a building or enclosed structure;

"Open Air Fire and Open Air Burning" means a fire set in the Open Air;

"Outdoor Fireplace" means a manufactured non-combustible enclosed container designed to hold a small fire for decorative purposes and the size of which is not larger than 1 meter in any direction, and may include, but is not limited to, chimneys, metal tubs, fire pits, and outdoor brick fireplaces;

"Owner means the registered owner or any person, firm or corporation having control over, or possession, of any portion of the building or property under consideration and includes the persons in the building or property;

"Permit" means a permit issued by the Fire Chief to set a fire in the Open Air for a specified time period;

"Person" includes an individual, association, firm, partnership, corporation, trust, organization, trustee, or agent, and their heirs, executors, or legal representatives;

"Receptacle" means anything used to contain or hold something else which is made of noncombustible materials and is not greater than 1 meter square;

"Recreational Fire" means a small, controlled and contained fire for the purpose of cooking, warmth or personal enjoyment;

"Settlement areas" means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses;
- b) lands which have been designated in an official plan for development over the long-term planning; and
- c) land designated as settlement area in the municipal official plan

"Smog Alert" means an alert issued by the Ministry of Environment and Climate Change with respect to air quality;

"Supervisor" means:

- (a) a Person eighteen (18) years of age or more who is a registered legal owner of the property upon which the Open Air Fire is to be burned;
- (b) a Person eighteen (18) years of age or more who is the occupier of the property upon which the Open Air Fire is to be burned and who has been provided with permission by a registered legal owner of the property to burn an Open Air Fire; or
- (c) a Person eighteen (18) years of age or more who is an authorized representative of the registered legal owner of the property upon which the Open Air Fire is to be burned.

"Township" means the geographic area of the Corporation of the Township of North Glengarry.

**Part 2  
GENERAL REQUIREMENTS**

**2.1** No person shall start, set, maintain or permit to be started, set, or maintained an open air fire within the Township, except as permitted under this By-Law. Only Open air fires permitted under this By-Law shall be started, set or maintained.

~~2.2~~ A burning permit must be obtained as provided in this By-Law before starting or setting a fire.

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~~2.32-1A~~ The North Glengarry Fire Service Division and North Glengarry Township Employees shall be exempt from the provisions of this by-law with respect to Open Air Fires and Open Air Burnings for the purposes of educating, training or any other purpose approved by the Fire Chief.

~~2.42-2~~ No person shall set or permit to be set, a fire when the wind velocity is greater than 15 kilometers an hour.

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~~2.52-3~~ All Open Air Fires must be monitored at all times by a Supervisor;

~~2.62-4~~ No person shall burn during dry periods as designated by the Fire Chief or the Ministry of Natural Resources.

~~2.72-5~~ No person shall burn noxious materials at any time and/or household garbage.

~~2.82-6~~ The burning of buildings or machinery is prohibited.

~~2.92-7~~ Barbeques used according to the manufactures instructions for the purpose of cooking food shall be exempt from this By-Law. This bylaw does not apply to barbeques used for the purpose of cooking food.

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~~2.102-8~~ No person shall burn on any road allowance, unopened road allowance or in a location that would interfere with traffic.

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~~2.112-9~~ All Open Air Fires must be completely extinguished before vacating the location of the Open Air Fire.

~~2.122-10~~ Fires that have an adverse affect on traffic or are a nuisance to neighbors as determined by the Fire Chief or designate shall be extinguished immediately. No person shall permit a fire to have an Adverse Effect.

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~~2.13 2-14~~ Commercial, industrial or wrecking yard zoned properties are not permitted to have an open air fire. No person shall burn household garbage.

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~~2.14 2-12~~ The only person entitled to apply for an open air fire permit as set out in schedule "A" as amended from time to time is a Supervisor. Commercial, industrial or wrecking yard zoned properties are not permitted to have an open air fire.

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~~2.15~~ The Supervisor is responsible to ensure that the conditions

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~~2.16~~ All permits expire Dec 31<sup>st</sup> at midnight on the year it was issued.

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~~2.17~~ An application for a Permit shall be completed on the forms provided in Schedule "A"

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~~2.18~~ Any permit in effect during a dry period as designated by the Fire Chief or the Ministry of Natural Resources will be voided for the remainder of the dry period. No reimbursement and no extension of the permit will be permitted.

~~2.19~~ Supervisor shall produce the permit upon request by the Fire Chief or designate.

~~2.20~~ The Fire Chief or designate may refuse, revoke or suspend a permit at any time at his or her sole discretion.

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~~2.21~~ The Supervisor or the Authorized Representative must have a copy of the permit with them at all times.

~~2.22~~ Types of Burning permits available are, as set out in Schedule "A":

a. Recreation Fire Permit

b. Brush Fire Permit

c. Farm or Agricultural Operation Fire Permit.

### Part 36 RECREATIONAL FIRES

6.1 Every person who has a Recreational Fire must comply with all of the following requirements:

3.1 Recreational Fires Shall:

- a) it is be for the purpose of cooking, warmth or personal enjoyment;
- b) it has have a flame base of no more than 1 cubic meter, less than 1 square meter;
- c) it is located not less than be located at least 5 meters from any structure, building, property line, tree, hedge, fence, roadway, deck, overhead wire or any other combustible material;
- d) it does not create a nuisance to other properties;
- e) if an appliance is used it must be located on a non-combustible surface;
- d) be located on a non combustible surface if an appliance is used only dry clean wood or charcoal shall be burned.
- f)e) Have, as a fuel, clean wood or charcoal.

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3.2.6.2 Spark guards with openings no larger than 12 mm in diameter are recommended for \_\_\_\_\_ all recreational fires

### Part 3 OPEN AIR FIRE PERMITS

3.1 The only person entitled to apply for an open air fire permit as set out in schedule "A" as amended from time to time is a Supervisor. The permit holder is responsible to ensure that the conditions outlined in this bylaw are adhered to at all times.

3.2 Every person shall meet all conditions of the permit.

3.3 No permit shall be issued for any period of time exceeding one (1) calendar year.

3.4 An application for a Permit shall be completed on the forms provided in Schedule "A" as may be amended by the Corporation of the Township of North Glengarry, accompanied by the appropriate fees as set out in Schedule "C".

3.5 Any permit in effect during a dry period as designated by the Fire Chief or the Ministry of Natural Resources will be voided for the remainder of the dry period. No reimbursement and no extension of the permit will be permitted.

3.6 No permit holder shall:

- a) fail or refuse to produce the permit upon demand;
- a) fail to supervise a fire continuously;
- a) fail to comply with any conditions of the fire permit;
- a) burn any material other than those permitted in this bylaw.

3.7 The Fire Chief may refuse, revoke or suspend a permit at any time in his or her sole discretion.

### Part 45 BRUSH FIRES OPEN AIR FIRE (BRUSH FIRE)

5.1 No person shall set, or permit to be set a fire in the open air without first obtaining a fire permit as provided in this bylaw.



~~5.2 Every person shall ensure that the fire is at a minimum of 50 meters from the nearest dwelling and 5 meters from the property line.~~

~~5.3 Every person shall ensure that the fire is at a minimum of 15 meters from a forest, woodland or building.~~

~~5.4 No person shall set, or permit to be set, an open air fire Brush Fire between one half hour before sunset and one half hour after sunrise.~~

~~5.5 No person shall burn materials other than brush.~~

~~5.6 No pile of burning material shall exceed 2 meters square and 2 meters in height.~~

~~5.7 No more than one burn pile is permitted.~~

~~4.1 Brush Fires Shall:~~

- ~~a) be at least 50 meters from the nearest dwelling.~~
- ~~b) be at least 5 meters from the property line.~~
- ~~c) be at least 15 meters from the forest, woodland, or buildings~~
- ~~d) be extinguished between one half hour before sun set and one hald hour before sun rise.~~
- ~~e) Consist of brush and year waste ( except grass)~~
- ~~f) Not exceed 2 cubic meters~~
- ~~g) Be burned one pile at a time.~~

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~~Part 4~~**Part 5**  
**FARM AND AGRICULTURAL FIRES OPERATIONS**

~~4.1 An Open Air Fire on any Farm property shall only be carried out in accordance with the following provisions:~~

~~4.2 a) It is the responsibility of the permit holder or supervisor to consider it safe before starting the Farm or Agricultural Operation for an Open Air Fire for cut and piled dry brush, grass and other organic materials resulting from the clearing of land and for the destruction of agricultural waste/vegetation material originating from the Farm on that property and is a Normal Farm Practice, provided that:~~

~~b) Every person who starts a fire under the provision of this subsection shall ensure such Open Air Fire is supervised until it is completely extinguished and shall provide sufficient personnel, appliances and equipment to prevent the fire from becoming dangerous to life or property.~~

~~4.3 Such burning shall not be carried out within 75 meters from any buildings, structures, standing timber or any other flammable or combustible material.~~

~~4.4 No pile of burning material shall exceed 6 meters in diameter or 6 meters in height.~~

~~4.5 Minimum distances between burn piles shall be 15 meters or greater.~~

~~4.6 Windrows are not permitted for burning purposes.~~

~~4.7 A fire shall not be started within 200 meters of any residence not owned by the applicant.~~

~~4.8 The open air fire must not create a nuisance to neighbors or traffic.~~

~~4.9 Supervisor shall ensure roadway or lane way access is available for fire department vehicles to safely gain access to the burn site. Lane should be at least 10 feet wide~~

~~4.10 Farm or Agricultural Operation shall be permitted to burn grass or grass cuttings.~~

~~5.1 Farm and Agricultural Fires shall:~~

- ~~a) be at east 75 meters from any building, structure, standing timber or flammable or combustible material~~
- ~~b) be at least 200 meters from any residence not owned by the Supervisor,~~
- ~~c) consist of burn piles of no more than 6 cubic meters,~~
- ~~d) consist of burn piles at least 15 meters apart,~~

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~~e) not consist of a windrow.~~

~~f) consist of burn piles of dry timber, stumps, grass and dry brush, agricultural waste from farming operations on that property and any other organic material resulting from the clearing of land.~~

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~~5.2 Supervisor shall ensure sufficient personnel and equipment are provided to adequately control the fire and to prevent it from becoming dangerous to life or property.~~

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~~5.3 Supervisor shall ensure a roadway or lane way at least 10 feet wide access in available for fire department vehicles to safely gain access to the burn site.~~

~~5.4 Supervisor shall ensure accessibility ( at least 10 feet wide) for fire department vehicles to safely gain access to the burn site.~~

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#### **Part 5 OPEN AIR FIRE (BRUSH FIRE)**

~~5.1 No person shall set, or permit to be set a fire in the open air without first obtaining a fire permit as provided in this bylaw.~~

~~5.2 Every person shall ensure that the fire is at a minimum of 50 meters from the nearest dwelling and 5 meters from the property line.~~

~~5.3 Every person shall ensure that the fire is at a minimum of 15 meters from a forest, woodland or building.~~

~~5.4 No person shall set, or permit to be set, an open air fire Brush Fire between one half hour before sunset and one half hour after sunrise.~~

~~5.5 No person shall burn materials other than brush.~~

~~5.6 No pile of burning material shall exceed 2 meters square and 2 meters in height.~~

~~5.7 No more than one burn pile is permitted.~~

#### **Part 6 RECREATIONAL FIRES**

~~6.1 Every person who has a Recreational Fire must comply with all of the following requirements:~~

~~g)f) it is for the purpose of cooking, warmth or personal enjoyment;~~

~~h)g) it has a flame base of less than 1 square meter;~~

~~i)h) it is located not less than 5 meters from any structure, building, property line, tree, hedge, fence, roadway, deck, overhead wire or any other combustible material;~~

~~j)i) it does not create a nuisance to other properties;~~

~~k)j) if an appliance is used it must be located on a non-combustible surface;~~

~~l)k) only dry clean wood or charcoal shall be burned.~~

~~6.2 Spark guards with openings no larger than 12 mm in diameter are recommended for all recreational fires~~

#### **Part 67 ADMINISTRATION AND ENFORCEMENT**

~~67.1 The Municipal Law Enforcement Officer, Fire chief or designate are authorized to:~~

- ~~a) issue permits as provided in this by-law;~~
- ~~b) sign all permits on behalf of the Corporation;~~
- ~~c) limit the time for which a permit is issued;~~
- ~~d) undertake any technical investigation or inspection for the purpose of administering this by-law.]~~

~~67.2 The Municipal Law Enforcement Officer, Fire Chief or designate may:~~

- ~~a) demand the fire permit for inspection from any permit holder;~~
- ~~b) inspect any premises for which a fire permit has been issued;~~
- ~~c) enter at any time onto land to determine whether the provisions of this by-law are obeyed and to enforce or carry into effect this by-law.~~



**Part 78**  
**ORDERS**

- 78.1** Despite any other provisions of this by-law, if upon inspection of a fire, the Municipal Law Enforcement Officer, the Fire chief or designate is satisfied the fire poses a danger to the health or safety of any person or property, the Municipal Law Enforcement Officer, Fire Chief or designate shall cancel or suspend the fire permit and order the fire extinguished.
- 78.2** The area of burning must be restricted in order to enable the permit holder to extinguish the fire immediately if necessary due to a change in weather or other conditions or if so ordered by the Municipal Law Enforcement Officer, Fire Chief or designate.

**Part 89**  
**ENFORCEMENT**

**89.1 Authority to Enforce**

(1) Any enforcement Officer is authorized to enforce this By-Law pursuant to the provisions hereof, the *Municipal Act, 2001*, the *Provincial Offences Act*, RSO 1990, c. P.33, and the *Fire Protection and Prevention Act, 1997*.

(2) No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-Law.

**89.2 Right of Entry**

(1) An enforcement Officer shall be permitted to enter upon any land at any reasonable time for the purpose of enforcing this By-Law.

(2) A person exercising a power of entry on behalf of the Corporation of the Township of North Glengarry under this By-Law shall, on request, display or produce proper identification.

**89.3 Order to Extinguish / Comply**

(1) An enforcement Officer may at his or her sole discretion, order a fire extinguished or brought into compliance with this By-Law and this order shall be final.

(2) Every person who is ordered by an enforcement Officer to extinguish a fire or otherwise bring a fire into compliance with this By-Law shall comply immediately.

(3) In the event that an order of an enforcement Officer under subsection (1) is not complied with, the enforcement Officer may take action to have the fire extinguished or otherwise brought into compliance with this By-Law.

(4) Every person who fails to comply with an order of an enforcement Officer under this By-Law shall be liable for any costs incurred by the North Glengarry Fire Service Division to extinguish the fire or bring it into compliance. Where applicable, such costs shall be calculated in accordance with the current Ministry of Transportation rate for Emergency Response Services.

**89.4 Remedial Costs and Recovery**

(1) The Corporation of the Township of North Glengarry may recover the remedial action costs incurred under this Part by action, or by adding such costs to the tax roll and collecting them in the same manner as taxes in accordance with section 446 of the *Municipal Act, 2001*. The remedial costs may include interest calculated at a rate of fifteen percent (15%), calculated for the period commencing on the day the municipality incurs the costs and ending on the day the costs, including interest are paid in full. The amount of the costs, including interest, constitutes a lien on the land upon the registration of a notice of lien in the Land Registry Office.

(2) Prior to recovering remedial costs under subsection (1), the Corporation of the Township of North Glengarry may invoice the owner requesting payment of the remedial costs.

**Part 910**  
**CONTRAVENTION OF BY-LAW – OFFENCES AND PENALTY**

**910.1 Offences**

(1) Every person who contravenes any provision of this By-Law is guilty of an offence.

(2) Where a corporation is convicted of an offence under this By-Law, every director or officer of a corporation who was in whole or in part responsible for the conduct of that

part of the business of the corporation that gave rise to the offence is guilty of an offence, unless he or she satisfies the court that he or she took all reasonable care to prevent the commission of the offence.

(3) Every person who contravenes an Order issued by a court pursuant to this By-Law is guilty of an offence.

#### **910.2 Penalty**

(1) Every person who is found guilty of an offence under this By-Law is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33 with a fine as set out in Schedule "B".

(2) Every day or part of a day on which the offence occurs or continues shall constitute a separate offence and is punishable as such.

(3) If any provision of this By-Law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-Law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

(4) Any fine imposed under this Part shall be payable in addition to any fees, charges and costs payable under this By-Law.

(5) Schedule "B" shall come into force and take effect when it is approved and filed by Regional Senior Justice, pursuant to the *Provincial Offences Act* Part 1

#### **Part ~~1011~~ VALIDITY**

**101.1** If a court of competent jurisdiction declares any provision or a part of a provision of this bylaw to be invalid or to be of no force and effect, it is the intention of Council that the remainder of the by-law shall continue to be in force.

**101.2** This by-law is not constructed at any time in such a fashion as to hold the Corporation or its Officers liable for failing to ensure that persons comply with the provisions of this by-law.

#### **Part ~~1112~~ REPEAL OF EXISTING BYLAWS**

**112.1** Upon this bylaw coming into force, bylaw # 02-2016 shall be repealed.

**112.2** This bylaw shall come into force and take effect upon approval of the set fine amounts by the Regional Senior Justice.

READ a first, second, third time and enacted in Open Council, this 17th day of July 2017.

\_\_\_\_\_  
CAO/Clerk

\_\_\_\_\_  
Mayor / Deputy Mayor

I hereby certify this to be a true copy of by-law No. 24-2017, and that such by-law is in full force and effect.

\_\_\_\_\_  
Date Certified

\_\_\_\_\_  
Clerk / Deputy Clerk



SCHEDULE "A"

This is schedule "A" to by-Law # 24-2017 respecting application form to obtain a fire permit.

OPEN AIR BURNING PERMIT APPLICATION # \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

TELEPHONE RESIDENCE \_\_\_\_\_ CELL \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

LOCATION OF PROPOSED OPEN AIR FIRE:

CIVIC ADDRESS: \_\_\_\_\_

LOT: \_\_\_\_\_ CONCESSION: \_\_\_\_\_

CITY: \_\_\_\_\_ PROVINCE: \_\_\_\_\_ POSTAL CODE: \_\_\_\_\_

WHAT TYPE OF FIRE?

- \_\_\_ RECREATIONAL FIRE – FREE
- \_\_\_ BRUSH FIRE - \$25.00
- \_\_\_ FARM OR AGRICULTURAL ~~OPERATION~~FIRE - \$50.00

\_\_\_ OWNER  
\_\_\_ WRITTEN PERMISSION GIVEN: OWNER'S NAME \_\_\_\_\_

~~List the other properties you own or on which you have written permission from the owner to burn at ( only for Farm and Agricultural operation Fires) Open Air Burn Permit – Farm or Agricultural Operation ONLY~~

~~List the other properties you own or have written permission from the owner to burn at~~  
\_\_\_\_\_  
\_\_\_\_\_

~~List Authorized Representative(s) An authorized Representative is a person 18 years of age or older who is authorized to burn by the registered legal owner of the property.~~

~~You are required to advise the neighbouring property owners that may be affected by the open air fire.~~

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~~Permission is granted to the holder of the permit to kindle and maintain an OPEN AIR FIRE in accordance with this application.~~

~~Dated at the Municipal Office this:~~  
\_\_\_\_\_  
Signature: \_\_\_\_\_

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Please be advised that the current by-law is posted on the municipal website at: [www.northglengarry.ca](http://www.northglengarry.ca) or contact the municipal office at 613-525-1110.

~~I, hereby certify that I have read and understood the requirements and regulations governing OPEN AIR FIRES described in the Township By-law No. 24-2017, and that I will comply with all such regulations. I understand that any person setting a fire shall be liable for all costs and/or damages arising from as a result of a fire.~~

APPLICANT SIGNATURE \_\_\_\_\_



I understand that I have 30 days to pay the amount owing as per Schedule "C" of this permit. Failing to do so will result in all future application being denied and an invoice shall follow.

Invoice mailing address: \_\_\_\_\_

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_



**SCHEDULE "B"**

**Township of North Glengarry  
Part 1 Provincial Offences Act  
Bylaw 24-2017: Open Air Burning By-Law**

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision creating or defining offence</b>	<b>Column 3 Set Fines</b>
1.	Burning or permit to set a fire within the settlement area	2.1	250.00
2.	Burning or permit to burn with wind velocity greater than 15km/h	<del>2.42</del>	250.00
3.	Burning or permit to burn during a dry period	<del>2.63</del>	400.00
4.	Burning or permit to burn petroleum products, plastics, rubber or any other material that causes excessive smoke or noxious fumes	2.74	400.00
5.	Burning or permit to burn buildings or machinery	2.86	400.00
6.	Burning or permit to burn on any type of road allowance or where it interferes with traffic	2.108	400.00
7.	Leaving a fire without fully extinguishing it	2.119	250.00
8.	Permit a fire to have an adverse affect	<del>2.12+0</del>	350.00
9.	Burning or permit to burn household garbage	<del>2.74+</del>	350.00
10.	Having an open air fire in a commercial, industrial or wrecking yard zoned properties	2.13+2	500.00
11.	Failing to comply with the conditions of the permit	<del>2.153-5</del>	300.00
12.	Fail or refuse to produce permit	<del>2.193-9(a)</del>	150.00
13.	Fail to supervise fire continuously	<del>2.53-9(b)</del>	150.00
14.	Fail to comply with the conditions on the permit	<del>2.13-9(e)</del>	150.00
15.	Burning or permit to burn other material than those for which a permit was issued	Pt 3.1 e Pt 4.4 e Pt 5.1 f 3-9(d)	150.00
16.	Burning or permit to burn without a permit	<del>2.24.1</del>	450.00
17.	Burning or permit to burn within 75 meters of any building, structures, standing timber or any flammable or combustible material	<del>pt 5.1 a.4.3</del>	350.00
18.	Burning or permit to burn a pile exceeding <del>10 meters</del> 6 cubic meters in diameter or in height	5.1 c.4.4	400.00
19.	Failing to have <del>156</del> meters between burn piles	5.1 d.4.5	400.00
20.	Burning or permit to burn windrows	5.1 e.4.6	400.00
21.	Burning or permit to burn a fire within 200 meters adjacent to a residence	5.1 b.4.7	400.00

<del>22.</del>	<del>Burning or permit to burn without a permit</del>	<del>5-1</del>	<del>300.00</del>
23.	Burning or permit to burn within 50 meters of a dwelling or 5 meters within a property line	<del>4.1 a &amp; b</del> 5-2	300.00
24.	Burning or permit to burn within 15 meters from a forest, woodland or building	<del>4.1 c.</del> 5-3	300.00
25.	Burning or permit to burn during prohibited hours	<del>2.18</del> 5-4	300.00
26.	Burning or permit to burn other materials than brush	<del>4.1 e.</del> 5-5	300.00
27.	Burning or permit to burn a pile exceeding 2 meter square	<del>4.1 f.</del> 5-6	300.00
28.	Failing to <del>have 5 metres between piles; burn one pile at a time</del>	<del>4.1 g.</del> 5-7	300.00
<del>29.</del>	<del>Burning or permit to burn during prohibited hours for an open air brush fire.</del>	6-2	<del>300.00</del>
<del>30.</del>	<del>Burning or permit to burn other than brush, leaves or grass cuttings</del>	6-3	<del>300.00</del>
<del>31.</del>	<del>Burning or permit to burn within 50 meters of a dwelling or 5 meters within a property line</del>	6-4	<del>300.00</del>
32.	Failing to comply with the conditions for recreational open air burning	<del>Pt 3</del> 7-2	250.00
33.	Obstruct an officer	<del>910.</del> 1(a)	\$500.00
34.	Fail to comply with an order to extinguish	<del>910.</del> 1(b)	\$500.00
35.	Fail to identify upon request	<del>910.</del> 1(c)	\$500.00
36.	Give false or incorrect information	<del>910.</del> 1(d)	\$250.00

Note: the general penalty provision for the offences listed above is section ~~1011.~~1 of bylaw 24-2017, a certified copy of which has been filed and section 61 of the Provincial Offences Act, R.S.O. 1990,c.P.33.

**SCHEDULE "C" - FEES**

<b>PERMIT</b>	<b>FEES</b>
Open Air Burn Permit – Recreation Fire	NIL
Open Air Burn Permit – Brush Fire	\$ 25
Open Air Burn Permit – Farm or Agricultural Operation	\$ 50

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**SCHEDULE "D"**  
**Costs for Emergency Response**

~~The cost for emergency fire department vehicles responding to a fire that is not in accordance with this By-Law shall be current MTO rates.~~  
~~Cost for emergency fire department response to a fire is the following:~~

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- ~~a) First hour per piece of equipment or responding vehicle: \$ 300.00~~
- ~~b) Each additional half hour or part thereof: \$ 120.00~~



**Section 11**

**PUBLIC WORKS**

**DEPARTMENT**

**Ryan Morton**



## **Section 12**

# **CORRESPONDENCE**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

Proclamation for National Health and Fitness Day

**WHEREAS** the Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and to encourage Canadians to increase their level of physical activity and their participation in recreational sports and fitness activities;  
 It is in Canada’s interest to improve the health of all Canadians and to reduce the burden of illness on Canadian families and on the Canadian health care system;  
 Many local governments in Canada have public facilities to promote the health and fitness of their citizens;  
 The Government of Canada wishes to encourage local governments to facilitate Canadian’s participation in healthy physical activities;  
 The Government of Canada wishes to encourage the country’s local governments, non-government organizations, the private sector and all Canadians to recognize the first Saturday in June as National Health and Fitness Day and to mark the day with local events and initiatives celebrating and promoting the importance and use of local health, recreational, sports and fitness facilities;  
 Canada’s mountains, oceans, lakes, forest, parks and wilderness also offer recreational and fitness opportunities;  
 Canadian Environment Week is observed throughout the country in early June, and walking and cycling are great ways to reduce vehicle pollution and improve physical fitness;  
 Declaring the first Saturday in June to be National Health and Fitness Day will further encourage Canadians to participate in physical activities and contribute to their own health and well-being.

**THEREFORE** we proclaim National Health & Fitness Day in the Township of North Glengarry as the first Saturday in June.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**YEA**

**NEA**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

**Section 12 Item a**

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12(a)



## Re: National Health & Fitness Day

Hello,

I am contacting you today in the hopes that your community will join the 298 communities across Canada which have proclaimed the first Saturday in June, National Health and Fitness Day (NHFD).

The goal of NHFD is to make Canada the Fittest Nation on Earth! We understand that to accomplish this goal we need the grassroots support of municipalities such as your own.

National Health and Fitness Day was formalized into law after the passing of [Bill S-211](#) in 2014.

To keep the initiative as locally-driven as possible, we encourage communities to pass a proclamation recognizing the first Saturday in June, National Health and Fitness Day, and to offer health and fitness programming on the day. Some communities mark the day by opening their recreational facilities for free to the public, whereas others mark the day by organizing 'fun-runs' or similar low-cost activities.

Given the rising crisis of inactivity Canada, we believe that initiatives such as this are a key step in helping to build healthier and more active communities.

A draft proclamation for your Council can be found below this letter. For more information feel free to contact me, or visit our website: [www.NHFDcan.ca](http://www.NHFDcan.ca)

If there's a more appropriate member of your community for this letter to be addressed to, it would be greatly appreciated if you could forward the letter to them.

I would like to thank you for your time, and I look forward to hearing back from you.  
Sincerely,

Justin Bergamini  
Administrative Support Assistant



# **Section 13**

## **NEW BUSINESS**



## **Section 14**

# **NOTICE OF MOTION**

# **Section 15**

**QUESTION PERIOD**



**Section 16**

**CLOSED SESSION**

**BUSINESS**

# **Section 17**

## **CONFIRMING BY-LAW**



**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

That the Council of the Township of North Glengarry receive By-law 28-2018; and

That Council adopt by-law 28-2018 being a by-law to adopt, confirm and ratify matters dealt with by Resolution and that By-law 28-2018 be read a first, second, third time and enacted in Open Council this 14<sup>th</sup> day of May, 2018.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

**YEA**

**NEA**

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**Section 17 Item a**

**THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY**

**BY-LAW 28-2018  
FOR THE YEAR 2018**

**BEING A BY-LAW TO ADOPT, CONFIRM AND RATIFY MATTERS DEALT WITH BY RESOLUTION.**

**WHEREAS** s. 5(3) of the *Municipal Act, 2001*, provides that the powers of municipal corporation are to be exercised by its Council by by-law; and

**WHEREAS** it is deemed expedient that the proceedings, decisions and votes of the Council of the Corporation of the Township of North Glengarry at this meeting be confirmed and adopted by by-law;

**THEREFORE** the Council of the Corporation of the Township of North Glengarry enacts as follows:

1. **THAT** the action of the Council at its regular meeting of May 14, 2018 in respect to each motion passed and taken by the Council at its meetings, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law; and;
2. **THAT** the Mayor and the proper officers of the Township of North Glengarry are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and except where otherwise provided, The Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Township to all such documents.
3. **THAT** if due to the inclusion of a particular resolution or resolutions this By-law would be deemed invalid by a court of competent jurisdiction then Section 1 to this By-law shall be deemed to apply to all motions passed except those that would make this By-law invalid.
4. **THAT** where a "Confirming By-law" conflicts with other by-laws the other by-laws shall take precedence. Where a "Confirming By-Law" conflicts with another "Confirming By-law" the most recent by-law shall take precedence.

**READ** a first, second and third time, passed, signed and sealed in Open Council this 14<sup>th</sup> day of May, 2018.

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**

\_\_\_\_\_  
**Mayor / Deputy Mayor**

I, hereby certify that the forgoing is a true copy of By-Law No. 28-2018, duly adopted by the Council of the Township of North Glengarry on the 14<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
**Date Certified**

\_\_\_\_\_  
**CAO/Clerk / Deputy Clerk**

**Section 18**

**ADJOURN**

**CORPORATION OF  
THE  
TOWNSHIP OF NORTH GLENGARRY**

**RESOLUTION #** \_\_\_\_\_

**DATE:** May 14, 2018

**MOVED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

There being no further business to discuss, the meeting was adjourned at \_\_\_\_\_.

**Carried**

**Defeated**

**Deferred**

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**MAYOR / DEPUTY MAYOR**

**YEA**

**NEA**

**Deputy Mayor:** Jamie MacDonald

**Councillor:** Jacques Massie

**Councillor:** Brian Caddell

**Councillor:** Jeff Manley

**Councillor:** Michel Depratto

**Councillor:** Carma Williams

**Mayor:** Chris McDonell

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**Section 18**