

THE CORPORATION OF THE TOWNSHIP OF NORTH HURON

BY-LAW NO. 82-2016

Being a by-law to authorize the Reeve and Clerk to sign, on behalf of Council,
an Agreement between the Corporation of the Township of North Huron,
The Wingham Business Improvement Area and Michael Alexander McDonagh,
for the purpose of erecting a mural on the south side of the building located at
280 Josephine Street, Wingham.

WHEREAS the Municipal Act, 2001, as amended permits the Councils of all municipalities to enter into certain agreements;

AND WHEREAS Council of the Township of North Huron Council is desirous of executing an Agreement between the Corporation of the Township of North Huron, The Wingham Business Improvement Area and Michael Alexander McDonagh, for the purpose of erecting a mural on the south side of the building located at 280 Josephine Street, Wingham;

AND WHEREAS Council deems it expedient to enter into said agreement;

NOW THEREFORE, the Council of the Corporation of the Township of North Huron ENACTS the following:

1. That the designated officials are hereby authorized to sign an Agreement between the Corporation of the Township of North Huron, The Wingham Business Improvement Area and Michael Alexander McDonagh, for the purpose of erecting a mural on the south side of the building located at 280 Josephine Street, Wingham.
2. That a copy of the said Agreement is attached hereto and designated as Schedule 'A' to this By-law.
3. That this By-law shall come into force and takes effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 19TH DAY OF SEPTEMBER, 2016.

READ A THIRD TIME AND PASSED THIS 19TH DAY OF SEPTEMBER, 2016.

CORPORATE SEAL

Neil G. Vincent, Reeve

Kathy Adams, Director of
Corporate Services/Clerk

AGREEMENT

THIS AGREEMENT made in triplicate this ____ day of _____, 2016.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH HURON
(hereinafter called the Township)

-and-

THE WINGHAM BUSINESS IMPROVEMENT AREA
(hereinafter called the BIA)

-and-

MICHAEL ALEXANDER MCDONAGH
(hereinafter called MIKE MCDONAGH)

WHEREAS Mike McDonagh owns the building located at 280 Josephine Street, Wingham o/a Touch of Class.

AND WHEREAS the BIA wishes to erect a mural on the south side of the building located at 280 Josephine Street, Wingham.

NOW THEREFORE, parties to this Agreement agree to the following terms and conditions:

THAT:

1. Mike McDonagh shall permit the BIA to erect a mural on the south side of the building located at 280 Josephine Street, Wingham, Ontario.
2. The BIA agrees to maintain the mural in a showable condition.
3. Mike McDonagh shall not be held responsible for any expenses, property damage, bodily injury or liability arising from the installation and presence of the mural.
4. Mike McDonagh shall not be held responsible for the loss or destruction to said mural.
5. The BIA agrees to repair any damage incurred to the building located at 280 Josephine Street, Wingham, Ontario, as a result of the mural being erected on said building.
6. The BIA agrees to repair all damage incurred to the building located at 280 Josephine Street, Wingham, due to the removal of the mural.
7. The Township agrees to include the mural for liability coverage under its municipal insurance policy.
8. In the event of the sale of the building owned by Mike McDonagh this agreement shall become null and void and a new Agreement would be required with any new owner.
9. In the event of the dissolution of the BIA the Township shall assume the responsibility of all of the terms and conditions of this Agreement.

10. This Agreement may be terminated by any party by giving sixty (60) days written notice to the other parties. The form of said notice shall be by personal delivery of by registered mail.

IN WITNESS WHEREOF of the parties hereunto set their hand and seals.

SIGNED, SEALED & DELIVERED IN THE PRESENCE OF:

Township of North Huron

Reeve Neil G. Vincent

Date

Clerk Kathy Adams

Date

Wingham Business Improvement Area

Chair Doug Kuyvenhoven

Date

Michael Alexander McDonagh

Date