



The Municipal Corporation of the Town of Fort Erie

By-law No. 40-2022

Being a By-law to Delegate Authority for the Purpose of Approving the Extension of Roadworks, Watermains and Sewers and for the Execution of Development Agreements and Servicing Agreements Related to such Extensions (By-law Nos. 539-75, 68-06 and 66-2016)

Whereas By-law No. 539-75 regulates the construction of existing unopened municipal streets and roads in the Town of Fort Erie; and

Whereas By-law No. 68-06 regulates the management of a system of sewer works and drainage works in the Town of Fort Erie and defines "Sewer Works" and "Drainage Works"; and

Whereas By-law No. 66-2016 regulates the management of a system of water works in the Town of Fort Erie and defines "Water Works"; and

Whereas By-law No. 196-07 establishes a Delegation of Powers and Duties Policy for the Town of Fort Erie and provides that all delegations of Council powers, duties or functions shall be effected by by-law; and

Whereas Report No. IS-10-2022 authorizing the delegation and approval of the extension of roadworks, watermains and sewers and the signing of Development Agreements and Servicing Agreements for such extensions to the Director of Infrastructure Services was considered and approved at the Council-in-Committee meeting held April 4, 2022; and

Whereas it is deemed desirable to delegate authority for the approval of the extension of roadworks, watermains and sewers and to execute Development Agreements and Servicing Agreements for such extensions to the Director of Infrastructure Services or designate;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the authority to approve the extension of road works, watermains and sewers and to execute Development Agreements and Servicing Agreements for such extensions, is delegated to the Director of Infrastructure Services, or his/her designate, subject to the following:
 - a) In the event that the Director of Infrastructure Services or designate and an Applicant are unable to agree on the requirements and/or terms of the Development Agreement or Servicing Agreement, as the case may be, then such Development Agreement or Servicing Agreement, as the case may be, shall be submitted to Council for consideration and approval; and

- b) In any case where Council deems it necessary or desirable for Council to consider an application for the extension of roadworks, watermains or sewers, Council may require any Development Agreement or Servicing Agreement, as the case may be, to be submitted to Council for approval prior to the execution by the Director of Infrastructure Services or designate.
2. **That** the Director of Infrastructure Services, or his/her designate, is responsible for the enforcement of the Development or Servicing Agreements provided for in this by-law, as the case may be, and any other related requirements which may be approved by Council from time to time.
3. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 25th day of April, 2022.

Mayor

Clerk

I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 40-2022 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20 .
