
**BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AMENDING
AGREEMENT BETWEEN THE KINCARDINE YACHT CLUB AND THE
CORPORATION OF THE MUNICIPALITY OF KINCARDINE**

WHEREAS pursuant to the said *Municipal Act*, Section 8 (1) and 9 provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipality of Kincardine with the passage of By-law No. 2010-033, amended by By-laws No. 2012-177 and By-law No. 2020-046, entered into an agreement with the Kincardine Yacht Club for the management and operation of the Kincardine Harbour;

AND WHEREAS the Council of The Corporation of the Municipality of Kincardine deems it appropriate to execute an Amending Agreement to amend the above noted Agreement to permit Pay per Use Marina Launch Ramp Fees;

NOW THEREFORE the Council of The Corporation of the Municipality of Kincardine **ENACTS** as follows:

1. That the Mayor and Clerk be authorized and directed to execute an Amending Agreement between The Corporation of the Municipality of Kincardine and The Kincardine Yacht Club.
2. That the said Agreement forms part of this By-Law as Schedule "A".
3. This By-law shall come into full force and effect upon its final passage.
4. This by-law may be cited as the "Kincardine Yacht Club Agreement Amendment (3) By-law"

READ a FIRST and SECOND TIME this 4th day of July, 2022.

READ a THIRD TIME and FINALLY PASSED this 4th day of July, 2022.

Mayor

Clerk

THIS AGREEMENT made as of the 6th day of June, 2022,

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

(hereinafter called the "Municipality")

AND

THE KINCARDINE YACHT CLUB

(hereinafter called the "K.Y.C.")

WHEREAS the Municipality of Kincardine with the passage of By-law No. 2010-033 entered into an agreement with the Kincardine Yacht Club for the management and operation of the Kincardine Harbour;

AND WHEREAS the Municipality of Kincardine Council deems it necessary to implement a pay-per-use program for use of the launch ramp at the Kincardine Marina;

AND WHEREAS The Corporation of the Municipality of Kincardine deems it advisable to amend said agreement with the Kincardine Yacht Club;

NOW THEREFORE THIS AGREEMENT WITNESSES THAT:

1. That Schedule "A" of By-law No. 2010-033 be hereby amended as follows:
 - a. Schedule A, Section 1 of the following Section be added:

SCHEDULE "G": Role of Marina in Pay Per Use of Launch Ramp

2. That Schedule "B" be amended with the deletion of item 8, being "Ramp service shall be provided free to all members of the public."
3. That the attached Schedule "G", Roll of Marina in Pay Per Use of Launch Ramp, be added to By-law No. 2010-033.

IN WITNESS WHEREOF the parties hereto have executed this Agreement forming part of By-law No. _____

KINCARDINE YACHT CLUB

Rolf Jedemann, K.Y.C. Commodore

Peter Chant, K.Y.C. Secretary/Treasurer

We have the authority to bind the Corporation.

**THE CORPORATION OF THE
MUNICIPALITY OF KINCARDINE**

Gerry Glover, Mayor

Roxana Baumann, Acting Chief Administrative Officer

We have the authority to bind the Corporation.

SCHEDULE “G”

Role of Marina in Pay Per Use of Launch Ramp

1. The Kincardine Yacht Club will be responsible for administering and collection of the charges as set out in Schedule “E” of By-law No. 2010-033.
2. The fees as set out in Schedule “E” of By-law No. 2010-033 will be subject to the profit-sharing schedule as set out in Schedule “C” of said by-law.
3. Pay per use fees are to be waived for all fishing derbies that occur at Station Beach.