

NO. 2020 -

**BEING A BY-LAW TO REPEAL BY-LAW NO. 2018 - 049; AUTHORIZE THE
SIGNING OF AN AGREEMENT TO PERMIT AN ENCROACHMENT ONTO
MUNICIPAL PROPERTY
(515 Mechanics Avenue)**

WHEREAS Section 11 (3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may pass by-laws, respecting matters within the sphere of jurisdiction of highways, including parking and traffic on highways;

AND WHEREAS Section 8 (1) and 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, 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 per the Encroachment Agreement dated May 2, 2018, the term of the licence shall expire on the date of removal of the Encroachment;

AND WHEREAS the Council of The Corporation of the Municipality of Kincardine deems the Encroachment to have been removed;

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

1. That the Municipality of Kincardine repeal By-law No. 2018 - 049.
2. That this by-law shall come into full force and effect upon its final passage.
3. This by-law may be cited as the "Repeal By-law No. 2018 - 049 - Affordable Car and Truck Rentals Goderich Inc. (2018) Encroachment Agreement By-law".

READ a FIRST and SECOND TIME this 19th day of February, 2020.

READ a THIRD TIME and FINALLY PASSED this 19th day of February, 2020.

Mayor

Clerk