

CORPORATION OF THE TOWNSHIP OF PRINCE

BY-LAW NO. 2007 - 9

Being a by-law to authorize execution by the Reeve and CAO/Administrator of an agreement between the municipality and the Corporation of the City of Sault Ste. Marie, being an inter-municipal service agreement with respect to Provincial Offences Act.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PRINCE HEREBY ENACTS AS FOLLOWS:

1. THAT the Reeve and Administrator be and they are hereby authorized to execute and affix the Corporate Seal to an agreement between the municipality and the Corporation of the City of Sault Ste. Marie, which Agreement is attached hereto as Schedule "A".
2. **SCHEDULE "A"**
Schedule "A" forms part of this by-law.

READ THREE TIMES AND PASSED in open Council this 13th day of March, 2007.


Reeve


CAO/Administrator



**LEGAL
DEPARTMENT**

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR

File No. L.7.1

2007 05 25

Mayor Darren Foster
The Town of Bruce Mines
P.O. Box 220
9180 Hwy. 17E
Bruce Mines, ON P0R 1C0

Mayor Lynn Watson
The Township of MacDonald
Meredith & Aberdeen Add'l
P.O. Box 10, 208 Church Street
Echo Bay, ON P0S 1C0

Mayor Rejean Raymond
The Township of Dubreuilville
P.O. Box 367
23 rue de Pins
Dubreuilville, ON P0S 1B0

Mayor Howard Whent
The Township of Michipicoten
P.O. Box 500
40 Broadway Avenue
Wawa, ON P0S 1K0

Reeve Jim See
The Township of Hilton
P.O. Box 205 (Hwy. #548)
Hilton Beach, ON
P0R 1G0

Mayor Beth West
The Township of Plummer Additional
Site 1, Box 3, Cmp. 0, R.R.2
38 Railway Crescent
Bruce Mines, ON P0R 1C0

Reeve Mark Henderson
The Township of Jocelyn
R.R.1., Richards Landing, ON P0R 1J0

Reeve Lou Madonna
The Township of Prince
3042 Second Line West, R.R.5
Sault Ste. Marie, ON
P6A 6K4

Mayor Edith Orr
The Township of Johnson
P.O. Box 160, Canadian Pacific Ave.
Desbarats, ON P0R 1E0

Mayor Jody Wildman
The Township of St. Joseph
P.O. Box 187

Mayor Dick Beitz
The Township of Laird
R.R.4
Echo Bay, ON P0S 1C0

1511 10th Side Road
Richards Landing, ON P0R 1J0

Mayor Angelo Bazzoni
The Township of White River
P.O. Box 307, 102 Durham Street
White River, ON P0M 3G0

Mayor E.W. Linley
The Municipality of Huron Shores
P.O. Box 460, 7 Bridge Street
Iron Bridge, ON P0R 1H0

Reeve Jack Hore
The Village of Hilton Beach
P.O. Box 25, Hilton Beach, ON
P0R 1G0

Mayor Ken Richie
The Township of Tarbutt &
Tarbutt Additional
R.R.1
Desbarats, ON P0R 1E0

Mayor Donna Latulippe
The Town of Thessalon
P O Box 220
169 Main Street
Thessalon ON P0R 1L0

Dear Sirs/Mesdames:

Re: Provincial Offences Intermunicipal Agreement

I am pleased to report that all Municipal Partners have signed the agreement. I enclose a copy of the fully executed agreement for your record.

I remain,

Yours very truly,



Nuala M. Kenny,
Assistant City Solicitor

NMK/dh

Enclosure

THIS AGREEMENT made this 1st day of March, 2006

B E T W E E N:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter referred to as "the City"

- and -

THE MUNICIPAL PARTNERS BEING:

The Town of Bruce Mines
The Township of Dubreuilville
The Township of Hilton
The Village of Hilton Beach
The Municipality of Huron Shores
The Township of Jocelyn
The Township of Johnson
The Township of Laird
The Township of MacDonald, Meredith & Aberdeen Additional
The Township of Michipicoten
The Township of Plummer Additional
The Township of Prince
The Township of St. Joseph
The Township of Tarbutt & Tarbutt Additional
The Corporation of the Town of Thessalon
The Township of White River

Hereinafter referred to as "Municipal Partner"

WHEREAS an inter-municipal service agreement is required to be made in support of a Memorandum of Understanding for the transfer of service delivery for all court administration and court support functions under the *Provincial Offences Act* and prosecutions of matters under Parts I and II of the *Provincial Offences Act*;

AND WHEREAS the parties hereto have agreed to the City of Sault Ste. Marie being the service delivery agent to affect a seamless transition of *Provincial Offences Act* court administration and to sharing the net revenues on a population basis among the Municipal Partners;

functions of the *Provincial Offences Act* and prosecutions commenced under Parts I and II of the *Provincial Offences Act*.

2. The City and each Municipal Partner agrees to be bound by the Memorandum of Understanding so as to maintain the integrity and public confidence in the justice system.

Costs and Revenue

3. The City and each Municipal Partner acknowledge that the estimated costs and revenues provided by the Province of Ontario relating to the *Provincial Offences Act* are estimates only and cannot be relied on as accurate.

4. The City agrees to share the annual net *Provincial Offences Act* revenues and deficits with each Municipal Partner on a population basis. "Population basis" means the population of each individual party to this Agreement divided by the total population of the City and all Municipal Partners multiplied by 100. For the purposes of this Agreement, the population shall be the population for the City and each Municipal Partner as cited in the most current Census data available.

5. Quarterly commencing June 1, 2006, the City shall provide each Municipal Partner with its share of the revenue less the costs of court administration, court support, *Provincial Offences Act* prosecutions, and capital expenditures.

6. Quarterly commencing June 1, 2006, the City shall provide to each Municipal Partner a status report on the POA administration and prosecution operations.

7. A Municipal Partner may review and audit the City's Integrated Court Offences Network (ICON) or Integrated Justice (IJ) financial transactions upon 30 days written notice to the City

9. Each Municipal Partner shall be entitled to any or all revenue derived from its own by-law convictions and such revenue shall not be included in the *Provincial Offences Act* revenue that is referred to in this Agreement.

Term

10. The contract shall expire on March 1, 2009, but may be renewed for a further three-year period on the written consent of the parties hereto.

Facilities

11. *Provincial Offences Act* prosecutions to be heard in Sault Ste. Marie shall be held at the Civic Centre, First Floor, 99 Foster Drive, Sault Ste. Marie, Ontario, in the municipal courtroom.

12. *Provincial Offences Act* prosecutions to be heard in Thessalon shall be held at 266 Main Street, Thessalon. The City agrees to enter into and maintain a lease with the Town of Thessalon for the use and occupation of the said courtroom space.

13. *Provincial Offences Act* prosecutions to be heard in Wawa shall be held at 40 Broadway Avenue, Wawa. The City agrees to enter into and maintain a lease with the Township of Michipicoten for the use and occupation of the said courtroom space.

Amendment of Agreement

14. This Agreement may be amended by any Party hereto with the written consent of all parties hereto.

Dispute Resolution

15. In the event of a dispute between the City and any of the Municipal Partners, it is agreed that a mediator shall be appointed to hear and resolve the dispute in accordance with the

- b) sent to the party by registered mail, prepaid first-class mail, or
- c) sent by facsimile machine,

to the parties at their respective municipal offices.

Counterparts

17. This Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument.

Severability

18. Each provision of this Agreement is intended to be severable. If any provision is illegal or invalid, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

Laws of Ontario

19. This agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

Binding Agreement

20. This agreement shall be binding on and enure to the benefit of the successors and assigns of the parties to this agreement.

IN WITNESS WHEREOF the Parties hereto have signed and sealed this agreement by their proper signing officers as of the date first above written.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE


~~MAYOR~~ ~~ALAN ROY~~ ~~ACTING MAYOR~~ - SUSAN MYERS

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR – JOHN ROWSWELL

THE TOWNSHIP OF HILTON


REEVE - JIM SEE


CLERK - VALERIE OBARYMSKYJ

THE VILLAGE OF HILTON BEACH

MAYOR - JACK HORE

CLERK - GLORIA FISCHER

THE MUNICIPALITY OF HURON SHORES

MAYOR - E. W. LINLEY

CLERK - DEBORAH TONELLI

TOWNSHIP OF JOCELYN

REEVE - MARK HENDERSON

CLERK - JANET BOUCHER

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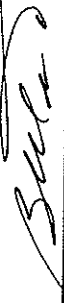
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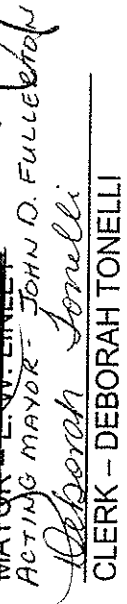
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THE TOWNSHIP OF PLUMMER-ADDITIONAL

MAYOR - GUY WEST

CLERK - GUY ROBERTZEN-COOKE

THE TOWNSHIP OF ST. JOSEPH

MAYOR - GUY WILDMAN

CLERK - GUY JAGGER

THE MUNICIPALITY OF THE

THE VILLAGE OF HILTON BEACH

MAYOR - JACK HORE

CLERK - GLORIA FISCHER

TOWNSHIP OF JOCELYN

Mark Henderson
REEVE - MARK HENDERSON MAVIS
Christina
Christina
CLERK - JANET BOUCHER

THE TOWNSHIP OF LAIRD

MAYOR - DICK BEITZ

CLERK - PHYLLIS L. MACKAY

THE TOWNSHIP OF MICHIPICOTEN

MAYOR - HOWARD WHEAT

CLERK - CHRIS WRAY

THE TOWNSHIP OF PRINCE

REEVE - LOU MADONNA

CLERK - ANN MITCHELL

THE TOWNSHIP OF TARBUTT &
TARBUTT ADDITIONAL

MAYOR - KEN RICHIE

CLERK - GLENN MARTIN

THE TOWNSHIP OF HILTON

REEVE – JIM SEE

CLERK – VALERIE OBARYMSKYJ

THE MUNICIPALITY OF HURON SHORES

MAYOR – E. W. LINLEY

CLERK – DEBORAH TONELLI

THE TOWNSHIP OF JOHNSON

MAYOR – EDITH ORR

CLERK – RUTH KELSO

**THE TOWNSHIP MACDONALD,
MEREDITH & ABERDEEN ADDITIONAL**

MAYOR – LYNN WATSON

CLERK – LYNNE DUGUAY

THE TOWNSHIP OF PLUMMER ADDITIONAL

MAYOR – BETH WEST

CLERK – VICKY GOERTZEN-COOKE

THE TOWNSHIP OF ST. JOSEPH

MAYOR – JODY WILDMAN

THE VILLAGE OF HILTON BEACH

MAYOR – JACK HORE

CLERK – GLORIA FISCHER

TOWNSHIP OF JOCELYN

REEVE – MARK HENDERSON

CLERK – JANET BOUCHER

THE TOWNSHIP OF LAIRD

MAYOR – DICK BETZ

CLERK – PHYLLIS L. MacKAY

THE TOWNSHIP OF MICHIPICOTEN

MAYOR – HOWARD WHEN

CLERK – CHRIS WRAY

THE TOWNSHIP OF PRINCE

REEVE – LOU MADONNA

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**THE TOWNSHIP OF TARBUTT &
TARBUTT ADDITIONAL**

MAYOR – KEN RICHIE