



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 129-2018

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### Being a By-law to Authorize the Entry into and Execution of an Encroachment Agreement with the Owners of 3367 North Shore Drive (North Shore Drive Road Allowance – Grant)

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**Whereas** By-law No. 89-07, as amended, establishes a policy for encroachments on municipal road allowances, and

**Whereas** Report No. CS-16-2018 was considered and approved at the Council-in-Committee meeting of October 1, 2018, to permit the continued use and maintenance of an existing garage that encroaches on the North Shore Drive road allowance, appurtenant to the building located at 3367 North Shore Drive, and the entry into an Encroachment Agreement, in a form acceptable to the Town Solicitor, and

**Whereas** it is deemed desirable to enter into an Encroachment Agreement with the owners of 3367 North Shore Drive,

**Now therefore** the Council of the Town of Fort Erie enacts as follows:

1. **That** the entry into an Encroachment Agreement with the owners of 3367 North Shore Drive to permit the continued use and maintenance of the existing garage on the North Shore Drive road allowance, appurtenant to the building located at 3367 North Shore Drive, in a form acceptable to the Town Solicitor, is authorized and approved.
2. **That** in the event the owners do not enter into the Encroachment Agreement within ninety (90) days of passage of this By-law, then the garage shall be required to be removed within thirty (30) days thereafter from the road allowance.
3. **That** the Mayor and Clerk are authorized and directed to execute the Encroachment Agreement and any other documents necessary to implement the intent of this By-law and affix the corporate seal thereto, provided the owners have first paid in full all fees and expenses required pursuant to By-law No. 89-07, as amended.
4. **That** the Town Solicitor shall register the Encroachment Agreement on the title, at the owners' expense.

5. **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 9<sup>th</sup> day of October, 2018.**

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Mayor

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Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 129-2018 of the said Town. Given under my hand and the seal of the said Corporation, this                      day of                      , 20