

THE CORPORATION OF THE MUNICIPALITY OF WEST GREY

BY-LAW NUMBER 19 - 2011

BEING, A by-law to enter into an Agreement between the Municipality of West Grey and the Neustadt-Normanby-Carrick Agricultural Society, respecting the use of the Neustadt Arena and Neustadt Community Hall

WHEREAS, the Council of the Municipality of West Grey deems it expedient and in the public interest to enter into the aforementioned Agreement;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOW:

1. That the Agreement between the Municipality of West Grey and Neustadt-Normanby-Carrick Agricultural Society, attached hereto as Schedule "A", and forming part of this by-law, is hereby approved.
2. That the Mayor and CAO are hereby authorized to sign and seal the said Agreement.
3. That this by-law shall come into full force and effect on the date of passing.

Read a first and second time, this 21st day of March, 2011.

Read a third time and finally passed, this 21st day of March, 2011.

Kevin Eccles, Mayor

Christine Robinson, CAO

SCHEDULE "A" TO BY-LAW NUMBER 19 - 2011

THIS AGREEMENT MADE THIS 21ST DAY OF MARCH, 2011.

BETWEEN:

**THE CORPORATION OF THE MUNICIPALITY OF WEST GREY
Hereinafter called the "Municipality"**

- and -

**NEUSTADT-NORMANBY-CARRICK AGRICULTURAL SOCIETY
hereinafter called the "Agricultural Society"**

For the use of the Neustadt Arena and Neustadt Community Hall premises owned by the Municipality described as Plan 162, Lot 62 to 66, Lot 80, Enoch, Lot 41, Lot 42, Part Lot 43, Stephana North, and Plan 162, Part Lot 39, Part Lot 43, Enoch Street East, former Village of Neustadt.

NOW THEREFORE this agreement witnesseth that in consideration of the mutual covenants and conditions hereinafter set forth, both parties agree as follows:

1. The Agricultural Society agrees to maintain ONE MILLION (\$1,000,000.00) DOLLARS of comprehensive liability insurance including property damages and public liability. The Agricultural Society agrees to provide the Municipality with a copy of their insurance policy as well as proof of payment during the terms of this Agreement, which is Ten (10) years from the signing of this Agreement. The Municipality shall be named in this insurance coverage.
2. The Agricultural Society shall have the availability and the free use of the Neustadt Arena and grounds for the annual Fall Fair from 6:00 p.m. on the Thursday before the third Saturday of September up to and including the third Sunday until 8:00 p.m. Fall Fair setup and take down to be performed during these hours by the Agricultural Society.
3. The Agricultural Society shall have the availability and the free use of the Neustadt Community Hall (and kitchen) and grounds for the annual Fall Fair on the Thursday commencing at 6:00 p.m., and Friday before the third Saturday of September, and free use of the kitchen only on Sunday. Fall Fair setup and take down to be performed during these hours by the Agricultural Society.
4. The Agricultural Society shall have the availability and the free use of the Neustadt Community Hall (and kitchen) and grounds for two additional days. Dates to be selected by the Agricultural Society.
5. The Agricultural Society agrees to be responsible for their damages to the Neustadt Arena and Neustadt Community Hall during their events.
6. This Agreement may be terminated by either party by giving one years notice in writing, or this Agreement may be terminated with reduced notification requirements by written mutual consent of the Agricultural Society and Municipality.
7. This Agreement shall ensure to the benefit and be binding upon the parties hereto, their heirs, executors, successors and assigns.
8. The Agricultural Society agrees and undertakes to hold and save harmless and indemnify the Municipality from any claims and all liability incurred by the use or operation of the Neustadt Arena and Neustadt Community Hall facilities during their events.

IN WITNESS WHEREOF the Municipality has hereunto affixed its Corporate Seal attested by the hands of its duly authorized officers and the Agricultural Society set their hand and Seal.

THE CORPORATION OF THE MUNICIPALITY OF WEST GREY

Kevin Eccles, Mayor

Christine Robinson, CAO

NEUSTADT-NORMANBY-CARRICK AGRICULTURAL SOCIETY
