

Corporation of the Municipality of West Grey

By-law Number 70 - 2018

Being, A by-law to enter into a Memorandum of Understanding between The Corporation of the Municipality of West Grey and The Durham Marching Band;

Whereas, Section 8 (1) of the Municipal Act, S.O. 2001, as amended, states “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 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 hereby enacts as follows:

1. That Council hereby authorizes the Mayor and CAO/Deputy Clerk to sign the Memorandum of Understanding between The Corporation of the Municipality of West Grey and The Durham Marching Band, attached as Schedule “A” and forming part of this by-law.
2. That By-law Number 71-2014 is hereby repealed.
3. That this by-law shall come into force and effect on the date of passing thereof.

Read a first and second time this 18th day of June, 2018.

Read a third time and finally passed this 18th day of June, 2018.

(Signed)
Kevin Eccles, Mayor

(Signed)
Mark Turner, Clerk

Schedule “A” to By-law Number 70 - 2018

Municipality of



**Memorandum of Understanding – The Corporation of the
Municipality of West Grey and The Durham Marching Band**

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CORPORATION OF THE MUNICIPALITY OF WEST GREY
AND
THE DURHAM MARCHING BAND**

Municipality of West Grey
402813 Grey Road 4, RR 2
Durham ON N0G 1R0
Phone 519-369-2200 or 1-800-538-9647
Herein, called the "Municipality"

- and -

Durham Marching Band
c/o Kerry Rouse
157 Hutton Hill Rd, RR 2
Durham ON N0G 1R0
Phone 226-668-4835
Herein, called the "Band"

This Memorandum of Understanding (MOU) sets out the terms and understanding between the Municipality of West Grey and the Durham Marching Band to provide for ownership, use, purchase and storage of instruments and uniforms.

BACKGROUND

The Municipality and the Band, as part of a collaborative application, applied for and received an Ontario Trillium Foundation grant for the purchase of instruments and uniforms. The Band was reunited as part of a four-day Homecoming event that was held in 2012. Subsequent to this the Band has re-established itself so that local parades and events can once again enjoy the participation of a marching band. As part of a re-branding effort in 2018, the Durham Girls Alumni Band changed its name to Durham Marching Band.

PURPOSE

The Municipality and the Band have purchased instruments and uniforms through the use of an Ontario Trillium Foundation grant totaling \$29,400. Ownership of these instruments and uniforms will be retained by the Municipality. The Band will have exclusive use of the instruments and uniforms. The instruments and uniforms will be stored at the West Grey Municipal Office while not in use.

Any future purchases of instruments or uniforms, over and above the original \$29,400 from the Ontario Trillium Foundation, will be made at the sole expense of the Band. Purchases may be made through the Municipality with full recovery of the net cost to be reimbursed to the Municipality by the Band. In order to maintain continuity of ownership in the event of the Band disbanding, these instruments and uniforms will also be retained by the Municipality. The Band will have exclusive use of the instruments and uniforms. The instruments and uniforms will be stored at the West Grey Municipal Office while not in use.

DURATION

This MOU is at-will and may be modified by mutual consent of authorized officials from the Municipality and the Band. This MOU shall become effective upon signature by the authorized officials from the Municipality and the Band and will remain in effect until modified or terminated by any one of the partners by mutual consent.

This collaborative agreement is executed by the parties:

The Corporation of the Municipality of West Grey
Per:

Kevin Eccles, Mayor

Laura Johnston, CAO/Deputy Clerk

- and -

The Durham Marching Band
Per

Kerry Rouse