

Bylaw: municipal capital facility (Durham Art Gallery)

THE CORPORATION OF THE MUNICIPALITY OF WEST GREY
BY-LAW NUMBER 13 - 2013

Being a By-Law to amend By-law 61-2010 to enter into a municipal capital facility agreement on the premises owned and operated by the Durham Art Gallery.

WHEREAS:

(a) Subsection 110 (1) of the Municipal Act, S.O. 2001 c. 25, as amended (hereinafter called "the Act") provides that the council of a municipality may enter into agreements for the provision of "municipal capital facilities" by any person and Ontario Regulation 46/94 as amended by Ontario Regulation 401/02 provides that such an agreement can be entered into for a municipal capital facility used for the provision of cultural services (section 2 paragraph 16 of Ontario Regulation 46/94);

(b) The existing art gallery and premises operated by the Durham Art Gallery exist for the provision of cultural services.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE MUNICIPALITY OF WEST GREY HEREBY ENACTS AS FOLLOWS:

1. THAT, the Municipality of West Grey hereby amends the municipal capital facility agreement with the Durham Art Gallery, pursuant to subsection 110 (1) of the Municipal Act S.O. 2001, c.25, as per Schedule "A" attached to and hereby forming part of By-law 61-2010 by deleting Section 7 and Section 8 and replacing them with the following Sections:

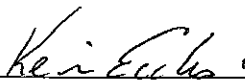
7. If the lands are no longer used for the provision of cultural services for the benefit of the public, West Grey will remove the tax exemption status implemented pursuant to paragraph 4 herein.
8. If the Gallery ceases to operate then ownership of the municipal capital facility, including the lands where it is situated, will revert to West Grey.

2. Upon the passing of this by-law, the clerk shall give written notice of the by-law to the Minister of Education pursuant to subsection 110 (5) of the Act.


3. By-law 6-2013 is hereby rescinded.

Read a first and second time this 4th day of February, 2013.

Read a third time and finally passed this 4th day of February, 2013.



Kevin Eccles, Mayor



Christine Robinson, CAO

