

THE CORPORATION OF THE TOWNSHIP OF LIMERICK

BY-LAW NO: 2021-05

Being a By-Law to enter into an agreement Tim Pidduck and Crowe Valley Conservation Authority for the purpose of snow plowing, grass cutting and garbage receptacle changing at the McGeachie Property.

WHEREAS The Council of the Township of Limerick deems it appropriate for the Public Works Department of Limerick Township to provide certain services for Hastings Destination Trails Incorporated at the McGeachie Trails property owned by Crow Valley Conservation Authority at 390 Steenburg Lake North Road, to help support and promote tourism to Limerick Township.

AND WHEREAS The Council of the Township of Limerick has authorized the Mayor and the Clerk/Treasurer to enter into an agreement between the Township of Limerick and Hastings Destination Trails Incorporated and Crowe Valley Conservation Authority for such services as Snow Plowing and Sanding of the driveway and parking lot, Grass Cutting of the parking lot and the Changing of the Garbage for the one bear proof Garbage receptacle in the Parking lot.

AND WHEREAS this agreement will be renewed annually at the discretion of the Council of the Township of Limerick.

NOW THEREFORE The Council of the Township of Limerick enacts as follows

1. Create an agreement suitable to both parties
2. Have agreement renewed annually at the discretion of the Council of the Township of Limerick
3. The agreement will be attached to this By-Law as Schedule "A"

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 18th DAY OF JANUARY, 2021.

SEAL

Mayor: Carl Stefanski

Clerk/Treasurer: Victoria Tisdale

SCHEDULE "A"

SNOW PLOWING/ GRASS CUTTING AND GARBAGE RECEPTICLE CHANGING AGREEMENT

Between

The Township of Limerick

Hereinafter referred to as "the Township"

And

Tim Pidduck, Crowe Valley Conservation Authority

And

HASTINGS DESTINATION TRAILS INCORPORATED

Hereinafter referred to as "HDTI"

And

Crowe Valley Conservation Authority

Hereinafter referred to as "CVCA"

Scope:

To provide an agreement suitable to both parties for the services of Snow Plowing of the Driveway and Parking lot, Grass Cutting of the Parking Lot and Garbage Changing of the One Bear Proof Garbage Receptacle in the parking lot for HDTI on the property of the McGeachie trails owned by CVCA at 390 Steenburg Lake North Road.

Services:

Grass Cutting:

Grass cutting and trimming will be done in the summer months to a maximum of once per week or as required to the parking lot area.

Garbage Changing:

The one bear proof Garbage receptacle located in the parking lot area will be checked and or changed once per week. Litter in the direct area of the Garbage receptacle will be cleaned up. It is **NOT** the responsibility of the Township to do litter pick-up of the entire parking lot area.

Snow Plowing:

Snow Plowing and Sanding of the driveway and parking lot area will be completed during the winter months when required. Township roads and turn arounds will take precedence. The McGeachie trails driveway and parking lot area will be plowed and or sanded by the Township when time allows, this area is not a priority for the Township. Snow plowing or Sanding will **NOT** be done on overtime by the Township but will be done at the earliest convenience of the Township within normal working hours.

It will be plowed by a pick-up truck equipped with a sanding unit.

If parking lot area starts to become diminished, then the Township will use their backhoe to shove snow back to create more space.

Any Other Services or Requests:

Any other service or requests will require Council approval. Requests for other services will have to be requested at a formal Council meeting by a representative from HDTI or CVCA. Other services or request may have fees payable by HDTI or CVCA to the Township to recover costs for services. Fees will be at the Council of the Township of Limericks discretion.

Liability:

The Township provides these services Snow Plowing and Sanding, Grass Cutting and Garbage Receptacle Changing in good faith to help support, encourage, and promote tourism in Limerick Township. Liability for the driveway and parking lot area of McGeachie Trails at 390 Steenburg Lake North Road is not the responsibility of the Township. HDTI and CVCA agrees to defend, indemnify and save and hold harmless the Township from all lawsuits, losses, expenses and costs, or any other liability imposed by statute or common law in any way connected to or in any way arising out of any actual or alleged breach, default or neglect of duty in respect of the maintenance of the driveway and parking lot area.

Term:

This agreement will be renewed annually by resolution of Council. This agreement takes affect on 18th Day of January, 2021.

HDTI Representative: Cathy Trimble

Mayor: Carl Stefanski

CVCA Representative: Tim Pidduck

Clerk/Treasurer: Victoria Tisdale