

**The Corporation of the Village of Cardinal**

**By-Law 99-23**

**Being a By-Law to Approve a Restructuring Proposal Concerning the Village of Cardinal and the Township of Edwardsburgh**

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WHEREAS the Village of Cardinal and the Township of Edwardsburgh have completed the preparation of a Restructuring Proposal.

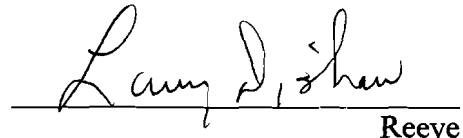
AND WHEREAS Section 25.2(2) of the Municipal Act authorizes a municipality or local body in a locality, to make a restructuring proposal to restructure municipalities;

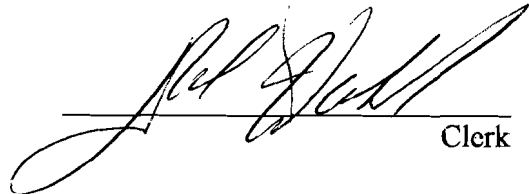
NOW THEREFORE the Council of the Corporation of the Village of Cardinal enacts as follows:

1. That the Restructuring Proposal attached hereto as Schedule "A" to this By-Law, is supported by the Village of Cardinal in its entirety.

Read a FIRST and SECOND time this 18'th day of October, 1999.

READ A THIRD TIME and FINALLY PASSED this 18'th day of October, 1999.

  
Reeve

  
Clerk

*SCHEDULE "A"*

**RESTRUCTURING PROPOSAL  
EDWARDSBURGH/CARDINAL  
OCTOBER 18, 1999**

**1. Effective Date**

The effective date of this proposal is January 1, 2001.

**2. Description of the Restructuring Proposal**

The Township of Edwardsburgh and the Village of Cardinal will be amalgamated into one township municipality within the United Counties of Leeds & Grenville.

**3. Name and Status of the Proposed Municipality**

- (1) The new Municipality will be called the "Township of Edwardsburgh/Cardinal"
- (2) The new Municipality shall have the status of a Township and form part of the United Counties of Leeds & Grenville.

**4. Representation**

- (1) On January 1, 2001, the council of the new Municipality shall be composed of seven members, consisting of:
  - a) a head of council to be known as the mayor, whom shall be elected by general vote of the electors of the new municipality; and
  - b) six additional members, two members to be elected from each of East Ward, West Ward and North Ward as described in this proposal; and
  - c) each member shall be entitled to one vote.
- (2) The mayor of the new Municipality shall sit as a member of the Council of the County.
- (3) The wards of the new Municipality shall be comprised as follows:
  - a) East Ward shall include the former Village of Cardinal and polls one and four of the former Township of Edwardsburgh; and
  - b) West Ward shall be comprised of polls two, three and five of the former Township of Edwardsburgh; and
  - c) North Ward shall be comprised of polls six, seven, eight and nine of the former Township of Edwardsburgh.

**5. Terms**

- (1) The terms of office of the members of the new Municipality and its local boards shall commence on January 1, 2001.
- (2) The terms of office of the members of the former municipalities and their local boards will be extended until December 31, 2000.
- (3) Despite subsections (1) and (2), the term of office of the mayor as a member of the Council of the County shall commence on December 1, 2000.

**6. Municipal Elections**

- (1) The 2000 regular election in the former municipalities shall be conducted as if the amalgamation under Section 2, the establishment of the wards under Section 4 and the dissolution of the police village under Section 7 had already occurred.
- (2) The Clerk of the former Township of Edwardsburgh shall be the clerk responsible for conducting the 2000 regular election in the former municipalities under the Municipal Election Act, 1996.
- (3) The transition board established under Section 12 shall be deemed to be the council of the new Municipality for the purpose of holding the 2000 regular election under the Municipal Elections Act, 1996, in the former municipalities.

**7. Police Village**

- (1) On January 1, 2001, the Police Village of Spencerville will be dissolved and all its assets, liabilities, rights and obligations, and its bylaws and resolutions will become assets, liabilities, rights and obligations and bylaws and resolutions of the new Municipality.
- (2) The terms of office of the Trustees of the Police Village of Spencerville will be extended until December 31, 2000.

## **8. Local Boards**

- (1) Cardinal Community Centre Board - The Cardinal Community Centre Board that oversees the operation of the Cardinal Arena shall continue to operate as a separate board with the same function and responsibilities as assigned by the former municipality.
- (2) Edwardsburgh Library Board - The Edwardsburgh Library Board shall continue to operate with the same function and responsibilities as assigned by the former municipality.
- (3) Cardinal Library Board - The Cardinal Library Board shall continue to operate with the same function and responsibilities as assigned by the former municipality.
- (4) North Channel Cemetery Board - The North Channel Cemetery Board shall continue to operate with the same function and responsibilities as assigned by the former municipality.
- (5) Police Service Board(s) - If a Police Service Board is created by the former municipalities before January 1, 2001, on January 1, 2001 the Police Service Board will be dissolved and all its assets, liabilities, rights and obligations and its bylaws and resolutions will become assets, liabilities, rights and obligations and bylaws and resolutions of the new Municipality.
- (6) Cardinal Hydro Commission - The Cardinal Hydro Commission will be restructured by the Village of Cardinal prior to November 7, 2000, as permitted by legislation enacted under Bill 35 of the Province of Ontario.

## **9. Municipal Services**

Fire protection services for the new Municipality will be provided by the existing volunteer fire departments.

## **10. Financial**

- (1) Taxes
  - a) All taxes, charges and rates levied, imposed or assessed under any act by a former municipality or its local boards that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates, respectively, due and payable to the new Municipality.

- b) If a former municipality has commenced procedures under the Municipal Tax Sales Act and the procedures are not completed by January 1, 2001, the new Municipality may continue the procedures.
- (2) Reserves and Reserve Funds
- a) Each former municipality will provide for a Reserve for Working Capital on a pro-rata basis per household as most recently determined by the Ontario Property Assessment Corporation, such that the combined Reserve for Working Capital of the new Municipality will be \$750,000 on January 1, 2001.
  - b) The reserves and reserve funds of a former municipality that are dedicated by bylaw for special purposes, upon being transferred to the new Municipality under this Section, shall be used only for the benefit of the geographic area of the former municipality to which they relate and only for the purposes dedicated.
  - c) In the event that the restructuring or sale of the Cardinal Hydro Commission under Section 8 results in the creation of a reserve or reserve fund, that reserve or reserve fund shall be used exclusively for the benefit of the geographic area of the former Village of Cardinal for the purposes for which they are dedicated in the restructuring or sale process.
  - d) If the new Municipality sells, or otherwise disposes of, assets of a hydro electric system in respect of which a reserve of a former municipality was established, or if the new Municipality sells or otherwise disposes of shares of a corporation incorporated under the Business Corporations Act to provide hydro service to a former municipality, the proceeds of the sale or other disposition shall be paid into the reserve of that former municipality that has become a reserve of the new Municipality under Section 10.
- (3) Working Capital - Working capital of the former municipalities will become working capital of the new Municipality.
- (4) Surpluses and Deficits - Surpluses and deficits of the former municipalities will become surpluses and deficits of the new Municipality.
- (5) Assets and Liabilities - On January 1, 2001, all assets, liabilities, rights and obligations of the former municipalities and local boards become the assets, liabilities, rights and obligations of the new Municipality and its local boards.

- (6) Long Term Debt - Debt that is currently paid through the general tax rate of a former municipality will be area rated to the ratepayers of the former municipality. This will result in a special tax rate in the former municipality that originally incurred the debt, until it is retired.
- (7) Special Area Rates - In areas of the new Municipality where services are provided which are over and above those provided to most ratepayers, the ratepayers benefiting directly will pay for those services.

#### **11. Municipal Bylaws**

- (1) Zoning bylaws that were passed under the Planning Act and any official plan of the former municipalities approved under the Planning Act shall remain in force until amended or repealed.
- (2) All bylaws of the former municipalities and their local boards will become bylaws of the new Municipality and its local boards applicable to the same area to which they applied to and remain in effect until they are repealed or amended by the council of the new Municipality.
- (3) If a former municipality commenced procedures to enact a bylaw under the Planning Act, or to adopt an Official Plan or amendment, the council of the new Municipality shall continue the process.

#### **12. Transition Board**

- (1) On the date of the restructuring order, a transition board will be established.
- (2) The transition board will cease to exist on January 1, 2001.
- (3) The transition board will be comprised of the members of the councils of the Township of Edwardsburgh and the Village of Cardinal and each member shall have one vote.
- (4) The transition board shall appoint a chair and a vice-chair from among its members.
- (5) The chair and vice-chair shall be the authorized signing officers of the transition board.
- (6) The transition board will establish a transition board budget.

- (7) Costs of the transition board will be pro-rated to the existing municipalities according to assessment.
- (8) The transition board will establish procedures for staffing of the new Municipality. The procedures will recognize all service of existing employees, provide for an appropriate selection process for available positions and establish early exit, early retirement inducement, or termination packages for employees.
- (9) The transition board will have responsibilities for the following:
  - a) Determining the appropriate responsibility for municipal services including, but not limited to:
    - Administration
    - Protection to persons and property
    - Transportation services
    - Environmental services
    - Health services
    - Social and family services
    - Recreation and cultural services
    - Planning and development.
  - b) Approval of expenditures related to the transition board or the new Municipality.
  - c) Approval of any agreements which will extend beyond December 31, 2000.

### **13. Dispute Resolution**

- (1) Where a dispute arises with respect to the interpretation of this restructuring proposal, either of the former municipalities may refer the dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation, then the dispute may either be referred,
  - a) to arbitration, to be conducted in accordance with the Arbitration Act, 1991, otherwise as provided herein; or
  - b) to the council of the new Municipality for resolution.
- (3) The costs associated with mediation or arbitration proceedings under this section shall be shared equally between the former municipalities.
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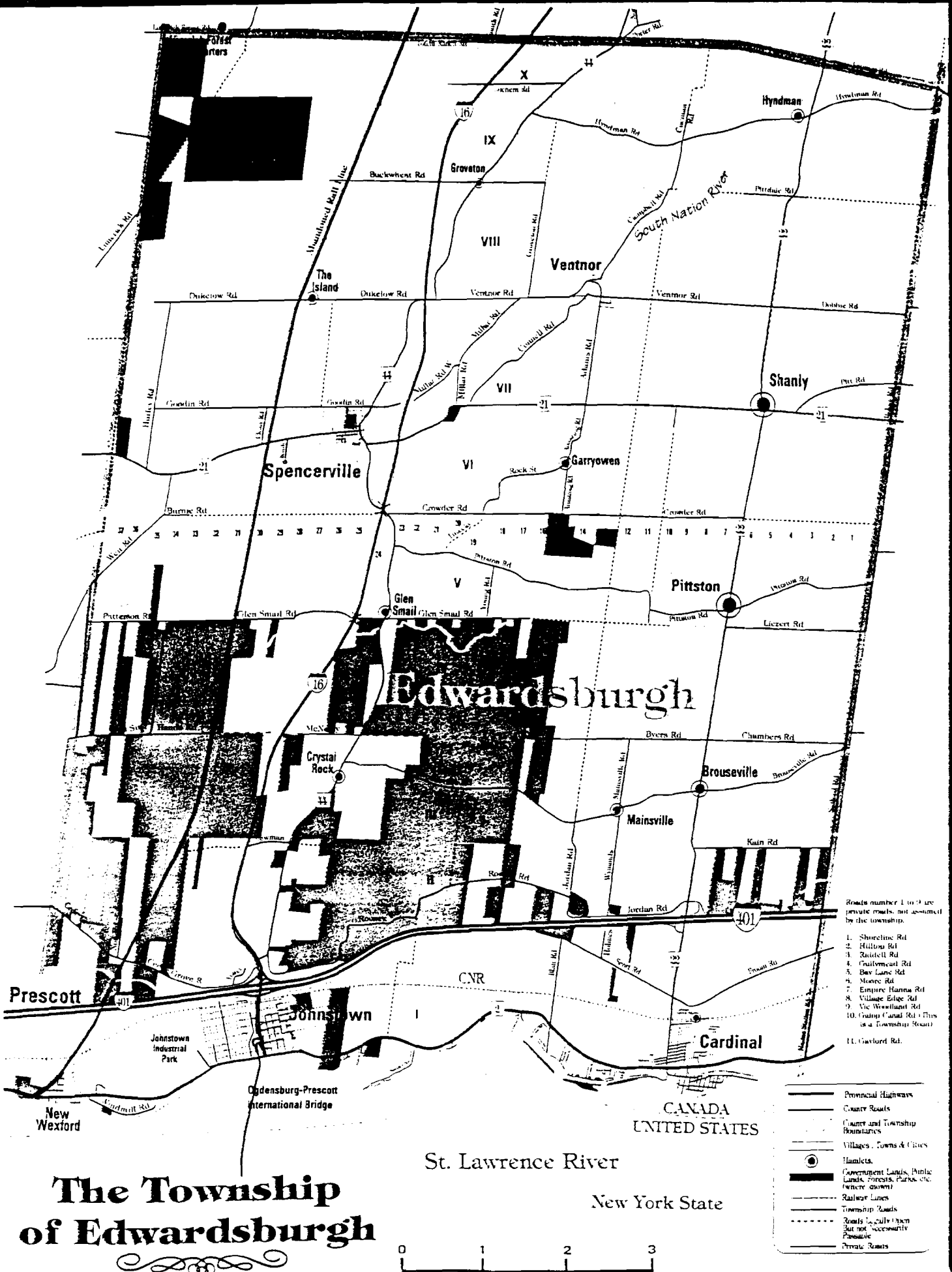
**14. Boundary Description**

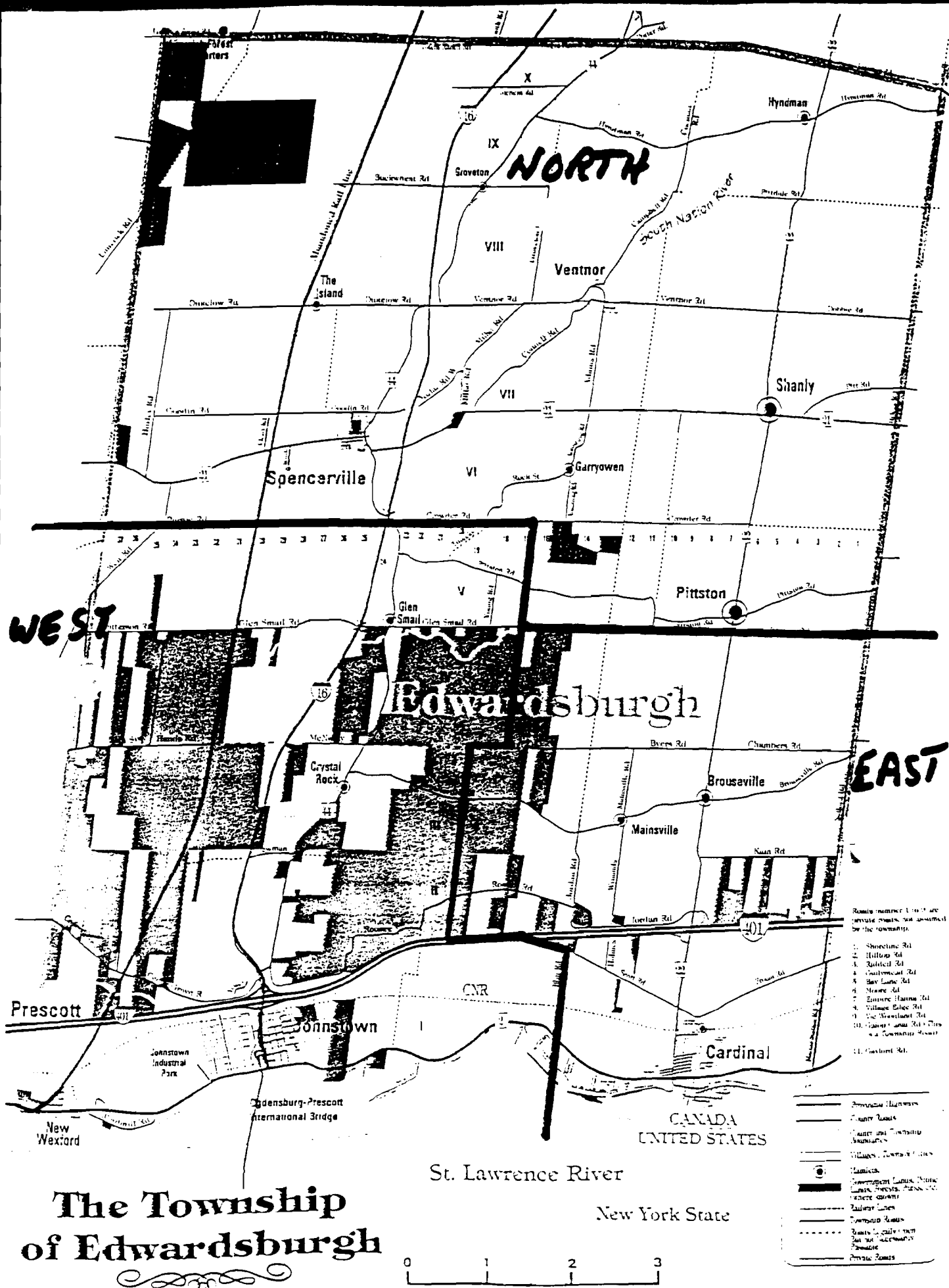
The boundary of the new Municipality is the external boundary of the former Township of Edwardsburgh including the Village of Cardinal.



## **Appendices**

1. **Map outlining the new Municipality.**
2. **Certified copy of resolution indicating support for the restructuring proposal by each of the two current councils.**
3. **Map showing ward boundaries of the new Municipality.**





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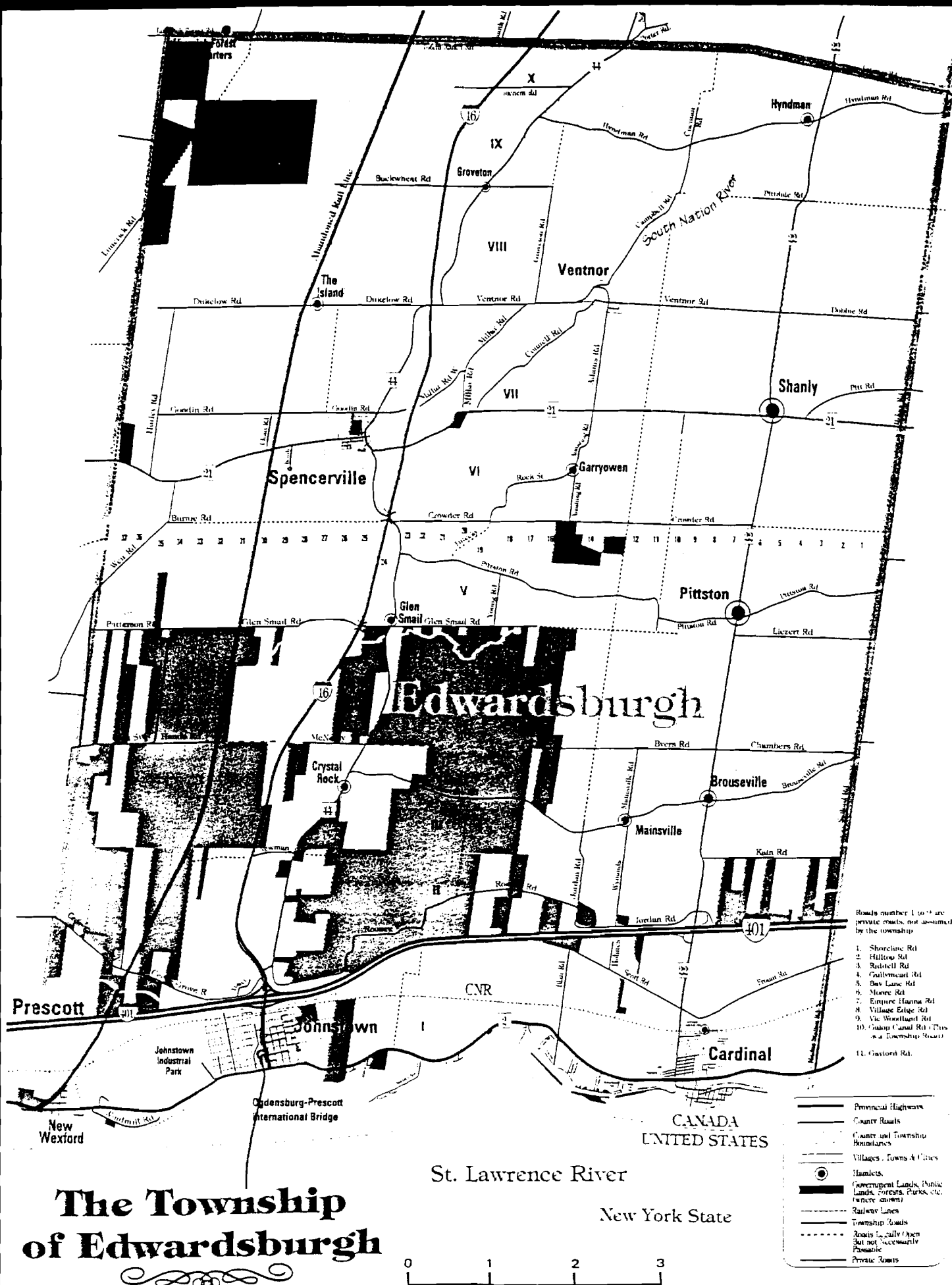
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## **Appendices**

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3. **Map showing ward boundaries of the new Municipality.**





New York State



1. Shoreline Rd
2. Hilltop Rd
3. Rydell Rd
4. Castlewood Rd
5. Bay Lane Rd
6. Monroe Rd
7. Empire Heights Rd
8. Williams Edge Rd
9. Via Woodland Rd
10. Jackson & Adams Rd. (Turn  
left on Jackson Street)
11. Castleton Rd.

- Provincial Highways  
 County Roads  
 County and Township  
 Communities  
 Villages, Towns & Cities  
 Counties  
 Government Land Use Data  
 Census, Census, Census etc.  
 Water Courses  
 Railway Lines  
 Township Boundaries  
 Township Roads  
 Township Locality Data  
 Soil and Land Use Data  
 Precipitation  
 Precipitation