

**THE CORPORATION OF THE  
MUNICIPALITY OF ARRAN-ELDERSLIE**

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**BY-LAW NO. 43-2022**

**BEING A BY-LAW TO PERMANENTLY CLOSE A HIGHWAY (NORTH STREET UNOPENED ROAD  
ALLOWANCE – REGISTERED PLAN NO. 3M106 (GEOGRAPHIC TOWN OF CHESLEY)**

WHEREAS Section 9 of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, grants to municipalities the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS Section 11(3)1. of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, authorizes lower tier municipalities to pass By-laws under the “Highways, including parking and traffic on highways” sphere of jurisdiction; and

WHEREAS Section 27(1) of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, allows a municipality to pass By-laws in respect of a highway only if it has jurisdiction over the highway; and

WHEREAS Section 34 (1) of the *Municipal Act, 2001, S.O. 2001, C. 25, as amended*, states that a By-law permanently closing a highway does not take effect until a certified copy of the By-law is registered in the property land registry office; and

Whereas the land described as NORTH STREET, PLAN 3M106, ARRAN-ELDERSLIE, PIN 33185-0073(LT) is a “highway” within the meaning of Section 26 of the *Municipal Act, 2001, S.O. 2001, c.15, as amended*; and

Whereas the Highway has never been assumed by the municipality for public use, and the municipality wishes to close the Highway;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF ARRAN-ELDERSLIE HEREBY ENACTS AS FOLLOWS:

1. THAT the Highway is hereby permanently closed.
2. THAT the Highway has been declared surplus.
3. THAT this By-law be registered in the property registry office.
4. THAT this By-law shall come into force and take effect as of the final passing thereof.

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READ a FIRST and SECOND time this 27<sup>th</sup> day of June, 2022.

READ a THIRD time and finally passed this 27<sup>th</sup> day of June, 2022.

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk