

**BY-LAW NO. 3**  
**BEING A BY-LAW RELATING TO THE PROPERTY OF**  
**THE BOARD OF HEALTH FOR THE**  
**WELLINGTON-DUFFERIN-**  
**GUELPH HEALTH UNIT**

(hereinafter referred to as the “Board”)

## **BY-LAW NO. 3**

### **1. MANAGEMENT OF PROPERTY**

#### **1.1 Right to Hold Property**

With the consent of the majority of the municipal councils in the health unit, the Board may acquire and hold real property for the purpose of carrying out the functions of the Board and may sell, exchange, lease, mortgage or otherwise charge or dispose of real property owned by it.

#### **1.2 Procedure to Dispose of Property**

Prior to the sale of any real property owned by the Board the Board shall,

- (a) By resolution passed at a meeting open to the public, declare the real property to be surplus;
- (b) Obtain not more than one year before the property is put up for sale two appraisals of the fair market value of the real property from such person as the Director of Administrative Services considers qualified. If the two appraisals result in a variance of more than 10% in value then a third appraisal shall be sought by the Director of Administrative Services; and
- (c) Provide reasonable notice to the public of a proposed sale of real property owned by the Board by any form of mass communication within the health unit area.

#### **1.3 Register of Property**

The Director of Administrative Services shall establish and maintain a register listing and describing all real property owned or leased by the Board and the register, to the extent that is reasonably possible, will include the following information:

- (a) A brief legal description of the property;
- (b) The assessment roll number of the property;
- (c) The municipal address of the real property;
- (d) The date of purchase;
- (e) The name of the person from whom the property was purchased;
- (f) The instrument number of the transfer or deed by which title was transferred to the Board;
- (g) The purchase price of the real property or a copy of the lease agreement;
- (h) A brief description of improvements made by the Board to the property;
- (i) The date of sale of the property;

- (j) The name of the person to whom the property was sold; and
- (k) The sale price of the property.

#### **1.4 Care and Maintenance of Property**

The Medical Officer of Health and the Director of Administrative Services shall be responsible for the care and maintenance of all properties in which the Board has an interest.

Such maintenance shall ensure that insurance is current with respect to both property and personal liability coverage, fire, theft, malpractice, errors and omissions and automobile insurance.

The Board of Health will establish separate Facilities Reserve Funds for each property in which it has an ownership interest in land and/or buildings (the "Property") the purpose of which shall be for the repair and replacement on and for the Property in order to maintain the Property in good repair and condition. Annual contributions to the Reserve Funds will be determined by the Board's Reserve Fund Plan and budgeted for annually in the Board of Health Approved Budget. On approval of the Board, borrowing of funds between the Reserves will be permitted and repaid in a timely fashion at the current rate of return. The Reserve Fund Plan shall be updated from time to time at the discretion of the Medical Officer of Health and the Director of Administrative Services.

#### **1.5 Legal Compliance**

The Board shall ensure that all properties comply with applicable statutory requirements contained in municipal, provincial and federal legislation.

**ENACTED** this 6<sup>th</sup> day of March, 2019

**WITNESS** the seal of the Board.

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Chair

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Secretary-Treasurer

**DIRECTORS RESOLUTION MAKING AND CONFIRMING**

**BE IT RESOLVED THAT** By-Law Number 3 being a by-law relating to the property of the Board be and the same is hereby made as a by-law of the Board and the Chair and the Secretary-Treasurer be and they are hereby authorized to sign the by-law.

**THE UNDERSIGNED**, being all the directors of the Board hereby sign the foregoing resolution pursuant to the provisions of the *Health Protection and Promotion Act* (Ontario).

**DATED** the 6<sup>th</sup> day of March, 2019.

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Chair

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Secretary-Treasurer