

THE RURAL MUNICIPALITY OF MORRIS

BY-LAW NO. 1528/99

BEING a by-law to establish conditions for the abandonment and removal of railway lines within the boundaries of The Rural Municipality of Morris.

WHEREAS the Canadian National Railway has stated its intention to discontinue operation of its Miami-Hartney subdivision from Morris to Elgin, Manitoba;

AND WHEREAS the Council of the Rural Municipality of Morris deems it necessary to establish conditions for the abandonment and removal of the railway line with this Municipality;


NOW THEREFORE, the Council for the Rural Municipality of Morris, in meeting duly assembled, enacts as follows:

1. That the Canadian National Railway (CNR), the Canadian Pacific Railway (CPR), and any and all shortline companies, operators and private individuals who are in charge of removing the abandoned railway line situated within the Rural Municipality of Morris, shall within a period of six (6) months (or forthwith), in a manner consistent with its common law obligation, as owners of the property:
 - a) remove all buildings, signals and related railway structures remaining along the railway line, including any telegraph, telephone or electric line which the company constructed or acquired for its one use; and
 - b) restore and maintain all roadways and passage ways constituted level of farm crossings in place at the time of abandonment within the right-of-way property; and
 - c) remove all foreign material, toxic substances and contaminants from the land within the subject right-of-way; and
 - d) restore the natural lands upon which the railway was constructed to the level which existed prior to the construction of the railway line in question; and
 - e) prior to the commencement of any of the aforementioned works, a performance bond in the amount of \$100,000.00 per kilometre shall be obtained covering the satisfactory performance of the works to be undertaken in the manner set out in this by-law.

DONE AND PASSED in Council of the Rural Municipality of Morris, duly assembled in Morris, Manitoba, this 14th day of October, 1999.



Reeve



Municipal Administrator

Read a first time this 8th day of September, 1999

Read a second time this 14th day of October, 1999

Read a third time this 14th day of October, 1999