

THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE



**BY-LAW**

**NO. 2023 -**

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**Being a By-law to Authorize a Letter of Agreement with the Bruce Power L.P. regarding the completion of Phase 1 and execution of Phase 2 Scope of Work per the Water Supply Agreement**

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**Whereas** Section 8 (1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has 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** The Municipality of Kincardine entered into an agreement effective October 16, 2023 (the "Water Supply Agreement") pursuant to which Bruce Power and the Municipality agreed to terms relating to the purchase, sale and supply of Drinking Water to the Bruce Site; and

**Whereas** Bruce Power and the Municipality wish to enter into an agreement to document the completion of Phase 1 Scope of Work, as such term is defined in the Water Supply Agreement, and their agreement to execute the Phase 2 Scope of Work, as defined in the Water Supply Agreement, and set a cost cap for the Municipality to execute the Phase 2 Scope of Work; now therefore be it

**Resolved** that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That The Bruce Power L.P. Letter Agreement made effective the 13<sup>th</sup> day of December 2023, more particularly set out in Schedule "A", be approved as presented.
2. That the Mayor and Clerk be authorized to sign and execute, on behalf of The Corporation of the Municipality of Kincardine, the Bruce Power L.P. Letter Agreement attached as Schedule "A".
3. That this By-law shall come into full force and effect upon its final passage.
4. That this By-law may be cited as the "Bruce Power Letter Agreement (2023) By-law".

**Read a First and Second Time** this 13<sup>th</sup> day of December, 2023.

**Read a Third Time and Finally Passed** this 13<sup>th</sup> day of December, 2023.

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Mayor

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Clerk

