



BY-LAW

NO. 2024 –

Being a By-law to Authorize a Municipal Access Agreement with Bruce Telecom

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 Bruce Telecom is a Canadian carrier, and in order to operate as a Canadian carrier or distribution undertaking, Bruce Telecom requires to construct, maintain and operate its transmission facilities including but not limited to wires, fibre-optic cables, ducts, conduits, manholes and other accessories, structures and equipment in, on, over, under, along or across highways, streets, road allowances, lanes, bridges, tunnels, viaducts and other ways open to public use within the jurisdiction of the service corridors.

Whereas The Corporation of the Municipality is the public authority having jurisdiction over the Service Corridors in the Municipality of Kincardine; and

Whereas Council of The Corporation of the Municipality of Kincardine deems it advisable to enter into a Municipal Access Agreement with the owners of Bruce Telecom; now therefore be it

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

1. That The Corporation of the Municipality of Kincardine enter into a Municipal Access Agreement with the owners of Bruce Telecom, in accordance with the terms and conditions outlined in the Agreement attached hereto as Schedule 'A' and forming part of this By-law.
2. That the Mayor and Clerk be authorized to sign and execute, on behalf of The Corporation of the Municipality of Kincardine, the Agreement with Bruce Telecom.
3. That this By-law shall come into full force and effect following the execution of the Share Purchase Agreement with the Purchasers of Bruce Telecom.
4. That this By-law be cited as "Municipal Access Agreement-Bruce Telecom By-law".

Read a First, Second and Third Time and Finally passed this 14th day of February, 2024.

Mayor

Clerk