



**Corporation de la ville de
Hawkesbury**

**Comité des services des travaux
publics et environnement**

**9 février 2017
13h00**

Salle du conseil

Corporation of the Town of Hawkesbury

**Public Works and Environment Services
Committee**

**February 9, 2017
1:00 p.m.**

Council Chambers

- | | | | |
|-----------|---------------------------------------------------|-------------------------------------------------|-----|
| 1. | <u>Ouverture de la réunion</u> | <u>Call to order</u> | |
| 2. | <u>Adoption de l'ordre du jour</u> | <u>Adoption of the agenda</u> | |
| 3. | <u>Divulgence de conflit d'intérêt</u> | <u>Disclosure of pecuniary interest</u> | |
| 4. | <u>Visiteurs</u> | <u>Visitors</u> | |
| 5. | <u>Administration</u> | <u>Administration</u> | |
| 5.1 | Aucun | None | |
| 6. | <u>Finance</u> | <u>Finance</u> | |
| 6.1 | Aucun | None | |
| 7. | <u>Travaux publics</u> | <u>Public works</u> | |
| 7.1 | Plan de remplacement des véhicules | Vehicle replacement plan | |
| 7.2 | Budget remplacement des arbres
au centre-ville | Budget for replacement of trees downtown | |
| 7.3 | Entente avec Enbridge pour distribution
de gaz | Agreement with Enbridge for gas
distribution | 1-3 |

8. Projets capitaux

Capital projects

8.1 Achat de terrain : Partie Lot 4, Concession 1 BF, Partie de Partie 2 du Plan PR 46R-4552

Lot purchase : Part Lot 4, Concession 1 BF, being Part of Part 2 on RP 46R-4552

8.2 Enregistrement d'une servitude, Conc. 1 BF Partie du Lot 4 Partie servitude de rue R2664 Partie de la Partie 1 & 7 PR46R843

Registration of an easement, Conc 1 BF PT Lot 4 PT RD allow RP 46R2664 PT PART 1 & 7 RP46R843

8.3 Enregistrement d'une servitude, Conc. 1 BF Partie du Lot 5 & 6 Partie servitude de rue PR46R4694 Partie 1

Registration of an easement, Conc 1 BF PT Lot 5&6 PT RD allow RP 46R4694 PT PART 1

9. Environnement

Environment

Aucun

None

10. Période de questions/commentaires

Question/comment period

11. Autres articles

Other items

11.1 Suivi des résolutions (sous-pli séparé)

Resolutions follow-up (under separate cover)

12. Huis-clos

In-camera

**GUIDELINES TO MUNICIPALITIES
RESPECTING FRANCHISE AGREEMENTS WITH ENBRIDGE GAS DISTRIBUTION**

Enclosed is the following package of documents:

- (a) Draft Resolution of the municipality;
- (b) Draft By-Law of the municipality; and
- (c) Enbridge Gas Distribution's 2000 Model Franchise Agreement

GUIDELINES FOR PROCESSING FRANCHISE AGREEMENTS:

PLEASE READ IN ITS ENTIRETY AND FOLLOW STEPS IN ORDER

1. The draft By-law supplied in this package is designed to repeal any existing by-laws to allow the operation of a new by-law. Although Enbridge Gas Distribution uses its best efforts to check its records for by-law repeal, please advise us if there are other by-laws that the municipality is aware of that should also be repealed.
2. Representatives (*Mayor and Clerk*) for the municipality should execute (i.e. sign and seal) the **Resolution**. **DO NOT SIGN OR DATE THE FRANCHISE AGREEMENT AND DO NOT SIGN THE BY-LAW AT THIS TIME.** The **Resolution** as well as the **By-law** and **Franchise Agreement** should be returned to Enbridge Gas Distribution.
3. Upon Enbridge's receipt of the documentation from the municipality, a copy of this package will be forwarded to the Ontario Energy Board (OEB) as part of the application for approval of the franchise agreement.
4. Notice of Enbridge's Application to the Ontario Energy Board for approval of the franchise agreement will be published in a local newspaper by the Ontario Energy Board.
5. Upon receipt of a **Decision and Order** from the Ontario Energy Board, Enbridge will follow the directions from the OEB as set out its Letter of Direction (i.e., directions as to service and publication). Enbridge will then have four (4) copies of the Franchise Agreement executed by Enbridge.
6. Enbridge will send four (4) copies of the Resolution, By-law and executed Franchise Agreement to the Municipality.
7. At this time the municipality will insert the date of the Decision and Order into the 2nd paragraph of the By-law. The By-law should be given **First, Second, Third and Final reading**. The date of the third and final reading of the By-law will be the effective date of the **Franchise Agreement**
8. Upon this third and final reading, the **municipality** should return **three** fully executed (signed and sealed) By-Laws and Franchise Agreements to Enbridge.
9. Upon receipt of the documents, Enbridge will then send one original fully executed Franchise Agreement with the By-law to the Ontario Energy Board and retain the balance for its records.

Kindly refer to the attached "Task List" for your reference and ease in completing the Franchise Agreement. We thank you for your co-operation with this process.

CHECK LIST FOR COMPLETING FRANCHISE AGREEMENT

Task #	Task	✓ Task Complete
Upon receipt of Franchise Agreement Package from Enbridge Gas Distribution:		
1	Municipality creates official Resolution for execution purposes - one original required	
2	Municipality executes 4 original Resolution documents	
3	Municipality forwards original executed Resolution document with Draft By-law and Franchise Agreement documents to Enbridge Gas Distribution	
Upon receipt of Ontario Energy Board's Decision and Order regarding the Franchise Agreement:		
Enbridge Gas Distribution will execute four (4) copies of the Franchise Agreement and forward to the Municipality		
Upon receipt of the executed Franchise Agreements and draft By-law from Enbridge:		
4	Municipality inserts date of the Ontario Energy Board Order and Decision into By-law document (2 nd paragraph AND WHEREAS...)	
5	Municipality gives First, Second, Third & Final Reading, 4 copies of the By-Law & inserts date into By-law document	
6	Municipality fully executes (signs and seals) all four originals of the By-law	
7	Municipality inserts date of Third and Final Reading into the Franchise Agreement (top of first page) as the date of the agreement	
8	Municipality fully executes (sign and seals) all four originals of the Franchise Agreement	
9	Municipality keeps one fully executed copy of the By-law and Franchise Agreement for their files.	
10	Municipality forwards three fully executed By-laws and Franchise Agreements to Enbridge Gas Distribution for completion	
Once three executed copies are received by Enbridge Gas Distribution, Enbridge will ensure the Ontario Energy Board receives a fully executed By-law and Franchise Agreement for their records.		

THE CORPORATION OF THE TOWN OF HAWKESBURY

RESOLUTION

Moved by _____

Seconded by _____

BE IT RESOLVED:

1. That this Council approves the form of draft By-law (including the franchise agreement forming part thereof) attached hereto and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
2. That this Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft By-law (including the franchise agreement forming part thereof) pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.

Certified to be a true copy of a resolution passed by the Council of the Corporation of the Town of Hawkesbury on the ___ day of _____, 20 .

Clerk