

The Corporation of the Township of Westmeath

BY-LAW NO. 955

A By-Law to authorize the North Renfrew Telephone Company Limited to erect and maintain poles, cables, ducts, wires or other structures or equipment upon highways, roads, streets, lanes and squares in the Township of Westmeath.

WHEREAS North Renfrew Telephone Company Limited hereinafter called the "Telephone System" has requested the Council of the Corporation of the Township of Westmeath to permit it to erect and maintain poles, cables, ducts, wires or other structures or equipment upon the highways, roads, streets, lanes and squares in the said Township of Westmeath pursuant to the provisions of Section 62 of "The Telephone Act, 1954" being Chapter 94 of the Statutes of Ontario 1954 and pursuant to Sub-Section 99 of Section 368 (1) of the Municipal Act being Chapter 243 of The Revised Statutes of Ontario, 1950;

AND WHEREAS the Telephone System has operated a telephone system upon certain of the highways, roads, streets, lanes and squares of the said Township of Westmeath under the authority of a By-Law enacted at the request of the Telephone System by the Municipal Corporation of the Township of Westmeath;

AND WHEREAS it is considered desirable that because of the lapse of time since the said By-Law was enacted and because of changes in legislation with respect to rural telephone companies which have taken place since the said By-Law was enacted, a new By-Law should be enacted;

AND WHEREAS IT is deemed expedient to grant the request of the said Telephone System subject to the approval of the Ontario Telephone Authority being granted therefor;

The Municipal Council of the Corporation of the Township of Westmeath HEREBY ENACTS as follows:

(1) That the Telephone System or its successor be and it is hereby authorized and empowered to construct telephone lines and to erect the necessary poles, cables, ducts, wires or other structures or equipment for the same and to maintain and keep up the same upon any or all of the highways, roads, streets, lanes or squares of the said Township of Westmeath, except the highways or roads or portions of highways or

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roads upon which telephone service is now being provided by any of the following rural telephone companies:-

The Snake River Telephone Company Limited

The Muskrat Lake Telephone Company Limited

The Zion Line Telephone Company Limited

The Kerr Line Telephone Company Limited

and to use the said highways, roads, streets, lanes and squares of the said Township of Westmeath for placing in, upon, over or under the same poles, ducts, cables, wires or other structures or equipment necessary for the purpose of its business.

(2) That the construction of the said telephone lines and the placing of the said poles, cables, ducts, wires or other structures or equipment shall be carried out in accordance with the specifications prescribed by the Ontario Telephone Authority and under the supervision of the Municipal Council of the Corporation of the Township of Westmeath or its Commissioner appointed for that purpose and a plan showing the location of the said lines shall be filed in the Office of the Municipal Clerk of the said Township before the said lines shall be constructed, PROVIDED THAT the privileges of this clause applicable to new construction shall not apply to telephone lines and poles, cables, ducts, wires or other structures or equipment already located within the limits of the said Township of Westmeath but with respect to such lines, poles, ducts, wires, cables or other structures or equipment already in existence the Telephone System shall file in the Office of the Municipal Clerk of the said Township of Westmeath a plan showing the location of the said line or lines.

(3) That the said telephone lines, poles, cables, ducts, wires or other structures or equipment shall be erected or located so as not to interfere with the lines, poles and works of any other telephone or telegraph Company or any electric power transmission line constructed upon any of the said highways, roads, streets, lanes or squares prior to the erection or location of the lines, poles, cables, ducts, wires or other

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structures or equipment of the Telephone System herein referred to.

4. That the said telephone lines, poles, cables, ducts, wires or other structures or equipment shall be constructed, erected and maintained in such manner that they shall not interfere with the public right of travelling on or using the said highways, roads, streets, lanes and squares or any bridges, waters or water courses within the limits of the said Township of Westmeath.

5. That the Telephone System shall indemnify the Corporation of the Township of Westmeath against any action for claims or damages which may be brought against the said Corporation for or by reasons of the construction, operation and maintenance of the said works.

6. That this By-Law shall remain in force for a period of twenty-five years from the passing thereof and that opportunity will be given to the Telephone System before that date to apply for a renewal of this By-Law for a further term of years subject to the approval of the Ontario Telephone Authority or its successors.

7. This By-Law shall come into force upon receiving the approval of the Ontario Telephone Authority and when the Telephone System executes and delivers to the Corporation of the Township of Westmeath an Agreement under which the Telephone System undertakes and agrees with the Corporation of the Township of Westmeath to abide by the terms and conditions set out in Paragraphs (2), (3), (4), (5) and (6) of this By-Law and such Agreement may be sufficiently executed and delivered if the Telephone System executes under its Corporate Seal and at the hands of its proper Officers in that behalf on the original of this By-Law and such other copies or duplicates thereof as the Corporation of the Township of Westmeath may require the form of Agreement endorsed at the foot of this By-Law.

8. By-Law 5285 of the Municipal Corporation of the Township of Westmeath is hereby repealed.

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Read a first time this 7th

day of February, 1959

Campbell Faught
Reeve.

S. E. Davison
Clerk.

Read a second time this 7th

day of February, 1959

Campbell Faught
Reeve.

S. E. Davison
Clerk.

Read a third time and finally passed
under the seal of the Corporation
of the Township of Westmeath this

day of February, 1959

Reeve.

S. E. Davison
Clerk.

APPROVED BY THE ONTARIO TELEPHONE AUTHORITY

March 9, 1959.

C. W. Flynn
Chairman.

Bylaw # 955
Meth Renewal
Tel Co
February 159



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