

THE CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW NO. 86-19

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 100 of "The Telephone Act" being Chapter 496 of the Statutes of Ontario 1980.

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 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 Service Commission 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, 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 Service Commission 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 of 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 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 Service Commission or its successors.

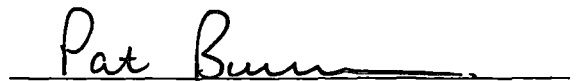
- 7) This By-Law shall come into force upon receiving the approval of the Ontario Telephone Service Commission and when the Telephone System executes and delivers to the Corporation of the Township of Westmeath an Agreement referred to as Schedule "A" attached to and forming part of this By-Law, under 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.

- 8) By-Law No. 955 of the Municipal Corporation of the Township of Westmeath is hereby repealed.

ENACTED AND PASSED THIS 8th day of October, 1986.



Reeve



Clerk


The Corporation of the Township of Westmeath

Schedule "A" to By-Law No. 86-19

In consideration of the granting of the franchise provided for in the above By-Law No. 86-19 North Renfrew Telephone Company Limited hereby 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 the said By-law

IN WITNESS THEROF the said North Renfrew Telephone Company Limited has herunto set its Corporate Seal at the hands of its proper Officers in that behalf this 10 day of Nov, 1986.

NORTH RENFREW TELEPHONE COMPANY LIMITED


Lawrence A. Stephen

President

Matthew Vande

Secretary-Treasurer



ONTARIO TELEPHONE SERVICE COMMISSION

ORDER NO. 4968
Tuesday, the 17th day of March, A.D. 1987.

B E F O R E

V. W. Bielski, Q.C. Chairman,)	IN THE MATTER OF an application
)	by The Corporation of the Township
A. E. Stahmer, Vice-Chairman,)	of Westmeath for approval of
)	By-Law 86-19.
)	
G. Dale, Member,)	
)	
L. A. Green, Member, and)	
)	
G. C. Rennick, Member.)	
)	

ORDER

UPON THE APPLICATION OF The Corporation of the Township of Westmeath for approval of By-Law No. 86-19 and upon reading the said application and other material filed,

WHEREAS By-Law No. 86-19 authorizes 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,

1.0 THE COMMISSION HEREBY APPROVES, under and in pursuance of sections 6(1) and 100 of the Telephone Act, R.S.O. 1980, c.496, as amended by 1983, c.71, By-Law No. 86-19 of The Corporation of the Township of Westmeath.

Peter Lapfield
Secretary/Registrar.