

CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

BY-LAW # 13-11-663

Being a By-Law to authorize the Mayor and CAO/Clerk to execute an amending Agreement between the Ontario Clean Water Agency (OCWA) and the Corporation of Township of Whitewater Region

WHEREAS pursuant to the Municipal Act, S.O. 2001 as amended, a Council may enter into agreements;

AND WHEREAS the Corporation of the Township of Whitewater Region deems it necessary to enter into an amending agreement with the Ontario Clean Water Agency (OCWA) to act as the "overall responsible operator" (the ORO) of the Township's water distribution and wastewater collection systems on a temporary basis;

NOW THEREFORE the Council of the Corporation of the Township of Whitewater Region enacts that:


1. The Mayor and the CAO/Clerk are hereby authorized to execute this amending Overall Responsible Operator Services Agreement between the Ontario Clean Water Agency and the Township of Whitewater Region as in Schedule "A" attached hereto.

All By-Laws or parts of By-Laws previously passed that are inconsistent with the provisions of By-Law 13-11-663 are hereby repealed.

Passed this 6th day of November, 2013



Jim Labow, Mayor



Christine FitzSimons, CAO/Clerk



AMENDING AGREEMENT

THIS AMENDING AGREEMENT made as of the 4th day of November, 2013.

B E T W E E N

ONTARIO CLEAN WATER AGENCY/AGENCE ONTARIENNE DES EAUX,
a corporation established under the Capital Investment Plan Act, 1993, c.23, Statutes
of Ontario.

(referred to in this Amending Agreement as “OCWA”)

A N D

THE CORPORATION OF THE TOWNSHIP OF WHITEWATER REGION

(referred to in this Amending Agreement as “the Client”)

(Each a “Party” and together, “the Parties”)

BACKGROUND TO THIS AMENDING AGREEMENT

WHEREAS the Client and OCWA entered into an agreement effective *June 14th, 2013 at 16:00* concerning the *Overall Responsible Operator* of the Client’s Facility (the “Existing Agreement”) attached as Appendix A to this Amending Agreement;

AND WHEREAS the Client and OCWA have agreed to amend the Existing Agreement, as described below;

AND WHEREAS the Council of the Client passed By-Law No. *13-06-628* on the 19th day of June, 2013 authorizing the Client to enter into this Amending Agreement; And passed By-Law No. *13-10-654*, on the 2nd day of October, 2013, to extend the Agreement to November 4th, 2013;

NOW, THEREFORE, in consideration of the mutual covenants contained in this Amending Agreement and other good and valuable consideration, the sufficiency of which is hereby irrevocably acknowledged, the Client and OCWA agree to the following amendments to the Existing Agreement:

1. Any capitalized terms not defined herein shall have the meaning ascribed to such term in the Existing Agreement.

2. Section 5.1 of the Existing Agreement is hereby deleted and replaced with the following:

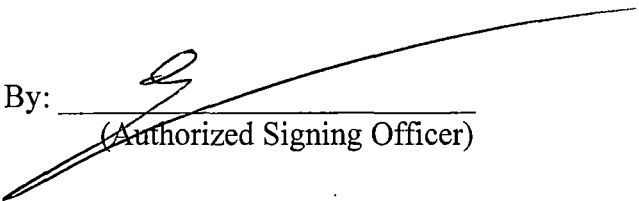
“Section 5.1 - Term of Agreement”

This Agreement shall start on June 14, 2013 at 16:00 and shall continue in effect for a term ending on November 12th, 2013 at 7:59 (the “Term”).”

IN WITNESS WHEREOF the Parties have duly executed this Amending Agreement.

ONTARIO CLEAN WATER AGENCY

31/10/13
Date of Signing

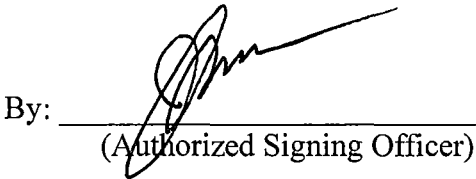
By: 
(Authorized Signing Officer)

11/1/2013
Date of Signing

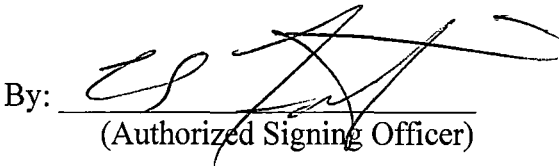
By: Dea Uchovic
(Authorized Signing Officer)

**THE CORPORATION OF THE TOWNSHIP
OF WHITEWATER REGION**

Nov. 6/13
Date of Signing

By: 
(Authorized Signing Officer)

Nov. 6/13
Date of Signing

By: 
(Authorized Signing Officer)

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ONTARIO CLEAN WATER AGENCY

31/10/13
Date of Signing

By: [Signature]
(Authorized Signing Officer)

11/1/2013
Date of Signing

By: [Signature]
(Authorized Signing Officer)

**THE CORPORATION OF THE TOWNSHIP
OF WHITEWATER REGION**

Nov. 6/13
Date of Signing

By: [Signature]
(Authorized Signing Officer)

Nov. 6/13
Date of Signing

By: [Signature]
(Authorized Signing Officer)