

BYLAW NO. 5609

SaskPower Contract Execution and Exemption Bylaw, 2020

THE COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

1 Purpose and scope

The purpose of this Bylaw is to authorize the Mayor and City Clerk to execute the Infrastructure and Service Agreement attached herein as Schedule "A" and to provide certain exemptions required to enable the Agreement.

2 Definitions

In this Bylaw, in any amending bylaws, and in any schedules attached hereto, the following words and terms shall have the following meanings unless there is something in the subject matter inconsistent therewith:

- (a) "**City**" means the Municipal Corporation of the City of Moose Jaw;
- (b) "**City Administration Bylaw**" means Bylaw No. 5175 of the City of Moose Jaw, as amended from time to time;
- (c) "**City of Moose Jaw Development Levy Bylaw 2018**" means Bylaw No. 5568 of the City of Moose Jaw, as amended from time to time;
- (d) "**SaskPower**" means Saskatchewan Power Corporation and its successors and permitted assigns;
- (d) "**Sewer and Water Utility Bylaw**" means Bylaw No. 5152 of the City of Moose Jaw, as amended from time to time;

3 Authority

The authority for this Bylaw is found in section 8(1)(i) and 8(3)(b) of *The Cities Act*.

4 Exemption

The terms of the SaskPower Infrastructure and Service Agreement shall be exempt from the specific provisions of the following bylaws, resolutions and policies:

- (a) Section 8.2 of the City of Moose Jaw Purchasing Policy attached as Schedule "B" to the City Administration Bylaw (disclosure of proprietary information);
- b) Section 4(3) of the Sewer and Water Utility Bylaw (requirement to comply with all sections of the Terms and Conditions Policy);

- c) Section 14 of the Sewer and Water Utility Bylaw (fees, rates and charges);
- d) Paragraph 14 of the Terms and Conditions of Service Policy approved pursuant to Council Resolution # 740-2016 and 30-2017 (dispute resolution).
- e) The City of Moose Jaw Development Levy Bylaw, in its entirety.

5 The City Clerk and Mayor are authorized to execute under seal the Contract Zone Agreement in section 5.

6 **Schedules**

The following schedule is attached to, and forms part of, this Bylaw:

Schedule "A" – Infrastructure and Service Agreement

7 This Bylaw comes into force on the day of passage.

READ a first time on January 13, 2020.

READ a second time on January 13, 2020.

READ A THIRD TIME AND PASSED ON

MAYOR

CITY CLERK