

**MUNICIPALITY OF JASPER
BYLAW #158**

BEING A BYLAW OF THE MUNICIPALITY OF JASPER AUTHORIZING THE MAYOR AND CAO TO ENTER INTO AN AGREEMENT GRANTING ATCO ELECTRIC THE RIGHT TO PROVIDE DISTRIBUTION ACCESS SERVICES WITHIN THE TOWN OF JASPER

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WHEREAS pursuant to the provisions of the *Municipal Government Act* (R.S.A. 2000 c. M-26.1) as amended (the "**Act**"), the Municipality desires to grant and ATCO Electric desires to obtain an exclusive franchise to provide distribution access *services* within the Town of Jasper for a period of ten (10) years subject to the right of renewal as set forth in the said agreement and in the said Act;

AND WHEREAS the Council of the Municipality and ATCO Electric have agreed to enter into an Electric Distribution System Franchise Agreement in the form annexed hereto;

AND WHEREAS it is deemed that the Agreement would be to the general benefit of the consumers within the Municipality,

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS:

1. CITATION

- 1.1 This Bylaw may be cited as the "Jasper ATCO Electric Franchise Authorization Bylaw 2012".

2. DEFINITIONS

- 2.1 In this Bylaw:
 - 2.1.1 "Agreement for the Establishment of Local Government in the Town of Jasper" shall mean the agreement of that name signed by the Minister on June 13th, 2001;
 - 2.1.2 "chief administrative officer" (CAO) means the chief administrative officer of the Municipality of Jasper or designate;
 - 2.1.3 "*Council*" shall mean the Council of the Municipality of Jasper;

2.1.4 "Municipality" and "Municipality of Jasper" shall mean the Municipality of Jasper in Jasper National Park in the Province of Alberta;

2.1.5 "Town" and "Town of Jasper" shall mean the Town of Jasper as defined in the Agreement for the Establishment of Local Government in Jasper dated June 13th, 2001;

3. ELECTRIC DISTRIBUTION SYSTEM FRANCHISE AGREEMENT

3.1 Council hereby ratifies, confirms and approves the Electric Distribution System Franchise Agreement, a copy of which is annexed hereto as Schedule "A", and the Mayor and CAO are hereby authorized to enter into the Electric Distribution System Franchise Agreement for and on behalf of the Municipality, and the Municipal Manager is hereby authorized to affix thereto the corporate seal of the Municipality.

3.2 The Electric Distribution System Franchise Agreement annexed hereto as Schedule "A" is hereby incorporated in and made part of, this Bylaw.

3.3 Council hereby consents to the exercise by ATCO Electric within the Town of any of the powers given to ATCO Electric by the *Water, Gas and Electric Companies Act*, R.S.A. 1980 c. W-4, as amended.

4. NOTICE

4.1 any notice provided for in this Bylaw shall be in writing.

5. SEVERENCE

5.1 If any section in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

COMING INTO EFFECT

This Bylaw shall come into force and effect upon on the final day of passing thereof and the Electric Distribution System Franchise Agreement being approved by the Alberta Energy and Utilities Board

READ FOR THE FIRST TIME THIS 20 DAY OF MARCH A.D., 2012

Mayor

Chief Administrative Officer

READ FOR THE SECOND TIME THIS 5 DAY OF MARCH A.D., 2013

Mayor

Chief Administrative Officer

READ FOR THE THIRD TIME THIS 2nd DAY OF JULY A.D., 2013

Mayor

Chief Administrative Officer