1974

c 153 The City of Orillia Act, 1974

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CHAPTER 153

An Act respecting the City of Orillia

Assented to April 26th, 1974

WHEREAS The Corporation of the City of Orillia, herein called the Corporation, hereby represents that it wishes to enter into an agreement with the Orillia Water, Light and Power Commission, herein called the Commission, whereby the administration, responsibilities, personnel and facilities of the municipal waterworks system and the municipal sanitary sewer system would be transferred by the Commission to the Corporation; that it is desirable that the council of the Corporation have the authority to pass a by-law without the assent of the municipal electors authorizing the Corporation to enter into such an agreement; and whereas the Corporation hereby applies for special legislation for such purpose; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of the Corporation may pass a by-law, without the assent of the municipal electors, authorizing the Corporation to enter into an agreement, in the form set out in the Schedule hereto, with the Commission providing for the transfer of the administration, responsibilities, personnel and facilities of the municipal waterworks system and the municipal sanitary sewer system from the Commission to the Corporation.

2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as The City of Orillia Act, 1974.
SCHEDULE

TRANSFER AGREEMENT

This Indenture made in triplicate as of the 1st day of February, 1974,

Between:

THE CORPORATION OF THE CITY OF ORILLIA

(herinafter called “the Corporation”)

OF THE FIRST PART;

and —

THE ORILLIA WATER, LIGHT AND POWER COMMISSION

(herinafter called “the Commission”)

OF THE SECOND PART.

Whereas by By-law Number 557 passed by The Corporation of the Town of Orillia on the 23rd day of January, 1913, responsibility for water works systems in the municipality were transferred to the Commission;

And Whereas by By-law Number 970 passed by The Corporation of the Town of Orillia on the 17th day of December, 1929, responsibility for the sewerage system in the municipality was transferred to the Commission;

And Whereas the Corporation and the Commission have agreed to transfer the administration, responsibilities, personnel and facilities of the municipal water works system and the municipal sanitary sewer system back to the Corporation upon such terms and conditions as the Commission and the Corporation may reach by Agreement.

Now Therefore the parties hereto in consideration of the Mutual Covenants and conditions herein contained covenant and agree with one another as follows:

1. Transfer

The Commission agrees to transfer to the Corporation and the Corporation agrees to accept, the administration, responsibilities, personnel and facilities of the municipal water works system and the municipal sanitary sewer system all in accordance with the covenants and conditions herein contained.

2. Effective Date

The effective date of this transfer shall be as of the 30th day of June, 1974.

3. Personnel Benefits

Upon the transfer of personnel from the Commission to the Corporation, the Corporation agrees that the employees so transferred shall receive all employee benefits at least equal to those benefits which they now receive as employees of the Commission.
4. Assets and Liabilities

The parties hereto agree that as of the effective date, the assets and liabilities of the Commission with respect to the municipal water works system and the municipal sanitary sewer system shall be determined and transferred to the Corporation subject to ratification by audit.

5. Union Representation

The Corporation and the Commission acknowledge that the City of Orillia Public Works employees are members of the Canadian Union of Public Employees and that the sewer and water employees of the Commission, that are being transferred to the Corporation, are members of the International Brotherhood Electrical Workers Union.

6. Additional Documentation

The Corporation and the Commission agree to execute such further and other documents as may be necessary to give effect to the transfer provided for herein.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day of , 19 .

THE CORPORATION OF THE CITY OF ORILLIA

Mayor

Clerk

ORILLIA WATER, LIGHT AND POWER COMMISSION

Chairman

Secretary-Treasurer