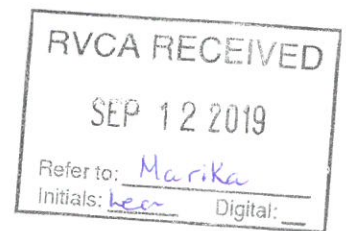


THE CORPORATION OF THE VILLAGE OF WESTPORT
By-Law Number 2019-29



Being a By-Law to enter into a Source Protection Plan Part IV Enforcement Transfer Agreement and a Terms of Service between the Corporation of the Village of Westport and Mississippi Valley Conservation Authority and Rideau Valley Conservation Authority and to amend By-law 2014-11.

WHEREAS the Municipal Act, R.S.O. 2001, Part II, Section 9 provides a municipality with the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act:


AND WHEREAS pursuant to Section 5 of the Municipal Act, R.S.O. 2001, c.25, the powers of a municipal corporation are to be exercised by its Council through the passage of a by-law;

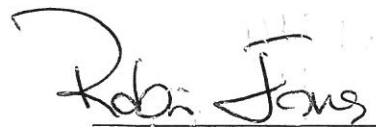
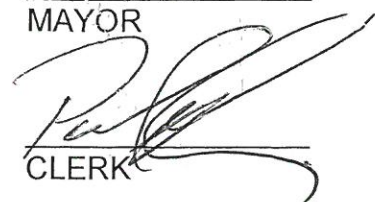
AND WHEREAS Council is authorized to enter into said Agreements pursuant to Part IV of the Clean Water Act.

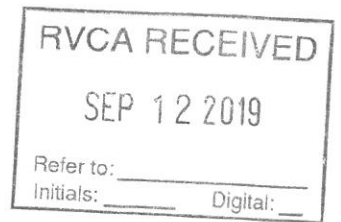
NOW THEREFORE the Council of the Corporation of the Village of Westport enacts as follows:

1. That the Mayor and CAO/Clerk of the Corporation of the Village of Westport be and they are hereby authorized to execute the necessary documents to enter into said Agreements with Mississippi Valley Conservation Authority and Rideau Valley Conservation Authority for the purposes of a Transfer of Enforcement Authority under Part IV of the Clean Water Act.
2. That the Corporation of the Village of Westport enter into an agreement with the Mississippi Valley Conservation Authority and the Rideau Valley Conservation Authority in the general form and content as Schedule "A", attached hereto.
3. The Schedule "A" attached hereto shall be and form a part of this by-law.
4. That agreement in By-law 2014-11 is hereby amended.

ENACTED AND PASSED this 6th day of August 2019.

I, Paul Snider, Clerk of the Village of Westport hereby certify the foregoing to be a true copy of By-law 2019-29 passed by the Council of the Village of Westport on the 6th day of August, 2019.

Paul Snider, CAO/Clerk
Village of Westport


MAYOR

CLERK



AMENDMENT NO. 1

**AGREEMENT TO AMEND "SOURCE PROTECTION PLAN PART IV
ENFORCEMENT TRANSFER AGREEMENT"**

THIS AMENDMENT MADE IN DUPLICATE THIS 6TH DAY OF AUGUST, 2019

THE CORPORATION OF THE VILLAGE OF WESTPORT

(hereinafter called 'the Municipality')

OF THE FIRST PART

and

**MISSISSIPPI VALLEY CONSERVATION AUTHORITY and
RIDEAU VALLEY CONSERVATION AUTHORITY**

(hereinafter called 'the Authorities')

OF THE SECOND PART

WHEREAS the Municipality entered into an agreement to delegate enforcement of Part IV of the Clean Water Act to the Authorities effective September 8, 2014 through September 7, 2017;

AND WHEREAS pursuant to Section 7.04 of the Agreement, amendments may be made by mutual agreement from time to time;

AND WHEREAS both parties have reviewed the agreement and mutually agree to extend the termination date indefinitely. The termination date of the agreement is now determined by either party with a minimum of 180 days written notice;

NOW THEREFORE in consideration of the contractual relationship between the Authorities and the Municipality referred to above, the Authorities and the Municipality hereby acknowledge and agree to undertake as follows:

1. The Agreement is amended as follows:

- a. The reference to 'Schedule "A" – Proposal for Part Iv Enforcement Authority' and 'Schedule "B" – Communication Protocol' in Section 1.03 are replaced by 'Schedule "A" – Background for Part IV Enforcement Agreement between Municipalities and Conservation Authorities & Communications Protocol'
- b. The Schedules "A" and "B" are deleted in their entirety and replaced by 'Schedule "A" – Background for Part IV Enforcement Agreement between Municipalities and Conservation Authorities & Communications Protocol'
- c. Section 3.01 items (ix) and (x) are deleted and replaced with the following:

(ix) Exercise its jurisdiction in accordance with and follow the communication protocol established in Schedule "A"

RVCA RECEIVED
SEP 12 2019
Refer to: _____
Initials: _____ Digital: _____

The remaining items on the list shall be renumbered accordingly.


- d. The reference to 'Schedule "B"' in Section 4.04 be changed to 'attached as Section 3.0 of Schedule "A"'
- e. Section 7.01 and 7.02 are deleted in their entirety and replaced by the following:
 - i. Section 7.01: Term
This Agreement shall continue in force indefinitely, commencing on the 6th day of August, 2019.

The remaining sections shall be renumbered accordingly.

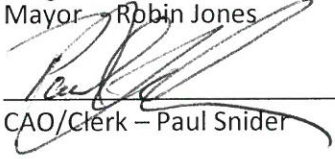
- 2. This Amendment No. 1 shall be in force from the 6th day of August 2019 and shall have the same expiry or termination date as the Agreement.
- 3. All other terms and conditions of the Agreement shall remain in full force and effect unchanged and unmodified.

IN WITNESS WHEREOF the parties hereto have executed this Amendment No. 1 as of the day of and year first written above.

THE CORPORATION OF THE VILLAGE OF WESTPORT

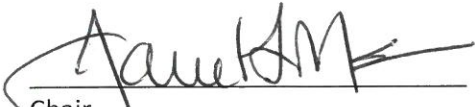


Mayor - Robyn Jones August 6, 2019
Date




CAO/Clerk - Paul Snider August 6, 2019
Date

MISSISSIPPI VALLEY CONSERVATION AUTHORITY




Chair 5 Sept 2019
Date

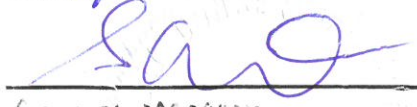


General Manager Aug/19
Date

RIDEAU VALLEY CONSERVATION AUTHORITY



Chair 2019-09-26
Date



General Manager Sept 16/19
Date