

## THE CORPORATION OF HALDIMAND COUNTY

By-law Number /20

**Being a by-law to for the purposes of entering into a municipal capital facilities agreement for the provision of Broadband internet services with 676766 Ontario Limited (o/a KWIC Internet)**

**WHEREAS** subsection 110 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended ("Act"), provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities with any person;

**WHEREAS** Section 110(3) of the Act makes provision that a council of a municipality may provide financial or other assistance at less than fair market value or at no cost to any person who has entered into an agreement to provide facilities under Section 110 of the Act;

**WHEREAS** Ontario Regulation 603/06, as amended, made under the Act establishes municipal capital facilities related to the provision of telecommunications, transit and transportation systems as a class of municipal capital facility which is eligible for financial assistance under a municipal capital facility agreement;

**AND WHEREAS** Council deems it expedient to enter into a municipal capital facilities agreement with 676766 Ontario Limited (o/a KWIC Internet), including any successors or subsidiaries, for the provision of telecommunications infrastructure, namely, a County-wide Broadband internet services, within Haldimand County,

**NOW THEREFORE, the Council of The Corporation of Haldimand County enacts as follows:**

1. **THAT** the Corporation of Haldimand County is authorized to enter into a municipal capital facilities agreement pursuant to subsection 110(1) of the *Municipal Act, 2001* with 676766 Ontario Limited (o/a KWIC Internet) for the provision of telecommunications infrastructure, namely, County-wide Broadband internet services, within Haldimand County.
2. **AND THAT** the municipal capital facilities agreement include the applicable financial assistance as approved by Council, namely,
  - i. As provided under Section 110(3) of the *Municipal Act, 2001* and Ontario Regulation 603/06, which allows for the provision of loan, Haldimand County shall provide an interest free loan, up to a maximum of \$15,000,000 with a maximum repayment term of 12 years from the date of execution of the agreement; and

- ii. As provided under Section 110(3) of the *Municipal Act, 2001* and Ontario Regulation 603/06, which allows for the giving of money, Haldimand County shall provide a grant/loan forgiveness, up to a maximum of \$1,500,000, if the required conditions in the agreement are met.

READ a first and second time this 30<sup>th</sup> day of June, 2020.

READ a third time and finally passed this 30<sup>th</sup> day of June, 2020.

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MAYOR

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CLERK