

Ministry of
Municipal Affairs
and Housing

Office of the Minister

777 Bay Street
Toronto ON M5G 2E5
Tel (416) 585-7000

Ministère des
Affaires municipales
et du Logement

Bureau du ministre

777 rue Bay
Toronto ON M5G 2E5
Tél (416) 585-7000



March 28, 2000

Mr. Mike Rostetter
Chief Administrative Officer/Clerk
Town of Port Hope
56 Queen Street
Port Hope ON L1A 3V9

THE TOWN OF PORT HOPE,
MAR 30 2000
RECEIVED

Dear Mr. Rostetter:

Regarding: Minister's Restructuring Filing Notice
Subsection 25.2(6)(b) of the Municipal Act

Enclosed please find a copy of a signed order which gives effect to a restructuring proposal involving your municipality. The order will take effect on January 1, 2001 and will be published in the next issue of *The Ontario Gazette*.

I commend your council for taking this very responsible action to give taxpayers more streamlined and efficient local government.

Please ensure that a copy of this order is available for public inspection in accordance with subsection 25.2(7) of the Municipal Act.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'Tony Clement', written over a white background.

Tony Clement
Minister

Enclosure

c: Dr. Doug Galt, MPP, Northumberland
Ms. Lynda Mitchell, Chief Administrative Officer and Clerk
County of Northumberland

**ORDER MADE UNDER
THE MUNICIPAL ACT, R.S.O. 1990, CHAPTER M. 45**

COUNTY OF NORTHUMBERLAND

**TOWN OF PORT HOPE, TOWNSHIP OF HOPE,
MUNICIPALITY OF CAMPBELLFORD/SEYMOUR,
TOWNSHIP OF PERCY AND VILLAGE OF HASTINGS**

DEFINITIONS

1.1 In this Order,

“County” means The Corporation of the County of Northumberland;

“former municipalities” means The Corporation of the Municipality of Campbellford/Seymour, The Corporation of the Township of Percy and The Corporation of the Village of Hastings and as they exist prior to January 1, 2001;

“former Municipality of Campbellford/Seymour” means The Corporation of the Municipality of Campbellford/Seymour as it exists prior to January 1, 2001;

“former Town of Port Hope” means The Corporation of the Town of Port Hope as it exists prior to January 1, 2001;

“former Township of Percy” means The Corporation of the Township of Percy as it exists prior to January 1, 2001;

“former Township of Hope” means The Corporation of the Township of Hope as it exists prior to January 1, 2001;

“former Village of Hastings” means The Corporation of the Village of Hastings as it exists prior to January 1, 2001;

“new municipality” means the municipality established under section 2.1; and

“new town” means the municipality established under section 2.2.

MUNICIPAL RESTRUCTURING

2.1 On January 1, 2001, The Corporation of the Municipality of Campbellford/Seymour, The Corporation of the Township of Percy and The Corporation of the Village of Hastings are amalgamated as a town municipality under the name of “The Corporation of the Municipality of Campbellford/Seymour, Percy, Hastings”.

- 2.2 On January 1, 2001, The Corporation of the Town of Port Hope and The Corporation of the Township of Hope are amalgamated as a town municipality under the name of "The Corporation of the Town of Port Hope and Hope".

PROCEDURE TO CHANGE NAME

- 3.1 (1) The name of the new municipality as set out in section 2.1 may be changed in 2001 upon a request to the Minister made by the council of the new municipality following the adoption of a resolution by the council approving the name being requested.
- (2) The name of a local board established or continued under this Order may be changed in 2001 to reflect a change in the name of the new municipality made under subsection (1), upon a request to the Minister made by the council of the new municipality following the adoption of a resolution by the council approving the name being requested.
- 3.2 (1) The name of the new town as set out in section 2.2 may be changed in 2001 upon a request to the Minister made by the council of the new town following the adoption of a resolution by the council approving the name being requested.
- (2) The name of a local board established or continued under this Order may be changed in 2001 to reflect a change in the name of the new town made under subsection (1), upon a request to the Minister made by the council of the new town following the adoption of a resolution by the council approving the name being requested.

WARDS

- 4.1 Effective January 1, 2001, the new municipality is divided into three wards which may be described as follows:
- (a) Wārd One consists of the former Municipality of Campbellford/Seymour;
- (b) Ward Two consists of the former Township of Percy; and
- (c) Ward Three consists of the former Village of Hastings.
- 4.2 Effective January 1, 2001, the new town is divided into two wards which may be described as follows:
- (a) Ward One consists of the former Town of Port Hope; and

- (b) Ward Two consists of the former Township of Hope.

REPRESENTATION

- 5.1 (1) Effective January 1, 2001, the council of the new municipality shall be composed of seven members, consisting of,
- (a) a head of council, to be known as the mayor, who shall be elected by general vote of the electors of the new municipality;
 - (b) six additional members:
 - (i) three of whom shall be elected from Ward One;
 - (ii) two of whom shall be elected from Ward Two; and
 - (iii) one of whom shall be elected from Ward Three
 to be known as councillors; and
 - (c) a deputy head of council, to be known as the deputy mayor, shall be appointed by the council under subsection 69(3) of the *Municipal Act* from among the members of council elected under clause 5.1(1)(b)(i), 5.1(1)(b)(ii) and 5.1(1)(b)(iii) to act from time to time in the place of the head of council when the head of council is absent from the new municipality or absent through illness or the office is vacant.
- (2) Each member of the council of the new municipality shall have one vote.
- (3) The mayor of the new municipality shall sit on the council of the County and shall have the same number of weighted votes on council as the former municipalities combined.
- 5.2 (1) Effective January 1, 2001, the council of the new town shall be composed of seven members, consisting of,
- (a) a head of council, to be known as the mayor, who shall be elected by general vote of the electors of the new town; and
 - (b) six additional members:
 - (i) four of whom shall be elected from Ward One; and

(ii) two of whom shall be elected from Ward Two

to be known as councillors; and

(c) a deputy head of council, to be known as the deputy mayor, shall be appointed by the council under subsection 69(3) of the *Municipal Act* from among the members of council elected under clause 5.2(1)(b)(i) and 5.2(1)(b)(ii) to act from time to time in the place of the head of council when the head of council is absent from the new town or absent through illness or the office is vacant.

- (2) Each member of the council of the new town shall have one vote.
- (3) Despite subsection (2), the two members of council from Ward Two shall each have two votes on council for matters relating to approvals under the *Planning Act*, tax rate adjustments arising out of the restructuring under section 2.2 and boundary adjustments.
- (4) The mayor of the new town shall sit on the council of the County and shall have the same number of weighted votes on council as the former Town of Port Hope and the former Township of Hope combined.

TERMS

- 6.1
 - (1) The terms of office of the members of the council of the new municipality elected at the 2000 regular election shall commence on January 1, 2001.
 - (2) The terms of office of the members of the former municipalities and their local boards are extended until December 31, 2000.
 - (3) Despite subsections (1) and (2), for the sole purpose of representing the new municipality on the council of the County, the term of office of the mayor of the new municipality shall commence on December 1, 2000.
- 6.2
 - (1) The terms of office of the members of the council of the new town elected at the 2000 regular election shall commence on January 1, 2001.
 - (2) The terms of office of the members of the former Town of Port Hope and former Township of Hope and their local boards are extended until December 31, 2000.
 - (3) Despite subsections (1) and (2), for the sole purpose of representing the new town on the council of the County, the term of office of the mayor of the new town shall commence on December 1, 2000.

MUNICIPAL ELECTION

- 7.1 (1) The 2000 regular election in the former municipalities shall be conducted as if the restructuring under section 2.1 and the division of the new municipality into wards under section 4.1 had already occurred.
- (2) The clerk and the council of the former Municipality of Campbellford/Seymour shall be the clerk and the council responsible for conducting the 2000 regular election for the new municipality under the *Municipal Elections Act, 1996*.
- 7.2 (1) The 2000 regular election in the former Town of Port Hope and former Township of Hope shall be conducted as if the restructuring under section 2.2 and the division of the new town into wards under section 4.2 had already occurred.
- (2) The clerk and the council of the former Town of Port Hope shall be the clerk and the council responsible for conducting the 2000 regular election for the new town under the *Municipal Elections Act, 1996*.

CEMETERY BOARDS

- 8.1 On January 1, 2001, the cemetery board of the former Township of Percy is continued as a cemetery board of the new municipality under the name of the Percy Cemetery Board.
- 8.2 On January 1, 2001, all cemetery boards of the former Town of Port Hope and former Township of Hope are continued as cemetery boards of the new town.

PUBLIC UTILITIES COMMISSIONS

- 9.1 (1) Unless dissolved earlier, the Warkworth Hydro Electric Commission and the public utilities commissions of the former Municipality of Campbellford/Seymour and the former Village of Hastings are dissolved on January 1, 2001.
- (2) On January 1, 2001, all by-laws and resolutions of the commissions dissolved under subsection (1) shall become the by-laws and resolutions of the new municipality and shall remain in force in the geographic area of the former municipalities until they are amended or repealed.
- (3) All assets and liabilities, rights and obligations including employees of the commissions dissolved under subsection (1) become the assets and liabilities, rights and obligations including employees of the new municipality.

- (4) The new municipality shall provide water services to the area to which water services were provided by the commissions dissolved under subsection (1).
 - (5) Nothing in this section has the effect of authorizing the commissions dissolved under subsection (1) or the new municipality to generate, transmit, distribute or retail electricity after November 7, 2000, in contravention of section 144 of the *Electricity Act, 1998*.
 - (6) The hydro reserves of the Warkworth Hydro Electric Commission and the public utilities commissions of the former Municipality of Campbellford/ Seymour and the former Village of Hastings may, upon being transferred to the new municipality under section 16.1, be used for any purpose that the council of the new municipality considers appropriate but shall only be used for the benefit of the ratepayers of the geographic area of the respective former municipalities.
 - (7) If the assets that formed part of the Warkworth Hydro Electric Commission and the public utilities commissions of the former Municipality of Campbellford/ Seymour and the former Village of Hastings that served the former municipalities are sold or if shares of a corporation that was incorporated under the *Business Corporations Act* to provide hydro service to the former municipalities are sold, the proceeds of the sale or other disposition shall be paid into the reserve fund of the former municipalities and shall be used for the benefit of the ratepayers of that geographic area.
- 9.2
- (1) Unless dissolved earlier, the Port Hope Water Works Commission and the Port Hope Hydro Commission are dissolved on January 1, 2001.
 - (2) On January 1, 2001, all by-laws and resolutions of the commissions dissolved under subsection (1) shall become the by-laws and resolutions of the new town and shall remain in force in the geographic area of the former Town of Port Hope until they are amended or repealed.
 - (3) All assets and liabilities, rights and obligations including employees of the commissions dissolved under subsection (1) become the assets and liabilities, rights and obligations including employees of the new town.
 - (4) The new town shall provide water services to the area to which water services were provided by the commission dissolved under subsection (1).
 - (5) Nothing in this section has the effect of authorizing the Port Hope Hydro Commission dissolved under subsection (1) or the new town to generate, transmit, distribute or retail electricity after November 7, 2000, in contravention of section 144 of the *Electricity Act, 1998*.

- (6) The hydro reserves of the Port Hope Hydro Commission may, upon being transferred to the new town under section 16.2, be used for any purpose that the council of the new town considers appropriate but shall only be used for the benefit of the ratepayers of the geographic area of the former Town of Port Hope.
- (7) If the assets that formed part of the Port Hope Hydro Commission that served the former Town of Port Hope are sold or if shares of a corporation that was incorporated under the *Business Corporations Act* to provide hydro service to the former Town of Port Hope are sold, the proceeds of the sale or other disposition shall be paid into the reserve fund of the former Town of Port Hope and shall be used for the benefit of the ratepayers of that geographic area.

LIBRARY BOARDS

- 10.1 (1) The library board of the former Municipality of Campbellford/Seymour is dissolved on January 1, 2001.
- (2) On January 1, 2001, a library board for the new municipality to be known as "The Corporation of the Municipality of Campbellford/Seymour, Percy, Hastings Public Library Board" is established.
- (3) The operation and composition of the library board established in subsection (2) shall be in accordance with the *Public Libraries Act*.
- (4) The rights and obligations, assets and liabilities including employees of the library board dissolved under subsection (1) shall be deemed to be rights and obligations, assets and liabilities including employees of the library board established under subsection (2).
- (5) All by-laws, rules, regulations and fees passed or established by the library board dissolved under subsection (1) shall be continued and deemed to be by-laws, rules, regulations and fees of the library board established under subsection (2) and shall remain in force until amended or repealed.
- 10.2 (1) The Port Hope Public Library Board is dissolved on January 1, 2001.
- (2) On January 1, 2001, a library board for the new town to be known as "The Corporation of the Town of Port Hope and Hope Public Library Board" is established.
- (3) The operation and composition of the library board established in subsection (2) shall be in accordance with the *Public Libraries Act*.

- (4) The rights and obligations, assets and liabilities including employees of the library board dissolved under subsection (1) shall be deemed to be rights and obligations, assets and liabilities including employees of the library board established under subsection (2).
- (5) All by-laws, rules, regulations and fees passed or established by the library board dissolved under subsection (1) shall be continued and deemed to be by-laws, rules, regulations and fees of the library board established under subsection (2) and shall remain in force until amended or repealed.

FIRE DEPARTMENTS

- 11.1 The new municipality may have more than one fire department and may have a fire chief for each department.
- 11.2 The new town may have more than one fire department and may have a fire chief for each department.

POLICE SERVICES BOARD

- 12. (1) The police services board of the former Town of Port Hope is dissolved on January 1, 2001.
- (2) A new police services board for the new town to be known as "The Police Services Board of the Town of Port Hope and Hope" is established on January 1, 2001.
- (3) The operation and composition of the police services board established under subsection (2) shall be in accordance with the *Police Services Act*.
- (4) On January 1, 2001, the police services board established under subsection (2) stands in the place of the police services board dissolved under subsection (1).
- (5) The new town stands in the place of the former Town of Port Hope and former Township of Hope for all purposes related to policing.
- (6) The assets and liabilities under the control and management of the police services board dissolved under subsection (1) become assets and liabilities under the control and management of the police services board established under subsection (2).

- (7) On January 1, 2001, all by-laws and resolutions of the police services board dissolved under subsection (1) shall be deemed to be by-laws or resolutions of the police services board established under subsection (2) and shall remain in force in the area of the former Town of Port Hope until they are amended or repealed.
- (8) Nothing in this section repeals or authorizes the repeal of by-laws or resolutions conferring rights, privileges, franchises, immunities or exemptions that could not have been lawfully repealed by the police services board dissolved under subsection (1).

LOCAL BOARDS

- 13.1 (1) Subject to sections 8.1, 9.1, 10.1 and 12.1, all local boards of the former municipalities shall be dissolved on December 31, 2000.
- (2) The council for the new municipality shall be deemed to be a board of park management under the *Public Parks Act* and a recreation committee under the *Ministry of Tourism and Recreation Act* and a committee of management of a community recreation centre under the *Community Recreation Centres Act* and all such committees and boards of the former municipalities are dissolved on December 31, 2000.
- 13.2 (1) Subject to sections 8.2, 9.2, 10.2 and 12.2, all local boards of the former Town of Port Hope and former Township of Hope shall be dissolved on December 31, 2000.
- (2) The council for the new town shall be deemed to be a board of park management under the *Public Parks Act* and a recreation committee under the *Ministry of Tourism and Recreation Act* and a committee of management of a community recreation centre under the *Community Recreation Centres Act* and all such committees and boards of the former Town of Port Hope and former Township of Hope are dissolved on December 31, 2000.

RESERVE AND RESERVE FUNDS

- 14.1 (1) On January 1, 2001, the reserves and reserve funds of the former municipalities that are dedicated for special purposes become the reserves and reserve funds of the new municipality but shall be used only for the purpose for which they are dedicated and for the benefit of the ratepayers in the area of the former municipality to which they are related.

- (2) The proceeds of the sale of parkland acquired by a former municipality under the *Planning Act* prior to December 31, 2000, and sold by the new municipality shall be paid into the parkland reserve fund of the former municipality that has become a reserve fund of the new municipality under subsection (1).
 - (3) The former municipalities shall contribute three percent (3%) of their 1999 general local municipal levy to the working fund reserve of the new municipality.
- 14.2
- (1) On January 1, 2001, the reserves and reserve funds of the former Town of Port Hope and former Township of Hope that are dedicated for special purposes become the reserves and reserve funds of the new town but shall be used only for the purpose for which they are dedicated and for the benefit of the ratepayers in the area of the former Town of Port Hope or former Township of Hope to which they are related.
 - (2) The proceeds of the sale of parkland acquired by the Town of Port Hope or the former Township of Hope under the *Planning Act* prior to December 31, 2000, and sold by the new town shall be paid into the parkland reserve fund of the former Town of Port Hope or former Township of Hope that has become a reserve fund of the new town under subsection (1).
 - (3) The former Town of Port Hope and former Township of Hope shall contribute three percent (3%) of their 1999 general local municipal levy to the working fund reserve of the new town.

BY-LAWS AND RESOLUTIONS

- 15.1
- (1) On January 1, 2001, subject to subsections (2), (3) and (4), all by-laws and resolutions of the former municipalities and their local boards are continued and deemed to be by-laws and resolutions of the new municipality and shall remain in force in the area of the former municipality unless repealed or amended or unless they earlier expire.
 - (2) On January 1, 2001, zoning by-laws and official plans of the former municipalities approved under the *Planning Act* are deemed to be zoning by-laws and official plans of the new municipality and shall remain in force until amended or repealed under the *Planning Act*.
 - (3) Nothing in this section authorizes the amendment or repeal of a by-law or resolution that could not have been amended or repealed by the former municipality or local board that passed it.

- (4) If a former municipality has commenced procedures to enact a by-law under any Act or adopt an official plan or amendment to an official plan under the *Planning Act*, and the by-law, official plan, or official plan amendment is not in force on January 1, 2001, the new municipality may continue the procedures.
- 15.2 (1) On January 1, 2001, subject to subsections (2), (3) and (4), all by-laws and resolutions of the former Town of Port Hope and former Township of Hope and their local boards are continued and deemed to be by-laws and resolutions of the new town and shall remain in force in the area of the former municipality unless repealed or amended or unless they earlier expire.
- (2) On January 1, 2001, zoning by-laws and official plans of the former Town of Port Hope and former Township of Hope approved under the *Planning Act* are deemed to be zoning by-laws and official plans of the new town and shall remain in force until amended or repealed under the *Planning Act*.
- (3) Nothing in this section authorizes the amendment or repeal of a by-law or resolution that could not have been amended or repealed by the former Town of Port Hope and former Township of Hope or local board that passed it.
- (4) If the former Town of Port Hope and former Township of Hope has commenced procedures to enact a by-law under any Act or adopt an official plan or amendment to an official plan under the *Planning Act*, and the by-law, official plan, or official plan amendment is not in force on January 1, 2001, the new town may continue the procedures.

ASSETS AND LIABILITIES

- 16.1 On January 1, 2001, the assets, liabilities, rights and obligations, including employees, of the former municipalities and their local boards become the assets, liabilities, rights and obligations, including employees, of the new municipality and its local boards.
- 16.2 On January 1, 2001, the assets, liabilities, rights and obligations, including employees, of the former Town of Port Hope and former Township of Hope and their local boards become the assets, liabilities, rights and obligations, including employees, of the new town and its local boards.

TAXES

- 17.1 (1) All taxes, charges and rates levied, imposed or assessed under any Act by the former municipalities that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates due and payable to the new municipality

and may be collected by the new municipality in the same manner as if they had been levied, imposed or assessed by the new municipality.

- (2) If a former municipality has commenced procedures under the *Municipal Tax Sales Act* and the procedures are not completed by January 1, 2001, the new town may continue the procedures.
- 17.2 (1) All taxes, charges and rates levied, imposed or assessed under any Act by the former Town of Port Hope and the former Township of Hope that are due and unpaid on December 31, 2000, shall be deemed to be taxes, charges and rates due and payable to the new town and may be collected by the new municipality in the same manner as if they had been levied, imposed or assessed by the new town.
- (2) If the former Town of Port Hope or the former Township of Hope has commenced procedures under the *Municipal Tax Sales Act* and the procedures are not completed by January 1, 2001, the new town may continue the procedures.

ASSESSMENT ROLL

- 18.1 For the purposes of the preparation of the assessment roll for the new municipality under the *Assessment Act* for the 2001 taxation year, the former municipalities shall be deemed to be one municipality.
- 18.2 For the purposes of the preparation of the assessment roll for the new town under the *Assessment Act* for the 2001 taxation year, the former Town of Port Hope and former Township of Hope shall be deemed to be one municipality.

TRANSITION BOARD

- 19.1 (1) On the date of this Order a transition board is established for the new municipality and is constituted as a body corporate.
- (2) The transition board shall cease to exist on December 31, 2000.
 - (3) The transition board shall adopt procedural rules and systems of control to govern its activities.
 - (4) The transition board of the new municipality shall be composed of the seventeen members of the councils of the former municipalities.
 - (5) The transition board may exercise the powers specified in subsection (7) that the former municipalities have and that the new municipality will have on and after January 1, 2001.

- (6) The councils of the former municipalities shall not exercise the powers specified in clauses (q), (t) and (u) of subsection (7) without the approval of the transition board.
- (7) The transition boards may exercise the following powers:
- (a) establish and adopt on behalf of the council of each of the former municipalities a transition plan, a process for implementing that plan and approval of a budget for that implementation;
 - (b) require the production of financial and other data, information and statistics from each of the former municipalities and their local boards;
 - (c) establish a fully operational municipal organization which shall on January 1, 2001, become the new municipality;
 - (d) approve expenditures and execute contracts where necessary for transitional purposes;
 - (e) purchase, lease or dispose of any assets of each former municipality where necessary for transitional purposes;
 - (f) establish electronic or manual information systems, records and books of accounts for the new municipality and for the operation of the transition board;
 - (g) conduct studies, research, and consultations regarding municipal functions, organizations, staffing, standards and performance;
 - (h) establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions and policies, and adopt by-laws and budgets and other documents for the new municipality;
 - (i) establish and implement communication plans for employees and the public;
 - (j) retain employees and advisors for the purposes of the transition board and incur expenses on behalf of the transition board and their employees and advisors;
 - (k) establish a human resources transition protocol;

- (l) identify, select and appoint employees to the new municipality and establish mechanisms for carrying out these functions;
- (m) establish uniform policies relating to offers of employment for positions in the new municipality or termination of employment and ensure their fair application;
- (n) offer employees of the former municipalities employment with the new municipality, inducements to terminate employment severance allowances, training assistance or such other benefits as are necessary to fill the positions in the new municipality or to meet the requirements of the budget of the new municipality for 2001;
- (o) issue notices of layoff or provide for severance or compensation in lieu of notice, or both notice and compensation, as required;
- (p) negotiate and enter into agreements with employees and groups of employees of the former municipalities and the new municipality;
- (q) exercise the powers of the councils of the former municipalities in all employment and labour matters arising as a result of this Order and the amalgamation of the municipalities, including negotiations with trade unions and applications to the Ontario Labour Relations Board;
- (r) establish a protocol for any discussions with neighbouring municipalities;
- (s) execute on behalf of the former municipalities any agreements with other municipalities as they relate to amalgamation issues;
- (t) review and approve all financial transactions of the former municipalities in excess of \$50,000 that are not included in the approved municipal operating budgets for 2000;
- (u) approve all expenditures in 2000 that are necessary to establish new operations for the new municipality and apportion such costs in accordance with subsection (8) below;
- (v) apportion to each former municipality its share of the transition board's costs associated with the exercise of the powers in this section in accordance with subsection (8) below;
- (w) establish sub-committees as the transition board deems appropriate;

- (x) establish a rural issues committee;
 - (y) recommend the creation of boards and committees as deemed necessary for the new municipality; and
 - (z) establish the location of the new primary and/or satellite municipal office(s) for the new municipality.
- (8) The expenditures necessary to establish new operations for the new municipality and the costs of the transition board associated with the exercise of its powers under this Order shall be paid by the former municipalities based on the apportionment of each of the former municipalities' weighted taxable assessment for the 2000 taxation year.
- 19.2 (1) On the date of this Order a transition board for the new town is established and is constituted a body corporate.
- (2) The transition board shall cease to exist on December 31, 2000.
- (3) The transition board shall adopt procedural rules and systems of control to govern its activities.
- (4) The transition board shall be composed the twelve members of the councils of the former Town of Port Hope and former Township of Hope.
- (5) The transition board may exercise the powers specified in subsection (7) that the former Town of Port Hope and former Township of Hope have and that the new town will have on and after January 1, 2001.
- (6) The councils of the former Town of Port Hope and former Township of Hope shall not exercise the powers specified in clauses (q), (t) and (u) of subsection (7) without the approval of the transition board.
- (7) The transition board may exercise the following powers:
- (a) establish and adopt on behalf of the council of each of the former Town of Port Hope and the former Township of Hope a transition plan, a process for implementing that plan and approval of a budget for that implementation;
 - (b) require the production of financial and other data, information and statistics from each of the former Town of Port Hope and former Township of Hope and their local boards;

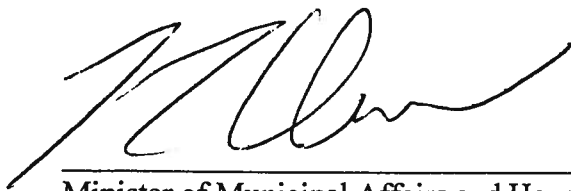
- (c) establish a fully operational municipal organization which shall on January 1, 2001, become the new town;
- (d) approve expenditures and execute contracts where necessary for transitional purposes;
- (e) purchase, lease or dispose of any assets of the former Town of Port Hope and former Township of Hope where necessary for transitional purposes;
- (f) establish electronic or manual information systems, records and books of accounts for the new town and for the operation of the transition board;
- (g) conduct studies, research, and consultations regarding municipal functions, organizations, staffing, standards and performance;
- (h) establish organizational structures, administrative and management systems, positions, preliminary job definitions, job descriptions and policies, and adopt by-laws and budgets and other documents for the new town;
- (i) establish and implement communication plans for employees and the public;
- (j) retain employees and advisors for the purposes of the transition board and incur expenses on behalf of the transition board and their employees and advisors;
- (k) establish a human resources transition protocol;
- (l) identify, select and appoint employees to the new town and establish mechanisms for carrying out these functions;
- (m) establish uniform policies relating to offers of employment for positions in the new town or termination of employment and ensure their fair application;
- (n) offer employees of the former Town of Port Hope and former Township of Hope employment with the new town, inducements to terminate employment severance allowances, training assistance or such other benefits as are necessary to fill the positions in the new town or to meet the requirements of the budget of the new town for 2001;

- (o) issue notices of layoff or provide for severance or compensation in lieu of notice, or both notice and compensation, as required;
- (p) negotiate and enter into agreements with employees and groups of employees of the former Town of Port Hope and former Township of Hope and the new town;
- (q) exercise the powers of the councils of the former Town of Port Hope and former Township of Hope in all employment and labour matters arising as a result of this Order and the amalgamation of the municipalities, including negotiations with trade unions and applications to the Ontario Labour Relations Board;
- (r) establish a protocol for any discussions with neighbouring municipalities;
- (s) execute on behalf of the former Town of Port Hope and the former Township of Hope any agreements with other municipalities as they relate to amalgamation issues;
- (t) review and approve all financial transactions of the former Town of Port Hope and former Township of Hope in excess of \$50,000 that are not included in the approved municipal operating budgets for 2000;
- (u) approve all expenditures in 2000 that are necessary to establish new operations for the new town and apportion such costs in accordance with subsection (8) below;
- (v) apportion to the former Town of Port Hope and former Township of Hope its share of the transition board's costs associated with the exercise of the powers in this section, in accordance with subsection (8) below;
- (w) establish sub-committees as the transition board deems appropriate;
- (x) establish a rural issues committee;
- (y) recommend the creation of boards and committees as deemed necessary for the new town; and
- (z) establish the location of the new primary and/or satellite municipal office(s) for the new town.

- (8) The expenditures necessary to establish new operations for the new town and the costs of the transition board associated with the exercise of its powers under this Order shall be paid by the former Town of Port Hope and the former Township of Hope based on the apportionment of each of the former Town of Port Hope's and the former Township of Hope's weighted taxable assessment for the 2000 taxation year.

DISPUTE RESOLUTION

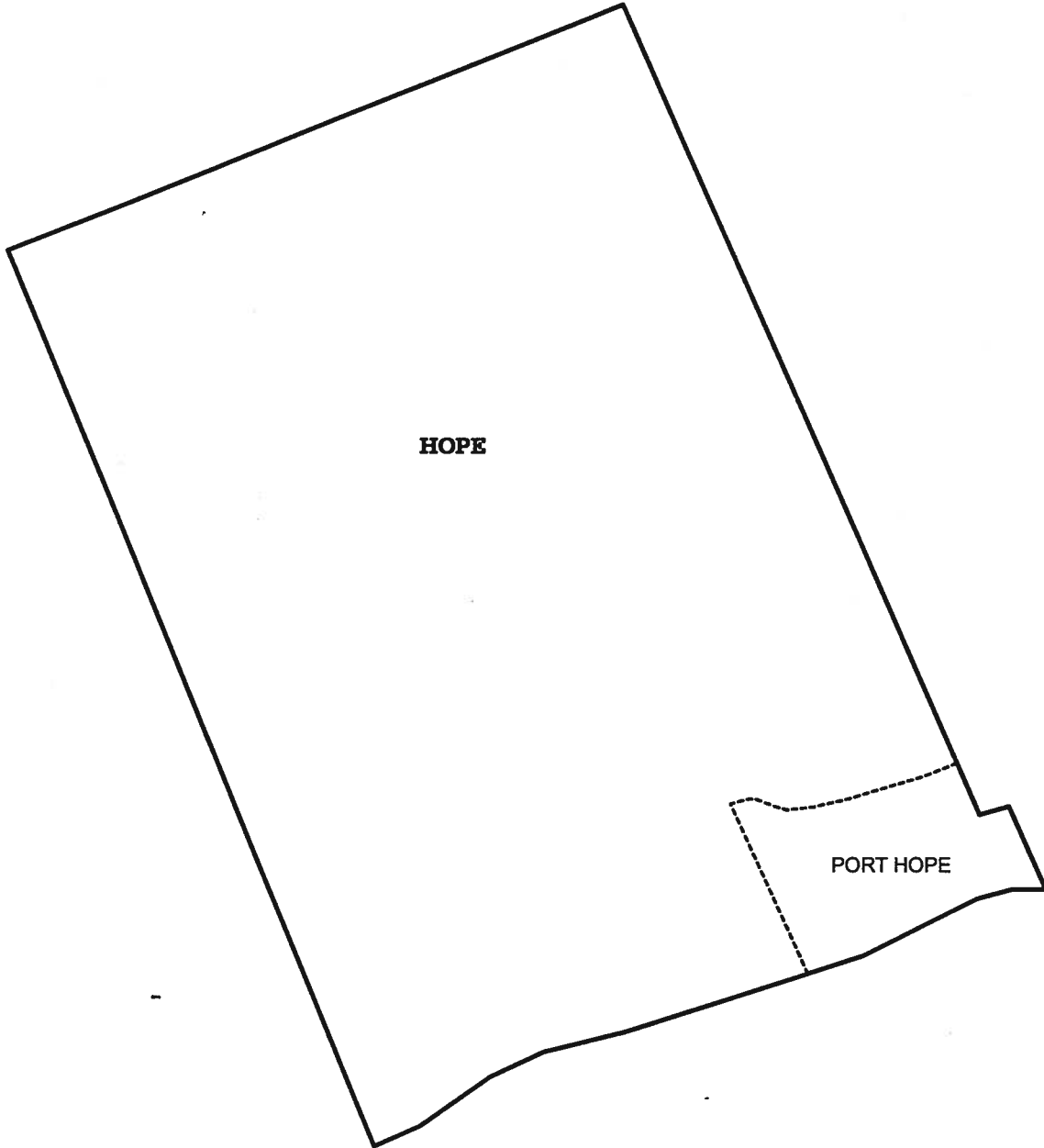
- 20.1 (1) Where a dispute arises with respect to the interpretation of this Order, the former municipalities may refer the dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation, then any of the parties may refer the dispute to arbitration to be conducted in accordance with the *Arbitration Act, 1991*, otherwise than as provided herein.
- (3) The costs associated with mediation or arbitration proceedings under this section shall be shared equally between the former municipalities.
- (4) Where a dispute is referred to arbitration, the decision of the arbitrator shall be final.
- 20.2 (1) Where a dispute arises with respect to the interpretation of this Order, the former Town of Port Hope or former Township of Hope may refer the dispute for resolution through mediation.
- (2) If the dispute is not resolved through mediation, then any of the parties may refer the dispute to arbitration to be conducted in accordance with the *Arbitration Act, 1991*, otherwise than as provided herein.
- (3) The costs associated with mediation or arbitration proceedings under this section shall be shared equally between the former Town of Port Hope and former Township of Hope.
- (4) Where a dispute is referred to arbitration, the decision of the arbitrator shall be final.



Minister of Municipal Affairs and Housing

Dated at Toronto on 28 March, 2000.

Restructured Municipality



NAME: Town of Port Hope and Hope

STATUS: Town

EFFECTIVE DATE: Jan 1, 2001