

BYLAW 3-2026
NATURAL GAS DISTRIBUTION SYSTEM FRANCHISE AGREEMENT BYLAW

The *Municipal Government Act*, RSA 2000, c M-26 (the "MGA") Sections 7, 8, 45 and 46 and the *Water, Gas and Natural Gas Companies Act* Section 4 requires that Council consent to a company providing a utility service within a municipality, or within part of a municipality, by passing a bylaw granting that consent;

Council enacts:

PART I – PURPOSE, DEFINITIONS, AND INTERPRETATION

- Purpose
- 1 The purpose of this Bylaw is to consent to the Franchise Agreement to exclusively permit ATCO Gas and Pipelines Ltd. to provide Natural Gas Distribution Services, or any similar utility service, within the Municipal Service Area and to prohibit any Person other than ATCO Gas and Pipelines Ltd. from providing Natural Gas Distribution Services, or any similar utility service, within the Municipal Service Area.
- Definitions
- 2 In this bylaw:
 - (a) "Council" means Strathcona County's council;
 - (b) "County" means the municipal corporation of Strathcona County, a specialized municipality established under the authority of the MGA and Order in Council 761/95;
 - (c) "Franchise Agreement" means the Natural Gas Distribution System Franchise Agreement between Strathcona County and ATCO Gas and Pipelines Ltd., a copy of which is attached hereto as Schedule A;
 - (d) "Gas Utilities Act" means the *Gas Utilities Act*, RSA 2000, c G-5, as may be amended from time to time;
 - (e) "Municipal Service Area" has the meaning given to such term in the Franchise Agreement (which area, for certainty, may be amended from time to time);

- (f) "Natural Gas Distribution Service" has the meaning as set out in the Gas Utilities Act;
- (g) "Person" includes an individual, partnership, association, body corporate, trust, trustee, executor, administrator or legal representative, including, but not limited to, rural electrification associations or cooperatives; and
- (h) "Water, Gas and Electric Companies Act" means the *Water, Gas and Electric Companies Act*, RSA 2000 c. W-4, as may be amended from time to time.

Interpretation

- 3 The following rules apply to interpretation of this bylaw:
 - (a) headings, titles, and margin notes in this bylaw are for ease of reference only;
 - (b) gender-specific words, phrases, and references are intended to be gender-neutral, and the singular includes the plural as the context requires;
 - (c) every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid by a Court, all other provisions of this bylaw remain valid and enforceable; and
 - (d) references to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder.

PART II – GENERAL

Approval of Franchise Agreement

- 4 The Franchise Agreement is hereby approved, confirmed and ratified by Council and is incorporated in, and made part of, this Bylaw.

Consent under Water, Gas and Electric Companies Act

- 5 Council consents pursuant to Section 4 of the Water, Gas and Electric Companies Act to the exercise by ATCO Gas and Pipelines Ltd. within the Municipal Service Area of any powers given to ATCO Gas and Pipelines Ltd. by the Water, Gas and Electric Companies Act.

Prohibiting Other Persons

- 6 Pursuant to Sections 45 and 46 of the MGA, for the duration of the Franchise Agreement, any Person other

than ATCO Gas and Pipelines Ltd. shall be prohibited from providing Natural Gas Distribution Service, or any similar utility service, within the Municipal Service Area.

7 In the event that a Person not authorized by ATCO Gas and Pipelines Ltd. to provide Natural Gas Distribution Services within the Municipal Service Area in accordance with this Bylaw, is providing such service, that Person shall immediately or as soon as reasonably possible cease providing such service in order to comply with this Bylaw, and in accordance with any applicable orders, rules or other requirements stipulated by the Alberta Utilities Commission.

PART III – TRANSITIONAL

Effective Date 8 This bylaw comes into effect on the first (1st) day of the second month following the month that this bylaw has been signed and the Alberta Utilities Commission has granted approval for the Franchise Agreement.

FIRST READING: March 31, 2026

SECOND READING: March 31, 2026

THIRD READING: March 31, 2026

SIGNED THIS 31st day of March, 2026.

Rod Frank

MAYOR

Sara McKerry

MANAGER, MUNICIPAL CLERK'S
OFFICE