

**AMENDMENTS TO SCHEDULE 2 TO BY-LAW NO. 2 OF
ONTARIO ONE CALL (THE “CORPORATION”)**

Amendments June 2021

WHEREAS THE GOVERNMENT OF ONTARIO HAS PASSED INTO LAW A STATUTE KNOWN AS THE *BUILDING BROADBAND FASTER ACT, 2021* WHICH AMENDS THE *ONTARIO UNDERGROUND INFRASTRUCTURE NOTIFICATION SYTEMS ACT*;

AND WHEREAS, AS A RESULT, SCHEDULE 2 TO BY-LAW NO.2 OF THE CORPORATION NEEDS TO BE AMENDED TO MAKE CONFORMING CHANGES;

BE IT ENACTED AS AN AMENDING BY-LAW OF THE CORPORATION AS FOLLOWS:

- 1) Section 1 of Schedule 2 to By-Law No. 2 is amended by adding the following definition after the definition of “Act”:
“Broadband Act” means the *Building Broadband Faster Act, 2021* (Ontario) which amends the Act;”
- 2) Section 7 of Schedule 2 to By-Law No. 2 is amended by adding thereto the following subsection (d):
“(d) Despite subsections (a) and (b) above, if the notification received under subsection 6(1) of the Act indicates that it is related to a broadband project designated under the Broadband Act, the Member shall do the things required by subsection 6(1) of the Act within 10 Business Days of the day the Member receives notification about the proposed excavation or dig.
- 3) Section 33 of Schedule 2 to By-Law No. 2 is amended by adding the following provisions to the acknowledgements therein as a result of the Broadband Act:
 - (f) Notwithstanding the foregoing, and pursuant to the Broadband Act:
 - (i) A proponent of a designated broadband project may claim compensation from a Member of the Corporation for a prescribed loss or expense , as set out pursuant to the Broadband Act, and incurred because the Member:
 - (A) failed to accurately mark on the ground the location of its underground infrastructure and provide a written document containing information respecting the location of the underground infrastructure; or
 - (B) incorrectly stated that none of its underground infrastructure will be affected by the excavation or dig.

- (ii) The proponent and the Member of the Corporation may agree upon the compensation.

- (iii) If no agreement is reached, a claim for compensation under subsection (i) shall be determined by the Local Planning Appeal Tribunal on application by the proponent pursuant to the *Local Planning Appeal Tribunal Act* (Ontario) as amended.

For this purpose, “proponent” means a person who carries out or proposes to carry out or is the owner or person having charge, management or control of a project relating to underground infrastructure.

ENACTED by the Board of Directors of the Corporation on May 7, 2021

CONFIRMED by the Members of the Corporation on June , 2021