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<p>O'BRIEN'S DIVISION IX — MUNICIPAL CORPORATIONS</p> <p>M. Rick O'Connor Irvin M. Shachter</p> <p>Release No. 2, July 2025</p>
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O'Brien’s Encyclopedia of Forms, Eleventh Edition is a comprehensive collection of forms and precedents covering a broad range of legal subjects. It provides, in both looseleaf and electronic formats, thousands of documents which can be easily customized to suit your individual needs. Each topical division includes authored commentary.

This release features updates to Appendix 1, Terms Contractually Defined, and Appendix 2, Words and Phrases.

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Highlights

Terms Contractually Defined – To aid in drafting policies and by-laws, new sample definitions have been included for the following terms, among others:

- Council Correspondance
- Transitory Record
- Inappropriate Communication
- Workplace
- Average Market Rent
- Landlord
- Owner
- Residential Complex
- Car Rally
- Stunt
- Public Place

Words and Phrases – Transportation – I also disagree that it [sewage waste disposal] falls within the definition of “transportation” in the 1981 By-law. The word “transportation” cannot be interpreted in isolation. It must be interpreted within the context of an industrial nature or purpose. Septic pump-out for residential properties is not an industrial use, it is a commercial service: *Temagami (Municipality of) v. Temagami Barge Limited et al*, 2024 CarswellOnt 17796 (Ont. S.C.J.).

Words and Phrases – Intermunicipal Services – I have concluded that “intermunicipal services” [in *Municipal Government Act*, R.S.A. 2000, c. M-26, s. 708.27] should be interpreted to include services for which a municipality is responsible even though a third party is involved in the delivery of the service to the residents of the municipalities party to the ICF [Intermunicipal Collaboration Framework], so long as the service is not one that is “uniquely” and autonomously provided by a third party: *Woodlands (County) v. Whitecourt (Town)*, 2024 CarswellAlta 1657 (Alta. K.B.).

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