

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 44-71

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A SANITARY SEWER SYSTEM IN THE AREA NORTH OF HARRIET STREET IN THE CITY OF NORTH BAY.

WHEREAS pursuant to the provisions of The Municipal Act, being Revised Statutes of Ontario, 1960, Chapter 249, and more particularly Section 379 (1) (52) thereof, a Council may pass by-laws authorizing the construction of certain extensions and improvements to sanitary sewers, in order to provide the necessary sanitary sewer system;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 380 of The Municipal Act being Revised Statutes of Ontario, 1960.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. THAT a sanitary sewer system with the necessary mains, manholes, and other appurtenances be constructed in the area north of Harriet Street and bounded by Third Street on the west, the Canadian National Right-of-Way on the north, a line between First Street and Second Street on the east, and Harriet Street on the south, which area is more particularly described on Schedule "A" annexed hereto.
2. THAT the total cost of the said work is estimated at \$12,420.00. The abutting owners' share based on acreage is estimated at \$12,420.00. The total Corporation's share of the cost is nil.
3. THAT the estimated annual rate per acre is \$139.93 for a period of fifteen (15) years at 8 1/2% interest and shall be charged and imposed upon all the rateable property in a defined area as shown on Schedule "A" annexed hereto, which area shall be and is hereby defined as the property abutting on the said works.
4. THAT the assessment referred to herein or any debentures which may be and are hereby authorized shall be paid in fifteen (15) annual instalments of principal and interest at such rate as Council shall determine.
5. THAT the estimated life of the work is sixteen (16) years.
6. THAT the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of Promissory Note or Notes temporary advances of money to meet the cost of construction as aforesaid pending the completion thereof and pending the issue and sale of debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this By-law.
7. THAT the Engineer of the Corporation do forthwith make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work or for the carrying out of the work by day labour.
8. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.

- 9. THAT the Mayor and Clerk are hereby authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation or make such other arrangement as may be necessary for the carrying out of the work by day labour, subject to the approval of this Council to be declared by resolution.
- 10. ANY person whose lot is specially assessed may, at any time, before the passing of a debenture by-law implementing the provisions hereof, commute for payment the cost of the construction assessed upon such lot without interest, forthwith after the said assessment roll has been certified by the Clerk.

READ A FIRST TIME IN OPEN COUNCIL THIS 10th DAY OF May, 1971.
 READ A SECOND TIME IN OPEN COUNCIL THIS 10th DAY OF May, 1971.
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
 THIS 15TH DAY OF NOVEMBER , 1971.



 MAYOR



 CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 44-71 OF THE CORPORATION
OF THE CITY OF NORTH BAY

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SANITARY SEWERS
DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN THE
AREA NORTH OF HARRIET STREET

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Lot 28	M-167	=0.06
Lot 29-33 incl.	M-167	5 Lots @ 0.064=0.32
Lots 34-37 incl	M-167	4 Lots @ 0.064=0.256
Lot 38	M-167	=0.06
Lots 39 & 40	M-167	2 Lots @ 0.064=0.128
Lots 42-44 incl.	M-167	3 Lots @ 0.064=0.192
Lots 45-54 incl.	M-167	10 Lots @ 0.064=0.64
Former Elm St. road Allowance	M-167	=0.58
Lots 172 to 182 incl. (irreg.)	M-167	=0.26
Lots 128 & 129 (irreg.)	M-36	=0.27
Lot 73	M-167	=0.128
Lot 74	M-167	=0.128
Lots 75-90 incl.	M-167	16 Lots @ 0.128=2.048
Lots 55-72 incl.	M-167	18 Lots @ 0.128=2.304
Former Copeland St. road allow.	M-167	=0.90
Lots 247-258 incl. (irreg.)	M-167	=0.87
Lots 259-264 incl. (irreg.)	M-167	=0.49
Former Bannerman St. road allow.	M-167	=0.92
Former Bond St. road allowance	M-167	=0.10
		Total Acreage 10.68



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IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R.S.O. 1960, c. 274), and

Sections 379(1)52 and 380 of
The Municipal Act, (R.S.O. 1960,
c. 249)

- and -

IN THE MATTER OF an application
by The Corporation of the City
of North Bay for approval of the
construction of a sanitary sewer
system with the necessary mains
and connections in the area north
of Harriet Street and bounded by
Third Street, on the west, the
Canadian National Right-of-Way
on the north, a line between First
Street and Second Street on the
east, and Harriet Street on the
south, and of the borrowing of the
sum of \$12,420.00, being the esti-
mated cost thereof

- and -

IN THE MATTER OF the passing of a
by-law imposing a sewer rate

B E F O R E :

J. A. KENNEDY, Q.C.,
Chairman

- and -

D. JAMIESON,
Vice-Chairman

} Thursday, the 5th day of
August, 1971

UPON THE APPLICATION of The Corporation of the City of
North Bay for approval of the construction of a sanitary
sewer system with the necessary mains and connections in the
area north of Harriet Street and bounded by Third Street on
the west, the Canadian National Right-of-Way on the north, a
line between First Street and Second Street on the east,
and Harriet Street on the south, and of the borrowing of the
sum of \$12,420.00, being the estimated cost thereof, and for
approval of the passing of a by-law providing for the imposing



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of a sewer rate and it appearing that all notices as required by any applicable statute and all notices as required by the Board have been given and that no objection or sufficient petition of objection as required by statute or by the Board has been received as appears from evidence duly filed;

THE BOARD ORDERS, under and in pursuance of the legislation hereinbefore referred to, and of any and all other powers vested in the Board, that the said application be and the same is hereby granted, and that the corporation may now proceed with the said undertaking at a total cost not to exceed \$12,420.00 and for such purpose may pass a by-law authorizing the said undertaking and all other requisite by-laws, including by-laws providing for the issue of debentures in a principal amount not exceeding \$12,420.00 repayable over a term of not more than fifteen years, and may borrow money to the extent sufficient to provide an amount not exceeding \$12,420.00 therefor, provided:

1. that any by-law authorizing the said undertaking is passed by a three-fourths vote of all members of the council of the said corporation, and
2. that the corporation may borrow the whole or any part of the said sum of \$12,420.00 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, and
3. that the corporation in exercising any of its powers approved by this order shall comply with all statutory and other legal requirements related thereto.



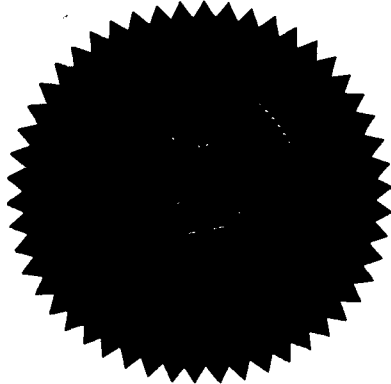
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AND THE BOARD ORDERS that the passing of a by-law imposing a sewer rate upon owners or occupants of lands who derive or will or may derive a benefit from the said sewage works to pay the whole of the cost thereof by an annual charge of not more than \$139.93 per acre in the area described in Schedule "A" hereto for a period of fifteen years, be and the same is hereby approved.



K. Anderson

SECRETARY

ENTERED	
O. B. No.	H9
Folio No.	283
NOV 5 1971	
<i>K. Anderson</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



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SCHEDULE "A"

to the order of the Ontario Municipal Board
made on the 5th day of August, 1971

Description of Land to be Specially Assessed

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Lot 28	M-167	=0.064
Lots 29-33 incl.	M-167	5 Lots @ 0.064=0.320
Lots 34-37 incl.	M-167	4 Lots @ 0.064=0.256
Lot 38	M-167	=0.064
Lots 39 & 40	M-167	2 Lots @ 0.064=0.128
Lots 42-44 incl.	M-167	3 Lots @ 0.064=0.192
Lots 45-54 incl.	M-167	10 Lots @ 0.064=0.640
Former Elm St. road allowance	M-167	=0.587
Lots 172 to 182 incl. (irreg.)	M-167	=0.265
Lots 128 & 129 (irreg.)	M-36	=0.273
Lot 73	M-167	=0.128
Lot 74	M-167	=0.128
Lots 75-90 incl.	M-167	16 Lots @ 0.128=2.048
Lots 55-72 incl.	M-167	18 Lots @ 0.128=2.304
Former Copeland St. road allow	M-167	=0.900
Lots 247-258 incl. (irreg.)	M-167	=0.873
Lots 259-264 incl. (irreg.)	M-167	=0.494
Former Bannerman St. road allow	M-167	=0.924
Former Bond St. road allowance	M-167	=0.100
Total Acreage		10.688



ONTARIO WATER RESOURCES COMMISSION

SEWAGE WORKS APPROVAL

Whereas THE MUNICIPAL CORPORATION of CITY OF NORTH BAY

has submitted to the Ontario Water Resources Commission plans, specifications and an engineer's report of the proposed works hereinafter referred to, together with such information as the Commission has required and has applied for approval of:-

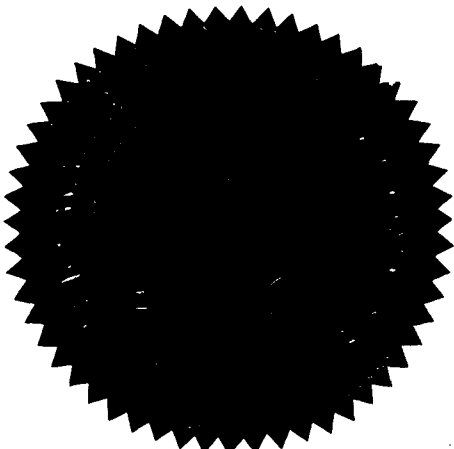
sewers to be constructed as follows:

Table with 3 columns: STREET, FROM, TO. Rows include Sanitary sewers (Rear Street to Second Street, Second Street to Rear St.) and Storm sewer (Chippewa Street to Outfall).

at a total estimated cost, including engineering and contingencies, of TWENTY NINE THOUSAND TWO HUNDRED AND FORTY SEVEN DOLLARS AND SIXTY CENTS (\$29,247.60),

Now Therefore this is to certify that the Commission after due enquiry has approved the said proposed works under Section 31 of The Ontario Water Resources Commission Act, R.S.O. 1960, c. 281.

DATED AT TORONTO this 8th day of July 1971.



Signature of Assistant General Manager