

BY-LAW NO. 1993

BEING A BY-LAW of the City of North Bay to authorize the entering into an agreement with the Municipal Corporation of the Township of Widdifield for the installation and use of a trunk sewer in the City of North Bay to serve the Trout Lake area.

WHEREAS the Municipal Corporation of the Township of Widdifield has submitted to the Municipal Corporation of the City of North Bay an agreement respecting the installation and use of the said trunk sewer to serve the Trout Lake area, and

WHEREAS by Resolution No. 20 of October 2nd, 1961 the form of Agreement was approved.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:-

1. That the Corporation of the City of North Bay enter into the agreement with the Municipal Corporation of the Township of Widdifield for the installation and use of a trunk sewer in the City of North Bay to serve the Trout Lake area, a copy of which agreement is annexed hereto as Schedule "A" and forms part of this by-law.
2. That the Mayor and Clerk or Deputy Clerk-Treasurer of the Corporation of the City of North Bay execute the said agreement, marked "Schedule A" to this by-law, on behalf of the Corporation of the City of North Bay and that the Clerk affix the seal of the Corporation to the said agreement.

READ A FIRST TIME IN OPEN COUNCIL THIS 16TH DAY OF OCTOBER 1961.

READ A SECOND TIME IN OPEN COUNCIL THIS 16TH DAY OF OCTOBER 1961.

.....
MAYOR

.....
[Signature]
CITY CLERK

ABANDONED, SEE BY-LAW #2027

"SCHEDULE "A" TO BY-LAW NO. 1993"

AGREEMENT entered into this 4th day of October, A.D. 1961.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWNSHIP
OF WIDDIFIELD

HEREINAFTER REFERRED TO AS "WIDDIFIELD"

AND:

THE MUNICIPAL CORPORATION OF THE CITY OF
NORTH BAY

HEREINAFTER REFERRED TO AS "NORTH BAY"

WHEREAS Widdifield has requested a trunk sanitary sewer, pumping station and forcemain to serve the Trout Lake area and the Department of National Defence SAGE installation in the Township of Widdifield with an outlet to a proposed trunk sanitary sewer system in the City of North Bay from the City limits at Water Street to the Northgate Shopping Centre, thence via Fisher Street and Regina Street to the sewage disposal plant.

AND WHEREAS these services are required by agreement with the Municipal Corporation of the City of North Bay.

THEREFORE THIS INDENTURE WITNESSETH that the parties hereto mutually covenant and agree as follows:-

1. THAT the said Township of Widdifield be granted a temporary connection with the sanitary sewer on Fisher Street in the City of North Bay in accordance with Scheme 1A attached hereto and marked Schedule "A", which shall form as essential part of this agreement.
2. THAT said scheme 1A as to design and construction is to be subject to the approval of the City Engineer and to be completed at no cost to the City of North Bay not later than July 1st, 1962.
- 2A. THAT no conditions herein contained shall limit the use of such trunk sewer to be constructed by Widdifield within the limits of the City of North Bay, by North Bay in any way whatsoever.
- 2B. THAT all work being performed within the limits of the City of North Bay shall be under the complete jurisdiction of the City Engineer of North Bay.

3. THAT such temporary connection serve no more than 12,500 gallons per day.

4. THAT sanitary sewage only be accepted during the use of the temporary connection.

5. THAT upon completion of the permanent trunk sewer, discharge of all wastes normally accepted in a sanitary disposal will be permitted.

6. THAT in the event of a dispute, as to type of sewer wastes, the Ontario Water Resources Commission shall arbitrate therein.

7. THE above agreement is subject to the approval of the Ontario Municipal Board and the Ontario Water Resources Commission, and the provisions of Article 1 of this agreement shall not be effective until both such approvals in writing are delivered to North Bay accompanied by written assurance that Widdifield will obtain the financial accommodation required to complete said scheme 1A in its entirety before July 1st, 1962.

IN WITNESS WHEREOF the above Corporations have hereunto affixed their corporate seals attested by their proper officers in that behalf.

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF WIDDIFIELD

..... Acting Reeve

..... Clerk-Treasurer

THE MUNICIPAL CORPORATION OF THE CITY OF NORTH BAY

..... *[Signature]* Mayor

..... *[Signature]* Deputy-Clerk-Treasurer