

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 129-70

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A 24 FOOT GRAVEL ROADWAY WITH THREE FOOT SHOULDERS IN THE CITY OF NORTH BAY.

WHEREAS it has been duly declared by Declaratory By-law No. 128-70 of the Corporation of the City of North Bay passed by a vote of two-thirds of all the members of Council that it is desirable that the construction of a 24 foot gravel roadway with three foot shoulders, as set out in Schedule "A" hereto annexed, shall be undertaken as a local improvement;

AND WHEREAS notice of the intention of the Council to undertake such work was duly published more than 21 days prior to the passing of this by-law;

AND WHEREAS the Council has caused to be made the reports, estimates and statements required for the undertaking of the said works.

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

1. THAT a 24 foot gravel roadway with three foot shoulders be constructed on a road allowance between Lots 34 and 35, Concession 15 from Birch's Road northerly a distance of approximately 1550 feet set out in Schedule "A" hereto annexed at the estimated cost as set out in the same schedule, as provided by plans and specifications furnished by the Engineer for the Corporation of the City of North Bay, as a local improvement under provisions of the Local Improvement Act, R.S.O. 1960, and more particularly Section 8 thereof.
2. 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.
3. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
4. 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 subject to the approval of this Council to be declared by resolution.
5. THAT the Mayor or Deputy Mayor and the Treasurer of the City of North Bay are 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 the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this By-law.
6. THE special assessment shall be paid by five (5) equal annual instalments of principal and interest.
7. THE debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest at such rate as Council shall determine and be made payable within five (5) years on the instalment plan.

8. Any person whose lot is specially assessed may commute for a payment in cash the special rate imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without interest forthwith after the special assessment roll has been certified by the Clerk.

READ A FIRST TIME IN OPEN COUNCIL THIS 2nd DAY OF NOVEMBER, 1970.

READ A SECOND TIME IN OPEN COUNCIL THIS 2nd DAY OF NOVEMBER, 1970.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 25THDAY OF JANUARY , 1971.

.....
MAYOR
.....
CITYCLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 129-70 OF THE CORPORATION OF THE CITY OF NORTH BAY
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Construction of a 24 foot gravel roadway with three foot shoulders on a road allowance between Lots 34 and 35, Concession 15 from Birch's Road northerly a distance of approximately 1550 feet.

TOTAL ESTIMATED COST.....\$21,844.25



ONTARIO

ONTARIO MUNICIPAL BOARD

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

Section 8 of The Local Improvement Act (R.S.O. 1960, c. 223)

- and -

IN THE MATTER OF an application by The Corporation of the City of North Bay for approval of the construction of a gravel roadway with shoulders on Road Allowance between Lots 34 and 35, Concession 15 from Birch's Road northerly, a distance of approximately 1550 feet, in accordance with its council's notice of intention first published on the 11th day of November, 1970, and of the borrowing of the sum of \$21,844.25, being the estimated cost thereof

B E F O R E :

J. A. KENNEDY, Q.C.,
Chairman)
- and -)
D. S. COLBOURNE,
Member)

Monday, the 21st day
of December, 1970

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 this 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 \$21,844.25 and for such purpose may pass all requisite by-laws, including by-laws providing for the issue of debentures in a principal amount not exceeding \$21,844.25



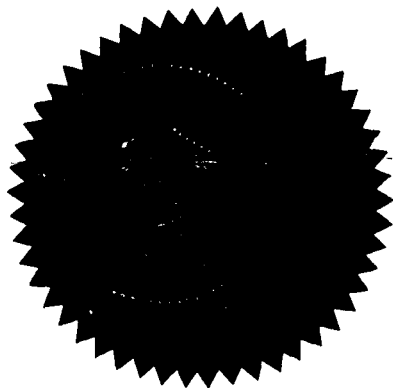
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ONTARIO MUNICIPAL BOARD

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repayable over a term of not more than five years, and may borrow money to the extent sufficient to provide an amount not exceeding \$21,844.25 therefor, provided:

1. that the corporation may borrow the whole or any part of the said sum of \$21,844.25 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, and
2. that the amount to be debentured shall not exceed in any event the net cost to the corporation after deducting any grant or contribution from the Province of Ontario or from any other source in respect of the said work, 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.



W. Frazer
ACTING SECRETARY

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| ENTERED | |
| O. B. No.: | <i>H4</i> |
| Folio No.: | <i>387</i> |
| JAN 18 1971 | |
| <i>R. Scott</i> | |
| Secretary, Ontario Municipal Board | |