

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 70-69

BEING a By-law to authorize construction of
a Sanitary Sewer System and Pumping Station
in the Lakeside Drive area.

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

1. THAT a sanitary sewer system and pumping station with all necessary manholes, and connections be constructed to the lot lines in the Lakeside Drive area known as Parts 1, 2, 3, 4 and 6, Plan NR-1746 and lots 37 to 40, both inclusive, Plan M-235 for the City of North Bay, as shown in Schedule "A" attached hereto.
2. THAT the total cost of the work is estimated at \$10,428.86. The abutting owners' share based on acreage is estimated at \$6,760.36. The total Corporation's share of the cost is estimated at \$3,668.50 which shall be recovered by the imposition of a sewer rate levied against all the rate-payers in the City of North Bay.
3. THAT the estimated annual rate per acre is \$374.91, for a period of fifteen (15) years at 9% interest and shall be charged and imposed upon all the rateable property in a defined area, 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 the 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 be 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 AND SECOND TIME IN OPEN COUNCIL THIS 5TH DAY OF AUGUST, 1969.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 10TH DAY OF FEBRUARY , ~~1969~~.1970.

.....
MAYOR

.....
CITY CLERK

SCHEDULE "A"

to

BY-LAW NO. 70-69

DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN THE LAKESIDE DRIVE AREA

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Lot 37	M-235	.258
Lot 38	M-235	.258
Lot 39	M-235	.335
Lot 40	M-235	.339
N. Pt. Parcel 4990, Pt. 4 & 6	NR-1746	.463
S. Pt. Parcel 4990, Pt. 1, 2, 3	NR-1746	<u>.584</u>
	TOTAL	2.237

Total estimated cost is = \$10,428.86

Form 38-B

Telephone Number
365-1912



ONTARIO

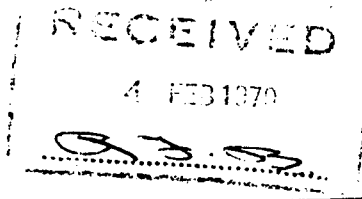
THE ONTARIO MUNICIPAL BOARD
123 Edward Street
Toronto 101, Ontario

PLEASE QUOTE FILE NUMBER

G 9219-69

January 30, 1970

Mr. C.E. Armstrong
City Clerk
P.O. Box 360
NORTH BAY, Ontario



Dear Sir:

RE: sanitary sewers including connections,
etc. in the Lakeside Drive area, etc.

I am enclosing herewith duplicate original order pursuant to Section 64 of The Ontario Municipal Board Act together with invoice covering the Board's fee therefor.

Yours truly

:ht
Encls.-2

RS
R. SCOTT
SECRETARY



ONTARIO

ONTARIO MUNICIPAL BOARD

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 including connections and
pumping station in the Lakeside
Drive area to service lots 37 to
40 both inclusive Plan M-235 and
parts 1, 2, 3, 4 and 6, Plan NR-
1746, and for approval of the
borrowing of the sum of \$10,428.86,
being the estimated 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 -

J. V. LUDGATE
Member

THURSDAY, the 29th day of
JANUARY, 1970

UPON THE APPLICATION of The Corporation of the City of North Bay for approval of the construction of a sanitary sewer system including connections and pumping station in the Lakeside Drive area to service lots 37 to 40 both inclusive Plan M-235 and parts 1, 2, 3, 4 and 6, Plan NR-1746, and of the borrowing of the sum of \$10,428.86, being the estimated cost thereof, and for approval of the passing of a by-law providing for the imposing 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



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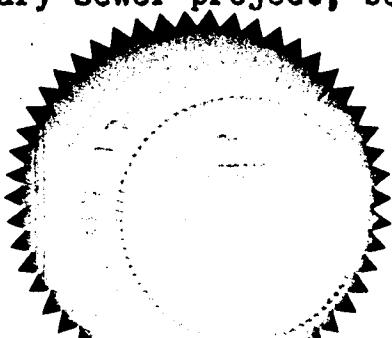
ONTARIO MUNICIPAL BOARD

by statute or by the Board has been received as appears from evidence duly filed, and upon consideration of the material 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 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 \$10,428.86 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 \$10,428.86 repayable over a term of not more than fifteen years, and may borrow money to the extent sufficient to provide an amount not exceeding \$10,428.86 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 \$10,428.86 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.

AND THE BOARD ORDERS that the passing of a by-law imposing a sewer rate for a period of fifteen years of \$374.91 per acre per year upon the owners of the land defined in Schedule "A" attached hereto to raise the sum of \$6,760.36, being part of the cost of the said sanitary sewer project, be and the same is hereby approved.



[Signature]
SECRETARY

ENTERED
O. B. No. <i>430</i>
Folio No. 262
JAN 30 1970
<i>[Signature]</i>
Secretary, Ontario Municipal Board



G 9219-69

ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of The Ontario Municipal Board made on
the 29th day of January, 1970

Description of Land to be Specially Assessed in
the Lakeside Drive Area:

<u>Part or Parcel</u>	<u>Plan</u>	<u>Acreage</u>	<u>Owner</u>
Lot 37	M-235	.258	Dr. and Mrs. D. E. Sommerville
Lot 38	M-235	.258	Mr. Wm. L. Lees
Lot 39	M-235	.335	Mr. and Mrs. Arnold Loucks
Lot 40	M-235	.339	Mr. and Mrs. Lowther Sieweke
N. Pt. Prcl. 4990			
Pt. 4 and 6	NR-1746	.463	Mr. and Mrs. N. Simpson
S. Pt. Prcl. 4990			
Pt. 1,2 and 3	NR-1746	.584	Mr. and Mrs. John Cartlidge
TOTAL		2.237 acres	