

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 42-77

BEING A BY-LAW TO AUTHORIZE THE CONSTRUCTION  
OF A SANITARY SEWER SYSTEM ON CERTAIN STREETS  
IN THE CITY OF NORTH BAY.

WHEREAS The Municipal Act, R.S.O. 1970, Chapter 284, Section 354 (1) (53) authorizes the Council to pass a by-law for the purposes therein stated;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 354 (1) (53) (f) of The Municipal Act, R.S.O. 1970, Chapter 284.

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

1. That a sanitary sewer system be constructed on the streets and in the area described in Schedule "A".
2. That the Engineering Department of the City of North Bay be instructed to make all necessary plans, profiles and specifications forthwith and to furnish such information as may be necessary for the making of a contract for the execution of the work or for the carrying on of the work by day labour.
3. That the work shall be carried on under the superintendence of and according to the directions and orders of the Engineering Department of the City of North Bay.
4. That the Council may decide by resolution to carry on and execute the work by day labour.
5. That in the absence of a resolution by Council that the work be carried on and executed by day labour, the Mayor and Clerk are hereby authorized to enter into a contract with some person or persons, firm or corporation for the construction of the work, subject to the approval of the Council by resolution.
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. Any promissory note or notes issued pursuant to Paragraph 6 hereof shall be sealed with the seal of the Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
8. That debentures to be issued when the work is completed to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within twenty (20) years on the instalment plan and shall be a charge against the lands in the urban service area established by By-law No. 68-71 of the Corporation of the City of North Bay.
9. There is hereby imposed upon all the rateable property in the urban service area established by By-law No. 68-71 of the Corporation of the City of North Bay a sewer rate for a period of twenty (20) years, sufficient to pay the whole

of the interest and principal charges of the debenture to be raised for the construction of the work as follows:

- (a) A mill rate on the assessed value of all land in the urban service area designated by By-law No. 68-71 of the Corporation of the City of North Bay.

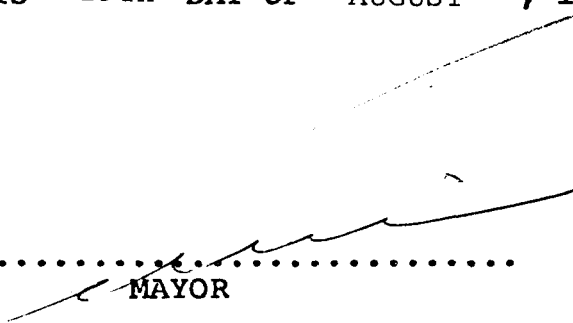
10. That this by-law shall not become effective until approval in writing has been secured from the Ontario Municipal Board pursuant to Section 64(1) of The Ontario Municipal Board Act, R.S.O. 1970, Chapter 323.

READ A FIRST TIME IN OPEN COUNCIL THIS 4TH DAY OF APRIL , 1977.

READ A SECOND TIME IN OPEN COUNCIL THIS 4TH DAY OF APRIL, 1977.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED

THIS 29TH DAY OF AUGUST , 1977.

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 .....

MAYOR

.....  
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 42-77 OF THE CORPORATION  
OF THE CITY OF NORTH BAY

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Construction of a 33" diameter sanitary sewer from the end of the existing sewer located in the lane-way at the intersection of the westerly boundary of Lot 440, Plan 57 to Chippewa Street; thence westerly along Chippewa Street to Chippewa Creek; thence northwesterly along Chippewa Creek to O'Brien Street.	\$ 755,000.00
Easement and property acquisition for the sanitary sewers.	\$ 20,000.00
Financing, Engineering and Contingencies - 25%	\$ 195,000.00
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Total Estimated Gross Cost	\$ 970,000.00
Less forgiveness feature on loan through Central Mortgage and Housing Corporation	\$ 145,000.00
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Net Cost to be Debentured	\$ 825,000.00



Ontario Municipal Board

IN THE MATTER OF Section 64 of  
The Ontario Municipal Board Act,  
(R.S.O. 1970, c. 323)

- and -

IN THE MATTER OF an application  
by The Corporation of the City  
of North Bay for an order  
approving:

- (a) the construction of a certain sanitary sewer including easement and property acquisition at an estimated cost of \$970,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures as set out below chargeable to the Urban Service Area

B E F O R E :

A.H. ARRELL, Q.C.,  
Vice-Chairman

- and -

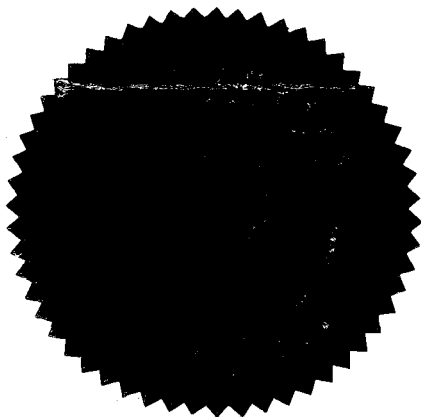
D.S. COLBOURNE,  
Vice-Chairman

] Wednesday, the 10th day  
] of August, 1977

THE BOARD ORDERS that this application be granted and that  
the applicant may proceed with the following:

1. Construction of a sanitary sewer from the end of the existing sewer located in the laneway at the intersection of the westerly boundary of Lot 440, Plan 57 to Chippewa Street; thence westerly along Chippewa Street to Chippewa Creek; thence northwesterly along Chippewa Creek to O'Brien Street
2. Easement and property acquisition for the sanitary sewers

and may pass all requisite by-laws, and may issue debentures therefor for a sum not exceeding \$825,000.00 and not to exceed the net cost of such undertaking to the applicant, for a term not to exceed twenty years.



*H. Andrew*

SECRETARY

ENTERED	
O. B. No.	<i>677</i>
Folio No.	<i>74</i>
AUG 16 1977	
<i>H. Andrew</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	