

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 126-71

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF STORM SEWERS ON CERTAIN STREETS IN THE CITY OF NORTH BAY.

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

AND WHEREAS the Council of The Corporation of the City of North Bay deems it advisable and necessary to pass the within by-law;

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

1. That storm sewers be constructed on the streets described in Schedule "A" attached hereto and forming part of this by-law.
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 fifteen years on the instalment plan and shall be a charge against the whole municipality and the provisions of by-law #68-71 of the said City of North Bay are hereby repealed but only insofar as they are inconsistent with this specific by-law and only for the purposes of this specific by-law but shall otherwise remain in full force and effect.

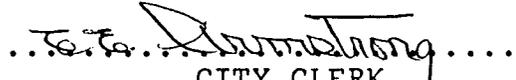
9. That this by-law shall not become effective until approval in writing has been secured from The Ontario Municipal Board pursuant to section 64 (1) of the Ontario Municipal Board Act, R.S.O. 1970, Chapter 323.

READ A FIRST TIME IN OPEN COUNCIL THIS 2ND DAY OF DECEMBER, 1971

READ A SECOND TIME IN OPEN COUNCIL THIS 2ND DAY OF DECEMBER, 1971

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 13TH DAY OF DECEMBER 1971.

  
.....  
MAYOR

  
.....  
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW 126-71 OF THE CORPORATION OF THE CITY OF NORTH BAY

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CONSTRUCTION OF STORM SEWERS:

1.	Charles St.	- Lake Nipissing to Nelson Ave.	23,008.56
2.	Campbell Avenue	- Gertrude St. to McDonald Ave.	18,214.80
3.	Marshall Park Drive	- Parks Creek to Marshall Ave.	35,763.84
4. (a)	Norman Avenue	- Patricia St. to Dorothy St.	)
	(b) Dorothy Street	- Norman Ave. to Gordon Drive	) 57,226.20
	(c) Gordon Drive	- Dorothy Street to Carlo Cresc.)	)
5.	First Avenue	- Chippewa Creek to Regina Street	71,218.80
6.	Laurier Avenue	- Metcalfe St. to Brooke Street	7,917.00

TOTAL ESTIMATED COST OF CONSTRUCTION	<u>\$213,349.20</u>
LESS DEPARTMENT OF HIGHWAYS SUBSIDY	
APPROXIMATELY	<u>\$ 88,349.20</u>
	\$125,000.00

Debenture Term: 15 years



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:-

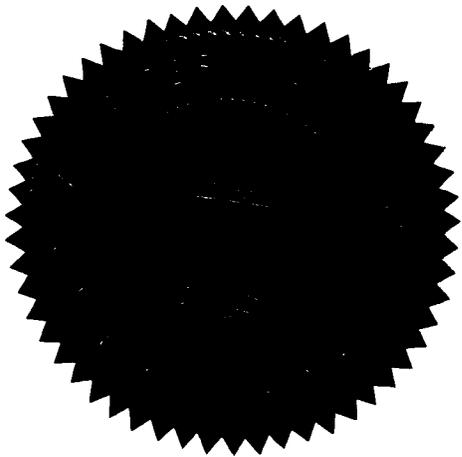
storm sewers to be constructed as follows:

Table with 3 columns: STREET, FROM, TO. Rows include Charles Street, Campbell Avenue, Marshall Park Drive, Norman Avenue, Dorothy Street, Gordon Drive, First Avenue, and Laurier Avenue.

including building sewers from the main sewer to the street line, at a total estimated cost, including engineering and contingencies, of TWO HUNDRED AND THIRTEEN THOUSAND THREE HUNDRED AND FORTY NINE DOLLARS AND TWENTY CENTS (\$213,349.20).

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 .....21st.... day of ....October... ..... 1971 .



Handwritten signature of Fred A. Voegle
Assistant General Manager



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ONTARIO MUNICIPAL BOARD

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

Section 354(1)53 of The Municipal  
Act, (R.S.O. 1970, c. 284)

- and -

IN THE MATTER OF an application  
by The Corporation of the City of  
North Bay for approval of the con-  
struction of certain storm sewers  
at an estimated cost of \$213,349.20  
and the borrowing of the sum of  
\$125,000.00 therefor

B E F O R E :

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

- and -

A. VAN EVERY, Q.C.,  
Member

Tuesday, the 7th day of  
December, 1971

UPON THE APPLICATION of The Corporation of the City  
of North Bay for approval of the construction of the storm  
sewers described in Schedule "A" attached hereto at an  
estimated cost of \$213,349.20 and the borrowing of the sum  
of \$125,000.00 therefor, and upon reading the material  
filed;

THE BOARD ORDERS, under and in pursuance of the legis-  
lation 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 \$213,349.20, 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 \$125,000.00  
repayable over a term of not more than fifteen years, and may



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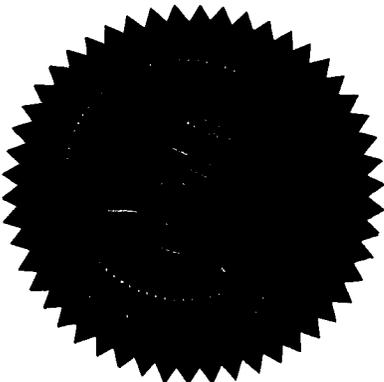
ONTARIO MUNICIPAL BOARD

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borrow money to the extent sufficient to provide an amount not exceeding \$125,000.00 therefor, provided:

1. that the corporation may borrow the whole or any part of the said sum of \$213,349.20 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, and
2. 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
3. that no commitment shall be made nor work undertaken, unless and until the said corporation has ascertained that the work is of a nature that is eligible for subsidy toward the cost thereof at the applicable rate by the Department of Transportation and Communications, and
4. 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
5. that the corporation in exercising any of its powers approved by this order shall comply with all statutory and other legal requirements related thereto.



*[Signature]*  
ACTING SECRETARY

ENTERED
O. B. No. <i>H10</i>
Folio No. <i>281</i>
DEC 14 1971
<i>[Signature]</i>
SECRETARY, ONTARIO MUNICIPAL BOARD



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ONTARIO MUNICIPAL BOARD

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SCHEDULE "A"

to the order of the Ontario Municipal Board  
made on the 7th day of December, 1971

Construction of STORM SEWERS on:

1. <u>CHARLES STREET</u> from Lake Nipissing to Nelson Avenue	\$ 23,008.56
2. <u>CAMPBELL AVENUE</u> from Gertrude Street to McDonald Avenue	18,214.80
3. <u>MARSHALL PARK DRIVE</u> from Parks Creek to Marshall Avenue	35,763.84
4. (a) <u>NORMAN AVENUE</u> from Patricia Street to Dorothy Street	} 57,226.20
(b) <u>DOROTHY STREET</u> from Norman Avenue to Gordon Drive	
(c) <u>GORDON DRIVE</u> from Dorothy Street to Carlo Crescent	
5. <u>FIRST AVENUE</u> from Chippewa Creek to Regina Street	71,218.80
6. <u>LAURIER AVENUE</u> from Metcalfe Street to Brookes Street	7,917.00
Total estimated cost .....	\$213,349.20
To debenture .....	\$125,000.00