

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 100-72

BEING A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF A 6" DIAMETER WATERMAIN ON HUGHES ROAD IN THE CITY OF NORTH BAY.

WHEREAS pursuant to the provisions of The Municipal Act, being Revised Statutes of Ontario, 1970, Chapter 284, and more particularly Section 354 (1) (53) thereof, a Council may pass by-laws authorizing the construction of certain extensions and improvements to water systems;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 362 of The Municipal Act being Revised Statutes of Ontario, 1970.

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

1. THAT a 6" diameter watermain be constructed with the necessary appurtenances and connections to lot lines on Hughes Road from a point 210 ft. northwest of Lavasse Road for a distance of approximately 450 ft. to the northwest limit of Hughes Road which area is more particularly described in Schedule "A" annexed hereto.
2. THAT the total cost of the said work is estimated at \$10,260.00 including connection charges. The abutting owners' share based on acreage is estimated at \$9,576.00 excluding connection charges. The total Corporation's share of the cost is nil.
3. THAT the estimated annual rate per acre is \$200.92 for a period of twenty (20) years at 9% interest and shall be charged and imposed upon all the rateable property in a defined area as shown on Schedule "A" annexed hereto, 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 twenty (20) annual instalments of principal and interest at such rate as Council shall determine.
5. THE estimated cost for each connection is \$228.00 and the estimated annual cost for twenty (20) years at 9% interest is \$20.09.
6. THAT the estimated life of the work is twenty-five (25) years.
7. 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 debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this By-law.
8. 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.
9. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.

- 10. THAT 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 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.
- 11. 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 TIME IN OPEN COUNCIL THIS 16TH DAY OF OCTOBER, 1972  
 READ A SECOND TIME IN OPEN COUNCIL THIS 16TH DAY OF OCTOBER, 1972  
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED  
 THIS 19th DAY OF FEBRUARY 1973.

*[Handwritten Signature]*  
 .....  
 MAYOR

*[Handwritten Signature]*.....  
 CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 100-72 OF THE CORPORATION OF THE CITY OF NORTH BAY

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DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN HUGHES ROAD AREA - 210 FEET NORTHWEST OF LAVASSE ROAD FOR A DISTANCE OF APPROXIMATELY 450 FEET TO THE NORTHWEST LIMIT OF HUGHES ROAD.

<u>DESCRIPTION OF LAND</u>	<u>AREA ACRES</u>
Parcel 6911 W/F	0.138 acres
Parcel 4076 W/F	0.173 acres
Rem. Parcel 9388 Nip	0.911 acres
Parcels 4484 & 4485 W/F	2.111 acres
Parts 1, 2, 3, 4 N.R. 2713	1.888 acres
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Total acreage	5.221 acres



ONTARIO MUNICIPAL BOARD

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

Sections 354(1) 53 and 362 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  
construction of a watermain  
including connections on Hughes  
Road from a point 210 feet north-  
west of Lavasse Road for a dis-  
tance of approximately 450 feet  
to the northwest limit of Hughes  
Road and of the borrowing of the  
sum of \$10,260.00 being the  
estimated cost thereof

- and -

IN THE MATTER OF the passing by  
the said corporation of a by-law  
imposing a water works rate

B E F O R E :

W. H. PALMER,	)	
Chairman	)	
	)	Thursday, the 21st day of
- and -	)	
	)	December, 1972
A. H. ARRELL, Q.C.	)	
Vice-Chairman	)	

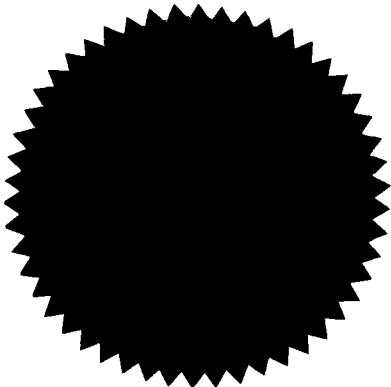
THE BOARD ORDERS, under and in pursuance of the legis-  
lation hereinbefore referred to, and of any and all other  
powers vested in the Board, that the said application be  
and the same is hereby granted, and that the corporation  
may now proceed with the said undertaking at a total cost  
not to exceed \$10,260.00 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 \$10,260.00  
repayable over a term of not more than twenty years and may  
borrow money to the extent sufficient to provide an amount  
not exceeding \$10,260.00 therefor, provided:



ONTARIO MUNICIPAL BOARD

1. that the corporation may borrow the whole or any part of the said sum of \$10,260.00 as required pending receipt of subsidies and the sale of debentures or the receipt of moneys from any other source,
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 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 water works rate upon owners or occupants of land who derive or will or may derive a benefit from the said water works, for a period of twenty years, to pay a part of the cost of such works by an annual rate of 301.41 per acre with interest thereon at a rate not exceeding 9% per annum, on all the rateable property in the area described in Schedule "A" hereto, be and the same is hereby approved.



*K. C. Andrews*

K. C. ANDREWS  
SECRETARY

ENTERED	
O. B. No.	<i>1119</i>
Folio No.	<i>1119</i>
FEB 6 1973	
<i>K. C. Andrews</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



H 6951

ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of the Ontario Municipal Board  
made on the 21st day of December, 1972

Area on which water works rate is to be imposed:

<u>DESCRIPTION OF LAND</u>	<u>AREA ACRES</u>
Parcel 6911 W/F	0.138 acres
Parcel 4076 W/F	0.173 acres
Rem. Parcel 9388 Nip.	0.911 acres
Parcels 4484 & 4485 W/F	2.111 acres
Parts 1, 2, 3, 4 N.R. 2713	1.888 acres
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