

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 13-71

BEING A BY-LAW WITH RESPECT TO A SEWAGE RATE UNDER SECTION 16a and 42(6) OF THE ONTARIO WATER RESOURCES COMMISSION ACT.

WHEREAS the Corporation of the City of North Bay has entered into or proposed to enter into an agreement with the Ontario Water Resources Commission for the supplying of sewage service to the Municipality.

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

1. A sewage rate is hereby imposed upon the owners or occupants of lands which are supplied with sewage service as a consequence of the entering into of the above-mentioned agreement by the Corporation of the City of North Bay.
2. The sewage rate shall be imposed in each year commencing in the year 1972 and shall be a foot frontage rate of 68¢ cents per foot on the lands designated in paragraph 1 hereof, provided that in the case of such lands which also are connected to water works owned and operated by the Corporation of the City of North Bay or by the Ontario Water Resources Commission, the sewage rate hereby imposed shall be a charge on the water bill charged or chargeable in respect of such lands and shall be computed as one hundred and three per centum (103%) of the annual water rates or charges charged or chargeable in respect of such land where such lands are used for other than commercial and industrial purposes and not less than one hundred and three per centum (103%) of the annual water rates or charges charged or chargeable in respect of such lands where such lands are used for commercial or industrial purposes.
3. (a) A reduction in the case of corner lots at the junction or intersection of streets of 33.33% of the flankage and a reduction or increase in the case of triangular or irregularly-shaped lots may be made in the foot frontage rate that otherwise would be chargeable thereon, sufficient, having regard to the situation, value and superficial area

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of such lots as compared with other lots, to adjust its frontage charge on a fair and equitable basis.

- (b) Where a lot is for any reason wholly or in part unfit for building purposes, a reduction may also be made in the foot frontage rate that otherwise would be chargeable thereon sufficient to adjust its frontage charge as compared with that of lots fit for building purposes on a fair and equitable basis.
- (c) Where a lot, other than a corner lot, has two limits that abut on streets and the size and nature of the lot is such that any or all of the works in such streets are not required, a reduction in respect of the works that are not required, so long as they are not required, may also be made in the foot frontage rate that would otherwise be chargeable thereon, sufficient to adjust its frontage charge on a fair and equitable basis.
- (d) In the case of lots that because of the nature of the terrain or the elevation of the sewer, do not derive the same benefit as other lands abutting on the sewer, a reduction may be made in the foot frontage rate which otherwise would be chargeable thereon, sufficient having regard to the benefit derived as compared with other lots, to adjust the foot frontage rate on a fair and equitable basis.
- (e) The reduction shall be made by deducting from the total frontage of the lot liable to the annual foot frontage rate so much thereof as is sufficient to make the proper reduction, but the whole of the lot shall be charged with the annual foot frontage charge as so reduced.

4. This by-law is subject to the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THIS 8TH DAY OF FEBRUARY, 1971.  
 READ A SECOND TIME IN OPEN COUNCIL THIS 8TH DAY OF FEBRUARY, 1971.  
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 8TH DAY OF FEBRUARY, 1971.

.....  
 MAYOR

.....  
 CITY CLERK



ONTARIO

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Sections 16(1)(d), 16a, 39 and 42(6) of The Ontario Water Resources Commission Act, (R.S.O. 1960, c. 281), and

Section 64 of The Ontario Municipal Board Act, (R.S.O. 1960, c. 274)

- and -

IN THE MATTER OF an application by Ontario Water Resources Commission on behalf of The Corporation of the City of North Bay for approval of the entering by the said corporation into an agreement with the commission with respect to the provision of sewage service

- and -

IN THE MATTER OF the passing by the said corporation of a by-law or by-laws imposing sewage rates

B E F O R E :

B. E. SMITH,  
Member

- and -

H. H. LANCASTER,  
Member

} THURSDAY, the 15th day  
} of JULY, 1971

THIS APPLICATION having come on for public hearing this day at the City of North Bay in the presence of counsel for the corporation and in the presence of certain interested persons, and it appearing that notice of hearing has been given in accordance with the directions of the Board, and upon hearing the evidence adduced and what was alleged;

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 the said application be and the same is hereby granted, and that the entering by The Corporation of the City of North Bay into the proposed agreement



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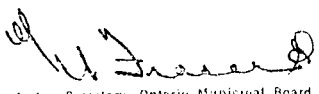
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with Ontario Water Resources Commission in the form filed with the Board on the 23rd day of June, 1971, be and the same is hereby approved, and that for such purpose the corporation may exercise all its powers and pass all requisite by-laws.

AND THE BOARD ORDERS that the passing by The Corporation of the City of North Bay of a by-law or by-laws to impose the sewage rates set forth in Schedule "A" attached hereto, be and the same is hereby approved.

M. FRASER  
ACTING SECRETARY

ENTERED	
O. B. No.	248
Folio No.	174
SEP 1 1971	
	
Acting 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 15th day of July, 1971

SEWAGE RATES TO BE IMPOSED:

An annual sewage rate of sixty-eight cents per foot frontage on lands in the municipality which are supplied with sewage service from the provincially-owned sewage works, provided that in the case of lands which are connected to the water works owned and operated by The Corporation of the City of North Bay or by Ontario Water Resources Commission, the sewage rate shall be a charge on the water bill charged or chargeable in respect of such lands and shall be computed as 103% of the annual water rates or charges charged or chargeable in respect of such lands which are used for other than commercial and industrial purposes, and not less than 103% of the annual water rates or charges charged or chargeable in respect of lands which are used for commercial or industrial purposes.