

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 144-86

BEING A BY-LAW OF THE CITY OF NORTH BAY  
TO AUTHORIZE THE MAYOR AND CLERK TO  
EXECUTE AN AGREEMENT, NORTH BAY WATER  
WORKS - PROJECT NO. 6-0058-6000.

WHEREAS an Agreement was entered into by the Ontario Water Resources Commission and the Township of West Ferris on July 27, 1961, to provide for a water works;

AND WHEREAS the capital cost of the water works in the amount of \$66,760.96 has now been recovered and the City of North Bay is now operating the water works;

AND WHEREAS the Agreement provides that it shall remain in force for thirty calendar years following the date of completion of the water works;

AND WHEREAS nothing remains to be done under the Agreement;


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


1. That the Mayor and Clerk are hereby authorized to execute an Agreement in the form attached as Schedule "A".
2. Section 3 of Frontage Rate By-law 739 dated October 2, 1962 of the Township of Widdifield is hereby amended to delete "30 years" and to insert in lieu thereof "25 years".
3. The costs of operation and maintenance will be raised by a service charge upon the urban area pursuant to By-law No. 68-71 as amended from time to time.
4. That no part of this by-law comes into force without the approval of the Ontario Municipal Board, but subject to this approval, this by-law takes effect as of December 31, 1986.

READ A FIRST TIME IN OPEN COUNCIL THIS 5TH DAY OF AUGUST, 1986.

READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF AUGUST , 1986.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 18TH DAY OF AUGUST , 1986.

  
MAYOR

  
CITY CLERK

This Agreement made in four copies this *5<sup>th</sup>* day  
of *August*, 198*5*.

B E T W E E N :

HER MAJESTY THE QUEEN IN RIGHT  
OF ONTARIO AS REPRESENTED BY  
THE MINISTER OF THE ENVIRONMENT  
(hereinafter called the "Crown")

OF THE FIRST PART

- and -

The Corporation of the City of North Bay  
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS pursuant to an Agreement dated the 21st day  
of July, 1961 between the Ontario Water Resources Commission  
and the Corporation of the Township of West Ferris, a water  
works (Project No. 6-0058-6000) was provided for the  
Municipality; and

WHEREAS pursuant to the Government Reorganization  
Act, 1972, the Crown is the successor to the Ontario Water  
Resources Commission; and

WHEREAS the Municipality is the successor to the  
Corporation of the Township of West Ferris; and

WHEREAS the capital cost of the water works has now  
been recovered and the Municipality is now operating the  
water works; and

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WHEREAS the agreement provides that it shall remain in force for thirty calendar years following the date of completion of the water works; and

WHEREAS it is desirable to terminate the agreement as nothing remains to be done under it;

THE PARTIES HERETO AGREE pursuant to section 7(2) and 8 of the Ontario Water Resources Act as follows:

1. Section 3(b) of the agreement dated July 27, 1961 is amended by replacing the words "for thirty calendar years" with the words "until the first day of January 1986".
2. The Crown hereby certifies that all the obligations of the Municipality to the Ontario Water Resources Commission and the Crown pursuant to these agreements have been discharged to the satisfaction of the Minister.
3. The Crown will execute at the expense of the Municipality such further and other assurance as counsel may advise and the Crown agrees with respect to any property held by the Crown for the sole purpose of the water works.

The agreement dated July 27, 1961, is hereby terminated.

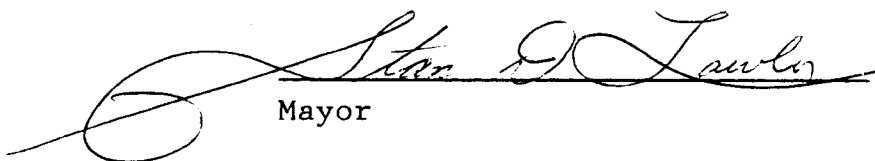
IN WITNESS WHEREOF this agreement has been duly  
executed.


HER MAJESTY THE QUEEN IN RIGHT  
OF ONTARIO AS REPRESENTED BY  
THE MINISTER OF THE ENVIRONMENT

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Minister

THE CORPORATION OF THE  
CITY OF NORTH BAY

  
C/S  
Mayor

  
Clerk