

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 79-74

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A SANITARY SEWER SYSTEM ON EXETER STREET COMMENCING AT SECOND STREET RUNNING WESTERLY A DISTANCE OF 1,317 FEET TO A POINT 180 FEET EAST OF FOURTH STREET.

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 sanitary sewers in order to provide the necessary sanitary sewer system;

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 sanitary sewer system with the necessary mains, manholes, pumping station and other appurtenances be constructed on Exeter Street commencing at Second Street, running westerly a distance of 1,317 feet to a point 180 feet east of Fourth Street.
2. THAT the total cost of the said work is estimated at \$49,989.81. The abutting owners' share based on acreage is estimated at \$49,989.81.
3. THAT the estimated annual rate per acre is \$307.32 for a period of fifteen (15) years at 10% interest and shall be charged and imposed upon all the lands in a defined area as shown in Schedule "A" 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 fifteen (15) annual instalments of principal and interest at such rate as Council shall determine.
5. THAT the estimated life of the work is sixteen (16) years.
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 debentures herein-after referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this by-law.
7. 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.

- 8. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
- 9. 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.
- 10. 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.
- 11. After the debentures have been sold, any person whose lot is specially assessed may commute the balance of the special assessment by paying to the Corporation an amount which, when invested at the then current interest rates will be sufficient to pay the unmatured annual debt charges of the special assessment.

READ A FIRST TIME IN OPEN COUNCIL THIS 22ND DAY OF JULY, 1974.

READ A SECOND TIME IN OPEN COUNCIL THIS 22ND DAY OF JULY, 1974.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS
9TH DAY OF DECEMBER, 1974.

.....
MAYOR

A.B. [Signature]
.....
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 79-74 OF THE CORPORATION OF THE CITY OF NORTH BAY

.....

DESCRIPTION OF LAND

Part of Parcel	10700 W&F	(Block A)	1.167 acres
Part of Parcel	10700 W&F	(Block B)	5.501 acres
Part of Parcel	10700 W&F	(Block C)	14.547 acres
Part 1 on Plan	36R 3498		0.171 acres
TOTAL ACREAGE			21.386 acres



E 741859

Ontario Municipal Board

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

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 an order approving
the construction of a sanitary sewer
with the necessary mains, manholes,
pumping station and other appurtenances
on Exeter Street commencing at Second
Street running westerly a distance of
1,317 feet to a point 180 feet east
of Fourth Street at an estimated cost
of \$49,989.81 and the borrowing of
money therefor, and the issuance of
the necessary debentures

- and -

IN THE MATTER OF the passing of a
by-law imposing a sewer rate

B E F O R E :

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

- and -

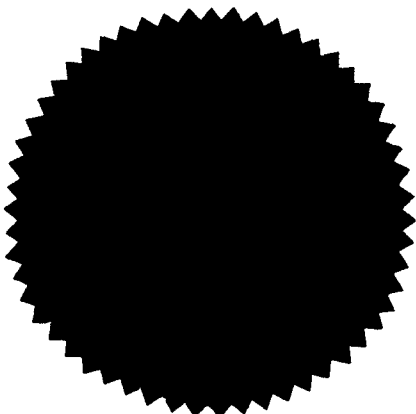
A. B. BALL
Member

Tuesday, the 19th day
of November, 1974

THE BOARD ORDERS that this application be granted and
that the applicant may proceed with the said undertaking
and may pass all requisite by-laws, and may issue debentures
therefor for a sum not exceeding \$49,989.81 and not
to exceed the net cost of such undertaking to the
applicant, for a term not to exceed fifteen years, provided
that any by-law authorizing the said undertaking is passed
by a three-fourths vote of all members of the council of

the applicant corporation;

AND THE BOARD FURTHER ORDERS that the passing of a by-law imposing a sewer rate over a period of fifteen years to pay the whole of the annual payments with respect to such works, by an annual rate of not more than \$307.32 per acre with interest thereon at a rate not exceeding 10% per annum, on all the lands in the area described in Schedule "A" attached hereto, be and the same is hereby approved.



C. Saruyama
C. SARUYAMA
ACTING SECRETARY

ENTERED	
O. B. No.....	<i>E 74-4</i>
Folio No.....	<i>214</i>
FEB 27 1975	
<i>W. A. Andrew</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



E 741859

Ontario Municipal Board

SCHEDULE "A"

to the order of the Ontario Municipal Board
made on the 19th day of November, 1974

AREA ON WHICH A SEWER RATE IS TO BE IMPOSED:

Part of Parcel	10700 W&F	(Block A)	1.167 acres
Part of Parcel	10700 W&F	(Block B)	5.501 acres
Part of Parcel	10700 W&F	(Block C)	14.547 acres
Part 1 on Plan 36R 3498			<u>0.171 acres</u>
		TOTAL ACREAGE	21.386 acres