

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 44-75

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION  
OF SEWERS ON ELMWOOD AVENUE AND BURNS STREET  
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 sanitary sewers and storm sewers in order to provide the necessary sanitary sewer and storm sewer 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 COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. (a) That an 8" sanitary sewer system with the necessary mains, manholes, appurtenances and connections to lines be constructed on Elmwood Avenue from Clarence Street to Burns Street which area is more particularly described on Schedule "A" annexed hereto.
- (b) That a storm sewer system with the necessary mains, manholes, appurtenances and connections to lines be constructed as follows:
  - (1) An 18" storm sewer on Elmwood Avenue from Clarence Street to Burns Street.
  - (2) A 12" storm sewer on Burns Street from Maplewood Avenue to Elmwood Avenue.
  - (3) A 15" storm sewer at Greenwood Avenue and Burns Street intersection,
 which area is more particularly described in Schedule "A" annexed hereto.
2. That the total cost of the said work is estimated at \$40,152.00 including connections, The abutting owners' share based on acreage is estimated at \$23,766.00 excluding connection charges. The Corporation's share of the cost is \$7,236.00.
3. The estimated annual rate per acre is \$2,052.27 for a period of fifteen (15) years at 10 3/4% interest and shall be charged and imposed upon all the rateable property in a defined area <sup>as shown on Schedule "A" annexed hereto</sup> 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. The estimated cost for each connection is \$397.83 and the estimated annual cost for fifteen (15) years at 10 3/4% interest is \$54.56.
6. That the estimated life of the work is twenty (20) 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.
12. 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 5TH DAY OF MAY, 1975.

READ A SECOND TIME IN OPEN COUNCIL THIS 5TH DAY OF MAY, 1975.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS  
8TH DAY OF SEPTEMBER , 1975.

.....  
MAYOR

.....  
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 44-75 OF THE CORPORATION OF  
THE CITY OF NORTH BAY

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DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED ON ELMWOOD AVENUE  
FROM CLARENCE STREET TO BURNS STREET AND ON BURNS STREET FROM  
MAPLEWOOD AVENUE TO ELMWOOD AVENUE AND AT GREENWOOD AVENUE AND  
BURNS STREET INTERSECTION.

<u>DESCRIPTION OF LAND</u>	<u>AREA ACRES</u>
A. Elmwood - North Side	.58219 A
Lot 137 - 144 inclusive, Plan 94	
Elmwood - South Side	.52397 A
B. Burns - East Side	
Lot 130 - 132, N 1/2 133, Plan 94	.24105
Lot 134 - 136, S 1/2 133, Plan 94	.24105
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TOTAL ACREAGE	1.58826 A