

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 99-72

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION
OF A SANITARY SEWER SYSTEM IN THE HUGHES
ROAD AREA 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 in order to provide the necessary sanitary sewer system.

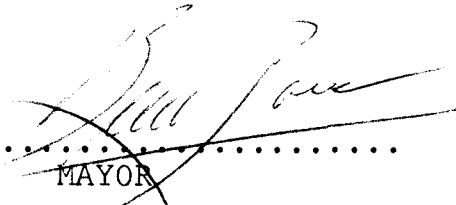
AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 362 of The Municipal Act being Revised Statutes of Ontario, 1970.

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, man-holes, appurtenances and connections to lines be constructed on Lavasse Road from existing sanitary sewer 130 feet south-west of Hughes Road to Hughes Road; and on Hughes Road from Lavasse Road for a distance of approximately 660 feet to the northwest limit of the Hughes Road which area is more particularly described on Schedule "A" annexed hereto.
2. THAT the total cost of the said work is estimated at \$17,482.80 including connections. The abutting owners' share based on acreage is estimated at \$16,348.80 excluding connection charges. The Corporation's share of the cost is nil.
3. THAT the estimated annual rate per acre is \$301.41 for a period of fifteen (15) 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 fifteen (15) annual instalments of principal and interest at such rate as Council shall determine.
5. THE estimated cost for each connection is \$378.00 and the estimated annual cost for fifteen (15) years at 9% interest is \$46.89.
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 herein-after 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.

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 MAYOR

.....

 CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 99-72 OF THE CORPORATION OF THE CITY OF NORTH BAY.

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DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN HUGHES ROAD AREA - 130 FEET SOUTHWEST OF HUGHES ROAD TO HUGHES ROAD; AND ON HUGHES ROAD FROM LAVASSE ROAD FOR A DISTANCE OF APPROXIMATELY 660 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 |
| Part 1, 2, 3 & 4 N.R. 2713 | 1.888 acres |
| Parcel 3269 W/F | 1.508 acres |
| | ----- |
| Total acreage | 6.729 acres |



ONTARIO

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 certain sanitary
sewers with connections and of
the borrowing of the sum of
\$17,482.80 being the estimated
cost thereof

- and -

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

B E F O R E :

W. H. PALMER,
Chairman

- and -

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

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Thursday, the 21st day of
December, 1972

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 construction of the sanitary sewers
with connections described in Schedule "A" attached hereto,
at a total cost not to exceed \$17,482.80 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
\$17,482.80 repayable over a term of not more than fifteen
years and may borrow money to the extent sufficient to provide
an amount not exceeding \$17,482.80 therefor, provided:



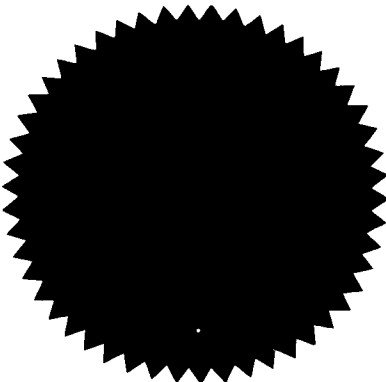
H 6950

ONTARIO MUNICIPAL BOARD

- 2 -

1. that the corporation may borrow the whole or any part of the said sum of \$17,482.80 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 sewer rate upon owners or occupants of land who derive or will or may derive a benefit from the said sewage works, for a period of fifteen 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 "B" hereto, be and the same is hereby approved.



K. C. Andrews
K. C. ANDREWS
SECRETARY

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| ENTERED | |
| O. B. No. | <i>1119</i> |
| Folio No. | <i>1111</i> |
| FEB 6 1913 | |
| <i>K. C. Andrews</i> | |
| SECRETARY, ONTARIO MUNICIPAL BOARD | |



H 6950

ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

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

Construction of SANITARY SEWERS with connections,
on:

1. LAVASSE ROAD from existing sanitary sewer
130 feet south-west of Hughes Road to Hughes
Road

2. HUGHES ROAD from Lavasse Road for a distance
of approximately 660 feet to the north-west
limit of the Hughes Road

TOTAL ESTIMATED COST\$17,482.80



H 6950

ONTARIO MUNICIPAL BOARD

SCHEDULE "B"

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

Description of area on which sewer 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 |
| Part 1, 2, 3 & 4 N.R. 2713 | 1.888 acres |
| Parcel 3269 W/F | 1.508 acres |
| | <hr/> |
| | 6.729 acres |
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| Total acreage..... | 6.729 acres |