

BEING a By-Law to authorize construction of sanitary sewers and watermains, concrete sidewalks and asphaltic road surfaces, also private sewer and water connections as a local improvement under the provisions of the Local Improvement Act.

WHEREAS the owners of property abutting on the streets referred to in Schedule "A" attached hereto, and forming part of this By-Law, have petitioned the Council to construct, as a local improvement, the work hereinafter described in Schedule "A" attached, and the Clerk has certified that the petitions are sufficient, and

WHEREAS it is expedient to grant the prayer of the petitions in manner hereinafter provided.

THEREFORE, THE MUNICIPAL CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:-

1. That sanitary sewers, watermains, concrete sidewalks and asphaltic road surfaces, also private sewer and water connections be constructed on the streets hereinafter described in Schedule "A" attached hereto and which forms part of this By-Law as a local improvement under the provisions of the Local Improvement Act.
2. 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 on and executing of the work by day labour.
3. That the work shall be carried on and executed under the superintendence and according to the directions and orders of such Engineer.
4. The Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or person firm or corporation, subject to the approval of this Council to be declared by Resolution, unless this Council decides by Resolution to carry on and execute the work by day labour in which event, the work shall be carried on and executed by day labour.
5. The Treasurer may, subject to approval of the Council, agree with any Bank or person for temporary advances of money to meet the cost of the work pending the completion of it.
6. That the special assessment shall be paid by Five (5), Ten (10), and Fifteen (15) annual instalments as indicated in Schedule "B" attached hereto, and which forms part of this By-Law.
7. That the debentures to be issued for the loan to be effected to pay for the cost of the work when completed, shall bear interest at such rate as the Council may determine and be made payable within Fifteen Years on the instalment plan.
8. That any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special assessment roll has been certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at Four Per Cent, per annum, will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.
9. That where petitions call for the combined construction of sanitary sewers and watermains as indicated in Paragraph I of Schedule "A", the Corporation shall pay as the Corporation's contribution required under the Local Improvement Act, Section 23, Paragraphs B and C, 100% of the cost of such watermains and the lots directly abutting shall be assessed on an equal rate per foot frontage for the total remaining cost of the combined project petitioned for, including the cost of such private drains and water connections necessary.

*Repealed*

10. (a) That where petitions call for the construction of sanitary sewers, concrete sidewalks and asphaltic road surfaces as individual projects, the Corporation shall pay the cost of works as is incurred at street intersections R.S.O. 1937, Chapter 269, Section 23, Paragraph C.

(b) That where lots have two or more limits that abut on works and the size or nature of the lot is such that any or all of the works are not required, a reduction of one-third of the special assessment in respect to the works that are not required, so long as they are not required, shall be made, and the reduction in cost in such special assessment shall be paid for by the Corporation.

11. That this By-Law shall not become effective until approval in writing has been secured from the Ontario Municipal Board by virtue of Section 70, Sub-Section I of the Ontario Municipal Board Act.

READ A FIRST TIME IN OPEN COUNCIL THIS 20th DAY OF JUNE, 1949.

READ A SECOND TIME IN OPEN COUNCIL THIS 20th DAY OF JUNE, 1949.

RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME SHORT AND PASSED THIS 20th DAY OF JUNE, 1949.

*Ed Price*  
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MAYOR

*J. A. Fair*  
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CLERK-TREASURER

SCHEDULE "A"

1. Petitions for combined sanitary sewer and watermain construction:-

(a) Bank from North End of the present services to High Street.  
High Street from Bank Street to Brennan Street.  
Brennan Street from High Street to the Trout Lake Road.

(b) Beattie Street from Scollard Street to the City Limits.

(c) Ann Street from Lorne Avenue to the City Limits.

(d) Scollard Street (south side only) from Bloem Street through connecting lane, thence easterly on the lane at the rear of the lots abutting.

2. Petitions for the construction of sanitary sewers only:-

(a) Aubry Street from the end of the present sewer to High Street.

(b) Jane Street from Bloem Street to Nipissing Street.

(c) Hammond Street from York Street east a distance of *280* feet ±

3. Petitions for the construction of concrete sidewalks only:-

(a) Copeland Street (north side) from Nipissing Street to Rock Street.

(b) Victoria Street (east side) from Ferguson Street to Wylde Street.

(c) Victoria Street (west side) from Ferguson Street to the south boundary of Lot 22.

- (d) Duke Street (east side) from Fraser Street to join with the present sidewalk a distance of 100 feet more or less.
- (e) Chippewa Street (east side) from Fraser Street to Cassell Street.
- (f) Franklin Street (south side) from Laurier Avenue to the east boundary of Lot 82, a distance of 444 feet more or less.
- (g) King Street (west side) from High Street, southerly, to the end of the present sidewalk.
- (h) Bell Street (south-east side) from McIntyre Street to Copeland St.
- (i) King Street (south side) from Ferguson Street to Wylde Street.
- (j) Fifth Avenue (east side) from Fraser Street to Ferguson Street.

4. Petitions for the construction of asphaltic road surfaces:-

- (a) Jane Street from Harvey Street to Timmins Street.
- (b) King Street from Ferguson Street to Cassell Street.
- (c) Bourke Street from Durrill Street to Bloem Street.
- (d) Sixth Avenue from Cassell Street to Fraser Street.
- (e) Sixth Avenue from Fraser Street to Ferguson Street.
- (f) Second Avenue from Cassell Street to Fraser Street.
- (g) Second Avenue from Ferguson Street to Wylde Street.
- (h) Bloem Street from Algonquin Avenue to McLaren Street.
- (i) Chippewa Street from Cassell Street to Chippewa Creek Bridge.

SCHEDULE "B"

Repayment of Special Assessments:

(a) Sanitary Sewers	15	Annual Instalments
(b) Sidewalks	10	Annual Instalments
(c) Asphaltic Road Surfaces	5	Annual Instalments

*Repealed*