

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 90-91

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A 28 FOOT WIDE CURB AND GUTTER ROADWAY INCLUDING STORM SEWERS, BOULEVARD LANDSCAPING AND STREET LIGHTING ON ELMWOOD AVENUE BETWEEN LAWSON AND BURNS STREET.

WHEREAS it has been duly declared by Declaratory By-Law No. 88-91 of The Corporation of the City of North Bay passed by a vote of two-thirds of all the members of Council that it is desirable that the construction of a 28 foot wide curb and gutter roadway including storm sewers, boulevard landscaping and street lighting on Elmwood Avenue between Lawson and Burns Street.

AND WHEREAS notice of the intention of the Council to undertake such work was duly published more than 21 days prior to the passing of this By-Law.

AND WHEREAS the Council has caused to be made the reports, estimates and statements required for the undertaking of the said works.

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

1. That a 28 foot wide curb and gutter roadway be constructed on the streets set out in Schedule "A" hereto annexed at the estimated cost as set out in the same Schedule, as provided by plans and specifications furnished by the Director of Engineering and Works for the Corporation of the City of North Bay, as a local improvement under the provisions of the Local Improvement Act, R.S.O. 1980, Chapter 250 and more particularly Section 8 thereof.
2. That the Director of Engineering and Works 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.
3. That the works shall be carried out and executed under superintendence and according to the directions and orders of the Corporation's Engineers.
4. That the Mayor and Clerk be 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 subject to the approval of this Council to be declared by resolution or by-Law.
5. That the Mayor or Deputy Mayor and the Treasurer of the City of North Bay are 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 the debentures hereinafter referred to, but in no event shall the aggregate of such borrowings exceed the amount limited in this By-Law.
6. The special assessment shall be paid by fifteen (15) equal instalments of principal and interest.

7. 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 Council shall determine and be made payable within fifteen (15) years on the instalment plan.
8. Any person whose lot is specially assessed may commute for a payment in cash the special rate imposed thereon by paying the portion of the cost of construction assessed upon such lot, without interest forthwith after the special assessment roll has been certified by the Clerk.
9. 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 THE 27TH DAY OF MAY, 1991.

READ A SECOND TIME IN OPEN COUNCIL THE 10th DAY OF JUNE, 1991.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 9TH DAY OF DECEMBER, 1991.



MAYOR



CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-91 OF THE CORPORATION OF
THE CITY OF NORTH BAY

<u>DESCRIPTION</u>	<u>TOTAL ESTIMATED COST</u>	<u>CORP. SHARE</u>	<u>OWNERS' SHARE</u>
Construction of a 28 foot wide curb and gutter roadway including storm sewers, boulevard landscaping and street lighting on Elmwood Avenue between Lawson and Burns Street.	\$212,000.	\$62,881.	\$149,119.



Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 64 of the Ontario Municipal Board Act, (R.S.O. 1980, c. 347 as amended); and

Section 8 of the Local Improvement Act, (R.S.O. 1980, c. 250 as amended)

- and -

IN THE MATTER OF an application by The Corporation of the City of North Bay for an order approving:

- (a) the construction of a local improvement in accordance with Schedule "A" attached hereto at an estimated cost of \$212,000.00 and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures,
- (b) the issuance of the necessary debentures to a maximum of \$212,000.00, for a term not to exceed fifteen years, and
- (c) the passing of a by-law to undertake the above work

B E F O R E :

T.F. BAINES
Vice-Chairman

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Tuesday, the 22nd day
of October, 1991

THE BOARD ORDERS that this application be granted and that the applicant may proceed with the construction of a local improvement in accordance with Schedule "A" attached hereto and may pass the requisite by-law and may issue debentures therefor for a sum not exceeding the lesser of \$212,000.00 or the net cost of such local improvement for a term not exceeding fifteen years, provided that the Council of the applicant corporation in exercising any power approved by this order shall comply and conform with all statutory and other legal requirements related thereto.

Liana Maci
SECRETARY

ENTERED	
O.B. No.	E91-4.....
Folio No.	120.....
NOV 29 1991	
<i>Liana Maci</i>	
SECRETARY, ONT. MUNICIPAL BOARD	



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Ontario Municipal Board
Commission des affaires municipales de l'Ontario

SCHEDULE "A"

to the order of the Ontario Municipal Board
made on the 22nd day of October, 1991

The Construction of a curb and gutter, roadway including storm sewers, boulevard landscaping and street lighting on Elmwood Avenue between Lawson Street and Burns Street at the costs and charges not exceeding those set out below:

The Corporation's share		\$ 62,881.00
Owners' share		<u>\$149,119.00</u>
Total Estimated Cost		<u>\$212,000.00</u>
Estimated Owner's Share per metre frontage:	\$589.45	
Fifteen annual installments		
Estimated Owner's annual rate per metre frontage:	\$ 95.96	
Cost per connection	\$450.00	
Estimated annual rate per connection	\$ 65.12	