

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 123-75A BY-LAW TO PROVIDE FOR THE IMPOSITION OF  
SPECIAL CHARGES TO PROVIDE ADDITIONAL  
SEWER OR WATER SUPPLY CAPACITY.

WHEREAS it is provided by Section 359 of The Municipal Act, R.S.O. 1970, Chapter 284 that Councils of local municipalities may by by-law with the approval of the Ontario Municipal Board, define the class or classes of buildings to be erected or enlarged after the effective date of the by-law that impose or may impose a heavy load on the sewer system or water system or both, by reason of which expenditures are or may be required to provide additional sanitary or storm sewers or water supply capacity that in the opinion of a Council would not otherwise be required and may impose upon the owners of such buildings a special charge or charges over and above all other rates and charges to pay for all or part of the cost of providing the additional capacity.

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

## 1. In this By-law;

- (a) "Combined residential and non-residential building" means a building containing:
  - i) three or more dwelling units and
  - ii) inside floor area devoted to purposes other than dwelling exceeding 3,000 feet which is not accessory to a dwelling unit or units only;
- (b) "dwelling unit" means one room or group of rooms in one building, used by one family for residential occupancy, having food preparation and sanitary facilities and a private entrance from outside the building or from a common hallway or stairway inside the building;
- (c) "non-residential building" means a building containing no dwelling units;
- (d) "residential building" means a building containing three or more dwelling units;
- (e) "gross floor" area means the total area of all floor areas including basement, but excluding crawl space;
- (f) "floor area" means the space of any storey of a building between exterior walls of the building and shall include the space occupied by all interior walls. A fire wall located on a property line separating two properties under separate ownership shall, for the purpose of this by-law, be considered as an exterior wall.

- 2. Residential buildings as herein defined in the City of North Bay and all combined residential and non-residential buildings in the City of North Bay erected or enlarged after the passing of this by-law may impose a heavy load on the sewer system and/or the water system of the City of North Bay by reason of which expenditures are or may be required to provide additional storm or sanitary sewer capacity or water capacity which would not otherwise be required.

3. Subject to the provision of Subsection 6 of Section 359, R.S.O. 1970, Chapter 284, there is hereby imposed upon the owner of every building in the City of North Bay erected or enlarged after the passing of this by-law.
  - (a) In the case of a residential building or the residential part of a combined residential and non-residential building a charge of \$200.00 for each dwelling unit the creation of which is authorized by the permit;
  - (b) In the case of non-residential buildings or the non-residential part of a combined residential and non-residential building a charge of 20 cents for each square foot of gross floor area the creation of which is authorized by the permit.
4. All charges imposed under this By-law shall be calculated by the Building Inspector of the Corporation of the City of North Bay at the time of the issuance of the building permit.
5. That the charge or charges imposed under this by-law are a lien upon the land on which the building is erected and may be collected in the same manner and with the same remedies as provided by the Assessment Act for the collection of real property taxes.
6. That the charge or charges to be imposed under this by-law are payable at the time of the issuance of the building permit.
7. This by-law shall come into force upon the final passing hereof and upon receiving the approval of the Ontario Municipal Board.

READ A FIRST TIME IN OPEN COUNCIL THIS 3RD DAY OF NOVEMBER, 1975.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF NOVEMBER, 1975.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 17TH DAY OF NOVEMBER, 1975.

.....  
 MAYOR

.....  
 CITY CLERK