

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 90-76

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A PUMPING STATION AND SANITARY SEWER FORCEMAIN IN THE CITY OF NORTH BAY AND TO IMPOSE A SPECIAL RATE.

WHEREAS The Municipal Act, R.S.O. 1970, Chapter 284, Section 354 (1), Paragraph 53 authorizes the Council to pass a by-law for the purposes therein stated;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 354 (1), Paragraph 53 (f) of the Municipal Act, R.S.O. 1970, Chapter 284.

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

1. THAT a pumping station and sanitary sewer forcemain be constructed as described in Schedule "A" attached hereto and forming part of this by-law.
2. THE Engineering Department of the City of North Bay be instructed to make all necessary plans, profiles and specifications forthwith and to furnish such information as may be necessary for the making of a contract for the execution of the work or for the carrying on of the work by day labour.
3. THAT the work shall be carried on under the superintendence of and according to the directions and orders of the Engineering Department of the City of North Bay.
4. THAT the Council may decide by resolution to carry on and execute the work by day labour.
5. THAT in the absence of a resolution by Council, the work be carried on and executed by day labour.
6. THAT Mayor and Clerk are hereby authorized to enter into a contract with some person or persons, firm or Corporation for the construction of the work subject to the approval of the work by resolution.
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 costs 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.
8. ANY promissory note or notes issued pursuant to paragraph 7 hereof shall be sealed with the seal of the Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
9. THE debentures to be issued when the work is completed to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within fifteen (15) years on the instalment plan and shall be a charge against the lands in the Urban Service area established by By-law No. 68-71 of the Corporation of the City of North Bay.

10. THERE is hereby imposed upon all the rateable property in the Urban Service area established by By-law No. 68-71 of the Corporation of the City of North Bay, a sewer rate for a period of fifteen (15) years, sufficient to pay the whole of the interest and principal charges of the debenture to be issued for the construction of the work as follows:

(a) A mill rate on the assessed value of all land in the Urban Service area designated by By-law No. 68-71 of the Corporation of the City of North Bay.

11. THAT this by-law shall not become effective until approval in writing has been secured from the Ontario Municipal Board, pursuant to Section 64 (1) of the Ontario Municipal Board Act, R.S.O. 1970, Chapter 323.

READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF JULY, 1976.

READ A SECOND TIME IN OPEN COUNCIL THIS 19TH DAY OF JULY, 1976.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED

THIS 4TH DAY OF OCTOBER , 1976.

.....  
MAYOR

.....  
CITY CLERK





E 761472

Ontario Municipal Board

IN THE MATTER OF Section 64 of  
The Ontario Municipal Board Act,  
(R.S.O. 1970, c. 323), and

Section 354(1)53 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 an order approving  
the construction of certain work  
at an estimated cost of \$1,052,950.00  
and the borrowing of money therefor,  
and the issuance of the necessary  
debentures, chargeable to the  
Urban Service Area.

B E F O R E :

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

- and -

B.E. SMITH,  
Member

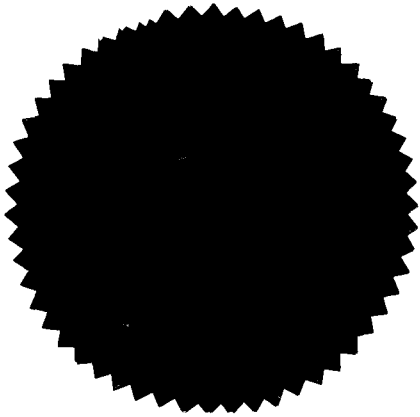
Monday, the 20th day

of September, 1976

THE BOARD ORDERS that this application be granted and  
the applicant may proceed with the construction of:

1. Easements and Property Acquisitions.
2. Construction of:
  - (a) Pumping Station (South of Marshall Avenue)
  - (b) Sanitary sewer forcemain from Marshall Avenue  
east of Lakeshore Drive to the sewage treatment  
plant, Queen Street

and may pass all requisite by-laws, and may issue  
debentures therefor for a sum not exceeding \$877,100.00  
and not to exceed the net cost of such undertaking to  
the applicant, for a term not to exceed fifteen years,  
provided that any by-law authorizing the said undertaking  
is passed by a three-fourths vote of all members of the  
council of the applicant corporation.



*C. Saruyama*  
C. SARUYAMA  
ACTING SECRETARY

ENTERED
O. B. No. <i>E76-3</i>
Folio No. <i>353</i>
SEP 27 1976
<i>H. Lindwall</i>
SECRETARY, ONTARIO MUNICIPAL BOARD