

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 137-86

BEING A BY-LAW OF THE CITY OF NORTH BAY  
TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE  
AN AGREEMENT  
(NORTH BAY WATER WORKS - PROJECT NO.  
6-0088-6100)

WHEREAS an Agreement was entered into by the Ontario Water Resources Commission and the Township of Widdifield on February 22, 1962, to provide for a water works;

AND WHEREAS the capital cost of the water works in the amount of \$239,307.38 has now been recovered and the City of North Bay is now operating the water works;

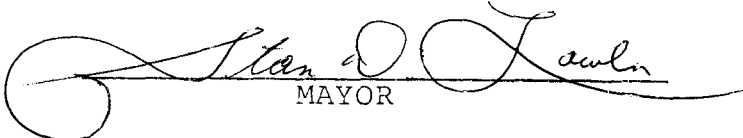
AND WHEREAS the Agreement provides that it shall remain in force for thirty calendar years following the date of completion of the water works:

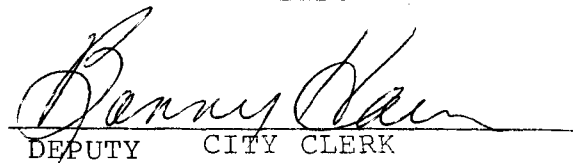
AND WHEREAS nothing remains to be done under the Agreement;

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

1. THAT the Mayor and Clerk are hereby authorized to execute an Agreement in the form attached as Schedule "A".
2. Section 3 of Frontage Rate By-law 953 dated February 5, 1962 of the Township of Widdifield is hereby amended to delete "30 years" and to insert in lieu thereof "25 years".
3. The costs of operation and maintenance will be raised by a service charge upon the urban area pursuant to By-law No. 68-71 as amended from time to time.
4. THAT no part of this by-law comes into force without the approval of the Ontario Municipal Board, but subject to this approval, this by-law takes effect as of December 31, 1986.

READ A FIRST TIME IN OPEN COUNCIL THIS 7th DAY OF July ,1986  
READ A SECOND TIME IN OPEN COUNCIL THIS 21st DAY OF JULY ,1986  
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 21st DAY OF  
JULY , 1986.

  
MAYOR

  
DEPUTY CITY CLERK

SCHEDULE "A" TO BY-LAW NO. 137-86 OF THE CORPORATION OF  
THE CITY OF NORTH BAY.

This Agreement made in four copies this 21<sup>st</sup> day  
of July, 1985.

B E T W E E N :

HER MAJESTY THE QUEEN IN RIGHT  
OF ONTARIO AS REPRESENTED BY  
THE MINISTER OF THE ENVIRONMENT

(hereinafter called the "Crown")

OF THE FIRST PART

- and -

The Corporation of the City of North Bay  
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS pursuant to an Agreement dated the 22nd day  
of February, 1962 between the Ontario Water Resources  
Commission and the Corporation of the Township of Widdifield,  
a water works (Project No. 6-0088-6100) was provided for the  
Municipality; and

WHEREAS pursuant to the Government Reorganization  
Act, 1972, the Crown is the successor to the Ontario Water  
Resources Commission; and

WHEREAS the Municipality is the successor to the  
Corporation of the Township of Widdifield; and

WHEREAS the capital cost of the water works has now  
been recovered and the Municipality is now operating the  
water works; and

WHEREAS the agreement provides that it shall remain in force for thirty calendar years following the date of completion of the water works; and

WHEREAS it is desirable to terminate the agreement as nothing remains to be done under it;

THE PARTIES HERETO AGREE pursuant to section 7(2) and 8 of the Ontario Water Resources Act as follows:

1. Section 3(b) of the agreement dated February 22, 1962 is amended by replacing the words "for thirty calendar years" with the words "until the first day of April 1986".
2. The Crown hereby certifies that all the obligations of the Municipality to the Ontario Water Resources Commission and the Crown pursuant to these agreements have been discharged to the satisfaction of the Minister.
3. The Crown will execute at the expense of the Municipality such further and other assurance as counsel may advise and the Crown agrees with respect to any property held by the Crown for the sole purpose of the water works.

The agreement dated February 22, 1962, is hereby terminated, subject to the transfer to the City of the reserve funds pursuant to Section 9A of the agreement.

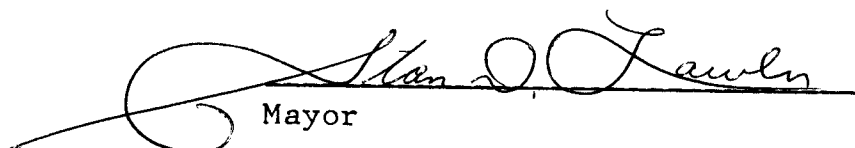
IN WITNESS WHEREOF this agreement has been duly executed.

HER MAJESTY THE QUEEN IN RIGHT  
OF ONTARIO AS REPRESENTED BY  
THE MINISTER OF THE ENVIRONMENT

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Minister

THE CORPORATION OF THE  
CITY OF NORTH BAY

 C/S  
Mayor

  
Clerk Deputy Clerk