

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 96-77

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A WATERMAIN SYSTEM CONSISTING OF A 6" MAIN ON THE REALIGNED PORTION OF SEYMOUR STREET BETWEEN THE EXISTING SEYMOUR STREET AND HIGHWAYS 11 AND 17 IN THE CITY OF NORTH BAY.

WHEREAS pursuant to the provisions of The Municipal Act, being Revised Statutes of Ontario, 1970, Chapter 284, and more particularly Section 354 (1) (53) thereof, a Council may pass by-laws authorizing the construction of waterworks in order to provide the necessary water distribution system.

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 362 of The Municipal Act being Revised Statutes of Ontario 1970.

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

1. THAT a watermain system consisting of a 6" main be constructed with the necessary valves and appurtenances on the realigned portion of Seymour Street between the existing Seymour Street and Highways 11 & 17.
2. THAT the total cost of the said work is estimated at \$20,820.00. The abutting owners' share based on acreage is estimated at \$20,820.00.
3. THAT the estimated annual rate per acre is \$413.31 for a period of twenty (20) years at 10½% interest and shall be charged and imposed upon all the lands in a defined area as shown in Schedule "A" hereto, which area shall be and is hereby defined as the property abutting on the said works.
4. THAT the assessment referred to herein or any debentures which may be and are hereby authorized shall be paid in twenty (20) annual instalments of principal and interest at such rate as Council shall determine.
5. THAT the estimated life of the work is twenty-one (21) years.
6. 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 cost of construction as aforesaid pending the completion thereof and pending the issue and sale of debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount limited in this by-law.
7. THAT the Engineers 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 out of the work by day labour.

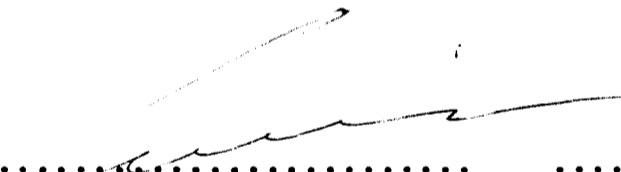
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8. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
9. THAT the Mayor and Clerk are hereby authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation or make such other arrangement as may be necessary for the carrying out of the work by day labour, subject to the approval of this Council to be declared by resolution.
10. Any person whose lot is specially assessed may, at any time, before the passing of a debenture by-law implementing the provisions hereof, commute for payment the cost of the construction assessed upon such lot without interest, forthwith after the said assessment roll has been certified by the Clerk.
11. 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 THIS 8TH DAY OF AUGUST, 1977.

READ A SECOND TIME IN OPEN COUNCIL THIS 8TH DAY OF AUGUST, 1977.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 9TH DAY OF JANUARY, 1978.

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 MAYOR

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 CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 96-77 OF THE CORPORATION OF  
THE CITY OF NORTH BAY  
: : : : : : : : : : : : : : : : : : : : : : : : : : : : : : :

Description of land to be specially assessed

NORTH SIDE

Patson Developments, Part 1, NR-67	1,3089 AC
Patson Developments, Part of Part 12, NR-451	0.80 AC

SOUTH SIDE

Gateway Delivery System Part of Part 12, NR-451 and Part 1, NR-451	1.90 AC
M.T.C., Part 1 36R-4343	2.114 AC

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Ontario Municipal Board

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

Sections 354(1)53 and 362 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:

- (a) the construction of a watermain, valves and appurtenances on the realigned portion of Seymour Street between the existing Seymour Street and Highways Number 11 and 17 at an estimated cost of \$30,975.00 and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures

- and -

IN THE MATTER OF the passing of a by-law imposing a water works rate

B E F O R E :

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

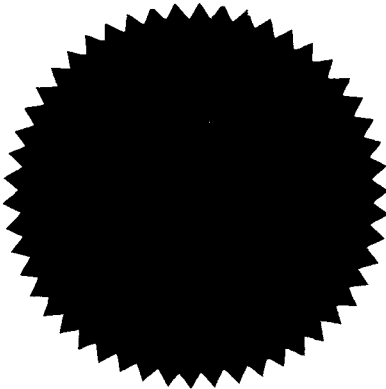
- and -

J.A. WHEELER,  
Member

Tuesday, the 13th day  
of December, 1977

THE BOARD ORDERS that this application be granted and that the applicant may proceed with the said undertaking and may pass all requisite by-laws, and may issue debentures therefor for a sum not exceeding \$30,975.00 and not to exceed the net cost of such undertaking to the applicant, for a term not to exceed twenty years;

AND THE BOARD FURTHER ORDERS that the passing of a by-law pursuant to Section 362 of The Municipal Act, imposing a water works rate over a period of twenty years, to pay the whole of the annual payments with respect to such works, by an annual rate of \$572.93 per acre with interest thereon at a rate not exceeding 10½% per annum, on all the lands in the area described in Schedule "A" hereto, annexed and signed by the Secretary, be and the same is hereby approved.



SECRETARY

<b>ENTERED</b>	
O. B. No.....	<i>E 77-5</i>
Folio No.....	<i>40</i>
DEC 15 1977	
SECRETARY, ONTARIO MUNICIPAL BOARD	

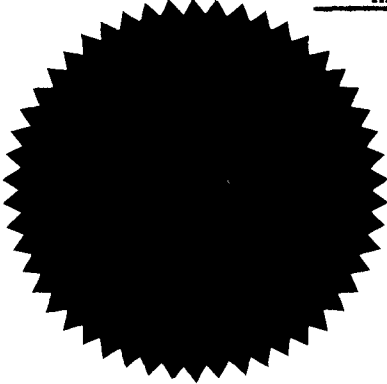


E 771813

Ontario Municipal Board

SCHEDULE "A"

to the order of the Ontario Municipal Board  
made on the 13th day of December, 1977



SECRETARY

Area on which water works rate is to be imposed:

DESCRIPTION OF LAND

AREA ACRES

NORTH SIDE

Patson Developments, Part 1, NR-67	1.3089 acres
Patson Developments, Part of Part 12, NR-451	0.80 acres

SOUTH SIDE

Gateway Delivery System Part of Part 12, NR-451 and Part 1, NR-451	1.90 acres
M.T.C., Part 1 36R-4343	2.114 acres

Total Acreage	<u>6.123 acres</u>
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