

BY-LAW NO. 2156

A BY-LAW of the City of North Bay to authorize the construction of a sanitary sewer on Harriet Street as a public utility undertaking.

AND WHEREAS by authority of Sec. 379(1), Sub-section 52 of the Municipal Act, being Chap. 249, R.S.O. 1960 as amended, the construction of sewage works as a public utility undertaking is authorized,

AND WHEREAS by authority of Sec. 377(4) of the Municipal Act, being Chap. 249, R.S.O. 1960, an agreement dated the 26th day of August 1963, has been entered into by the City of North Bay and the Township of Widdifield to provide for the joint construction, maintenance operation and cost sharing of said public utility undertaking.

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

1. THAT a sanitary sewer be constructed on Harriet Street as described in Schedule "A" which schedule is annexed hereto and forms part of this by-law.
2. THAT said works shall be done as a public utility undertaking under authority of the Municipal Act R.S.O. 1960, Chap. 249, Sec. 379 (1)52.
3. THAT 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.
4. THAT the work shall be carried on under the superintendence and according to the directions and orders of the Engineering Department of the City of North Bay.
5. THAT the Council may decide by resolution to carry on and execute the work by day labour.
6. THAT in the absence of a resolution by Council that the work be carried on and executed by day labour, the 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 Council by resolution.
7. THAT for the purpose aforesaid the Corporation may borrow by way of promissory note from the Royal Bank of Canada a sum not exceeding Twenty-four Thousand Six Hundred and Fifteen (\$24,615.00) Dollars.
8. THAT in payment of the loan authorized by Clause No. 7 aforementioned the Corporation shall, prior to June 1st in each of the years 1965, 1966, 1967, 1968 and 1969 pay to the Royal Bank of Canada a sum up to Five Thousand (\$5,000.00) Dollars or such lesser amount as was necessary to borrow for the purpose, and
9. THAT in the year 1965 the Corporation shall levy and raise on the revised assessment for the current year a sum of Four Thousand Six Hundred and Fifteen (\$4,615.00) Dollars and thereafter in each of the years 1966, 1967, 1968 and 1969 the Corporation shall levy and raise on the revised assessment for that year a sum of Five Thousand (\$5,000.00) Dollars by a special rate over and above all other rates upon all the rateable property in the City of North Bay for the purpose of paying the cost hereinafter contained in Schedule "A" annexed hereto and forming part of this by-law.

10. THAT this by-law shall not become effective until approval in writing has been secured from the Ontario Municipal Board pursuant to Section 64 of the Ontario Municipal Board Act (R.S.O. 1960).

READ A FIRST TIME IN OPEN COUNCIL THIS 4TH DAY OF MAY, 1964.

READ A SECOND TIME IN OPEN COUNCIL THIS 4TH DAY OF MAY, 1964.

RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 4TH DAY OF MAY, 1964.

.....
[Handwritten Signature]
.....
MAYOR

.....
[Handwritten Signature]
.....
CITY CLERK

SCHEDULE "A"
to
BY-LAW NO. 2156

DESCRIPTION OF WORK

The construction of a 21" Sanitary Sewer, complete with manholes, on Harriet Street from Timmins Street, a distance of 3843 lineal feet westerly.

<u>CONTRACT COST</u> (as per tender)	\$79,629.85
<u>LESS</u>	
New sewer connections not chargeable to Township	<u>2,275.00</u>
Total Contract to be shared with Township of Widdifield and others\$77,354.85

PERCENTAGE SHARE
(acreage served basis)

CITY OF NORTH BAY	31.871%
TOWNSHIP OF WIDDIFIELD	68.129%

COST TO CITY

31.871% of \$77,354.85	=	\$24,653.76
Plus New Sewer connections		2,275.00
Engineering and Supervision @ 3%		<u>2,154.24</u>
GROSS COST		\$29,083.00
Less contribution in advance by others		<u>4,468.00</u>
NET COST TO CITY OF NORTH BAY TO BE FINANCED	-	<u>\$24,615.00</u>



ONTARIO

THE ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R.S.O. 1960, c. 274), and

Section 379 (1) 52 of The Munic-
ipal Act, (R.S.O. 1960, c. 249),

- and -

IN THE MATTER OF an application
by The Corporation of the City
of North Bay for approval of the
construction of a sanitary sewer
on Harriet Street from Timmins
Street, a distance of 3843 lin-
eal feet westerly at a net esti-
mated cost of \$24,615 after
deducting amount of cash on
hand, provided \$4,615 shall be
paid in the year 1965 and \$5,000
in each of the years 1966, 1967,
1968 and 1969 all out of current
revenue.

B E F O R E :

J. A. KENNEDY, Q.C.,)
Chairman)
- and -)
A. L. McCRAE)
Member)

Wednesday, the 27th day
of May, 1964

THE BOARD ORDERS, under and in pursuance of
the legislation hereinbefore referred to, and of
any and all other powers vested in the Board,
that the said application be and the same is
hereby granted, and that the Corporation may
now proceed with the said undertaking at a net
estimated cost of \$24,615, after deducting the
amount of cash on hand, and may pass all requisite
by-laws, provided that the sum of \$4,615 shall be
paid in the year 1965 and \$5,000 in each of the

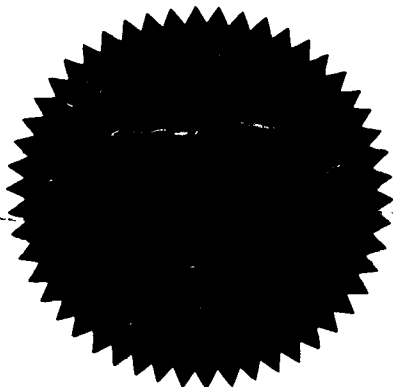


ONTARIO

THE ONTARIO MUNICIPAL BOARD

- 2 -

years 1966, 1967, 1968 and 1969 all out of current revenue, and provided that any by-law authorizing the said undertaking is passed by a three-fourths vote of all members of the council, and provided further that the Corporation in exercising any of its powers approved by this order shall comply with all statutory and other legal requirements related thereto.



A. G. Kickers
SECRETARY

ENTERED	
O. B. No.	<i>211</i>
Folio No.	<i>392</i>
MAY 29 1964	
<i>T. B. Kickers</i>	
Secretary, Ontario Municipal Board	