

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 84 -95

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF A WATERMAIN AND TO IMPOSE AN IMMEDIATE BENEFIT AREA FRONTAGE WATER WORKS RATE ALONG SUCH PART OF LAKESHORE DRIVE AND PINEWOOD PARK DRIVE.

WHEREAS Council deems it desirable to construct a watermain along part of Lakeshore Drive and Pinewood Park Drive at an estimated cost of \$990,000.00;

AND WHEREAS Council deems it desirable to impose a water works rate, pursuant to section 221 of the Municipal Act, R.S.O. 1990, c. M-45, upon the owners of the lands who derive or will or may derive a benefit therefrom sufficient to pay approximately 20% of the cost of the works to construct 1,150 metres of 300 mm diameter watermain on part of Lakeshore Drive and Pinewood Park Drive;

AND WHEREAS Council deems it necessary to abandon and supersede a local improvement program initiated as by-law No. 125-94 in order to allow the commercial property owners on Pinewood Park Drive to make a supplementary contribution of \$48,000.00 to the cost of the work and thereby reduce the residential land owners' share to approximately 7.5% ;

AND WHEREAS in addition to the 14 days notice of this By-Law, there has been previous notice of the intention to do the work and at least 2 public meetings to review the reports, estimates and statements required for undertaking the works;

AND WHEREAS Council has heard anyone who applied to be heard.

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

1. In this By-law:

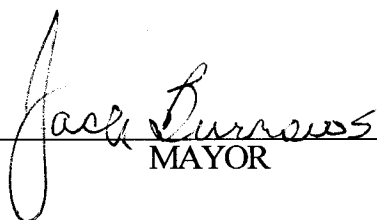
"capital cost" means the cost of constructing waterworks, inclusive of all items of cost chargeable to capital account, together with appurtenances and connections;
2. An annual water works rate is hereby imposed on the frontage of the immediate benefit area lands described on Schedules "A" and "A-1" hereto as Residential, Commercial/Institutional and Commercial/Institutional Supplementary for a period of ten years from the date certified by the Treasurer for completion of the works, for the capital cost of the water works described on Schedule "A" hereto.
3. The Corporation of the City of North Bay is hereby authorized to carry out the water works set out on Schedule "A" hereto annexed for not more than the estimated cost as set out in Schedule "A" as provided by plans and specifications furnished by the Director of Engineering and Environmental Services.
4. The Director of Engineering and Environmental Services of The Corporation shall 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.
5. The works shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
6. The Mayor and Clerk are hereby authorized to execute a contract for the construction of the work to be made and entered into with the approval of this Council.

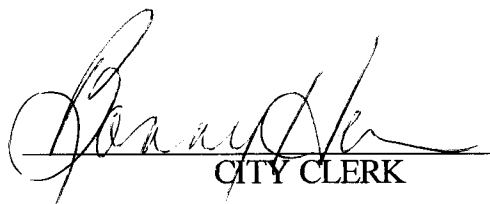
7. The Mayor or Deputy Mayor and the Treasurer of the City of North Bay are hereby authorized to borrow from time to time from any bank or person by way of promissory note or notes temporary advances of money to meet the cost of construction as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to, but in no event shall the aggregate of such borrowings exceed the amount limited in this By-Law.
8. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest as such rate as Council shall determine and be made payable within ten (10) years on the instalment plan on a debentured amount not to exceed \$277,898.00.
9. Any person whose lot is specially assessed may commute for a payment in cash the special rate imposed thereon by paying the portion of the cost of construction assessed upon such lot, without interest forthwith after the special assessment roll of the immediate benefit area has been certified by the Clerk.
10. 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 current interest rate certified by the City Treasurer will be sufficient to pay the unmatured annual debt charges of the special assessment.
11.
 - (1) The City Treasurer shall take all such steps as are necessary to impose the rates set out herein, to determine the applicable rates for each property, to create a Special Water Works Rate Collectors Roll therefor, and the decision of the City Treasurer shall be final and binding.
 - (2) The City Treasurer shall act in good faith and may make such adjustments as may be required having regard to what is just and equitable.
 - (3) The Tax Collector shall bill and collect such rates according to the instalment schedule of the levy for interim and final municipal taxes.

READ A FIRST TIME IN OPEN COUNCIL THE 5th DAY OF JUNE
1995.

READ A SECOND TIME IN OPEN COUNCIL THE 5th DAY OF JUNE
1995.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 5th
DAY OF JUNE , 1995.


MAYOR


CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 84-95 OF THE CORPORATION OF THE CITY OF NORTH BAY

DESCRIPTION OF FRONTAGE OF IMMEDIATE BENEFIT AREA LANDS	Total Estimated Cost	Corporation's Share	Federal & Provincial Government Share Under Canada/Ontario Infrastructure Works Program	Estimated Owners' Share In Total	Immediate Benefits Lands: Owners' Annual Rate Per Metre Frontage 10 Annual Instalments	Estimated Owners' Share For Connections	Estimated Owners' Annual Rate For Service Connection
Construction of approximately 1150 metres of 300 mm diameter watermain, with appurtenances and service connections, for an immediate benefit area on both sides of Lakeshore Drive from a point 240 metres east of Ferris Drive easterly to Pinewood Park Drive, and 900 metres of 400 mm diameter watermain, with appurtenances, and service connections, on both sides of Pinewood Park Drive from Lakeshore Drive southerly to a point approx 145 metres north of Decaire Road	\$990,000.00	Oversizing: \$83,772.00 Roads: \$7,956.00 Exemptions: \$7,707.00	\$612,667.00	\$206,898.00	Residential Per Frontage Metre: (being on Lakeshore Drive) \$31.06 Commercial/ Institutional Per Frontage Metre: (being on Pinewood Park Drive) \$51.33 Commercial/ Institutional Supplementary: \$48,000.00 @ \$3,000.00 x 13 * \$9,000.00 x 1 ** * and ** - see Schedule "A-1"	\$71,000.00	20 mm - \$190.21 25 mm - \$237.78 other - \$317.00

THIS IS SCHEDULE "A-1" TO BY-LAW NO. 84 -95
OF THE CORPORATION OF THE CITY OF NORTH BAY

* Being:

COMMERCIAL:

Sunset Holdings (Tutton);
Fifth Wheel (Denis);
Pinewood Park (Malnerich);
Pinehill Motel;
Saturn (Hopper);
Venture (Lafrance);
L'Ami;
Billy Bob's Bait (Richards);
MacPhersons (Jones);
Pinewood Business Centre (McGuinty);
Bay Nissan (Canarino).

INSTITUTIONAL:

Gospel Hall (Culins);
Seventh Day Adventist.

** Being:

Crisis Centre (Woods)