

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 125-74

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF SEWERS ON MAPLEWOOD AVENUE AND BURNS STREET 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 certain extensions and improvements to sanitary sewers and storm sewers in order to provide the necessary sanitary sewer and storm sewer systems.

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. (a) That a sanitary sewer system with the necessary mains, manholes, appurtenances and connections to lines be constructed on Maplewood Avenue from Clarence Street to Burns Street which area is more particularly described on Schedule "A" annexed hereto.
- (b) That a storm sewer system with the necessary mains, manholes, appurtenances and connections to lines be constructed on Maplewood Avenue from Clarence Street to Burns Street and on Burns Street from Maplewood Avenue to Oakwood Avenue, which area is more particularly described on Schedule "A" annexed hereto.
2. That the total cost of the said work is estimated at \$38,874.00 including connections. The abutting owners' share based on acreage is estimated at \$26,082.00 excluding connection charges. The Corporation's share of the cost is \$3,768.00.
3. That the estimated annual rate per acre is \$2,172.66 for a period of fifteen (15) years at 10 3/4% interest and shall be charged and imposed upon all the rateable property in a defined area as shown on Schedule "A" annexed 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 fifteen (15) annual instalments of principal and interest at such rate as Council shall determine.
5. The estimated cost for each connection is \$392.35 and the estimated annual cost for fifteen (15) years at 10 3/4% interest is \$53.81.
6. That the estimated life of the work is twenty (20) years.
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 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.

- 8. That the Engineer 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.
- 9. That the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.
- 10. 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.
- 11. 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.
- 12. 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 9TH DAY OF DECEMBER, 1974
 READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF DECEMBER, 1974
 READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
 THIS 16TH DAY OF JUNE , 1975.

.....
 MAYOR

Pat Mitchell

 DEPUTY CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 125-74 OF THE CORPORATION OF THE CITY OF NORTH BAY

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DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED ON MAPLEWOOD AVENUE FROM CLARENCE STREET TO BURNS STREET AND ON BURNS STREET FROM MAPLEWOOD AVENUE TO OAKWOOD AVENUE

<u>DESCRIPTION OF LAND</u>	<u>AREA ACRES</u>
(a) <u>Maplewood</u>	
<u>North Side</u>	
Lot 160, Plan 94	0.10009 acres
Lots 153 to 159 incl. Plan 94	0.48209 acres
<u>South Side</u>	
Lots 145 to 148 incl. Plan 94	0.30670 acres
Lots 149 to 152 incl. Plan 94	.27548 acres
(b) <u>Burns Street</u>	
<u>East Side</u>	
Lots 169 to 175 incl. Plan 94	<u>0.48209</u> acres
	TOTAL ACREAGE
	1.64645 acres



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 the construction of certain sanitary and storm sewers with connections at an estimated cost of \$38,874.00 and the borrowing of money therefor, and the issuance of the necessary debentures

- and -

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

B E F O R E :

A. H. ARRELL, O. C.,)	
Vice-Chairman)	
)	THURSDAY, the 22nd day
- and -)	
)	of MAY, 1975
D. JAMIESON,)	
Vice-Chairman)	

THE BOARD ORDERS that this application be granted and that the applicant may proceed with the construction of: SANITARY SEWER with connections, on:

1. MAPLEWOOD AVENUE from Clarence Street to Burns Street

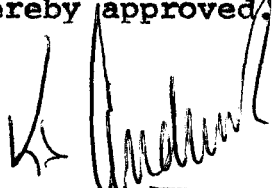
STORM SEWER with connections, on:

2. MAPLEWOOD AVENUE from Clarence Street to Burns Street
3. BURNS STREET from Maplewood Avenue to Oakwood Avenue

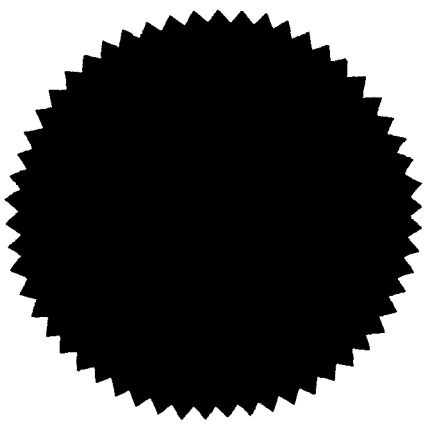
and may pass all requisite by-laws, and may issue debentures therefor for a sum not exceeding \$38,874.00 and


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;

AND THE BOARD ORDERS pursuant to Section 362 of The Municipal Act, that the passing of a by-law imposing a sewer rate over a period of fifteen years to pay a part of the annual payments with respect to such works, by an annual rate of \$2,172.66 per acre with interest thereon at a rate not exceeding 10 3/4% per annum, on all the land in the area described in Schedule "A" hereto, be and the same is hereby approved.



K. C. ANDREWS
SECRETARY



ENTERED	
O. B. No.	E 75-1
Folio No.	391
MAY 29 1975	
 SECRETARY, ONTARIO MUNICIPAL BOARD	



E 75286

Ontario Municipal Board

SCHEDULE "A"

to the order of the Ontario Municipal Board
made on the 22nd day of May, 1975

AREA ON WHICH SEWER RATE IS TO BE IMPOSED:

<u>DESCRIPTION OF LAND</u>	<u>AREA ACRES</u>
(a) <u>Maplewood</u>	
<u>North Side</u>	
Lot 160, Plan 94	0.1009 acres
Lots 153 to 159 inclusive Plan 94	0.48209 acres
<u>South Side</u>	
Lots 145 to 148 inclusive Plan 94	0.30670 acres
Lots 149 to 152 inclusive Plan 94	.27548 acres
(b) <u>Burns Street</u>	
<u>East Side</u>	
Lots 169 to 175 inclusive Plan 94	<u>0.48209 acres</u>
 TOTAL ACREAGE	 1.64645 acres