

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 83-71

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF TRUNK WATERMAINS IN THE SEYMOUR STREET AREA - ON SEYMOUR STREET FROM 230 FEET EAST OF MUD LAKE ROAD TO 950 FEET EASTERLY.

WHEREAS pursuant to the provisions of The Municipal Act, being Revised Statutes of Ontario, 1960, Chapter 249, and more particularly Section 379(1)(52) thereof, a Council may pass by-laws authorizing the construction of certain extensions and improvements to water systems;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 380 of The Municipal Act being Revised Statutes of Ontario, 1960.

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

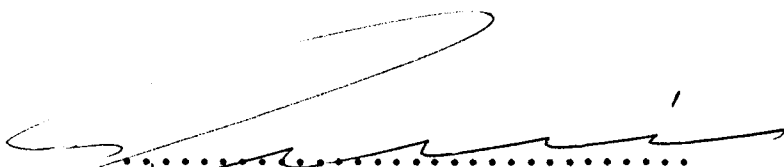
1. THAT an 8" diameter watermain be constructed in the Seymour Street area, on Seymour Street from 230 feet east of Mud Lake Road to 950 feet easterly which area is more particularly described on Schedule "A" annexed hereto.
2. THAT the total cost of the said work is estimated at \$26,640.00 including connection charges. The abutting owners' share based on acreage is estimated at \$25,380.00 excluding connection charges. The total Corporation's share of the cost is nil.
3. THAT the estimated annual rate per acre is \$104.58 for a period of twenty (20) years at 9% 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 at 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. THE estimated cost for each connection is \$420.00 and the estimated annual cost for twenty (20) years at 9% interest is \$46.01.
6. THAT the estimated life of the work is twenty-one (21) 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.

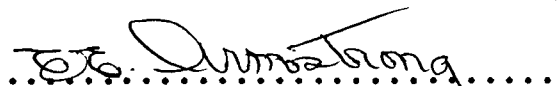
READ A FIRST TIME IN OPEN COUNCIL THIS 19TH DAY OF JULY, 1971.

READ A SECOND TIME IN OPEN COUNCIL THIS 19TH DAY OF JULY, 1971.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 1ST DAY OF NOVEMBER, 1971.



 MAYOR



 CITY CLERK



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ONTARIO

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 approval of the
construction of a watermain
including connections on Seymour
Street from 230 feet east of
Mud Lake Road to 950 feet easterly,
and of the borrowing of the sum
of \$26,640.00, being the estimated
cost thereof

- and -

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

B E F O R E :

J. A. KENNEDY, Q.C.,
Chairman

-and-

R. M. McGUIRE,
Vice-Chairman

} Friday, the 24th day of
September, 1971

UPON THE APPLICATION of The Corporation of the
City of North Bay for approval of the construction
of a watermain including connections on Seymour Street
from 230 feet east of Mud Lake Road to 950 feet easterly,
and of the borrowing of the sum of \$26,640.00, being
the estimated cost thereof, and for approval of the
passing of a by-law providing for the imposing of a
water works rate and it appearing that all notices
as required by any applicable statute and all notices



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ONTARIO MUNICIPAL BOARD

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as required by the Board have been given and that no objection or sufficient petition of objection as required by statute or by the Board has been received as appears from evidence duly filed, and upon reading the material filed;

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 total cost not to exceed \$26,640.00 and for such purpose may pass a by-law authorizing the said undertaking and all other requisite by-laws, including by-laws providing for the issue of debentures in a principal amount not exceeding \$26,640.00 repayable over a term of not more than twenty years, and may borrow money to the extent sufficient to provide an amount not exceeding \$26,640.00 therefor, provided:

1. that any by-law authorizing the said undertaking is passed by a three-fourths vote of all members of the council of the said corporation, and
2. that the corporation may borrow the whole or any part of the said sum of \$26,640.00 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, and



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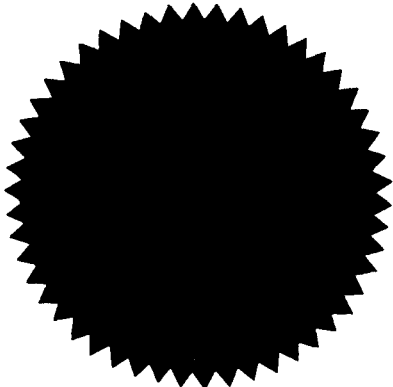
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3. that the corporation in exercising any of its powers approved by this order shall comply with all statutory and other legal requirements related thereto.

AND THE BOARD ORDERS that the passing of a by-law imposing upon the owners or occupants of land who derive or will or may derive a benefit from the said work, a water works rate for a period of twenty years to pay a part of the cost of the said watermain by an annual acreage rate of not more than \$104.58 per acre on the lands in the area described in Schedule "A" attached hereto, be and the same is hereby approved.

R. Andrew

SECRETARY



ENTERED	
O. B. No.....	149
Folio No.....	212
OCT 27 1971	
<i>R. Andrew</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



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SCHEDULE "A"

to the order of the Ontario Municipal Board made
on the 24th day of September, 1971

Description of land to be specially assessed

<u>Description of Land</u>	<u>Area Acres</u>
Part Lot 17, Conc. D	2.471 acres
Parcel 5907	9.433 acres
Part Lot 17, Conc. D Prop. Lot 27	6.980 acres
Part Lot 17, Conc. D Prop. Lot 26	<u>7.700 acres</u>
Total acreage -	26.584

THIS IS SCHEDULE "A" TO BY-LAW NO. 83-71 OF THE CORPORATION OF THE CITY OF NORTH BAY

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DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN SEYMOUR STREET AREA - FROM 230 FEET EAST OF MUD LAKE ROAD TO 950 FEET EASTERLY

<u>DESCRIPTION OF LAND</u>	<u>AREA ACRES</u>
Part Lot 17, Conc. D	2.471 acres
Parcel 5907	9.433 acres
Part Lot 17, Conc. D Prop. Lot 27	6.980 acres
Part Lot 17, Conc. D Prop. Lot 26	7.700 acres
Total acreage	- 26.584