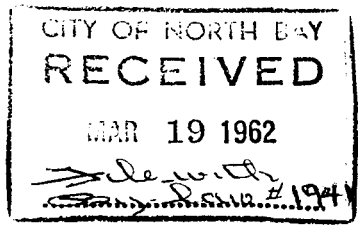


By-law book

OFFICE OF
CITY SOLICITOR



Box 135, North Bay, Ontario.

March 16th, 1962.

Mr. T. A. Frair,
City Manager.

Attention: Mr. C. D. Armstrong

Dear Sir: Re: Sewer Rate

In answer to Mr. Armstrong's query by telephone on March 15th, I beg to advise as follows.

Section 380 (19) of The Municipal Act clearly seems to require that sewer rates be in arrears before they can be entered upon the collector's roll and collected in the same way as municipal taxes.

I have reached this conclusion on the basis of the wording in the fourth and fifth lines of the subsection namely "if the rate or any part thereof remains unpaid after due date ... the clerk of the Municipality..... shall enter the same upon the collector's roll....".

I have not been able to find any case law on this point so that it is reasonable to assume that such interpretation has not been a point of dispute before the Courts.

Trusting this is the advice you have requested I remain,

Yours faithfully,

A. T. Smith
A. THOMAS SMITH

ATS/ES

BY-LAW NO. 1940.

BEING A BY-LAW to fix the Polling places and appoint Deputy Returning Officers and Poll Clerks for the holding of Municipal Elections in the year 1960 for the Municipality of the City of North Bay.

WHEREAS it is necessary to pass a By-law fixing Polling Places and to appoint Deputy Returning Officers and Poll Clerks for the purpose of taking the vote of the Electors, to select a Mayor and ten (10) Aldermen to transact the Municipal affairs of the City and for the selection of eight (8) Public School Trustees, and six (6) Separate School Trustees, and two (2) Hydro Commissioners, all to be elected by General Vote.

WHEREAS in any local municipality where difficulty arises in obtaining a suitable Polling Place in any Polling Subdivision, By-laws may be passed by authority of Section 84 of the Municipal Act, R.S.O. 1950 as amended, to provide a place for such Polling Subdivision in an adjoining Polling Subdivision.

THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:-

1. THAT Polling Places No. 1-A and 1-B for the purpose of the said Election shall be in Mrs. W. Odynski's residence, 1080 Copeland Street. Mrs. L. Porter is hereby appointed Deputy Returning Officer and Mrs. E. McKenzie, Poll Clerk, for Polling Place No. 1-A, and Mrs. E. Mauro is hereby appointed Deputy Returning Officer and Mrs. F. Childerhose, Poll Clerk, for Polling Place No. 1-B.
2. THAT Polling Place No. 2 for the purpose of the said election shall be in W. Santary's residence, 852 Main Street West, and Mr. T. Lavery is hereby appointed Deputy Returning Officer, and Mrs. G. Ryan, Poll Clerk.
3. THAT Polling Place No. 3 for the purpose of the said election shall be in the Court House, McIntyre Street West, and Mrs. E. Leslie is hereby appointed Deputy Returning Officer and Mrs. E. Ryan, Poll Clerk.
4. THAT Polling Places No. 4-A and 4-B for the purpose of the said election shall be in the Presbyterian Church Hall, Commercial Street. Mrs. M. Luxton is hereby appointed Deputy Returning Officer and Mrs. D. Gagliardi, Poll Clerk, for Polling Place No. 4-A, and Mrs. E. Clark is hereby appointed Deputy Returning Officer and Mrs. A. Elston, Poll Clerk, for Polling Place No. 4-B.
5. THAT Polling Places No. 5-A, 5-B and 5-C for the purpose of the said election shall be in the Manor Hotel, Algonquin Avenue. Mrs. E. Barber is hereby appointed Deputy Returning Officer and Mrs. I. Jarvis, Poll Clerk, for Polling Place No. 5-A. Mrs. G. Elston is hereby appointed Deputy Returning Officer and Mrs. C. Summers, Poll Clerk, for Polling Place No. 5-B. Mrs. R. Fraser is hereby appointed Deputy Returning Officer and Mrs. W. Avery, Poll Clerk, for Polling Place No. 5-C.
- THAT Polling Places No. 5-D, 5-E, and 5-F for the purpose of the said election shall be in the Pinewood Public School Auditorium. Mrs. P. Glover is hereby appointed Deputy Returning Officer and Mrs. I. Cauchy, Poll Clerk, for Polling Place No. 5-D. Mr. Harold Underwood is hereby appointed Deputy Returning Officer and Mrs. B. Davis, Poll Clerk, for Polling Place No. 5-E. Mrs. N. Grassi is hereby appointed Deputy Returning Officer, and Mrs. J. M. Swartz, Poll Clerk for Polling Place No. 5-F.
6. THAT polling Places No. 6-A and 6-B for the purpose of the said election shall be in Mr. R. Alemany's residence, 453 McLeod Street. Mrs. M. Ryan is hereby appointed Deputy Returning Officer and Mr. G. Thompson, Poll Clerk, for Polling Place No. 6-A. Mr. J. R. Moher is hereby appointed Deputy Returning Officer, and Mrs. R. Putnam, Poll Clerk for Polling Place No. 6-B.

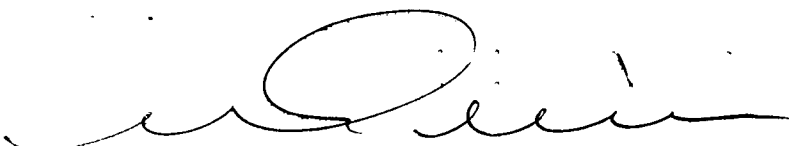
7. THAT Polling Places No. 7-A, 7-B and 7-C for the purpose of the said election shall be in St. Brices Parish Hall, Cassells Street. Mrs. C. Willcox is hereby appointed Deputy Returning Officer and Mrs. V. Wilson, Poll Clerk for Polling Place No. 7-A. Mr. S. Laframboise is hereby appointed Deputy Returning Officer, and Mrs. G. Thompson Poll Clerk, for Polling Place No. 7-B. Mrs. E. Harris is hereby appointed Deputy Returning Officer and Mrs. B. Lloyd, Poll Clerk, for Polling Place No. 7-C.
8. THAT Polling Places No. 8-A and 8-B for the purpose of the said election shall be in St. Andrews Church Hall, McIntyre Street, West. Mrs. A. McMahon is hereby appointed Deputy Returning Officer and Mrs. E. McParland, Poll Clerk for Polling Place No. 8-A. Mrs. B. Gagne is hereby appointed Deputy Returning Officer and Mrs. E. Schiavo, Poll Clerk, for Polling Place No. 8-B.
9. THAT Polling Place No. 9 for the purpose of the said election shall be in St. Andrews Church Hall, McIntyre Street West. Mrs. W. Maass is hereby appointed Deputy Returning Officer, and Mrs. A. Jacobs Poll Clerk.
10. THAT Polling Place No. 10 for the purpose of the said election shall be in the Queen Victoria Public School, Worthington Street East. Mrs. H. Locke is hereby appointed Deputy Returning Officer and Mrs. E. Whittingham, Poll Clerk.
11. THAT Polling Place No. 11, for the Purpose of the said election shall be in the Queen Victoria Puublic School, Worthington Street East. Mr. P. H. Torrance is hereby appbinted Deputy Returning Officer, and Mrs. P. H. Torrance, Poll Clerk.
12. THAT Polling Places No. 12-A and 12-B for the purpose of the said election shall be in Mrs. L. Robillard's residence, 164 Third Avenue West. Mrs. K. Dooling is hereby appointed Deputy Returning Officer and Mrs. F. Farmer, Poll Clerk for Polling Place No. 12-A. Mrs. O. Green is hereby appointed Deputy Returning Officer and Mrs. L. Robillard, Poll Clerk for Polling Place No. 12-B.
13. THAT Polling Places No. 13-A and 13-B for the purpose of the said election shall be in Mr. M. Pilon's residence, 170 Fifth Avenue West. Mrs. I. Maxwell is hereby appointed Deputy Returning Officer, and Mr. A. McEwen, Poll Clerk, for Polling Place No. 13-A. Mrs. H. Stewart is hereby appointed Deputy Returning Officer, and Mrs. H. Ingwerson, Poll Clerk, for Polling Place No. 13-B.
14. THAT Polling Places No. 14-A and 14-B for the purpose of the said election shall be in Our Lady of the Assumption School, Wyld Street at Fifth Avenue. Mrs. W. Bentley is hereby appointed Deputy Returning officer and Mrs. B. Clayton, Poll Clerk for Polling Place No. 14-A. Mrs. O. Thomas is hereby appointed Deputy Returning Officer and Mrs. F. Girard, Poll Clerk, for Polling Place No. 14-B.
15. THAT Polling Places No. 15-A, 15-B and 15-C for the purpose of the said election shall be in St. Brices Parish Hall, Cassells Street. Mrs. L. Strange is hereby appointed Deputy Returning Officer, and Mrs. M. Ketter, Poll Clerk, for Polling Place No. 15-A. Mrs. L. Barker is hereby appointed Deputy Returning Officer and Mrs. E. Tandy Poll Clerk, for Polling Place No. 15-B. Mrs. N. Becks is hereby appointed Deputy Returning Officer and Mrs. A. W. Chatelaine, Poll Clerk, for Polling Place No. 15-C.
16. THAT Polling Places No. 16-A and 16-B for the purpose of the said election shall be in the King Edward Public School, McIntyre Street East. Mrs. D. Devine is hereby appointed Returning Officer, and Mrs. D. McKee, Poll Clerk for Polling Place No. 16-A. Mrs. C. Childerhose is hereby appointed Deputy Returning Officer, and Mrs. H. Stuart, Poll Clerk for Polling place No. 16-B.
17. THAT Polling Places No. 17-A and 17-B for the purpose of the said election shall be in Mrs. A. Wray's residence, 470 First Avenue East. Mrs. E. Robinson is hereby appointed Deputy Returning Officer and Mrs. M. Laderoute, Poll Clerk, for Polling Place No. 17-A. Mrs. K. Saunders is hereby appointed Deputy Returning Officer, and Mrs. A. Constant, Poll Clerk, for Polling Place No. 17-B.

18. THAT Polling Places No. 18-A and 18-B for the purpose of the said election shall be in the King Edward Public School, McIntyre Street East. Mrs. H. Foster is hereby appointed Deputy Returning Officer, and Mrs. U. Dooling, Poll Clerk, for Polling Place No. 18-A. Mr. F. Hepburn is hereby appointed Deputy Returning Officer and Mrs. M. Leppan, Poll Clerk, for Polling Place No. 18-B.
19. THAT Polling Places No. 19-A and 19-B for the purpose of the said election shall be in Mrs. A. S. Bell's residence, 646, Main Street East. Mrs. G. Setchell is hereby appointed Deputy Returning Officer, and Mrs. E. Marsden, Poll Clerk, for Polling Place No. 19-A. Mrs. M. Charette is hereby appointed Deputy Returning Officer and Mrs. O. Dominico, Poll Clerk, for Polling Place No. 19-B.
20. THAT Polling Places No. 20-A and 20-B for the purpose of the said election shall be in Mrs. M. Scott's residence, 572 Metcalfe Street. Mrs. M. Montemurro is hereby appointed Deputy Returning Officer, and Mrs. E. Kennedy, Poll Clerk, for Polling Place No. 20-A. Mrs. G. Romaine is hereby appointed Deputy Returning Officer, and Mrs. E. Noaik, Poll Clerk, for Polling Place No. 20-B.
21. THAT Polling Places No. 21-A and 21-B for the purpose of the said election shall be in the basement of Laurier Avenue United Church, Laurier Avenue at Hammond Street. Mrs. H. Saunders is hereby appointed Deputy Returning Officer and Mrs. E. Chivers, Poll Clerk, for Polling Place No. 21-A. Mrs. C. St. Martin is hereby appointed Deputy Returning Officer and Mrs. M. McMahon, Poll Clerk, for Polling Place No. 21-B.
22. THAT Polling Places No. 22-A and 22-B for the purpose of the said election shall be in the basement of Laurier Avenue United Church, Laurier Avenue at Hammond Street. Mrs. P. Souliere is hereby appointed Deputy Returning Officer, and Mrs. L. McCarthy, Poll Clerk, for Polling Place No. 22-A. Mrs. E. McGirr is hereby appointed Deputy Returning Officer, and Mrs. W. Jackson, Poll Clerk, for Polling Place No. 22-B.
23. THAT the Advance Polling Place for the purpose of the said election shall be in the City Hall, McIntyre And Ferguson Streets, for the convenience of Railway Employees, Express Messengers, Truck Drivers, Bus Drivers and Commercial Travellers, and other voters who will be absent in the ordinary course of their business or employment as referred to in City of North Bay By-law No. 1662 passed under the authority of Chapter 63, Sec. 111(a), Statutes of Ontario 1952, and Mr. M. Craigie is hereby appointed Deputy Returning Officer and Mr. D. Cushing, Poll Clerk.
24. THAT the City Clerk shall attend the Council Chambers at the hour of twelve o'clock noon on the 14th day of December, A.D. 1960, for the final summing up of the number of votes for the Mayor and Aldermen, Public and Separate School Trustees and Hydro Commissioners.

READ A FIRST TIME IN OPEN COUNCIL THIS 27TH DAY OF OCTOBER 1960.

READ A SECOND TIME IN OPEN COUNCIL THIS 27TH DAY OF OCTOBER 1960.

RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME SHORT AND PASSED THIS 27TH DAY OF OCTOBER, 1960.


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MAYOR


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CITY CLERK