

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2009-15

**BEING A BY-LAW TO AUTHORIZE A SPECIAL SEWER CHARGE
(LOTS 81 & 82, PLAN M-312 – SURREY DRIVE)**

WHEREAS Council deems it desirable to authorize the imposition of a sewer and water connection, pursuant to Section 326 of the *Municipal Act*, R.S.O., 2001, on Lots 81 and 82, Plan M-312 located on the north side of Surrey Drive;

AND WHEREAS by Resolution No. 2008-772 passed on the 1st day of December, 2008, Council authorized a by-law to impose the special charge;

AND WHEREAS notice of the intention to impose the special sewer and water charge has been mailed to the Registered Owners of Lots 81 and 82, Plan M-312;

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

1. A one-time special charge for a sewer and water connection rate of \$35,000.00 per lot as of December 31, 2008 is hereby imposed on Lots 81 and 82, Plan M-312 to be payable if and when the dwelling unit on the subject lots connect to the water and sewer mains on Surrey Drive.
2. The special charge may be amended by the Chief Financial Officer based upon the Certificate of the City Engineer as to all actual costs for the works.
3. The special charge shall be adjusted for inflation based upon the City's bank prime lending rate plus 1%.
4. The City Engineer shall acquire and make available such plans, profiles and specifications and furnish such information as may be necessary for the connections to the water and sewer mains.
5. The works shall be carried out and executed in a good and workmanlike manner according to the directions of the City Engineer.
6. The City Engineer and City Clerk are hereby authorized to execute a contract for connection to the water and sewer mains.
7. Any person whose separately assessed parcel of land is specially assessed hereunder may connect to the water and sewer mains for a payment in cash of the special rate imposed thereon by paying the total cost portion of the cost of construction assessed upon such lot by the City Engineer.
8.
 - (1) The Chief Financial Officer shall take all such steps as are necessary to impose the rate set out herein, to determine the applicable rate for each property, to create a Special Water Works Rate Collectors Roll therefore, and the decision of the Chief Financial Officer shall be binding.
 - (2) The Chief Financial Officer 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 installment schedule of the levy for interim and final municipal taxes.

READ A FIRST TIME IN OPEN COUNCIL THE 2ND DAY OF FEBRUARY, 2009.

READ A SECOND TIME IN OPEN COUNCIL THE 2ND DAY OF FEBRUARY, 2009.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED 2ND DAY OF FEBRUARY, 2009.

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DEPUTY MAYOR PETER CHIRICO

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CITY CLERK CATHERINE CONRAD