

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 131-76

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF STORM SEWERS ON CERTAIN STREETS IN THE CITY OF NORTH BAY AND TO IMPOSE A SPECIAL RATE.

WHEREAS The Municipal Act, R.S.O. 1970, Chapter 284, Section 354 (1), Paragraph 53 authorizes the Council to pass a by-law for the purposes therein stated;

AND WHEREAS it is deemed desirable to make charges for the cost of construction of such works pursuant to Section 354 (1), Paragraph 53 (F) of The Municipal Act, R.S.O. 1970, Chapter 284.

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

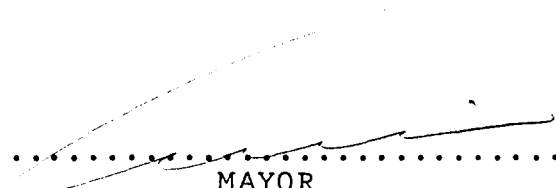
1. That storm sewers be constructed on the streets described in Schedule "A" attached hereto and forming part of this by-law.
2. The Engineering Department of the City of North Bay be instructed to make all necessary plans, profiles and specifications forthwith and to furnish such information as may be necessary for the making of a contract for the execution of the work or for the carrying on of the work by day labour.
3. That the work shall be carried on under the superintendence of and according to the directions and orders of the Engineering Department of the City of North Bay.
4. That the Council may decide by resolution to carry on and execute the work by day labour.
5. That in the absence of a resolution by Council, the work be carried on and executed by day labour.
6. The Mayor and Clerk are hereby authorized to enter into a contract with some person or persons, firm or Corporation for the construction of the work subject to the approval of the work by resolution.
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 costs 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. Any promissory note or notes issued pursuant to paragraph 7 hereof shall be sealed with the seal of the Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
9. The debentures to be issued when the work is completed to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within fifteen (15) years on the instalment plan and shall be a charge against the lands in the Urban Service area established by By-law No. 68-71 of the Corporation of the City of North Bay.

10. There is hereby imposed upon all the rateable property in the Urban Service area established by By-law No. 68-71 of the Corporation of the City of North Bay, a sewer rate for a period of fifteen (15) years, sufficient to pay the whole of the interest and principal charges of the debenture to be issued for the construction of the works as follows:

(a) A mill rate on the assessed value of all land in the Urban Service area designated by By-law No. 68-71 of the Corporation of the City of North Bay.

11. That this by-law shall not become effective until approval in writing has been secured from the Ontario Municipal Board, pursuant to Section 64 (1) of The Ontario Municipal Board Act, R.S.O. 1970, Chapter 323.

READ A FIRST TIME IN OPEN COUNCIL THIS 1ST DAY OF NOVEMBER, 1976.
READ A SECOND TIME IN OPEN COUNCIL THIS 1ST DAY OF NOVEMBER, 1976.
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED
THIS 10TH DAY OF JANUARY, 1977.

.....

.....
MAYOR

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.....
.....
CITY CLERK



E 7620144

Ontario Municipal Board

IN THE MATTER OF Section 64 of
The Ontario Municipal Board Act,
(R.S.O. 1970, c. 323), and

Section 354(1)53 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
storm sewers, catchbasins and
appurtenances at an estimated
cost of \$256,800.00 and the
issuance of the necessary
debentures as set out below
chargeable to the Urban Service
Area

B E F O R E :

S.S. SPEIGEL,
Member

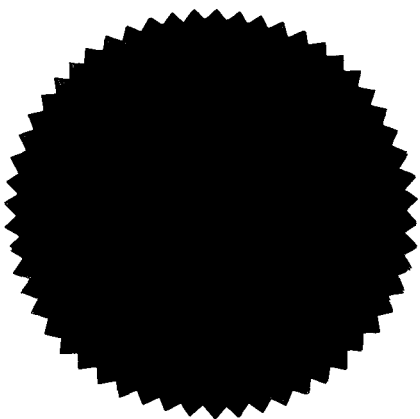
- and -

A.J.L. CHAPMAN, Q.C.,
Member



Monday, the 13th day
of December, 1976

THE BOARD ORDERS that this application be granted and
the applicant may proceed with the construction of the
storm sewers, catchbasins and appurtenances as described
in Schedule "A" attached hereto and may pass all requisite
by-laws, and may issue debentures therefor for a sum not
exceeding \$130,000.00 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.



K.C. Andrews
K.C. ANDREWS
SECRETARY

ENTERED
O. B. No. *E-16-5*
Folio No. *137*
DEC 22 1976
K.C. Andrews
SECRETARY, ONTARIO MUNICIPAL BOARD



E 762044

Ontario Municipal Board

SCHEDULE "A"

to the order of The Ontario Municipal Board
made on the 13th day of December, 1976

The Construction of STORM SEWERS, CATCHBASINS and APPURTENANCES
on the following streets:

1. Douglas Street from Lansdowne to Hillcrest Avenue,
a distance of 850 feet
2. McLeod Street from Lansdowne to Hillcrest Avenue,
a distance of 850 feet
3. Galt Street from Lansdowne to laneway approximately 100
feet south of Lansdowne Avenue, a distance of 100 feet
4. Laneway between Lansdowne and Lorne Avenue from Galt
Street to Ann Street, a distance of 300 feet
5. Ann Street from laneway 100 feet south of Lansdowne
Avenue to Lorne Street, a distance of 600 feet
6. Lorne Street from Algonquin Avenue to Ann Street, a
distance of 230 feet
7. Delaware Avenue from Burrows Street to Douglas Street,
a distance of 450 feet
8. Welch Avenue from Highland Road to Douglas Street, a
distance of 450 feet
9. Hillcrest Avenue from Highland Road to Douglas Street,
a distance of 400 feet
10. Hutcheson Avenue from 200 feet east of Douglas Street
to McLeod Street, a distance of 500 feet
11. Delaware Avenue from 400 feet east of Douglas Street
to McLeod Street, a distance of 300 feet
12. Hillcrest Avenue from 300 feet east of Douglas Street
to McLeod Street, a distance of 300 feet