

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 45-71BEING A BY-LAW TO AUTHORIZE CONSTRUCTION
OF TRUNK WATERMAINS IN THE AREA NORTH OF
HARRIET STREET IN THE CITY OF NORTH BAY.

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 a 6" diameter watermain be constructed in the area north of Harriet street and bounded by Third Street on the west, the Canadian National Right-of-Way on the north, a line between First Street and Second Street on the east, and Harriet Street on the south, which area is more particularly described on Schedule "A" annexed hereto.
2. THAT the total cost of the said work is estimated at \$5,880.00. The abutting owners' share based on acreage is estimated at \$5,880.00. The total Corporation's share of the cost is nil.
3. THAT the estimated annual rate per acre is \$70.05 for a period of fifteen (15) years at 8½% 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. THAT the estimated life of the work is sixteen (16) years.
6. 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.
7. 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.
8. THAT the work shall be carried out and executed under the superintendence and according to the directions and orders of the Corporation's Engineers.

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9. 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.
10. 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 10th DAY OF MAY , 1971.

READ A SECOND TIME IN OPEN COUNCIL THIS 10th DAY OF MAY , 1971.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED

THIS 15TH DAY OF NOVEMBER , 1971.

.....
MAYOR

.....
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 45-71 OF THE CORPORATION OF
THE CITY OF NORTH BAY

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WATERMAINS
DESCRIPTION OF LAND TO BE SPECIALLY ASSESSED IN THE
AREA NORTH OF HARRIET STREET

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Lots 34-37 incl.	M-167	4 Lots @ 0.064=0.256
Lot 38	M-167	=0.064
Lots 39 & 40	M-167	2 Lots @ 0.064=0.128
Lots 45-54 incl.	M-167	10 Lots @ 0.064=0.640
Former Elm St. road allowance	M-167	=0.587
Lots 172-182 incl. (irreg.)	M-167	=0.265
Lots 128 & 129 (irreg.)	M-36	=0.273
Lot 73	M-167	=0.128
Lot 74	M-167	=0.128
Lots 75-90 incl.	M-167	16 Lots @ 0.128=2.048
Lots 55-72 incl.	M-167	18 Lots @ 0.128=2.304
Former Copeland St. road allow.	M-167	=0.900
Lots 247-258 incl. (irreg.)	M-167	=0.873
Lots 259-264 incl. (irreg.)	M-167	=0.494
Former Bannerman St. road allow.	M-167	=0.924
Former Bond St. road allowance	M-167	=0.100
		Total acreage <u>10.112</u>



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 in the area north of Harriet Street and bounded by Third Street on the west, the Canadian National Right-of-Way on the north, a line between First Street and Second Street on the east, and Harriet Street on the south, and of the borrowing of the sum of \$5,880.00, 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

}
Wednesday, the 8th day of
March, 1972

UPON THE APPLICATION of The Corporation of the City of North Bay for approval of an additional expenditure of \$3,964.00 to complete the construction of a watermain in the area north of Harriet Street approved by the previous order of the Board made herein on the 11th day of August, 1971 at an estimated cost of \$5,880.00 and for approval of the borrowing of such additional amount, and upon reading the material filed;



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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 incur an additional expenditure of \$3,964.00 for the completion of the construction of the watermain in the area north of Harriet Street approved by the previous order of the Board made on the 11th day of August, 1971 and entered in order book No. H 9 at folio 319 on the 9th day of November, 1971 and for such purpose may pass all requisite by-laws, including by-laws providing for the issue of debentures in a principal amount not exceeding \$3,964.00 repayable within the term prescribed in the said previous order, and may borrow money to the extent sufficient to provide an amount not exceeding \$3,964.00 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 \$3,964.00 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, and
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.


K. Anderson
SECRETARY

ENTERED
O. B. No. <i>H 13</i>
Folio No. <i>312</i>
MAR 20 1972
<i>K. Anderson</i>
SECRETARY, ONTARIO MUNICIPAL BOARD



ONTARIO

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 64 of The Ontario Municipal Board Act, (R.S.O. 1960 c. 274), and

Sections 379(1) 52 and 380 of The Municipal Act, (R.S.O. 1960, c. 249)

- and -

IN THE MATTER OF an application by The Corporation of the City of North Bay for approval of the construction of a watermain in the area north of Harriet Street and bounded by Third Street on the west, the Canadian National Right-of-Way on the north, a line between First Street and Second Street on the east, and Harriet Street on the south, and of the borrowing of the sum of \$5,880.00, 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 -

F. G. BLAKE,
Member

Wednesday, the 11th day of

August, 1971

UPON THE APPLICATION of The Corporation of the City of North Bay for approval of the construction of a watermain in the area north of Harriet Street and bounded by Third Street on the west, the Canadian National Right-of-Way on the North, a line between First Street and Second Street on the east, and Harriet Street on the south, and of the borrowing of the sum of \$5,880.00, 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



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notices 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 \$5,880.00 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 \$5,880.00 repayable over a term of not more than fifteen years, and may borrow money to the extent sufficient to provide an amount not exceeding \$5,880.00 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 \$5,880.00 as required pending receipt of subsidies and the sale of debentures, or the receipt of moneys from any other source, and
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



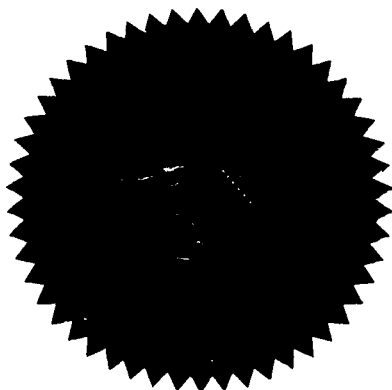
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or will or may derive a benefit from the said work,
a water works rate for a period of fifteen years to pay
the whole of the cost of the said watermain by an annual
acreage rate of not more than \$70.05 per acre on the
lands in the area described in Schedule "A" attached
hereto, be and the same is hereby approved.



K. Andrew
SECRETARY

ENTERED	
O. B. No.	119
Folio No.	319
NOV 9 1971	
<i>K. Andrew</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



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ONTARIO MUNICIPAL BOARD

SCHEDULE "A"

to the order of the Ontario Municipal Board made
on the 11th day of August, 1971

Description of Land to be specially assessed.

<u>DESCRIPTION OF LAND</u>	<u>PLAN</u>	<u>AREA ACRES</u>
Lots 34-37 incl.	M-167	4 Lots @ 0.064=0.256
Lot 38	M-167	=0.064
Lots 39 & 40	M-167	2 Lots @ 0.064=0.128
Lots 45-54 incl.	M-167	10 Lots @ 0.064=0.640
Former Elm St. road allowance	M-167	=0.587
Lots 172-182 incl.(irreg.)	M-167	=0.265
Lots 128 & 129 (irreg.)	M-36	=0.273
Lot 73	M-167	=0.128
Lot 74	M-167	=0.128
Lots 75-90 incl.	M-167	16 Lots @ 0.128=2.048
Lots 55-72 incl.	M-167	18 Lots @ 0.128=2.304
Former Copeland St. road allow.	M-167	=0.900
Lots 247-258 incl. (irreg.)	M-167	=0.873
Lots 259-264 incl. (irreg.)	M-167	=0.494
Former Bannerman St. road allow	M-167	=0.924
Former Bond St. road allowance	M-167	=0.100
	Total acreage	<hr/> 10.112 <hr/>



ONTARIO WATER RESOURCES COMMISSION
WATER WORKS APPROVAL

WhereasTHE MUNICIPAL CORPORATION...
of.....CITY OF NORTH BAY.....

has submitted to the Ontario Water Resources Commission plans, specifications and an engineer's report of the proposed works hereinafter referred to, together with such information as the Commission has required and has applied for approval of:-

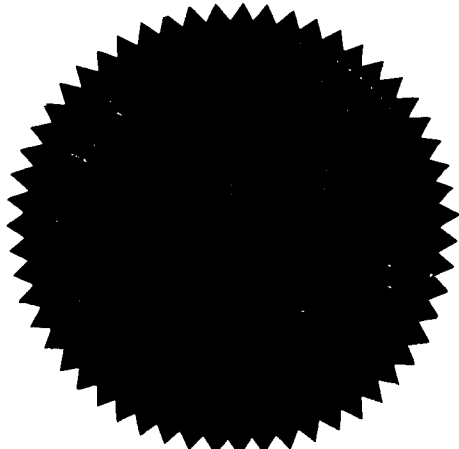
a watermain to be constructed as follows:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Second Street	Harriet Street	Approx. 520' N/1y

at a total estimated cost, including engineering and contingencies, of FIVE THOUSAND EIGHT HUNDRED AND EIGHTY DOLLARS (\$5,880.00).

Now Therefore this is to certify that the Commission after due enquiry has approved the said proposed works under Section 30 of The Ontario Water Resources Commission Act, 1960.

DATED AT TORONTO this8th..... day of.....July.....1971 .



K. H. Shupe
Assistant General Manager