

BY-LAW NO. 86-73

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 work as follows:

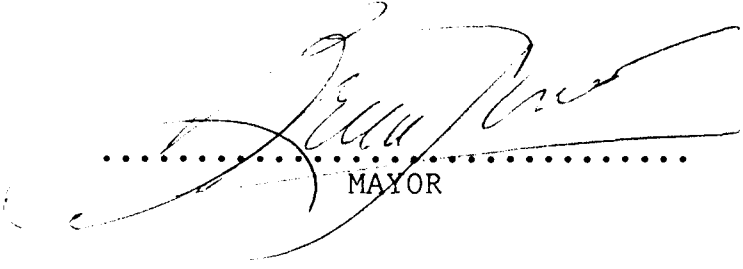
(a) A mill rate on the assessed value of all land in the Urban Service area designated by By-law No. 68-71 of the Corporation of the City of North Bay.

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 10th DAY OF September, 1973.

READ A SECOND TIME IN OPEN COUNCIL THIS 10th DAY OF September, 1973.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 17th DAY OF December, 1973.


.....
MAYOR


.....
CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-73 OF THE CORPORATION OF THE CITY OF NORTH BAY

.....

1. Regina St. - First Ave. to Worthington St. 42" - 36" dia. sewer	\$295,000.
Worthington St. - Regina St. to Wyld St.	
Wyld St. - Worthington St. to Fourth Ave.	
2. Eugene Rd. - Dorothy St. to 600' west of Dorothy St. - 18" - 15" dia. sewer	\$ 34,500.
3. Campbell Ave. - Charles St. to Fodor St. 27" - 24" dia. sewer	<u>\$ 26,500.</u>
Total cost of construction	\$356,000.
Less M.T.C. subsidy	<u>138,000.</u>
Municipality's share	\$218,000.



E 731701

Ontario Municipal Board

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

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 approval of the
construction of certain storm
sewers at an estimated cost of
\$356,000.00 and of the borrowing
of the sum of \$218,000.00 therefor

B E F O R E :

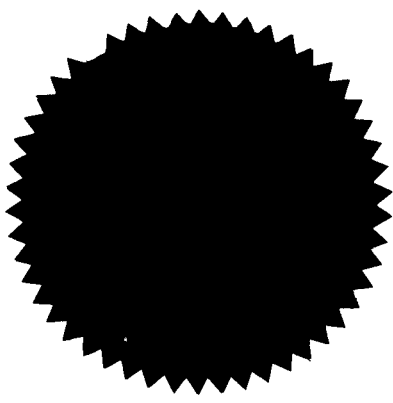
W. H. PALMER,)	
Chairman)	
- and -)	THURSDAY, the 15th day
)	of NOVEMBER, 1973
A. H. ARRELL, Q. C.,)	
Vice-Chairman)	

THE BOARD ORDERS that the said application be and the same is hereby granted, and that the corporation may now proceed with the construction of the storm sewers described in Schedule "A" attached hereto at a total cost not to exceed \$356,000.00 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 \$218,000.00 repayable over a term of not more than fifteen years and may borrow money to the extent sufficient to provide an amount not exceeding \$218,000.00 therefor, provided:

1. that the corporation may borrow the whole or any part of the said sum of \$356,000.00 as required pending receipt of subsidies and the sale of

debentures or the receipt of moneys from any other source,

2. that no commitment shall be made nor work undertaken, unless and until the said corporation has ascertained that the work is of a nature that is eligible for subsidy toward the cost thereof at the applicable rate by the Ministry of Transportation and Communications, and
3. that the amount to be debentured shall not exceed in any event the net cost to the corporation after deducting any grant or contribution from the Province of Ontario, or from any other source in respect of the said work.



K. C. Andrews

K. C. ANDREWS
SECRETARY

ENTERED	
O. B. No.	<i>E-235</i>
Folio No.	<i>51</i>
NOV 28 1973	
<i>K. C. Andrews</i>	
SECRETARY, ONTARIO MUNICIPAL BOARD	



E 731701

Ontario Municipal Board

SCHEDULE "A"

to the order of the Ontario Municipal Board made
on the 15th day of November, 1973

Construction of STORM SEWERS, on:

- | | | | |
|----|--|---|---------------|
| 1. | (a) <u>REGINA STREET</u> from First Avenue to
Worthington Street |) | |
| | |) | |
| | (b) <u>WORTHINGTON STREET</u> from Regina
Street to Wyl'd Street |) | |
| | |) | |
| | (c) <u>WYLD STREET</u> from Worthington Street
to Fourth Avenue |) | \$ 295,000.00 |
| 2. | <u>EUGENE ROAD</u> from Dorothy Street to
600 feet west of Dorothy Street | | 34,500.00 |
| 3. | <u>CAMPBELL AVENUE</u> from Charles Street
to Fodor Street | | 26,500.00 |

TOTAL ESTIMATED COST..... \$ 356,000.00

TO DEBENTURE..... \$218,000.00