

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 177-79

BEING A BY-LAW TO AUTHORIZE CONSTRUCTION OF PHASE I OF THE WEST BRANCH PARKS CREEK SEWER AND TO ACQUIRE THE NECESSARY EASEMENTS.

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 sanitary sewers and services be constructed on:
 - (a) an easement from Parks Creek to the northerly limit of Karla Drive
 - (b) on Karla Drive from the northerly limit of Karla Drive to Marshall Park Dr.
 - (c) on an easement from Marshall Park Drive to Harris Drive, and
 - (d) on Harris Drive from Parks Creek to the southerly limit of Concession 16and more particularly described in Schedule "A" attached hereto and including the acquisition of the required easements.
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 borrowing 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, as amended, 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, as amended, of the City of North Bay, a sewer rate for a period of fifteen (15) years for the construction of the works as follows:
 - (a) a mill rate on the assessed value of all land in the Urban Service Area designed by By-law No. 68-71, as amended, 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 17TH DAY OF SEPTEMBER, 1979.

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER, 1979.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 29th DAY OF October , 1979.

MAYOR

A. J. Weston

CITY CLERK

