

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW NO. 1376 (1990)

Being a by-law to establish certain water rates upon real property within Pelham Water Area No. 8 and to rescind By-law #1288 (1989).

WHEREAS under the provisions of the Municipal Act, Section 218, R.S.O. 1980, as amended, by-laws may be passed for authorizing the construction of water works and for imposing a water works rate upon owners or occupants who derive or will or may derive a benefit sufficient to pay all or such portion of the capital costs of the works as the by-law may specify;

AND WHEREAS, under the provisions of Section 218 (4) of the said Municipal Act, by-laws passed under Section 218 (2) shall designate the land for which the owners or occupants are made liable for the water rates imposed and where the land designated does not comprise all lands within the municipality may define the water works area in the by-law;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it expedient and necessary to provide for the supply of potable water by the construction of a water distribution system together with all necessary appurtenances to serve the lands within the area as described on Schedule "A" attached hereto;

AND WHEREAS the total cost of construction of the water distribution system including engineering, contingencies and administrative costs for the said area described in the attached Schedule "A" is \$46,574.00;

AND WHEREAS the estimated lifetime of the said water distribution system is 20 years or more;

AND WHEREAS the approval of the Ministry of the Environment has been obtained for the construction of the said distribution system;

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AND WHEREAS under the provisions of the said Municipal Act, Section 218 (8), water works rates may be computed by a metre frontage rate and connection charge on the lands that receive an immediate benefit from the said work;

AND WHEREAS Section 219 (1) of the Municipal Act, R.S.O. 1980, authorizes Councils of local municipalities to require owners of buildings in a defined area to connect the said buildings to the water works;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) THAT the lands adjoining the streets described in Schedule "B" be serviced by the said water works.

(2) THAT Council adopt the final cost of the work as more particularly defined and described in Schedule "C" attached hereto and forming part of this by-law.

(3) THAT the total cost of \$46,574.00 for the said works be assessed and levied on the following basis:

(a) a special frontage rate of \$44.67 per metre assessed on all lands that front onto the water works up to a maximum assessable frontage of 46 metres with flankage to be exempt up to a maximum of 92 metres annually for ten (10) years, plus where applicable;

(b) a connection charge of \$97.34 per annum for ten (10) years assessed on all residential lots to which a water service is constructed, which is additional to the rates provided in sub-paragraph (a) of this section.

(4) THAT owners of all existing buildings within the water area connect those buildings which contain water and/or sewage facilities to the water works within two (2) years of the completion of the water works and that all new buildings or renovated buildings which are equipped with water and/or sewage facilities be required to connect to the water works immediately upon completion of construction or renovation of the building.

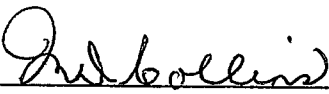
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(5) THAT any person whose lands are specially assessed pursuant to 3 (a) or 3 (b) may commute for payment, in cash, the special frontage rate and connection charge imposed thereon by paying the portion of the cost of construction assessed upon such lands, without interest within thirty (30) days of notification after the special assessment rolls have been certified by the Clerk.

(6) THAT the debentures, in the amount of \$46,574.00, to be issued for the loan to be effected to pay for the cost of the water works when completed shall be issued by the Regional Municipality of Niagara and shall be payable in ten (10) years on the installment plan, and shall bear interest at such rate as Council of the Regional Municipality of Niagara may determine.

(7) THAT By-law #1288 (1989) be and the same is hereby rescinded.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
1st. DAY OF OCTOBER, 1990 A.D.



MAYOR



CLERK