

THE CORPORATION OF THE

TOWN OF PELHAM

BY-LAW NUMBER 145 (1972).

Being a by-law to provide for the construction of an extension of the Central Pelham Sanitary Sewerage System to serve the lands within the Central Pelham Sewage Works Area.

WHEREAS under the provisions of Section 354 (1) Paragraph 53 of the Municipal Act, Chapter 284 of the R.S.O. 1970, by-laws may be passed by the Councils of local municipalities for authorizing the extension of sewage works without the assent of electors if the by-law authorizing the undertaking has been approved by the Municipal Board and passed by a vote of three-fourths of all members of Council;

AND WHEREAS under the provisions of Section 362 (2) of the said Municipal Act, subject to the approval of the Municipal Board first being obtained, the Council of a local municipality, in authorizing the construction of sewage works, may by by-law provide for imposing upon owners or occupants of land who will or may derive a benefit from the sewage works, a sewer rate sufficient to pay for the whole or such portion of the capital cost of the works as the by-law may specify;

AND WHEREAS under the provisions of Section 362 (7) of the said Municipal Act, a sewer rate may be computed by the combination of:

- a) A foot frontage rate on the lands that receive an immediate benefit from the works,
- b) A mill rate on the assessed value of the land designated within a sewage works area.

AND WHEREAS under the provisions of By-law #50 (1970) of the Town of Pelham, a sewage works area was established within part of the Town of Pelham and was known as the CENTRAL PELHAM SEWAGE WORKS AREA, and under the provisions of the said By-law, the construction of a sanitary sewage system together with all necessary appurtenances was authorized;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it expedient and necessary to continue its pollution abatement programme by the extension of the said sanitary sewerage system, together with all necessary appurtenances to serve additional lands within the said Central Pelham Sewage Works Area;

AND WHEREAS the Town Engineer reports that the total cost of the said extension to the Central Pelham Sewage System is as follows:

... Approximately 1,365 feet of 8-inch diameter sanitary sewer including appurtenances	1760	...	\$36,000.00	-	34000
... Approximately 18 private house connections	28.	...	\$ 4,000.00		6000
... Total Cost (including engineering and contingencies)		...	\$40,000.00		-1000.

.....2/.

AND WHEREAS the Town Engineer reports that the estimated lifetime of the said sewer extension works is 20 years and more;

AND WHEREAS the Council, by a three-fourths vote thereof has declared it to be expedient and desirable to proceed with the said works


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

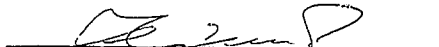
1. That sewage works as recommended by the Town Engineer be and is hereby authorized to be constructed at an estimated cost of \$ 40,000.00.
2. That the lands adjacent to the proposed works described as Schedule "A" attached to this by-law be served by the said sewage works extension.
3. That the total estimated cost of the said works amounting to \$40,000.00 be assessed and levied as follows:
 - a). That a sewer rate be computed under Section 362 (7) of the Municipal Act by a combination foot frontage rate on the lands that receive a direct benefit from the work plus
 - b). A rate on the dollar on rateable property in the Central Pelham Sewage Works Area as previously created and defined in By-law #50 (1970) of the Town of Pelham plus
 - c). An annual charge on each property for which a private connection is installed, of \$20.00 for 20 years.
 - d). The special assessments be paid in twenty (20) instalments.
4. That the following exemptions be granted:
 - a). Lands used for agricultural purposes will be charged on the basis of 100 feet of frontage maximum for each sewer connection installed and the difference between the actual frontage and the maximum assessable frontage calculated as above shall be exempt.
 - b). Maximum flankage exemption shall be 150 feet for all other lands.
5. That notice of Application to the Ontario Municipal Board, appended hereto as Schedule "B", be inserted in the local newspapers as prescribed by the Ontario Municipal Board;
6. That any persons whose lands are specially assessed may commute for payment in cash, the special rates imposed thereof by paying the portion of the cost of construction assessed upon such lands without interest, within thirty (30) days of notification after the special assessments rolls have been certified by the Clerk.

7. That Proctor & Redfern Limited, the Town Engineer, 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 of the said works; and that the said works be carried on and executed under the superintendence and according to the direction of the said Town Engineer;
8. That the Treasurer, subject to the approval of Council, may agree with any bank or person for temporary financing to meet the cost of the said works pending the completion thereof;
9. That the debentures be issued for the loan to be effected to pay for the cost of the works when completed, shall bear interest at a rate to be determined by Council and shall be payable in twenty (20) years on the instalment plan, and in setting the sum to be raised annually to pay the debt, the rate of interest on investment shall not be higher than the rate borne by the debentures.

READ IN COUNCIL FIRST AND SECOND TIME THIS 17th DAY

OF JULY A.D. 1972

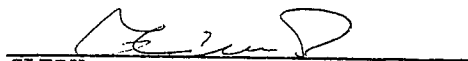

MAYOR


CLERK

READ A THIRD TIME AND FINALLY PASSED IN COUNCIL ON THE 17th DAY

OF JULY A.D. 1972


MAYOR


CLERK

for the Town of Pelham for approval of a by-law 147(1772)
authorizing the construction of extensions to
a Sanitary Sewer System and imposing a sewer
rate.

Take notice that:

- 1) The Council of the Corporation of the Town of Pelham intends to apply to the Ontario Municipal Board for approval for the construction of extensions to the Central Pelham Sewage Works as follows: the construction of a sanitary sewer on Quaker Road from South Pelham Street to Line Avenue with house connections from the main sewer to the street line within the Central Pelham Sewage Works Area at an estimated total cost of \$40,000.00 and intends to charge \$16,360.00 of the cost of the works as a sewer rate for a period of twenty (20) years upon the lands within the Central Sewage Works Area previously established by By-law #50 (1970) and shown on the map produced herewith and \$20,240.00 will be charged on a frontage basis and \$3,600.00 on a 'per connection' charge basis.
2. It is proposed to raise part of the annual payments by a frontage rate of 87.6 cents per foot per year on lands which receive a direct benefit, being those fronting on Quaker Road from Line Avenue to South Pelham Street and an annual charge of \$20.00 per connection, and the balance of the annual payments at an annual sewer rate estimated at 0.2 mills on the lands in the said Central Sewage Works Area. The following is an example of the annual charge on an average dwelling property having a frontage of 70 feet and assessed at \$5,000.00.

Frontage charge on 70 feet at 87.6 cents per foot	... \$61.32
Mill rate assessment, \$5,000.00 at 0.2 mills	... \$ 1.00
Private sewer connections (annual 20 years)	... \$20.00
TOTAL ANNUAL CHARGE	... \$82.32

the Central Pelham Sewage Works Area as outlined on the attached map. The frontage rate is to be charged on the land abutting on the streets or portions of streets on which the sewers are to be constructed.

b) The following exemptions will be granted:

1) Lands used for agricultural purposes will be charged on the basis of 100 feet of frontage maximum for each sewer connection installed and the difference between the actual frontage and the maximum assessable frontage calculated as above shall be exempt.

2) Maximum flankage exemption shall be 150 feet for all other lands.

4. Any ratepayer may, within twenty-one (21) days after the first publication of this notice, send by prepaid post to the Clerk of the Town of Pelham, at the address given below, a notice in writing stating his objections to such approval or to the imposition of the special rate.

5. The Ontario Municipal Board may approve the said special rates pursuant to the statute and may approve of the said ~~works~~, but before doing so it may appoint a time and place for a public hearing when any objection will be considered, but notice of such hearing will be given only to those persons who have given notice of objection as provided for above.

DATED at the Town of Pelham, This day of 1973.

L. C. Hunt, Clerk
P. O. Box 400
FONTHILL, Ontario

SCHEDULE 'A'

CENTRAL PELHAM SEWAGE WORKS EXTENSION NO. 1

SCHEDULE OF SEWER WORKS PROPOSED

<u>Street</u>	<u>From</u>	<u>To</u>
Quaker Road	South Pelham Street	Line Avenue

In all, approximately 1,365 feet of 8-inch diameter sewer and all necessary appurtenances necessary therefor,

plus

approximately 18 - 5-inch diameter house connections from the main sewer to the street line.

ONTARIO MUNICIPAL BOARD
NOTICE OF APPLICATION

for the Town of Pelham for approval of
a by-law authorizing the construction of
extensions to a Sanitary Sewer System
and imposing a sewer rate.

Take notice that:

- 1). The Council of the Corporation of the Town of Pelham
intends to apply to the Ontario Municipal Board for approval
for the construction of extensions to the Central Pelham Sewage
Works as described in 'Schedule A' set forth below within
the Central Pelham Sewage Works Area at an estimated total
cost of \$40,000.00 and intends to charge \$16,360.00 of the
cost of the works as a sewer rate for a period of twenty (20)
years upon the lands within the Central Sewage Works Area
previously established by By-law #50 (1970) and shown on the
map produced herewith and \$20,240.00 will be charged on a
frontage basis and \$3,600.00 on a 'per connection' charge
basis.
- 2). It is proposed to raise part of the annual payments by a frontage
rate of 87.6 cents per foot per year and an annual charge of
\$20.00 per connection, and the balance of the annual payments
at an annual sewer rate estimated at 0.2 mills. The following
is an example of the annual charge on an average dwelling
property having a frontage of 70 feet and assessed at \$5,000.00.

- 2). Maximum flankage exemption shall be 150 feet
for all other lands.
- 4). Any ratepayer may, within twenty-one (21) days after the
first publication of this notice, send by prepaid post to the
Clerk of the Town of Pelham, at the address given below,
a notice in writing stating his objections to such approval
or to the imposition of the special rate.
- 5). The Ontario Municipal Board may approve the said special
rates pursuant to the statute and may approve of the said
works, but before doing so it may appoint a time and place
for a public hearing when any objection will be considered,
but notice of such hearing will be given only to those persons
who have given notice of objection as provided for above.

DATED at the Town of Pelham, This day of 1972

L.C. Hunt, Clerk,
P.O. Box 400
FONTHILL, Ontario.