

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

BY-LAW #220 (1973)

Being a by-law to provide for the construction and extension to the Central Pelham Sanitary Sewage System to serve the lands within the Central Pelham Sewage Works Area (Valiant - Cherry Streets)

WHEREAS under the provisions of Section 354 (1), paragraph 33 of the Municipal Act, Chapter 284, R.S.O. 1970, by-laws may be passed by the Council of the local municipality to authorize the extension of sewage works without the assent of electo~~ors~~ is a by-law authorizing the undertaking that has been approved by the Ontario Municipal Board and passed by a vote of three-fourths of all members of Council;

AND WHEREAS under the provisions of Section 322 (2) of the said Municipal Act, subject to the approval of the Ontario Municipal Board first being obtained, the Council of the 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 costs 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 on the lands that receive an immediate benefit from the works, and
- b) a millrate on the assessed value of the land designated within the 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 program by the extension of the said sanitary sewage 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 Works is as follows:
(approximately 1.760 feet of 8 inch

.....approximately 28 private house connections	\$ 6,000.00
.....Total cost (including engineering and contingencies)	<u>\$40,000.00</u>

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 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 the 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 work described in Schedule "A" attached to this by-law be served by the said sewage works extension.

(3) THAT the total estimated cost of the said work 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 of foot frontage rate on the lands that receive a direct benefit from the work, plus
- b) A rate off the dollar on rateable property in the Central Pelham Sewage Works Area as previously created and defined in By-law #50 (1970), plus
- c) An annual charge on each property for which a private connection is installed, of \$22.70 for 20 years, p
- d) The special assessment is to be paid in 20 installments:

(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 a maximum assessable frontage calculated as above shall be exempt.
- b) Maximum flankage exemption shall be 150 feet for all other lands.

(5) THAT the notice of application to the Ontario Municipal Board, appended hereto as Schedule "B" be inserted in the local newspapers 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 the lands without interest, within thirty (30) days of notification after the special assessment 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 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 costs of the said work pending the completion thereof;

(9) THAT the debentures be issued for the loan to be effected to pay for the costs of the said work when completed, shall bear interest at the rate to be determined by Council and shall be payable in twenty (20) years on the installment plan, and in setting the sum to be raised annually to pay the debt at a rate of interest on investment shall not be higher than the rate borne by the debentures.


READ A FIRST AND SECOND TIME
BY THREE-FOURTHS OF COUNCIL
THIS 17th. DAY OF December, 1973.


MAYOR


CLERK

READ A THIRD TIME AND FINALLY
PASSED BY THREE-FOURTHS OF ALL
MEMBERS OF COUNCIL ON THE 13th.
DAY OF MAY, 1974


MAYOR


CLERK