

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW #2359 (2002)

Being a by-law to construct a water main in the
Pelham Water System on Regional Road #20 between
Lookout Street and E. L. Crossley Secondary School
under the Municipal Act.

WHEREAS the **Municipal Act**, Chapter M.45, R.S.O. 1990, provides in
Section 221, as amended, for the construction of a water main by the Council of the Corporation and
for the imposing of a water rate;

AND WHEREAS the Council of the Town of Pelham has adopted Municipal
Operations Report MOR-6/02 recommending the construction of the water main on Regional Road
#20 between Lookout Street and E. L. Crossley Secondary School;

AND WHEREAS the Treasurer of the Town of Pelham has calculated an
updated limit for the Town of Pelham using its most recent financial debt and obligation limit
determined by the Ministry of Municipal Affairs in accordance with Ontario Regulation 710/92 (the
“Limit”), has calculated the estimated annual amount payable by the Town of Pelham in respect of
the project described in this by-law and has determined that such estimated annual amount payable
does not exceed the Limit;

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

- (1) That a 200mm diameter water main will be constructed on Regional Road
#20 between Lookout Street and E. L. Crossley Secondary School complete
with the installation of services.
- (2) The lifetime of the work being estimated at 50 years.
- (3) 20mm copper service will be installed where applicable.
- (4) Hydrants and valves will be installed as required.
- (5) The estimated cost of each service installation is \$1,850.00. All properties
with an existing dwelling that are not serviced with municipal water will have
a 20mm copper service installed, complete with main stop and curb stop to
the property line.
- (6) The total cost is estimated at \$410,000.00 (including service connections).
- (7) The Corporation's share is \$70,000.00.
- (8) The owners' total local improvement charges is estimated to be \$340,000.00
in accordance with the attached Schedule “A”.


- (9) The assessed frontage charge is \$169.20 per metre and the total assessed frontage of 2009.4 metres.
- (10) The estimated annual rate charge is based on a ten year estimated debenture rate of prime plus 2% (7.0). The actual rate will be determined at the time of debenturing.
- (11) That a maximum 60.00 metres frontage charge be applied to all agricultural (residential) properties with a frontage over 60.00 metres.
- (12) That the entire frontage be assessed for all agricultural special exception (commercial) and institutional properties.
- (13) The Mayor and Treasurer of this Corporation be and they are hereby authorized to borrow up to \$410,000.00 on a temporary basis from the bank, financial institution or the Regional Municipality of Niagara (hereinafter called the "lender"), for temporary advances from time to time, to meet expenditures incurred pending the issue and sale of the said debentures, and to sign and deliver to the Lender under the Corporate Seal of this Corporation one or more promissory notes representing the said advances at such rate of interest as may be agreed upon from time to time with the Lender; and to assign to the Lender as collateral security for all such advances and interest thereon all monies growing due to this Corporation from the sale of the said Corporation and to do all acts and things and execute all documents which the Lender may reasonably request so that any amounts received for or in respect of the project by way of subsidy or contribution from the Province of Ontario or any other source, and the proceeds of the sale for the said debentures, or so much of the foregoing, as may be necessary, be paid to the Lender in repayment of the said advances and interest thereon.
- (14) Upon the aforesaid approval being obtained, the Clerk of the Corporation be and is hereby authorized to request the Council of the Regional Municipality of Niagara to borrow money for the purposes hereinbefore set out and to issue debentures therefore on credit of the Regional Corporation.
- (15) This by-law shall come into force and take effect upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME

AND FINALLY PASSED BY COUNCIL THIS

4th. DAY OF FEBRUARY, 2002 A.D.


MAYOR (ACTING)


CLERK