

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #250 (1974)

Being a by-law to authorize the construction of approximately 500 feet of 6 inch diameter watermain on the south side of Sumbler Road from a point 190 feet west of the Welland Town Limits to a point distant 690 feet west of said limits and to define the area being serviced as an extension to the Pelham Water Area #4.

WHEREAS by paragraph (1) (e) of Section 2 of the Local Improvement Act, R.S.O. 1970, Chapter 255, constructing, enlarging or extending a watermain including a main on each side or on one side only of the street may be undertaken by the Council of the Corporation as a local improvement,

AND WHEREAS by paragraph (1) (a) Section 8 of the said Local Improvement Act, the Council may pass a by-law for the purpose of undertaking the said work as a local improvement,

AND WHEREAS by paragraph (1) of Section 68 of the said Local Improvement Act, the Council may in the by-law for undertaking any work as a local improvement define an area in the municipality, and provide that the cost of the work including debenture charges and the cost of maintenance and management of the work including the cost of the utilities supplied shall be assessed and levied on the ratable property in the area,

AND WHEREAS by Section 69 of the said Local Improvement Act, a local improvement area as defined under Section 68 of the Act may be amalgamated with any other such area,

AND WHEREAS it is deemed necessary and advisable to construct 6 inch diameter watermain on Sumbler Road from the end of existing watermain distant 190 feet from the Welland-Pelham boundary, west to a point 690 feet Sumbler Road,

AND WHEREAS it is deemed necessary and advisable to define the area being serviced and incorporating said area into the existing Pelham Water Area #4,

AND WHEREAS the Council of the Town of Pelham has reviewed the Town Engineers Report prepared in conformity with the Local Improvement Act this report has been adopted by resolution of the Council, attached hereto as Schedule "A",

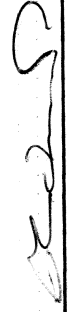
AND WHEREAS application will be made to Council of the Region Municipality of Niagara to borrow money for the said purposes and to issue therefore on the credit of the Regional Corporation,

BE IT THEREFORE ENACTED and is hereby enacted as a by-law of

- (2) THAT the Town of Pelham do define the area being serviced under the provisions of the Local Improvement Act, Section 68 and 69 as set out by mets and bounds description marked Schedule "B" attached hereto and as shown on the map of the Town of Pelham which said map is attached to this by-law and marked as such Schedule "C" and that the area hereby defined be considered an extension of the Pelham Water Area #4.
- (3) THAT the Town Engineer to 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 Sumbler Road water-main extension works and that the said works be carried on and be executed under the Superintendence and according to the direction of the said Town Engineer.
- (4) THAT the total estimated cost of the said works is described in the Engineers report appended hereto as Schedule "A" be assessed and levied as recommended in the Engineers Report as follows: As a total cost of the works that is to be borne by the lands on the south side of Sumbler Road which about on the work.
- (5) THAT the Treasurer subject to the approval of the Council may deal with any bank or persons for temporary financing to meet the cost of the said works pending the completion thereof.
- (6) THAT the special assessments be paid in 10 annual installments
- (7) THAT the debentures to be issued for a loan be effective to pay for the cost of the works when completed shall bear interest at the rate to be determined by the Council and shall be payable in 10 years on the installment plan and in setting the sum to be raised annually to pay the debt at the rate of interest, the investment shall not be higher than the rate borne by the debentures.
- (8) THAT any person 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 land without interest within 30 days of notification after the special assessment notices have been certified by the Clerk.

READ A FIRST AND SECOND TIME
THIS 29th. DAY OF April, 1974


MAYOR


CLERK

READ A THIRD TIME AND FINALLY
PASSED IN COUNCIL THIS
DAY OF , 197

MAYOR