

**TOWNSHIP OF ST. CLAIR**

**BY-LAW NUMBER 14 of 2008**

A by-law to Provide for the Construction and Financing of a Municipal Sanitary Sewer Extension on the St. Clair Parkway south of Courtright Line as Authorized of by Section 11 of the Municipal Act 2001, as a local improvement.)

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**WHEREAS** under the authority of Section 11 of the Municipal Act, 2001, as amended, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of public utilities and whereas public utilities by definition include sanitary sewers, and may construct and finance such utilities as a local improvement.

**AND WHEREAS** under the authority of the Municipal Act 2001, regulations O. Reg 119/03, as amended, a municipality may impose upon the owners of land who derive or will or may derive a benefit from the road, sanitary an storm sewer and water main and other services shall impose a rate sufficient to pay the costs of the said works;

**AND WHEREAS** The Corporation of the Township of St. Clair deemed it desirable to authorize the construction, in the Township of St. Clair, and passed By-law #30 of 2004;

**AND WHEREAS** The Council of the corporation of the Township of St. Clair accepts and adopts the report of the Township Treasurer and Engineer dated March 4, 2008, attached as schedule A to this by-law.

**AND WHEREAS** The Council of The Corporation of the Township of St. Clair accepts and adopts the report of the Township engineer dated February 19, 2008 as Schedule "B" to this by-law which identifies individual cost share.

**NOW THEREFORE** the Council of the Corporation of the Township of St. Clair enacts as follows:

- I. That having been confirmed by the Court of Revision held March 17, 2008, the assessments detailed in Schedule "B" this by-law be levied.

2. That the total cost to complete the work prescribed and authorized by By-law #30 of 2004 is estimated to be \$1,169,844.00.
3. That a Provincial grant in the amount of \$672,251.00 be applied to the project cost.
4. That under the authority of Section 11(2) of the Municipal Act, 2001 and the regulations thereof, there is hereby imposed upon the owners of land who derive, a benefit from the project, a local improvement rate sufficient to pay, over a period of five years, 100% of the total costs which include but are not limited to engineering costs, construction costs and short and long term financing costs. The lands deemed to derive benefit from this project shall consist of all or any land properties within the said area which are abutting, using or benefiting from the said project. The local improvement rate shall be imposed for a period of ten years sufficient to pay approximately 100% of the cost of work, and shall be a combination of the following methods:

#### **FRONTAGE CHARGE**

Within the limits of the land designated in Schedule "B" to this by-law a frontage charge of \$277.01 per meter of assessed frontage shall be charged for each separate property abutting the work plus \$1000.00 per service connection.

#### **FUTURE CONNECTIONS**

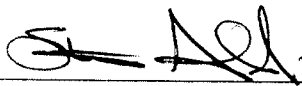
Properties which do not abut the work but which are located in the area serviced by the work may, on application, obtain access to the works and shall be levied a charge considered by Council to be fair.

5. The property owners identified on the Schedule of assessment may commute their assessment by making a single payment within 30 days of decision of the Court of Revision or may chose to finance their cost shares through the municipality and make annual payments on the property tax at a rate to repay, to the Township the principle and interest.

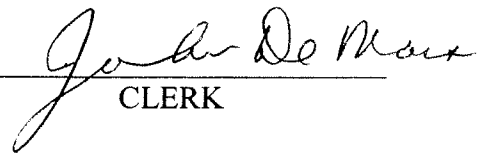
6. That the outstanding ratepayers cost share will be financed through the Provincial OSIFA funding at an estimated 4.5% interest rate

7. THIS By-law shall come into force and take effect upon the final passing thereof.

READ A FIRST AND SECOND TIME this 17<sup>th</sup> of March, 2008.

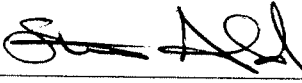


MAYOR

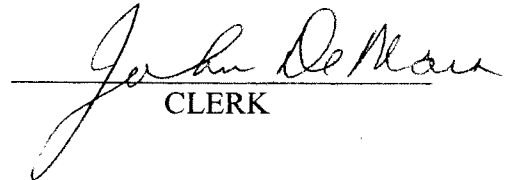


CLERK

FINALLY PASSED this 17<sup>th</sup> day of March 2008.



MAYOR



CLERK