

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 1050

BEING a By-law to authorize the construction of certain concrete steps between the curb and sidewalk on the Southerly side of Lockley Road between the Easterly boundary of Intervale Avenue and the Westerly boundary of Hutchinson Avenue as a work of local improvement under the provisions of Part XVI of the "Municipal Act"

WHEREAS Roy Wakefield and Maureen T. Wakefield and others have lodged with the Clerk a petition to the Council to construct as a local improvement the work hereinafter described, and the Clerk has certified that the said petition is sufficient and it is deemed expedient to grant the prayer in the said Petition,

AND WHEREAS no part of the said work is to be incurred at street intersections, and the whole of the cost of the said work is to be assessed upon the lots abutting directly upon the sidewalk to be served and improved by the said works according to the extent of their respective frontages by an equal special rate per foot of such frontage sufficient to defray the cost,

AND WHEREAS it appears that all of the lots to be assessed under this By-law are regularly and uniformly shaped and will receive equal benefit from the works hereinafter described so that no reductions in the special assessment shall be made,

AND WHEREAS pursuant to Section 601 of the Municipal Act the Council has procured to be made by the Municipal Engineer a report as to the various matters in the said section referred to, and it appears from the said report that the estimated cost of the said work is \$546.00 and that the estimated lifetime of the said work is not less than forty years,

AND WHEREAS this By-law is passed by an affirmative vote of not less than two-thirds of the members of the Council of the Corporation,

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT in open meeting assembled, enacts as follows:

1. That there be constructed as a work of local improvement under the provisions of Part XVI of the Municipal Act concrete stairways between the curb and sidewalk on the Southerly side of Lockley Road between the Easterly boundary of Intervale Avenue and the Westerly boundary of Hutchinson Avenue having a three foot (3') slab top and bottom, the steps of which to be four feet (4') in width with side-walls, having seven inch (7") risers and ten (10) to fifteen inch (15") treads and such stairways to have iron pipe railings at the following points upon the said street, that is to say:

- (a) On the extension of the boundaries between Lots Two (2) and Nine (9) of Plan 5240;

- (b) On the extension of the boundary between Lots Ten (10) and Eleven (11) of Plan 5240;
- (c) On the extension of the boundary between Lots Sixteen (16) and Seventeen (17) of Plan 5240;
- (d) In front of Lot Fourteen (14) of Plan 5240;
- (e) In front of Lot Fifteen (15) of Plan 5240;
- (f) In front of Lot Twenty (20) of Plan 5240;
- (g) In front of Lot Twenty-one (21) of Plan 5240;
- (h) In front of Lot Twenty-two (22) of Plan 5240;
- (i) In front of Lot Twenty-three (23) of Plan 5240.

2. That the Municipal Engineer do forthwith make such plans, profiles and specifications as may be necessary for the execution of the said work.

3. That the said work shall be carried on and executed under the superintendence of the Municipal Engineer and according to the plans, profiles and specifications and to the directions and orders of the said Municipal Engineer.

4. That the entire cost of the said work shall be specially assessed upon the lots abutting directly on the sidewalk to be served by the said work according to the extent of their respective frontages on the South side of Lockley Road from the Easterly boundary of Intervale Avenue to the Westerly boundary of Hutchinson Avenue.

5. That no reduction of the special assessment chargeable on the lots referred to in Section 4 hereof shall be made.

6. That the special assessment for the cost of the said work shall be paid in fifteen annual instalments.

7. Any persons whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon by paying the portion of the cost of construction assessed upon such lot without interest within thirty days after the special assessment roll has been certified by the Court of Revision.

8. The debentures to be issued and sold to meet the cost of the said work when completed shall bear interest at the rate of not more than 7% per annum and shall be fifteen year serial debentures, the interest on which is to be paid semi-annually, the principal of which is to be met by the payment of such specific sum in each year during the currency of the said debentures as may be determined by the By-law providing for the borrowing of the said moneys required to pay for the con-

struction of the said work, and the specific rate of interest to be payable on such debentures shall be determined by a resolution of the Council prior to the preparation of the special assessment roll.

9. This By-law may be cited as the "Lockley Road Steps Local Improvement By-law, 1963".

PASSED by an affirmative vote of not less than two-thirds of the Municipal Council on MAY 13 1963

RECONSIDERED AND ADOPTED by not less than two-thirds of the Municipal Council on JUN 3 1963

Alfred C. Wurtele
Rceve

J. W. Allan
Clerk

1. *Malacophylax* (L.)