

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW No. 1262

BEING a By-law to authorize the construction of a sanitary sewer and laterals on Wychbury Avenue to serve Lots 1, 2, 3, 4, 5, 8, 9 and 10 of Plan 21838, as a work of local improvement under the provisions of Part XVI of the "Municipal Act".

WHEREAS Southern Slope Holdings (1959) Ltd. has lodged with the Clerk a petition to the Council to construct as a work of 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 the whole of the cost of the said work is to be assessed upon the lots abutting directly thereon,

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 \$3,400.00 and that the lifetime of the work is not less than forty years.

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 a sanitary sewer and laterals of such diameter as the Engineer shall determine, on Wychbury Avenue to serve Lots 1, 2, 3, 4, 5, 8, 9, and 10 of Plan 21838.
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 except as hereinafter provided the entire cost of the said work shall be specially assessed upon the lots abutting directly on the said work according to the extent of their respective frontages thereon by an equal special rate per foot of such frontage sufficient to defray such cost.

5. That reductions and additions in the special assessment which would otherwise be chargeable on all of the lots described herein shall be made by deducting from the total frontage of such lots liable to the special assessment or by adding to the total frontage of the said lots liable to the special assessment sufficient to adjust the assessment on a fair and equitable basis, that is to say, sufficient to establish the foot frontage of each lot herein referred to as 50'.
6. The special assessment for the cost of the said work shall be paid in fifteen annual instalments.
7. Any person 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 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 construction 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 Wychbury Avenue Sewer Local Improvement By-law, 1969"

PASSED by the Municipal Council on APR 14 1969

RECONSIDERED AND ADOPTED by the Municipal Council on APR 28 1969

J.W. Allan
Clerk

Ray T. Bryant
Mayor