

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 1297

BEING a By-law to authorize the construction of a storm-water sewer main and laterals on McAdam Place to serve Lots 1, 2, 3 and 4 of Plan 23013, as a work of local improvement under the provisions of Part XVI of the "Municipal Act".

WHEREAS N. R. Pass Construction 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 \$1,860.00 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 storm-water sewer main and laterals on McAdam Place to serve Lots 1, 2, 3 and 4 of Plan 23013.
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 proportion of the cost of the said work to 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 shall be 100%.

5. That reductions 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 sufficient to adjust the assessment on a fair and equitable basis, that is to say, sufficient to establish the foot frontage on 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, the specific rate of interest to be determined by a resolution of the Council prior to the preparation of the Special Assessment Roll.

8. The cost of the said work which is to be specially assessed upon the lots abutting directly on the said work shall be financed from the "Local Improvement Fund" set up and established under By-law 1260, cited as the "Local Improvement Fund Establishment By-law, 1969" and the said special assessment, being the share of the cost of the said work to be borne by the owners of the lots abutting thereon, shall be paid into the said "Local Improvement Fund" not later than the 31st day of December in each year in which the said special assessments are levied.

9. This By-law may be cited as the "Mc Adam Place Storm-Water Sewer Main and Laterals Local Improvement By-law, 1970."

PASSED by the Municipal Council on APR 6 1970

RECONSIDERED AND ADOPTED by the Municipal Council on APR 20 1970

A. G. Young  
Mayor

M.W.E. Allen  
Municipal Clerk