

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 1469

BEING a By-law to authorize the construction of a sanitary sewer and laterals to serve Lot 1, Plan 27171 and Part Lot 5, Plan 13675, all fronting on Coles Street, as a work of local improvement under the provisions of Part XVI of the "Municipal Act".

WHEREAS, Donald L. and Eleanor M. Macdonell, have 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 prayers in the said petition

AND WHEREAS a report has been received by the Municipal Council from the Municipal Engineer which states:

- (a) The estimated lifetime of the work is forty (40) years;
- (b) The estimated cost of the work is \$3,000.00;
- (c) The share of the total estimated cost which will be specially charged against the parcels benefiting from or abutting on the work is \$3,000.00.

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 to serve Lot 1, Plan 27171 and Part Lot 5, Plan 13675.
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. The following shall be established as the annual charge for each foot of taxable foot frontage to be specially charged against the parcels benefiting from or abutting the said work and the number of years for which the annual charge is to be imposed and the percentage of the aggregate specified which will be accepted as the commuted value:

<u>Annual Charge</u>	<u>No. of Years</u>	<u>Percentage for Commutation</u>
<u>Per Foot</u>		
\$2.1958	15	60.721%

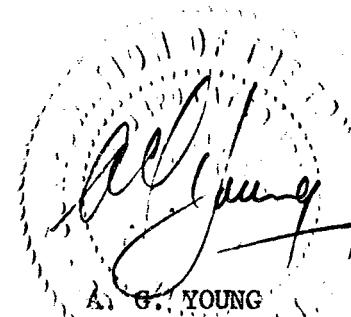
5. For the purpose of calculating the owner's portion of the cost of the work, each parcel benefiting from or abutting the said work shall be deemed to have a taxable foot-frontage of fifty (50) feet; provided that in respect of any parcel of land that may be lawfully subdivided the same shall be deemed an irregular shaped lot and shall be charged on the basis of having a taxable foot-frontage of fifty (50) feet for each potential lot into which such lot could be subdivided.
6. 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 (30) days after the special assessment roll has been certified by the Court of Revision.
7. It shall be lawful for the Corporation to borrow a sum not exceeding \$3,000.00 to meet the cost of the said work, under such conditions as the Council shall deem expedient.
8. This By-law may be cited as the "COLES STREET SEWER LOCAL IMPROVEMENT BY-LAW, 1974".

PASSED by the Municipal Council on 18th February, 1974.

RECONSIDERED, ADOPTED and FINALLY PASSED by the Municipal Council on 4th March, 1974



G. MERZ
MUNICIPAL CLERK



A. G. YOUNG
MAYOR