

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BY-LAW NO. 979

BEING a By-law to authorize the construction of a sanitary sewer extended north from Highrock Avenue to serve Lots 1, 2, 3, 4, 5, 6, and 7, Plan 14556, in Highrock Place, as a work of local improvement under the provisions of Part XVI of the "Municipal Act".

WHEREAS D.H. & S.C. Benn and others 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 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 served thereby, according to the extent of their respective frontages upon the said work by an equal special rate per foot of such frontage sufficient to defray the cost;

AND WHEREAS all of the said lots are irregularly shaped and in order to adjust the assessment on a fair and equitable basis it is deemed expedient to make in the special assessment which would otherwise be chargeable thereon the reductions and additions hereinafter set forth;

AND WHEREAS pursuant to Section 600 of the Municipal Act the Council has procured to be made by the Municipal Engineer a report as to the various matters and things in the said section referred to, and it appears from the said report that the estimated cost of the said work is \$1,345.00 and that the estimated lifetime of the said 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 extended north from Highrock Avenue to serve Lots 1, 2, 3, 4, 5, 6 and 7, Plan 14556 in Highrock Place.
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 served thereby according to the extent of their respective frontages thereon, by an equal special rate per foot of such frontage sufficient to defray the cost.
5. That the following reductions and additions in the special assessment which would otherwise be chargeable on the following described lots shall be made by deducting from the total frontage of the said lots liable to the special assessment so much thereof as is sufficient to adjust the assessment on a fair and equitable basis, that is to say: As to Lot 1, a reduction of 36.72'; as to Lot 6, a reduction of 54.57'; as to Lot 7, a reduction of 97.12'; and by making the following additions; that is to say; as to Lot 2 an addition of 6.56'; as to Lot 3, an addition of 16.51'; as to Lot 4, an addition of 20.03'; as to Lot 5, an addition of 18.85'.
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 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 seven percent per annum, and shall be fifteen year serial debentures, the interest on which is to be paid semi-annually, and the principal on 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 monies required to pay for the construction of the said work, and the specific interest rate 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 "Rockheights Sewer Local Improvement By-law (No. 2), 1961".

PASSED by the Municipal Council on SEP 18 1961

RECONSIDERED AND ADOPTED by the Municipal Council on OCT 2 1961

Alfred C. Wurtele
Reeve

J.W. Allan
Clerk