

BY-LAW NUMBER

OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-Law to authorize the construction of a water works and the imposition of a water rate for the payment of the capital cost of the construction of such water works; **Doyle Line, Creek Road, and Maynard Line Waterline Project (Community of Harwich)**

FINALLY PASSED the day of , 2023.

WHEREAS the Council of the Corporation of the Municipality of Chatham-Kent authorized the Public Utilities Commission for the Municipality of Chatham-Kent to prepare the plans and specifications for the proposed Water Works.

AND WHEREAS Chatham-Kent Public Utilities Commission authorized this waterline project to proceed to promote economic development in the area

NOW THEREFORE the Municipal Council of The Corporation of the Municipality of Chatham-Kent enacts as follows:

SHORT TITLE

1. This By-law may be cited as the “Doyle Line, Creek Road, and Maynard Line Waterline Project” Water Works By-law.

DEFINITIONS

2. In this By-law,
 - (i) “Corporation” means the Corporation of the Municipality of Chatham-Kent;
 - (ii) “Council” means the Council of the Corporation of the Municipality of Chatham-Kent;
 - (iii) “Municipal Act” means the Municipal Act, 2001, as amended from time to time;
 - (iv) “Public Utilities Commission” means the Public Utilities Commission for the Municipality of Chatham-Kent;
 - (v) “Service Connection” means the pipe and appurtenances that connects the waterline to the street line;
 - (vi) “Street line” means the boundary of a property adjoining a road allowance;
 - (vii) “Water Works” means any works for the collection, production, treatment, storage, supply or distribution of water, or any part of such works;
 - (viii) “Water Works Rate” means a charge for the capital cost of water works.
 - (ix) “Water line” means the distribution pipe which carries the supply of water along the road allowance.

APPLICATION OF BY-LAW

3. The Water Works referred to herein shall be constructed pursuant to the provisions of the *Municipal Act, 2001*, and shall impose fees and charges under Part XII of that Act.
4. The Water Works, including waterlines and appurtenances, shall be constructed along the lands shown on Schedule "A" attached hereto.
5. The Public Utilities Commission is hereby authorized to make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract or contracts for the execution of the Water Works.
6. The Public Utilities Commission is hereby authorized to cause a contract or contracts for the construction of the said Water Works to be made and entered into, including the administration of a tender process, and to execute any related documentation to give effect thereto.
7. The construction of the Water Works shall be carried out and executed under the direction of the General Manager of Water and Wastewater Services for the Public Utilities Commission.
8. The Treasurer for the Corporation may make such arrangements with the Canadian Imperial Bank of Commerce, a chartered bank in Canada, for the temporary advances of monies to meet the cost of the Water Works pending the completion of the same.
9. The Water Works may be financed over a period not more than fifteen (15) years at a rate of interest to be determined by the Treasurer for the Corporation. The Water Works shall be paid for by the imposition of a water works rate on the benefiting lands computed by a unit charge for each parcel or parcels of lands, which is a parcel separately assessed according to the last returned assessment roll, or parcels having received severance consent by the date of this By-law, in accordance with the Schedule of Assessment attached hereto as Schedule "B".
10. Only one Service Connection will be permitted for each separate parcel or parcel having received severance consent by the date of the enactment of this By-law, assessed in Schedule "B".

11. Council hereby authorizes the borrowing of monies for completion of the Water Works by the issuance and sale of debentures. Pending the sale of the debentures, Council hereby authorizes the Mayor and Treasurer to undertake such temporary borrowing as may be required in order to pay any amounts that become due and payable as a result of proceeding with the Water Works project.

FUTURE CONNECTIONS

12. If a severance occurs on a parcel assessed in Schedule "B," after the date of the enactment of this By-law, the owner(s) of the severed parcel will be required to pay to the Corporation the cost of one unit as set out in Schedule "B."
13. The owner of an existing parcel will be required to pay to the Corporation, the cost of any additional connections to the parcel.

VALIDITY

14. If a court of competent jurisdiction declares any provision or part of this By-law to be invalid or of no force and effect, it is the intention of the Council in enacting this By-law that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

THIS By-law come into full force and effect upon the final passing thereof.






READ A FIRST, SECOND AND THIRD TIME this day of , 2023

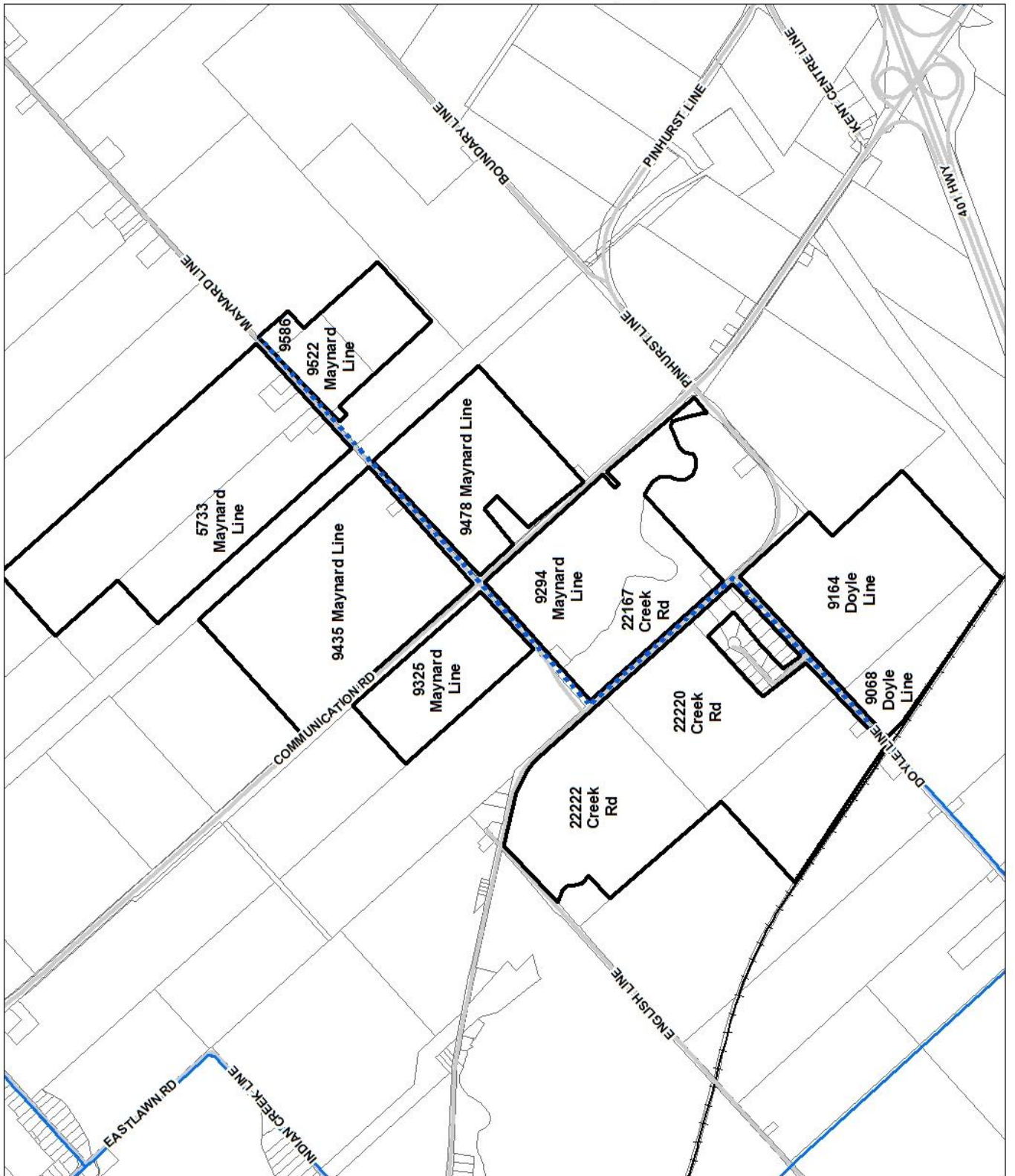
MAYOR – Darrin Canniff

CLERK – Judy Smith

Schedule A

Doyle Line, Creek Road, and Maynard Line Waterline Project

<p>Doyle Line, Creek Road & Maynard Line Commission Map</p>	<p>March 2, 2023</p> 	<p>Legend</p> <ul style="list-style-type: none">Proposed Watermain (dashed blue line)Existing Watermain (solid blue line)Water Area Boundary (black outline)Road Network (grey line)Railway (line with cross-ticks)Ownership Parcel (white box with black outline)	  <p>0 220 440 880 Meters</p> 	
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Schedule B

**Doyle Line, Creek Road, and Maynard Line Waterline Project
Schedule of Preliminary Assessment**

Schedule of Charges:		
Service Size	Project Assessment Cost (Part XII Charge / DCs not included)	Future Connection Cost (Part XII Charge / DCs not included)
1" Service	\$19,768.91	\$24,711.14
1.5" Service	\$26,292.65	\$32,865.81
2" Service	\$29,653.37	\$37,066.71

PIN	Roll Number	911	Road Name	Assessment Value	Assessment Charge	Part XII Charge / Development Charge	Gross PUC Assessment	Deferred Assessment (Part XII Charge/ DCs not included)
008930215	365014000170100		DOYLE LINE	0.25	USE CURRENT	-	DEFERRED	\$24,711.14
008930214	365014000170110	9061	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008970032	365014000185300	9068	DOYLE LINE	0.25	USE CURRENT	-	DEFERRED	\$24,711.14
008970036	365014000185400	9164	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930090	365014000175500	22220	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930089	365014000163600	22222	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930102	365014000173000	9135	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930101	365014000173100	9143	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930097	365014000173200	9151	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930100	365014000173300	9157	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930099	365014000173400	9171	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930098	365014000173500	9173	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930096	365014000173600	9187	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930094	365014000173601	9195	DOYLE LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930092	365014000173700	22126	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930091	365014000173800	22128	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930109	365014000173900	22144	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930121	365014000276800	22123	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930118	365014000276815	22167	CREEK ROAD	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930119	365014000276900	9254	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008930222	365014000277000	9294	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008890322	365014000259300	9325	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940115	365014000264900	9435	MAYNARD LINE	0.25	USE CURRENT	-	DEFERRED	\$24,711.14
008940061	365014000265000	9439	MAYNARD LINE	1	\$19,768.91	\$3,712	\$23,480.91	N/A
008940119	365014000278500	9478	MAYNARD LINE	0.25	USE CURRENT	-	DEFERRED	\$24,711.14
008940245	365014000279803	9518	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940123	365014000265300	5733	MAYNARD LINE	0.25	USE CURRENT	-	DEFERRED	\$24,711.14
008940090	365014000265400	9527	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940122	365014000265310	9533	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940240	365014000266500		MAYNARD LINE	0.25	USE CURRENT	-	DEFERRED	\$24,711.14
008940239	365014000266550	9555	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940241	365014000266505	9563	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940058	365014000279000	9586	MAYNARD LINE	1	USE CURRENT	-	DEFERRED	\$24,711.14
008940225	365014000278700	9522	MAYNARD LINE	N/A	\$1,300,000	\$111,300	\$1,411,300*	N/A

*9522 Maynard Line is to pay their charges to CK PUC directly. Their costs are not to be assessed on their tax roll.