

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; **Wellington Street Waterline Project (Community of Shrewsbury)**

FINALLY PASSED the day of , 2022.

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 benefit the property owners

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 “Wellington Street 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 , 2022

MAYOR – Darrin Canniff

CLERK – Judy Smith

Schedule A

Wellington Street Waterline Project

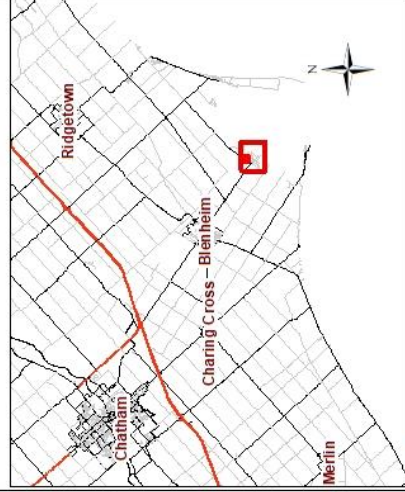
**Wellington St
By-Law
Map**

July 7, 2022



Legend

-  Existing Watermain
-  Proposed Watermain
-  Waterline Area Boundary
-  Road Network
-  Ownership Parcel



Schedule B

**Wellington Street 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	\$40,175.00	\$40,175.00

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)
009390191	365014000671300		WELLINGTON ST	1	DEFERRED	-	DEFERRED	\$40,175.00
009390829	365014000667600		WELLINGTON ST	1	DEFERRED	-	DEFERRED	\$40,175.00
009390830	365014000667602	4	WELLINGTON ST	1	\$40,175.00	N/A*	\$40,175.00	N/A
009390170	365014000667800	12	WELLINGTON ST	1	\$40,175.00	N/A*	\$40,175.00	N/A

*Part XII Charges are not applicable at this time since these lots are vacant