

**CITY OF PRINCE GEORGE**

**BYLAW NO. 7089**

**A Bylaw of the City of Prince George to authorize the construction of works as a local improvement project and the borrowing of monies therefore under the provisions of Part 19 of the Municipal Act.**

**WHEREAS** Section 623 of the Municipal Act authorizes Council to undertake various works on the initiative of Council, or by petition, as a local improvement;

**AND WHEREAS** the Council of the City of Prince George wishes to undertake:

Sparrow and Flamingo Roads Sanitary Sewer Installation

as a local improvement on the initiative plan;

**AND WHEREAS** the required notice of the intention of Council to undertake the work was given by publication of a notice and by the mailing of such notice to the owners of parcels of land liable to be specially charged for said sanitary sewer installation;

**AND WHEREAS** no petition against the work signed by a majority of the owners, representing at least 50% of the value of the parcels that are liable to be specially charged has been presented within one month after mailing and publication of the notice;

**AND WHEREAS** a report has been received by the Council stating:

- a) The lifetime of the work is twenty (20) years;
- b) The estimated cost of the work is \$1 346 000.00;
- c) The share or proportion of the total cost that will be specially charged against the parcels benefiting from or abutting the work is 100%.

**AND WHEREAS** Council has established, by Local Improvement Charges Bylaw No. 5928, 1993, the proportion of the cost applicable to the class of work to be undertaken by this bylaw, and has deposited a copy of said Bylaw 5928 with the Inspector of Municipalities;

**AND WHEREAS** the amount of debt proposed to be created by this bylaw is ONE MILLION, THREE HUNDRED AND FORTY-SIX THOUSAND DOLLARS (\$1 346 000.00);

**AND WHEREAS** the total amount proposed to be borrowed does not exceed the total amount of borrowing approved by the Inspector for local improvement purposes;

**NOW THEREFORE** the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. Council is hereby empowered and authorized to undertake and carry out the construction of the following 1999 project as a local improvement:

Sanitary Sewer Main Program – Albatross Avenue

- a) Along Albatross Avenue from the intersection of Albatross Avenue and Flamingo Road in the westerly direction to the intersection of Albatross Avenue and Sparrow Road.

Sanitary Sewer Main Program – Chief Lake Road

- b) Along Chief Lake Road from the intersection of Chief Lake Road and Sparrow Road in the easterly direction to the intersection of Chief Lake Road and Domagala Road.

Sanitary Sewer Main Program – Flamingo Road

- c) Along Flamingo Road from the northerly boundary of District Lot 2424, Plan 22967, Park, Cariboo District in the southerly direction to the southerly boundary of Lot 26, District Lot 2424, Plan 22967, Cariboo District.

Sanitary Sewer Main Program – Sparrow Road

- d) Along Sparrow Road from the southerly boundary of Lot 17, District Lot 2424, Plan 22129, Cariboo District in the northerly direction to the intersection of Sparrow Road and Chief Lake Road.

Sanitary Sewer Main Program – Wren Road

- e) Along Wren Road from the westerly boundary of Lot 1, District Lot 2424, Plan 19668, Cariboo District in the easterly direction to the intersection of Wren Road and Sparrow Road

2. Council is hereby empowered and authorized to:

- a) Spend the amount of \$1,346,000.00 for the aforesaid purpose;
- b) Acquire all such property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the said work; and
- c) To borrow upon the credit of the City a sum not exceeding \$1,346,000.00

3. The total actual frontage of parcels of land abutting on, or deemed to abut on, the work is 3,097.37 metres and the total taxable frontage abutting, or deemed to abut, on the work is 2,086.57 metres.
4. A frontage tax assessment roll shall be prepared by the Collector for those parcels subject to be specially charged pursuant to this Bylaw. The maximum taxable frontage pursuant to this Bylaw is 60.0 metres.
5. The owners' portion of the cost of the work shall be in conformance with "Local Improvement Charges Bylaw No. 5928, 1993".
6. Persons whose parcels are subject to being specially charged for the works to be constructed pursuant to this Bylaw may commute for a payment in cash the special charges imposed on them, in accordance with the following:
  - a) The amount of the payment in cash shall be determined by multiplying the cost as certified pursuant to Section 633. (2) of the Municipal Act by the owners' portion of the cost as set out in the said Bylaw No. 5928, 1993, dividing that sum by the total taxable frontage, and then multiplying the resulting sum by the taxable frontage of the person's parcel or the maximum taxable frontage (60 metres), whichever is less.
  - b) In order to commute for payment in cash the special charges imposed on them, owners whose parcels are subject to being specially charged for the works to be constructed pursuant to this Bylaw must make payment in full of the amount determined pursuant to section 6. a) of this Bylaw not later than fourteen (14) days after the authentication of the Local Improvement Frontage Tax Assessment Roll by the Local Court of Revision.
7. For the purposes of a Security Issuing Bylaw under Part 12 of the Municipal Act, this Bylaw is deemed to be a Loan Authorization Bylaw.
8. This Bylaw may be cited as "Sparrow and Flamingo Roads Sanitary Sewer Local Improvement Construction / Loan Authorization Bylaw No. 7089, 1999".

READ A FIRST TIME THIS THE 31<sup>st</sup> DAY OF May, 1999.

READ A SECOND TIME THIS THE 31<sup>st</sup> DAY OF May, 1999

READ A THIRD TIME THIS THE 31<sup>st</sup> DAY OF May, 1999

All Three readings passed by a unanimous decision of Members of City Council present and eligible to vote.

ADOPTED THIS THE *12<sup>th</sup>* DAY OF *July*, 199*9*, BY  
A *unanimous* DECISION OF ALL MEMBERS OF CITY COUNCIL  
PRESENT AND ELIGIBLE TO VOTE.

  
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MAYOR

  
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CLERK