

VILLAGE OF PORT CLEMENTS

BY-LAW NO. 232, 1991

A by-law to establish a specified area for the purpose of extending the water system to a portion of the Village of Port Clements known as "Port Clements East Area" within the boundaries of the Village of Port Clements, and Loan Authorization for the Construction thereof.

WHEREAS pursuant to the provision of Section 674 of the Municipal Act, the Council is empowered by bylaw to establish or undertake any work or service coming within the powers of the municipality for the special benefit of a specified area of the municipality;

AND WHEREAS it is deemed desirable and expedient to extend and construct a water system to serve a portion of the Village of Port Clements hereinafter referred to as the "Port Clements East Area" to be established as a specified area;

AND WHEREAS a petition has been received from the owners of land within the said specified area and the sufficiency of such petition has been determined;

AND WHEREAS the estimated cost of constructing the water system improvements for the benefit of the specified area including expenses incidental thereto is the sum of Sixty Six Thousand Dollars (\$66,000);

AND WHEREAS financing of the proposed works is to be carried out by an application to the provincial government for a capital revenue sharing grant in the amount of Thirty Three Thousand Dollars (\$33,000) (50%) and the balance of Thirty Three Thousand Dollars (\$33,000) is the amount of debt intended to be created by this by-law;

AND WHEREAS the property owners within the specified area shall bear the entire cost of the debt to be paid by way of a parcel tax to be levied over a period of twenty years;

AND WHEREAS the assessed value for general municipal purposes of the taxable land and improvements within the Village for the current year and the two years immediately preceding the current year was:

1991: \$13,255,049  
1990: \$13,257,249  
1989: \$11,005,435

AND WHEREAS the value of the water system at December 31, 1990 was \$657,248;

AND WHEREAS the assessed value for general municipal purposes of the taxable land and improvements within the said "Port Clements East Area" for the current year and the two years immediately preceding the current year was:

1991: \$176,800  
1990: \$180,450  
1989: \$180,450

AND WHEREAS the approval of the Provincial Health Officer has been obtained;

AND WHEREAS the amount of the authorized debt of the municipality is \$1,166,469 of which \$1,166,469 is existing outstanding debenture debt and \$NIL (\$0) is authorized and unissued debenture debt and non of the principal or interest of the debenture debt of the municipality is in arrears.

NOW THEREFORE, the Municipal Council of the Corporation of the Village of Port Clements, in open meeting assembled, ENACTS AS FOLLOWS:

1. The Council shall be and is hereby empowered and authorized to:

i) Establish a specified area to be known as the "Port Clements East Area" and is more particularly described on Schedule "A" attached hereto and forming a part of this bylaw.

ii) Borrow upon the credit of the municipality a sum not exceeding Thirty Three Thousand Dollars (\$33,000).

iii) Undertake and carry out or cause to be carried out, the extension and construction of the water system shown and described in the general plans approved by the Provincial Health Offices and to do all things necessary in connection therewith and without limiting the generality of the foregoing.

2. The cost, Sixty Six Thousand Dollars (\$66,000), of extending the water system for the "Port Clements East Area" shall be financed by a provincial government capital revenue sharing grant in the amount of Thirty Three Thousand Dollars (\$33,000) and the balance of Thirty Three Thousand Dollars (\$33,000) to be financed by borrowing this amount from the Municipal Finance Authority.


3. The cost of borrowing the Thirty Three Thousand Dollars (\$33,000) shall be recovered from the owners of land in the specified area, commencing with the year 1992, by the imposition of a parcel tax to be imposed by by-law under the provisions of the Municipal Act.

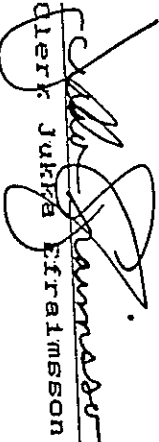
4. Should the sums recovered under Section 3 hereof be insufficient to meet the costs of providing the service, a levy may be made in the manner prescribed in the Municipal Act, on the basis of assessment as fixed for taxation for general municipal purposes, excluding property that is taxable for school purposes only by Special Act, within the Specified Area.

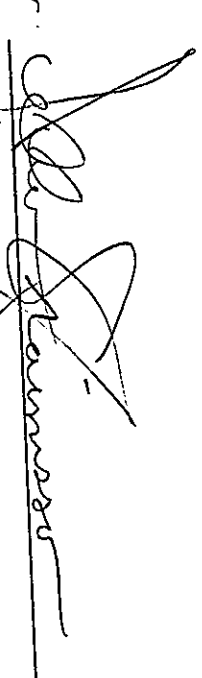
5. The specified area established by this by-law may be merged with any other specified area or areas for the same purpose whether contiguous or not in the manner provided in Section 677 of the Municipal Act.

6. This by-law may be cited for all purposes as the "Port Clements East Water Extension Specified Area Establishment and Loan Authorization By-Law No. 232, 1991."

READ A FIRST TIME THIS 3rd DAY OF September, 1991.  
READ A SECOND TIME THIS 3rd DAY OF September, 1991.  
READ A THIRD TIME THIS 3rd DAY OF September, 1991.  
RECEIVED THE APPROVAL OF THE MINISTRY OF MUNICIPAL AFFAIRS,  
RECREATION AND CULTURE THIS 6th DAY OF November, 1991.  
RECONSIDERED AND FINALLY ADOPTED THIS 2nd DAY  
OF December, 1991.

  
\_\_\_\_\_  
Mayor Brian Hornidge

  
\_\_\_\_\_  
Clerk Jukka Eframsson

  
\_\_\_\_\_  
Clerk  
Certified a true copy of  
By-Law No. 232, 1991


A true copy of By-Law No. 232  
registered in the office of the Inspector  
of Municipalities this 17th day of  
January 1992.  
  
\_\_\_\_\_  
Deputy Inspector of Municipalities

Exhibit "A":

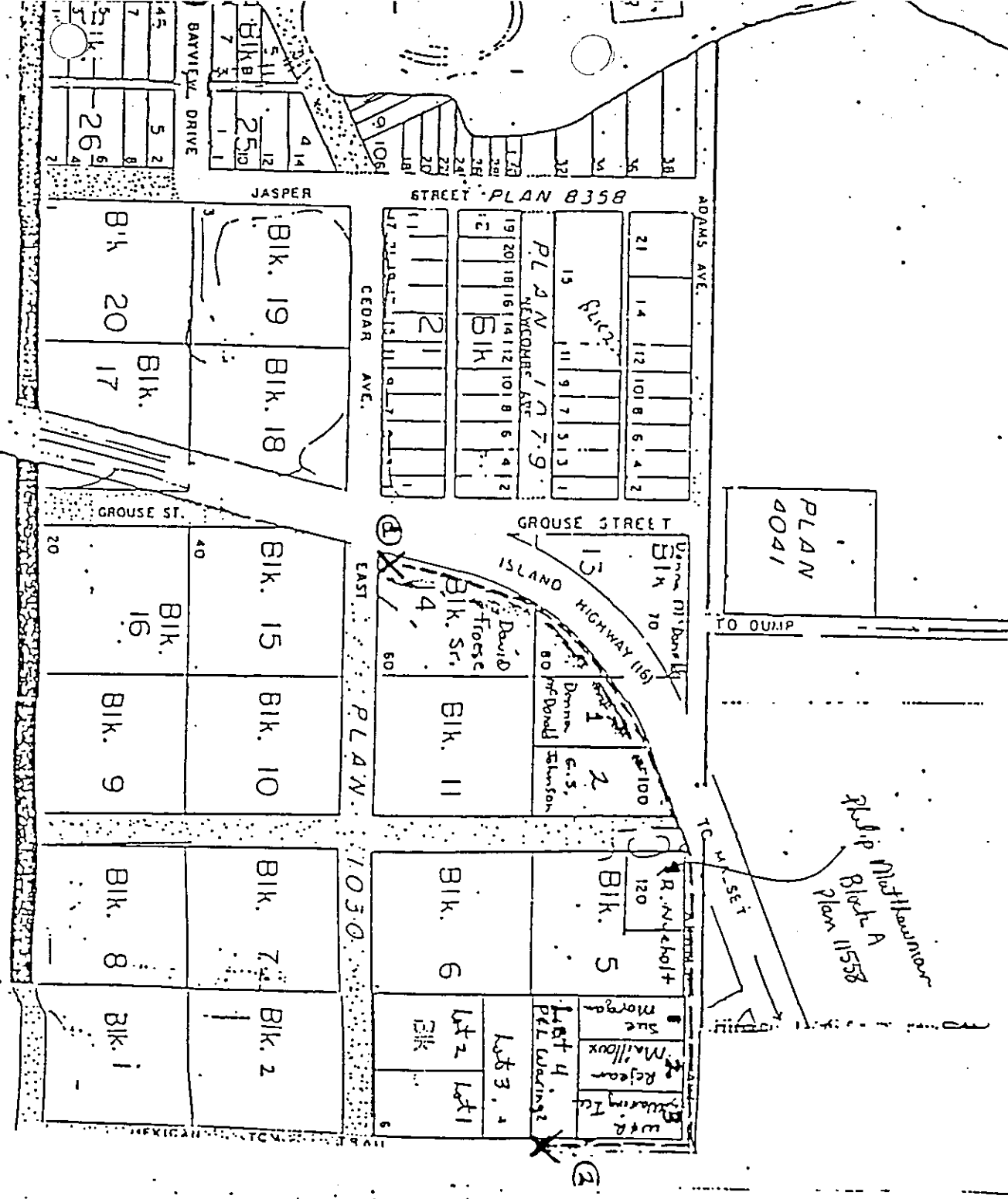
This is Exhibit "A" to the declaration  
of Clerk Jukka Eframsson sworn before me  
at Village of Port Clements British Columbia  
this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

A Commissioner for taking affidavits  
For B.C.

POSED WATER EXTENSION

Connect up to an 8" main.

Finish at South Corner of Lot 4.



List of Participating Properties:

- Plan 10536:
  - Lot 4: Paul and Lisa Waring (20003.070)
  - Lot 3: Wendy and Roger Waring Ice (20003.060)
  - Lot 2: Rejean Malloux (20003.050)
  - Lot 1: Sue Morgan (20003.040)
- Plan 1030, Block 5: Richard Nyeholt (20005.010)
- Plan 11558, Block A: Phillip Matthewman (20005.000)
- Plan 11574:
  - Lot 2: Gregory Johnson (20012.050)
  - Lot 1: Donna McDonald (20012.000)