

THE CORPORATION OF THE CITY OF BROCKVILLE

BY-LAW 64-94

A BY-LAW OF THE CITY OF BROCKVILLE RESPECTING THE  
WIDENING OF PARKEDALE AVENUE TO FOUR LANES FROM THE  
INTERSECTION OF NORTH AUGUSTA ROAD AND PARKEDALE  
AVENUE TO THE INTERSECTION OF PARKEDALE AVENUE AND  
CALIFORNIA AVENUE

WHEREAS pursuant to section 207.13, of the Municipal Act, R.S.O. 1990, c.M45 amended, the Council of a local municipality may pass by-laws for constructing, maintaining, improving, repairing, widening, altering, diverting and stopping up drains, sewers or watercourses; for constructing, maintaining, repairing and improving dams; for providing an outlet for a sewer or establishing works or basins for the interception or purification of sewage; for making all necessary connections therewith, and for acquiring land in or adjacent to the municipality for any of such purposes; AND

WHEREAS pursuant to section 210.58 of the Municipal Act, R.S.O. 1990, c.M45 amended, the council of a local municipality may pass bylaws for authorizing the completion, improvement, alteration, enlargement or extension of any public utility undertaking, or any part or parts thereof, owned by the corporation and controlled and managed by the council or a public utility commission and issuing debentures therefor; AND

WHEREAS pursuant to section 210.84 of the Municipal Act, R.S.O. 1990, c.M45 amended, the council of a local municipality may pass bylaws for establishing, acquiring, operating and maintaining sewage works, including sewers, pumping plants, treatment works and other like works necessary for a sewer system, and for regulating the operation and maintenance thereof; AND

WHEREAS pursuant to section 297 of the Municipal Act, R.S.O. 1990, c.M45 amended, the council of a local municipality may pass by-laws

- (a) for establishing and laying out highways;
- (b) for widening, altering or diverting any highway or part of a highway;
- (e) for setting apart and laying out such parts as may be considered expedient of any highway for the purpose of carriage ways, boulevards and sidewalks, and for beautifying the same, and making regulations for their protection;
- (g) for acquiring land or an interest in land at street intersections for the purpose of rounding corners.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

1. DEFINITIONS:- (In this section),

- (a) "municipality" means a municipality as defined in the Municipal Affairs Act.
- (b) "public utility undertaking" means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, and a transportation system, and includes any land, buildings or equipment required for the administration or operation of any such system".

2. THAT the widening of Parkedale Avenue to four lanes from the intersection at North Augusta Road and Parkedale Avenue to the intersection at California Avenue and Parkedale Avenue be undertaken including reconstruction of the road, construction of curbs and gutters and asphalt paving of the roadway.

3. THAT the estimated cost of the proposed undertaking is Two Hundred and Twenty Five Thousand Dollars (\$225,000.00)

	<u>CITY</u>	<u>TOTAL</u>
Reconstruction/Construction	\$ 192,000.	\$ 192,000.
Engineering	\$ 28,000.	\$ 28,000.
Financing	\$ 5,000.	\$ 5,000.
TOTAL	\$ 225,000.	\$ 225,000.

4. THAT the Treasurer of the Corporation be and is hereby authorized to expend the sum of Two Hundred and Twenty Five Thousand Dollars (\$225,000.00) for the purposes aforesaid.

5(a) THAT the Mayor and Treasurer of the Corporation are hereby authorized to obtain from any bank or banks or other lenders, temporary advances at a borrowing rate not exceeding the banks prime lending rate to Municipalities, by way of a promissory note or notes or otherwise but not to exceed the sum of Two Hundred and Twenty Five Thousand Dollars (\$225,000.00) being the total estimated cost of the said works, until and pending completion of said works.

5(b) THAT a promissory note or notes or other vouchers sealed with the seal of the Corporation and signed on behalf of the Corporation by the Mayor and Treasurer be given to the bank or banks or other lenders for advances obtained on the authority of this instrument and providing for repayment of said advances with interest thereon.

5(c) THAT the Treasurer of the Corporation is hereby directed and authorized to apply in payment of said advances with interest thereon all monies borrowed on the credit of the Corporation to defray the cost of the said works and all monies from other sources properly applicable to the cost of said works.

5(d) THAT the Treasurer of the Corporation is hereby authorized to approve for payment additional expenditures for the said capital project, from contingency funds allocated for this purpose, subject to the following conditions and limitations;

1. That the request for the additional expenditure is submitted by the Director of Engineering in writing to the City Treasurer; and
2. That the approval of the Chief Administrative Officer has been obtained for the requested additional expenditure; and
3. That the amount of the additional expenditure shall not exceed Ten Percent (10%) of the approved capital project cost; and
4. That the amount of the additional expenditure approved as aforesaid shall not exceed the greater of the balance remaining in the contingency fund or the amount that Ten Percent is of the approved capital project cost providing that this amount is no greater than Twenty-Five Percent (25%) of the contingency funds available.

6. THAT the Certificate of the Treasurer and the Project Manager's report, Schedules A and B of this by-law. shall be read with and form part of this by-law.

GIVEN UNDER THE SEAL OF THE CORPORATION OF  
THE CITY OF BROCKVILLE AND PASSED  
THIS 12<sup>TH</sup> DAY OF April A.D. 1994

MAYOR

CLERK

SCHEDULE "A" FORMING PART OF BY-LAW 64-94  
TREASURER'S REPORT  
APPROVALS AND AVAILABILITY OF FUNDS

DATE OF REPORT: APRIL 12, 1994  
NAME OF PROJECT: INTERSECTION IMPVTS & WIDENING OF PARKEDALE AVE  
LOCATION: FROM NORTH AUGUSTA ROAD TO CALIFORNIA AVENUE  
ACCOUNT NO: C3011-EN38 CB1994 - 2.6

APPROVALS

STATUTORY AUTHORITY: Municipal Act, Chapter M.45, Section(;) 207(13), 210(58,84), 297(1), R.S.O. 1990 is amended

ESTIMATED LIFE OF ASSET: 20 Years LIFETIME OF WORK: 1 Year  
AMOUNT CONTAINED IN CAPITAL BUDGET QUOTA FOR 1994: \$225,000.

AVAILABILITY OF INTERIM FINANCING: Bank Loan or Loan from Reserve Funds

MINISTRY OF ENVIRONMENT APPROVAL: Not Required

OMB APPROVAL: Sections 65 & 66 of the Ontario Municipal Board Act, R.S.O. 1990, c.028 amended, do not apply if the proposed debenture issue does not cause the municipality to exceed the limit prescribed by the Lieutenant Governor in Council as set out in section 147 of the Municipal Act, R.S.O.1990, c.M45 amended.

	<u>FINANCING</u>	
(1) <u>ESTIMATED COST OF PROJECT:</u>	IN 1994	\$ 220,000.
	FINANCING	5,000.

(1) <u>TOTAL ESTIMATED COST OF PROJECT:</u>	<u>\$ 225,000.</u>
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(2)

REVENUES:

CONTRIBUTION FROM CURRENT

CONTRIBUTION FROM RESERVE FUNDS:

CONTRIBUTION FROM CAPITAL CONTINGENCY

SHORT TERM LOANS:SOURCE:

MISCELLANEOUS CONT:

\$

<u>OWN SOURCE FUNDS &amp; SUBSIDIES IN CAPITAL BUDGET FOR 1994</u>	<u>nil</u>
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AMOUNT TO BE DEBENTURED IN 1994 FOR THIS PROJECT	225,000.
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AMOUNT TO BE DEBENTURED IN FOR THIS PROJECT	
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<u>TOTAL DEBENTURES TO BE ISSUED:</u>	<u>\$ 225,000.</u>
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I hereby certify that the above indicated sources of funds are eligible, approved, and will be made available for the undertaking of this project subject to the restrictions imposed by any Ministry or Regulatory Agency as it pertains to the purpose(s) intended.

  
TREASURER

NOTE: This certificate is contingent on all the above documentation, approvals, and required certificates being on hand and complete in every respect prior to the commencement of the undertaking.

SCHEDULE "B" FORMING PART OF BY-LAW 64-94  
THE CORPORATION OF THE CITY OF BROCKVILLE

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DATE: 1994 04 12

PROJECT NO: CB1994 - 2.6  
ACCOUNT NO: C3011-EN38

REPORT OF THE PROJECT MANAGER  
ON THE CAPITAL PROJECT

NAME OF PROJECT: PARKEDALE AVENUE WIDENING  
CALIFORNIA AVENUE TO NORTH AUGUSTA ROAD

TO THE COUNCIL OF THE CITY OF BROCKVILLE:

GENTLEMEN and LADIES:

I wish to report as follows on the subject project:

1. Description of the Undertaking:

Reconstruction of Parkedale Avenue between California Avenue and North Augusta Road including widening to four lanes and provision of curbs, gutters and asphalt paving.

2. Estimated Cost:

	1994 Budget	Total Proposed Cost Estimate	Previously Adopted Cost Estimate
Construction: \$	192 000	\$ 192 000	\$ N/A
Engineering : \$	28 000	\$ 28 000	\$
Financing : \$	5 000	\$ 5 000	\$
TOTAL: \$	225 000	\$ 225 000	\$ N/A

3. Corporation's Statutory Authority to Proceed:

Municipal Act, Chapter M45, Section(s) 207(13), 210 (58, 84), 297(1) R.S.O. 1990 amended.

4. Statutory Authority for Ontario Municipal Board Approval:

Sections 65 & 66 of the Ontario Municipal Board Act, R.S.O. 1990, c.028 amended, do not apply if the proposed debenture issue does not cause the municipality to exceed the limit prescribed by the Lieutenant Governor in Council as set out in section 147 of the Municipal Act, R.S.O.1990, c.M45 amended.

5. Other Approvals Required:

N/A.

PROJECT MANAGERS REPORT  
PROJECT NO: CB1994 - 2.6  
ACCOUNT NO: C3011-EN38

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Date: 1994 04 12

6. Lifetime of Work:

20 years

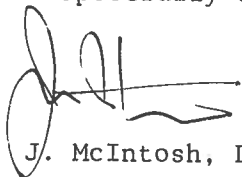
7. Recommended Funding:

	1994 Capital Budget	Total of Proposed Funding	Previously Adopted Funding
Debenture:	\$ 225 000	\$ 225 000	\$ N/A
Contribution from Current:	\$ -	\$ -	\$
Development Charges:	\$ -	\$ -	\$
TOTAL:	<u>\$ 225 000</u>	<u>\$ 225 000</u>	<u>\$ N/A</u>

8. Method of Recovery

Mill rate on all rateable property \$225,000

Respectfully submitted



J. McIntosh, Director of Engineering