

THE CORPORATION OF THE CITY OF BROCKVILLE
BY-LAW NUMBER 37-95

A BY-LAW OF THE CITY OF BROCKVILLE
RESPECTING IMPROVEMENTS TO
CITY OWNED ISLANDS IN THE
ST.LAWRENCE RIVER

WHEREAS pursuant to Section 207.31 of the Municipal Act, R.S.O.1990, c.M45, as amended, councils of municipalities may pass by-laws for making, improving and maintaining public wharves, docks and slips, and for preserving shores, bays, harbours, rivers or waters and the banks thereof; AND

WHEREAS pursuant to Section 207.58 of the Municipal Act R.S.O.1990, c.M45, as amended, councils of municipalities may pass by-laws for acquiring, erecting, altering, maintaining, operating or managing or granting aid for the acquisition, erection, alteration, maintenance, operation or management of monuments, memorial windows, tablets, parks, recreational areas, playgrounds, athletic fields, zoological or other gardens, natural history collections, observatories or works of art, or other places of recreation and amusement, arenas, auditoriums, health or community recreation centres, stadiums, museums, including public historical museums and similar buildings, within or outside the municipality and any such undertaking may be for the purpose of commemorating or honouring persons or events; AND

WHEREAS increased usage of the islands by larger vessels makes it necessary to provide larger docks which will also facilitate the collection of fees; AND

WHEREAS Council supports the increased usage of the islands and deems it appropriate to continue with the upgrading and retrofitting of island docks and signage.

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.

2. THAT the upgrading and retrofitting of docking and signage on City islands be undertaken including construction of new large floatation docks, retrofitting of existing smaller docks and installation of signage.

3. THAT the estimated cost of the said undertaking is One Hundred and Twenty Thousand Dollars (\$120,000.00)

	<u>CITY</u>	<u>TOTAL</u>
Construction:	\$110,000	\$110,000.
Engineering:		
Financing:	<u>10,000.</u>	<u>10,000.</u>
<u>TOTAL BUDGETED COST:</u>	<u>\$120,000.</u>	<u>\$120,000.</u>

4. THAT the Treasurer of the Corporation be and is hereby authorized to expend the sum of Twenty Thousand Dollars (\$20,000.00) for Phase I; Fifty Thousand Dollars (\$50,000.00) for Phase II; Fifty Thousand Dollars (\$50,000.00) for Phase III for the purposes aforesaid being the total budgeted cost of the said works, provided that, funding for each phase of the proposed undertaking as aforesaid be separately authorized in the adopted capital budget of the municipality for each year of the years comprising the duration of the project.

5(a). THAT the Mayor and Treasurer of the Corporation are hereby authorized to obtain from any bank or banks or other sources, 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 Twenty Thousand Dollars (\$20,000.00) for Phase I; Fifty Thousand Dollars (\$50,000.00) for Phase II; Fifty Thousand Dollars (\$50,000.00) for Phase III; being the total budgeted cost of the said works, until and pending completion of the said undertaking, provided that, each phase of the said undertaking be separately authorized in the adopted capital budget of the municipality.

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 the said undertaking.

5(d). THAT the Treasurer of the Corporation is hereby authorized to approve for payment any 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 in writing by the Project Manager to the Treasurer of the Corporation; and
2. That the approval of the Chief Administrative Officer or designate has been obtained for the additional expenditure being requested; and
3. That the amount of the approved additional expenditure shall not exceed Ten Percent (10%) of the authorized budgeted cost of the said undertaking; and
4. That the amount of additional expenditure approved as aforesaid shall not exceed the greater of the balance remaining in the capital contingency account or the amount that Ten Percentum (10%) is of the approved budgeted cost of the said capital project providing that this amount is no greater than Twenty Five Percentum (25%) of the contingency funds available.

6. THAT the Certificate of the Treasurer and the Project Manager's Report, Schedules "A" and "B" attached hereto, 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 28TH DAY OF MARCH A.D.1995

MAYOR

CLERK

SCHEDULE "A"
TO
BY-LAW NUMBER 37-95

TREASURER'S REPORT
ON THE
APPROVALS and AVAILABILITY OF FUNDS

DATE OF REPORT: MARCH 13, 1995
PROJECT NAME: ISLAND IMPROVEMENTS PHASE II
LOCATION: CITY ISLANDS
PURPOSE: CONSTRUCTION OF NEW LARGE FLOTATION DOCKS AND
RETROFIT EXISTING DOCKS INCLUDING SIGNAGE.
ACCOUNT NUMBER: C7011-PR13
CAPITAL PROJECT NO.: CB1995 - 3.3.

APPROVALS

STATUTORY AUTHORITY: Section 207.31; 207.58, Municipal Act, c.M45, R.S.O.1990
ESTIMATED LIFE OF ASSET: 10 YEARS
PERIOD OF WORK: 3 Year Program.
AVAILABILITY OF INTERIM FINANCING: Bank Loan and Internal Loan.
MINISTRY APPROVAL(S): Not required.
DATE APPROVAL RECEIVED: APPROVAL NO.:

AVAILABILITY OF FUNDS

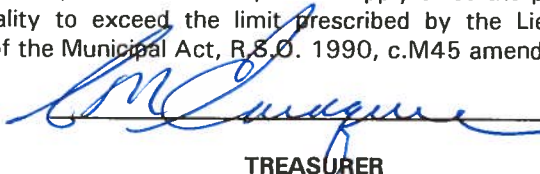
BUDGETED EXPENDITURES

BUDGETED COST OF PROJECT : 1995	\$47,000
Cost of Financing:	<u>3,000</u>
(1) TOTAL BUDGETED COST OF PROJECT:	<u>\$50,000</u>

BUDGETED REVENUES

CONTRIBUTION FROM CURRENT FUND:	\$50,000
CONTRIBUTION FROM CAPITAL CONTINGENCY :	
<u>MISCELLANEOUS CONTRIBUTION:</u>	<u> </u>
(2) TOTAL OWN SOURCE REVENUES & SUBSIDIES FOR 1995:	<u>\$50,000</u>
(3) AMOUNT TO BE DEBENTURED IN 1995	<u>\$ Nil</u>
(4) TOTAL BUDGETED REVENUES FROM ALL SOURCES:	<u>\$50,000</u>

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) for which the financing is intended. Sections 65 & 66 of the Ontario Municipal Board Act, R.S.O. 1990, c.O28 amended, do not apply since 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.


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 said undertaking.

SCHEDULE "B"
TO
CITY OF BROCKVILLE
BY-LAW NO. 37-95

Page 1 of 2

DATE: 1995 03 14

Project No: CB1995-3.3
Account No: C7011-PR13

REPORT OF THE PROJECT MANAGER
ON A
CAPITAL PROJECT

Name of Project: ISLAND IMPROVEMENTS - PHASE II

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:

Construction of new large floatation docks and retrofit of smaller existing docks on City islands including appropriate signage.

2. Budgeted Cost Estimate:

	1995 Budget	Total Proposed Cost Estimate	Previously Adopted Cost Estimate
Construction:	\$ 47,000	\$ 110,000	\$
Engineering:	-	-	N/A
Financing:	3,000	10,000	
TOTAL	\$ 50,000	\$ 120,000	\$ N/A

3. Corporation's Statutory Authority to Proceed:

Municipal Act, c.M45, Section(s) 207.31, 207.58, R.S.O. 1990 as amended.

4. Statutory Authority for Ontario Municipal Board Approval:

N/A

5. Other Approvals Required:

N/A

Project Manager's Report
Project No: CB1995-3.3
Account No: C7011-PR13

Page 2 of 2
Date 1995 03 14

6. Lifetime of Work:

10 years

7. Recommended Funding:

	1995 Capital Budget	Total of Proposed Funding	Previously Adopted Funding
Debenture:	\$ -	\$ -	\$
Contr. from Current:	50,000	120,000	N/A
Development Charges:	-	-	
TOTAL	\$ 50,000	\$ 120,000	\$ N/A

8. Method of Recovery:

Mill rate on all rateable property \$ 50,000

Respectfully submitted



W. L. Kelly, Director of Parks & Recreation