The Corporation of the Town of South Bruce Peninsula

By-Law Number 50-2014

A By-Law to Amend By-Law 55-2011 Being a By-Law to Impose a Fee for Improvements to the Amabel-Sauble Water Systems to the Owner or Occupants of Land who Derive or Will or May Derive a Benefit from the Upgrades to the Water Systems

Whereas Section 8 of the Municipal Act, 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas Section 11 of the Municipal Act, 2001, c.25, as amended authorizes municipalities to pass by-laws regarding the accountability and transparency of the municipality and its operations;

And whereas Section 391(1)(a) of the Municipal Act, 2001, c.25, as amended provides that the Council of a local municipality may by by-law impose a fee or charge on persons for services or activities provided or done by or on behalf of it;

And whereas Section 391(2) of the Municipal Act, 2001, c.25, as amended provides that a fee or charge imposed under subsection (1) for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time.

And whereas the Council of the Town of South Bruce Peninsula deemed it necessary to upgrade the Amabel-Sauble water systems, which include the Foreman, Huron Woods, Oliphant and the Amabel-Sauble water system;

And whereas it is the policy of the Town of South Bruce Peninsula to provide that fees and charges imposed for municipal sewer and/or water systems shall not exceed the cost of providing the service;

And whereas it is the policy of the Town of South Bruce Peninsula to calculate long-term financing based on the rate of interest that the municipality would expect to pay to finance the owner’s share of the cost of the work using the interest rate obtained plus 1% regardless of where funds are obtained;

And whereas on April 26, 2011, Council adopted By-Law 55-2011 being a by-law to impose a fee for improvements to the Amabel-Sauble Water System to the owner or occupants of land who derive or will or may derive a benefit from the upgrades to the Water System;

And whereas an amendment to By-Law 55-2011 is required to delete a property therefrom and to add a property thereto.
Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

1. That Schedule “A” to By-Law 55-2011 shall be amended as follows:

   **Delete Therefrom:**

<table>
<thead>
<tr>
<th>Assessment Roll Number</th>
<th>Description</th>
<th>Upgrade Charge</th>
<th>Estimated Annual Charge @5%</th>
</tr>
</thead>
<tbody>
<tr>
<td>221 410254000328505</td>
<td>92 Fedy Dr</td>
<td>$7,778.56</td>
<td>$1,007.36</td>
</tr>
</tbody>
</table>

   **Add Thereto:**

<table>
<thead>
<tr>
<th>Assessment Roll Number</th>
<th>Description</th>
<th>Upgrade Charge</th>
<th>Estimated Annual Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>507 410254001100118</td>
<td>40 Davidson Dr or other roll number assigned by MPAC</td>
<td>$7,800.00</td>
<td>$780.00</td>
</tr>
</tbody>
</table>

2. That all other provisions contained in By-Law 55-2011 shall apply to this by-law.

3. That this by-law shall come into force and take effect upon the third and final reading thereof.

   **Read a first and second time this 3rd day of June, 2014.**

   **Read a third time and finally passed this 3rd day of June, 2014.**