

Municipality of Norfolk Treherne

By-Law No. 63-2020

Being a By-law of the Municipality of Norfolk Treherne to authorize the Expenditure and Borrowing of money for the construction of a sewage lagoon and installation of a low-pressure sewer system in the community of Rathwell, within the Municipality of Norfolk Treherne as a Local Improvement.

Whereas Section 311 of *The Municipal Act*, S.M. 1996, C.58, provides in part as follows:

If approved by by-law, a municipality may undertake, as a local improvement for the benefit of all or part of the municipality,

- (a) the acquisition, development, upgrading or replacement of one or more of the following:
 - (i) sewage collection and treatment facilities;

And Whereas subsection 320(1) of *The Municipal Act* provides as follows:

Subject to subsection (2) to (6) and subsection 321(4), a Council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal;
and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

And Whereas Section 172 of *The Municipal Act* provides in part as follows:

In this Division,

"Borrowing" means the borrowing of money, and includes

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10,
- (e) issuing debentures.

And Whereas, the Council of the Municipality of Norfolk Treherne has prepared Local Improvement Plan No. One (1) providing for the spending, borrowing authority, and imposition of taxes for the construction of a sewage lagoon and installation of a low-pressure sewer system in the community of Rathwell, within the Municipality of Norfolk Treherne as a local improvement pursuant to Part 10 of *The Municipal Act*;

And Whereas, in order to complete such undertaking, it will be necessary for the Municipality of Norfolk Treherne to borrow the sum of One Million Dollars (\$1,000,000.00) as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

And Whereas the consecutive annual amounts, including principal and interest, required to be raised each year for 20 years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

And Whereas the requirements are prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with;

And Whereas the amount of the existing borrowing debt of the Municipality of Norfolk Treherne is \$268,550.00, of which no portion of the principal or of the interest thereon is in arrears;

Now Therefore the Council of the Municipality of Norfolk Treherne in regular session assembled, enacts as follows:

1. That pursuant to subsection 320(1) of *The Municipal Act*, the Municipality of Norfolk Treherne adopt Local Improvement Plan No. One (1) attached hereto as Schedule "B".
2. That the Municipality of Norfolk Treherne may expend up to Two Million Dollars \$2,000,000.00 for the purpose of the construction of a sewage lagoon and installation of a low-pressure sewer system in the community of Rathwell, within the Municipality of Norfolk Treherne as a local improvement.
3. That for the aforesaid project, the said municipality may borrow One Million dollars (\$1,000,000.00), such borrowing shall be issued by the Municipality of Norfolk Treherne in the Province of Manitoba, and shall be payable at the Sunrise Credit Union in the Town of Treherne and shall be dated the 31st day of December, A.D. 2020 .
4. That the said borrowing shall bear interest at a rate estimated for the time being at 5% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 31st day of December in each of the years 2021 to 2040, both inclusive.

5. That the issuance of borrowings shall be signed by the Reeve, or by some other person authorized by by-law to sign same, and by the Chief Administrative Officer of the Municipality of Norfolk Treherne and there shall be affixed thereto the corporate seal of the said municipality.
6. That during the currency of the said borrowing; namely, in each of the years 2021 to 2040, both inclusive, there shall be raised annually by a special per parcel rate on taxable, grant-in-lieu and otherwise exempt properties within the community of Rathwell described in Schedule "C" hereto.
7. That pursuant to subsection 174(3)(d) of *The Municipal Act*, pending the issue of the borrowing, the Council of the Municipality of Norfolk Treherne may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Two Million dollars (\$2,000,000.00)
8. That, at any time prior to or within (30) days following completion of the work, any ratepayer of the area affected by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his/her share of the debt herein authorized in respect of the per parcel rate(s) provided herein to the said Chief Administrative Officer of the Municipality of Norfolk Treherne and thereafter no per parcel rate(s) shall be levied against his/her said lands in respect of the borrowing to be authorized herein.

Done and Passed by a by-law of the Municipality of Norfolk Treherne in the Province of Manitoba this 8th day of December, 2020.



[Signature]
Will Eert, Reeve

[Signature]
Jackie Clayton, CAO

Read a first time this 31st day of August, 2020.

Read a second time this 8th day of December, 2020.

Read a third time this 8th day of December, 2020.

APPROVED By Order No. E-20-108
of The Municipal Board

[Signature]
Secretary

MUNICIPALITY OF NORFOLK TREHERNE

NEW LAGOON AND SEWER IN RATHWELL
SCHEDULE - A TO BY-LAW NO 63-2000

Local Improvement Debenture Issue

Term (Yrs):	20	Amount:	1,000,000.00
Date:	December 31, 2020	Rate (%):	5.0000
Payable:	December 31, 2021-2040	Annual Payment:	80,242.59
		First Year's Payment:	80,242.59
		Adjusted Last Year's Payment:	80,242.50

MATURITY SCHEDULE

Year	Interest	Principal	Balance
2021	50,000.00	30,242.59	969,757.41
2022	48,487.87	31,754.72	938,002.69
2023	46,900.13	33,342.46	904,660.23
2024	45,233.01	35,009.58	869,650.65
2025	43,482.53	36,760.06	832,890.59
2026	41,644.53	38,598.06	794,292.53
2027	39,714.63	40,527.96	753,764.57
2028	37,688.23	42,554.36	711,210.21
2029	35,560.51	44,682.08	666,528.13
2030	33,326.41	46,916.18	619,611.95
2031	30,980.60	49,261.99	570,349.96
2032	28,517.50	51,725.09	518,624.87
2033	25,931.24	54,311.35	464,313.52
2034	23,215.68	57,026.91	407,286.61
2035	20,364.33	59,878.26	347,408.35
2036	17,370.42	62,872.17	284,536.18
2037	14,226.81	66,015.78	218,520.40
2038	10,926.02	69,316.57	149,203.83
2039	7,460.19	72,782.40	76,421.43
2040	3,821.07	76,421.43	0.00
TOTALS	604,851.71	1,000,000.00	1,604,851.71

21-Sep-20

**SCHEDULE "B" to
BY-LAW NO. 63-2020
Municipality of Norfolk Treherne
LOCAL IMPROVEMENT PLAN NO. 2-2020**

To construct a sewage lagoon and the installation of a low-pressure sewer system within the community of Rathwell, in the Municipality of Norfolk Treherne

Pursuant to section 315 of The Municipal Act.

A. Proposed Local Improvement:

The Municipality of Norfolk Treherne is proposing to construct a sewage lagoon and install a low-pressure sewer system within the community of Rathwell, in the Municipality of Norfolk Treherne.

B. Local Improvement District:

The Local Improvement District under this plan will be comprise of all taxable, grant-in-lieu and otherwise exempt property within the community of Rathwell in the Municipality of Norfolk Treherne.

C. Potential Taxpayers under the Local Improvement Plan:

Potential taxpayers under this plan are all owners of taxable, grant-in-lieu and otherwise exempt property which are currently located within the community of Rathwell as shown on Schedule "C" of By-law No. 63-2020.

D. Method and Rate of Calculating the Local Improvement Tax: *

The method of calculating the local improvement tax will be an amount per parcel of land. The per parcel rate will be as follows:

Cash Option (Prepayment)(one-time payment)

\$9,523.81 per parcel (\$1,000,000.00/105 parcels = \$9,523.81)

OR

Finance Option:

\$764.22 per parcel (Annual debenture payment of \$80,242.59/105 parcels = \$764.22 levied annually for 20 years.

*All work on private property (which may include cost of new holding tanks, sewer pump and connection line) will be paid by property owners as the time of connection and are separate from this By-law.

Pursuant to section 325 of The Municipal Act, potential taxpayers will be permitted to pre-pay their portion of the Local Improvement tax by a date set by council.

E. Estimated Cost of the Local Improvement

The total estimated cost of the project is:

a) Facultative lagoon	\$650,000.00
b) Low Pressure sewer	\$750,000.00
c) Force main	\$250,000.00
d) Engineering	\$300,000.00
e) Contingencies	\$ 50,000.00
Total Budget	\$2,000,000.00

F. Anticipated Sources of Funding

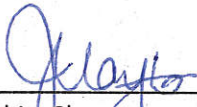
The Municipality of Norfolk Treherne has secured funding from:
Manitoba Water Services Board in the amount of \$1,000,000.00

G. Particulars of Borrowing

Amount	\$1,000,000.00
Term	20 years
Estimated interest rate	5%
Annual Payment	\$80,242.59 to be borne by local improvement tax

H. Funding of annual Operation and Maintenance of the Local Improvement

The annual maintenance costs associated with the local improvement
proposed herein will be covered through utility rates.



Jackie Clayton
Chief Administrative Officer
Municipality of Norfolk Treherne
August 26th, 2020