Authority: Item 17, Public Works Committee

Report 07-011

(TOE02005(b)/PED07248) CM: September 27, 2007

Item 5, Public Works Committee Report 16-003 (PW16012)

CM: March 9, 2016

Bill No. 215

CITY OF HAMILTON

BY-LAW NO. 16-215

To Impose a Sanitary Sewer Charge upon owners of land abutting Regional Road 56 from 2323 Regional Road 56 to 3084 Regional Road 56 and a Watermain Charge upon owners of land abutting Regional Road 56 from 3021 Regional Road 56 to 3084 Regional Road 56, in the City of Hamilton

WHEREAS the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of a sanitary sewer and watermain works by approving Item 5 of Public Works Committee Report 16-003 (Report PW16012) (the "Sewer and Watermain Works");

AND WHEREAS pursuant to the Funding Methodology for Municipal Infrastructure Extensions Policy approved by the Council on September 26, 2007 (Item 17 of Public Works Committee Report 07-011 (Report TOE02005b/FCS02026b/PED07248), the Council of the City of Hamilton also authorized recovering a portion of costs associated with the construction of the Sewer and Watermain Works, by imposing a Sanitary Sewer Charge and Watermain Charge on the owners of land who benefit from the Sewer and Watermain Works (the "Sewer and Watermain Charges");

AND WHEREAS the cost of the Sewer and Watermain Works, including sanitary and watermain connections to be recovered from all benefitting property owners is \$969,025.00 and has been funded from the City's development charge reserve fund;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

- 1. Sewer and Watermain Charges are imposed upon the owners or occupants of land who benefit from the construction of the Sewer and Watermain Works (the "Assessed Owners").
- 2. The Assessed Owners' lands and the estimated Sewer and Watermain Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.

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- 3. The Sewer and Watermain Charges have been established using the approved method apportionment per City of Hamilton Report for cost TOE02005b/FCS02026b/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update), establishing the 2015 User Flat Rate Sanitary Sewer Charge of \$7,070.0, the 2015 User Flat Rate Watermain Charge of \$4,955.00, an estimated cost of \$3,650.00 for each sanitary sewer private drain connection and an estimated cost of \$2,800.00 for each watermain service. The 2015 Service Extension Flat Fee will be in effect up until December 31, 2018. If the property owner chooses to connect to the sewer or watermain after this date, then the Service Extension Flat Fee shall be the rate in the year in which the property owner applies for the permit to connect.
- 4. The amount resulting from the application of the Sewer and Watermain Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Sewer and Watermain Works, in addition to any applicable permit fee.
- 5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years by entry on the collector's roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2016 rate 3.25%).
- 6. Notwithstanding Section 5, an Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
- 7. Should an Assessed Owner sever or subdivide their parcel of land, the Sewer and Watermain Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
- 8. Unpaid Sewer and Watermain Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
- 9.. If any provision or requirement of this By-law, or the application of it to any

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person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.

10. This By-law comes into force on the day following the date of its passing.

PASSED this 12 th day of August, 2016.		
F. Eisenberger	J. Pilon	
Mayor	Acting City Clerk	

Regional Road 56

Sanitary sewer Regional Road 56 from 2323 Regional Road 56 to 3084 Regional Road 56 Watermain Regional Road 56 from 3021 Regional Road 56 to 3084 Regional Road 56

3065-3079 Reg 3059 Reg 3053 Reg 3047 Reg 3041 Reg 3033 Reg 3029 Reg 3013-3021 Reg 3070 Reg 3070 Reg 3044 Reg 3046 Reg 3047 Reg 3070 Reg 3044 Reg 3048 Reg 3070 Reg 3046 Reg 3047 Reg 3048 Reg 3049 Reg 3040 Reg 3041 Reg 2595 Reg 2585 Reg 2575 Reg 2545 Reg 2555 Reg 2626 Reg 2626 Reg 2544 Reg 2544 Reg 2540 Reg <th>ional Road 56 ional Road 56</th> <th>\$7,070 \$7,070</th> <th>\$3,650 \$3</th> <th>\$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955</th> <th>\$2,800 \$2</th> <th>\$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$13,520</th>	ional Road 56	\$7,070 \$7,070	\$3,650 \$3	\$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955 \$4,955	\$2,800 \$2	\$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$18,475 \$13,520
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2575 Reg 2656 Reg 2555 Reg 2545 Reg 2545 Reg 2634 Reg 2626 Reg 2620 Reg 2600 Reg 2600 Reg 2544 Reg 2532 Reg 2506-2520 Reg 2490 Reg 2450 Reg 2351 Reg 2351 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2403 Reg 2413 Reg 2441 Reg 2441 Reg 2441 Reg 2451 Reg	ional Road 56 ional Road 56	\$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070	\$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650		\$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800	\$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520
2656 Reg 2555 Reg 2545 Reg 2545 Reg 2634 Reg 2626 Reg 2620 Reg 2600 Reg 2544 Reg 2532 Reg 2506-2520 Reg 2490 Reg 2450 Reg 2351 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2403 Reg 2413 Reg 2441 Reg 2441 Reg 2451 Reg	ional Road 56 ional Road 56	\$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070	\$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650		\$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800	\$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520
2555 Reg 2545 Reg 2634 Reg 2626 Reg 2620 Reg 2600 Reg 2600 Reg 2544 Reg 2532 Reg 2506-2520 Reg 2490 Reg 2450 Reg 2351 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2441 Reg 2441 Reg 2451 Reg	ional Road 56 ional Road 56	\$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070	\$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650		\$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800	\$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520
2545 Reg 2634 Reg 2626 Reg 2620 Reg 2600 Reg 0 Reg 2544 Reg 2532 Reg 2506-2520 Reg 2490 Reg 2450 Reg 2351 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2441 Reg 2441 Reg 2441 Reg 2451 Reg	ional Road 56 ional Road 56	\$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070 \$7,070	\$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650 \$3,650		\$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800 \$2,800	\$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520 \$13,520
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2544 Reg 2532 Reg 2506-2520 Reg 2490 Reg 2450 Reg 2341 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2441 Reg 2441 Reg 2451 Reg	ional Road 56 ional Road 56	\$7,070 \$7,070	\$3,650 \$3,650		\$2,800	\$13,520
2532 Reg 2506-2520 Reg 2490 Reg 2450 Reg 2341 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56	\$7,070	\$3,650			
2506-2520 Reg 2490 Reg 2450 Reg 2341 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg					1 \$2,800	\$13,520
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2450 Reg 2341 Reg 2341 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg			\$3,650		\$2,800	\$13,520
2341 Reg 2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2351 Reg 2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2359 Reg 2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2365 Reg 2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2375 Reg 2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2385 Reg 2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2395 Reg 2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2403 Reg 2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2413 Reg 2431 Reg 2441 Reg 2451 Reg	ional Road 56	\$7,070	\$3,650		\$2,800	\$13,520
2431 Reg 2441 Reg 2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
2441 Reg 2451 Reg	ional Road 56		\$3,650	<u> </u>	\$2,800	\$13,520
2441 Reg 2451 Reg	ional Road 56	\$7,070	\$3,650		\$2,800	\$13,520
2451 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
	ional Road 56		\$3,650		\$2,800	\$13,520
2461 Reg	ional Road 56		\$3,650		\$2,800	\$13,520
	ional Road 56		\$3,650	1	\$2,800	\$13,520
	ional Road 56		\$3,650	<u> </u>	\$2,800	\$13,520
	ional Road 56		\$3,650	1	\$2,800	\$13,520
	ional Road 56		\$3,650	<u>†</u>	\$2,800	\$13,520
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			\$3,650	-	\$2,800	\$13,520
	ional Road 56		<u> </u>	 	\$2,800	\$9,870
	ional Road 56		\$3,650	1	\$2,800	\$13,520
	ional Road 56			.	\$2,800	\$9,870
	ional Road 56			!	\$2,800	\$9,870
	Sinbrook Rd	\$7,070			\$2,800	\$9,870
	ional Road 56		A = -		^	\$7,070
	ional Road 56		\$3,650		\$2,800	\$13,520
	ional Daga Eal		\$3,650	ļ	\$2,800	\$13,520
2610 Reg	ional Road 56	\$7,070	\$3,650		\$2,800	\$13,520