

COUNTY OF OXFORD

BY-LAW NO. 6549-2023

BEING a by-law to mandate connection to and impose the cost of the water distribution system upon owners of lands within the designated area, referred to as the “Oxford County Lansdowne Ave Watermain Extension Project”;

WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001 c. 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001 c. 25, provides that the County of Oxford, as an upper-tier municipality, has jurisdiction for provision of public utilities specifically including collection of sanitary sewage and water distribution;

AND WHEREAS sections 9, 11 and 391 of the *Municipal Act, 2001*, S.O. 2001 c. 25, provide that the County of Oxford, as an upper-tier municipality, may pass by-laws imposing charges for capital costs related to sewage and water services upon the owners of lands to which such services are provided;

AND WHEREAS sections 8(2) and 11 of the *Municipal Act, 2001*, S.O. 2001 c. 25, provide that the County of Oxford, as an upper-tier municipality, may pass by-laws to require persons to connect to municipal water and sanitary sewage works;

AND WHEREAS sections 445 and 446 of the *Municipal Act, 2001*, S.O. 2001 c. 25, provide that the County of Oxford may pass by-laws authorizing remedial action to be undertaken by the County at a person's expense in certain circumstances;

AND WHEREAS pursuant to section 445 (1) of the *Municipal Act, 2001*, S.O. 2001 c. 25, if a municipality is satisfied that a contravention of a By-law of the municipality has occurred, the municipality may make an order requiring the person who contravened the By-law to do work to correct the contravention;

AND WHEREAS the County of Oxford has installed watermain services, referred to as the Oxford County Lansdowne Ave Watermain Extension Project (the “Services”), that benefit the owners of the lands as illustrated on the map attached to and forming part of this By-law as Schedule “A” with the associated property assessment role numbers shown on the list attached to and forming part of this By-law as Schedule “B” (“Benefitting Properties”);

AND WHEREAS the total costs to date for the Services amounts to \$2,545,239 (“Total Cost”).

NOW THEREFORE THE COUNCIL OF THE COUNTY OF OXFORD ENACTS AS FOLLOWS:

1. That the Total Costs of the Services shall be allocated as follows: \$2,260,172 shall be funded by development charges, \$6,070 shall be funded from the Community Servicing Assistance Program (CSAP) Reserve, \$202,549 shall be funded from the Water - Woodstock Reserve and \$76,448 shall be attributed to existing benefitting properties.

2. In addition to the total cost of the project, \$300 is attributed to each of the benefitting properties with new water connections for a water meter, in accordance with the 2023 rates of the Fees and Charges By-law No. 4889-2007.
3. In addition to the total cost of the project, \$50 is attributed to each of the benefitting properties with new water connections for the application to connect review fee, in accordance with the 2023 rates of the Fees and Charges By-law No. 4889-2007.
4. That the costs set out in this By-law, attributed to benefitting properties shall be apportioned to, and collected from, owners of the benefitting properties as set out in Schedule "B".
5. That the Benefitting Properties, listed on Schedule "B" attached hereto and forming part of this By-law, that have existing buildings with plumbing at the time of passing this By- Law are required to be connected to the Services by October 31, 2024.
6. The County of Oxford may, at any reasonable time, enter land in accordance with section 436 of the Municipal Act, 2001 for the purpose of carrying out an inspection to determine whether or not this By-law is being complied with.
7. In the event that a property owner fails to make a connection as required by this By-law, the County of Oxford may enter onto the lands and make the connections at the expense of owner of the Benefitting Properties in accordance with sections 446 the *Municipal Act, 2001*.
8. In addition to other methods of cost recovery available, the costs of such remedial action by the County of Oxford may be added to the tax roll in accordance with sections 446 (3) through (8) of the Municipal Act, 2001.

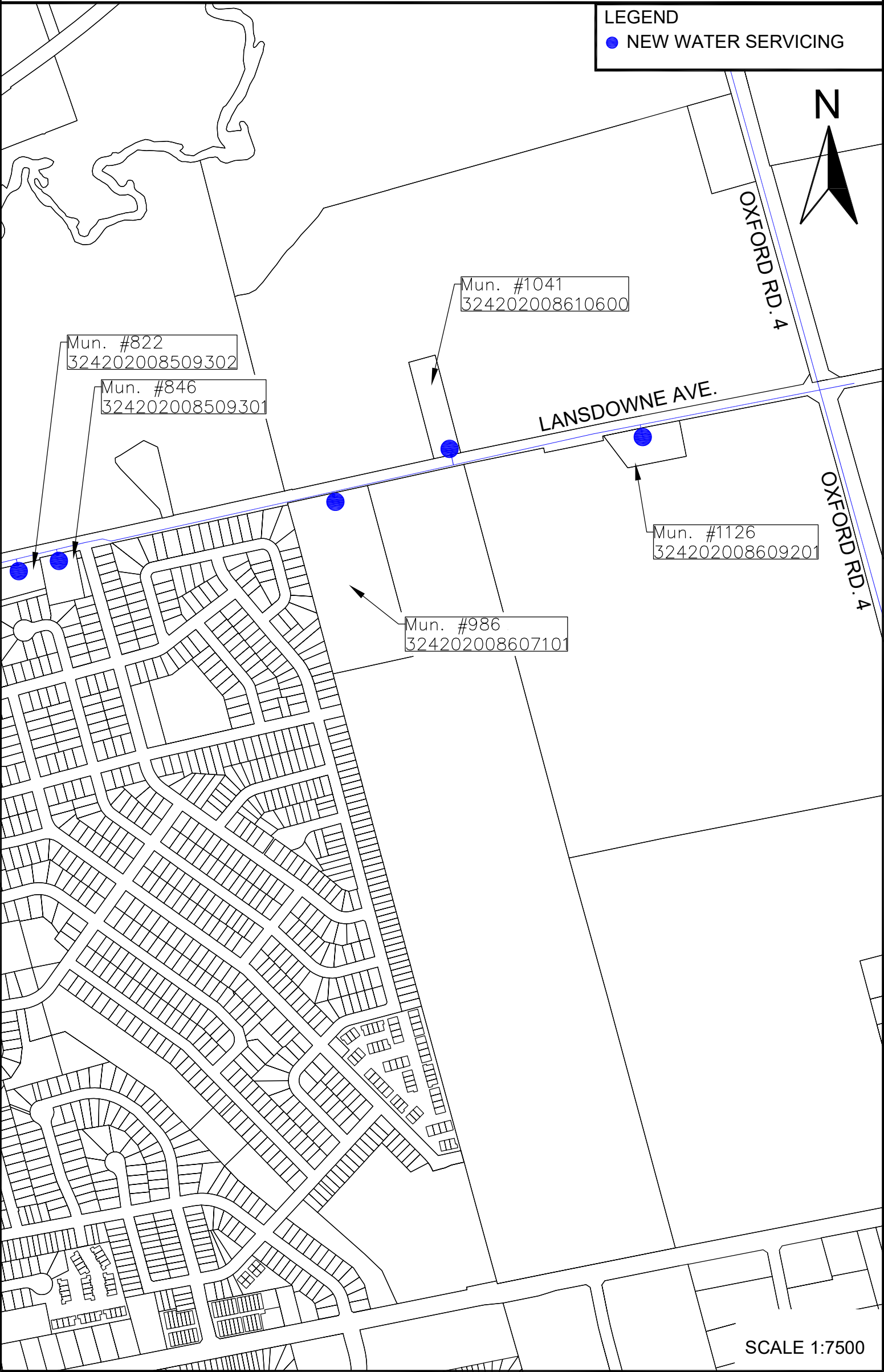
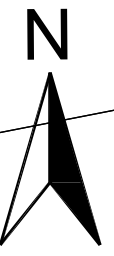
READ a first and second time this 28th day of June, 2023.

READ a third time and finally passed in this 28th day of June, 2023.

JERRY ACCHIONE, DEPUTY WARDEN

ANGIE FERRELL, ACTING CLERK

LEGEND
● NEW WATER SERVICING



COUNTY OF OXFORD
BY-LAW NO. 6549-2023
SCHEDULE "B"

Oxford County Lansdowne Ave Watermain Extension Project

ROLL No.	Water	Sanitary	Total
324202008509302	\$62,448	- *	\$62,448
324202008509302	3,990	-	3,990
324202008509301	3,990	-	3,990
324202008607101	3,990	-	3,990
324202008610600	3,990	-	3,990
324202008609201	3,990	-	3,990
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Total	\$82,398	-	\$82,398

* These properties will be billed in the future when they connect to the system and will not be subject to the mandatory connection date in the by-law.