

COUNTY OF OXFORD

BY-LAW NO. 6350-2021

BEING a by-law to mandate connection to and impose the cost of the sanitary sewer system upon owners of lands within the designated area, referred to as the “Oxford County McKeand Street Sanitary Sewer 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 sanitary sewer services, referred to as the Oxford County McKeand Street Sanitary Sewer 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 “B” with the associated property assessment role numbers shown on the list attached to and forming part of this By-law as Schedule “A” (“Benefitting Properties”);

AND WHEREAS the total costs to date for the Services amounts to \$48,611 (“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: \$12,151 shall be funded from the Community Servicing Assistance Program (CSAP) Reserve and \$36,460 shall be attributed to existing benefitting properties.

2. 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 "A".
3. That the Benefitting Properties, listed on Schedule "A" 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, 2022.
4. 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.
5. In the event that a person 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*.
6. 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 23rd day of June, 2021.

READ a third time and finally passed in this 23rd day of June, 2021.

LARRY G. MARTIN, WARDEN

CHLOE J. SENIOR, CLERK

COUNTY OF OXFORD
BY-LAW NO. 6350-2021
SCHEDULE "A"

Oxford County McKeand Street Sanitary Sewer Extension Project

| ROLL No. | Water | Sanitary | Total |
|-----------------|--------------|-----------------|-----------------|
| 321801001015700 | - | 9,115 | 9,115 |
| 321801001015600 | - | 9,115 | 9,115 |
| 321801001014700 | - | 9,115 | 9,115 |
| 321801001014600 | - | 9,115 | 9,115 |
| <hr/> | | | |
| Total | - | \$36,460 | \$36,460 |