

COUNTY OF OXFORD

BY-LAW NO. 6348-2021

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 North Street East Services 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, water distribution and collection of storm water;

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, water and stormwater 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, watermain and stormwater services, referred to as the Oxford County North Street East Services 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 on September 13, 2017 County Council authorized entering into an agreement with The Corporation of the Town of Tillsonburg for the purpose of constructing a stormwater drainage channel and outlet north of Oxford County Road 20 between Broadway and Cranberry Road; and to establish the ownership, construction, maintenance and cost sharing arrangement for the works, forming part of the Oxford County North East Services Extension Project;

AND WHEREAS the total costs to date for the Services amounts to \$4,441,641 ("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: \$3,050,539 shall be funded by development charges, \$218,205 shall be funded from the Community Servicing Assistance Program (CSAP) Reserve, \$16,627 shall be funded from the Tillsonburg Wastewater Reserve and \$1,156,270 shall be attributed to benefitting properties.
2. In addition to the total cost of the project, \$260 is attributed to each of the existing benefitting properties with new water connections for a water meter, in accordance with the 2020 rates of the Fees and Charges By-law No. 4889-2007.
3. 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".
4. 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.
5. 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.
6. 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*.
7. 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 14th day of July, 2021.

READ a third time and finally passed in this 14th day of July, 2021.

LARRY G. MARTIN, WARDEN

CHLOE J. SENIOR, CLERK

COUNTY OF OXFORD
BY-LAW NO. 6348-2021
SCHEDULE "A"

Oxford County North Street East Services Extension Project

ROLL No.	Water	Sanitary	Storm	Total
320407007004800	-	9,250	-	9,250
320401001042000	-	9,250	-	9,250
320401001042000	7,983	12,334	- *	20,317
320407007004700	-	9,250	-	9,250
320407007004600	6,247	9,250	-	15,497
320407007004500	7,983	12,334	55,277 *	75,594
320401001042100	-	9,250	-	9,250
320407007004400	-	9,250	-	9,250
320401001062932	-	9,250	-	9,250
320401001062932	15,966	24,668	- *	40,634
320407007004300	-	9,250	-	9,250
320407007004200	-	9,250	-	9,250
320407007004100	-	9,250	-	9,250
320401001042205	-	9,250	-	9,250
320401001042205	7,983	12,334	- *	20,317
320407007004000	-	9,250	-	9,250
320407007003900	-	9,250	-	9,250
320407007003800	-	9,250	-	9,250
320407007009203	-	9,250	-	9,250
320407007002100	-	9,250	-	9,250
320407007002000	-	9,250	-	9,250
320407007001900	-	9,250	-	9,250
320407007001800	-	9,250	-	9,250
320407007001700	-	9,250	-	9,250
320407007001600	-	9,250	-	9,250
320401001042500	-	9,250	-	9,250
320407007001500	-	9,250	-	9,250
320407007001400	-	9,250	-	9,250
320401001042600	-	9,250	-	9,250
320407007001300	-	9,250	-	9,250
320401001042700	-	9,250	-	9,250
320407007001200	-	9,250	-	9,250
320407007001100	6,247	9,250	-	15,497
320401001042800	-	9,250	-	9,250
320407007000900	-	9,250	-	9,250
320401001042901	-	9,250	-	9,250
320407007000700	-	9,250	-	9,250
320407007000600	-	9,250	-	9,250
320401001042903	-	9,250	-	9,250

320407007000500	-	9,250	-	9,250
320407007006300	-	9,250	-	9,250
320407007009300	6,247	9,250	-	15,497
320401001041602	-	9,250	-	9,250
320401001041700	6,247	-	-	6,247
320407007007800	-	9,250	-	9,250
320407007009204	-	9,250	-	9,250
320407007007700	-	9,250	-	9,250
320407007007600	-	9,250	-	9,250
320401001041800	-	9,250	-	9,250
320407007006200	6,247	9,250	-	15,497
320407007006101	-	9,250	-	9,250
320407007009206	-	9,250	-	9,250
320407007009205	6,247	9,250	-	15,497
320407007006100	6,247	9,250	-	15,497
320407007024800	-	9,250	-	9,250
320407007024900	-	9,250	-	9,250
320407007025100	-	9,250	-	9,250
320407007006000	6,247	9,250	-	15,497
320407007005900	6,247	9,250	-	15,497
320407007005800	6,247	9,250	-	15,497
320407007005700	6,247	9,250	-	15,497
320407007005600	6,247	9,250	-	15,497
320407007005500	-	9,250	-	9,250
320407007005400	-	9,250	-	9,250
320407007005300	-	9,250	-	9,250
320407007005200	15,966	24,668	173,116 *	213,750
320407007005100	-	9,250	-	9,250
320407007005000	-	9,250	-	9,250
320407007004900	-	9,250	-	9,250
320401001041900	15,966	12,334	43,719	72,019
320407007013306	-	-	59,045 *	59,045
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Total	\$ 146,811	\$ 681,422	\$ 331,157	\$ 1,159,390

* 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.