

COUNTY OF OXFORD

BY-LAW NO. 6472-2022

BEING a by-law to mandate connection to and impose the cost of the watermain and sanitary sewer system upon owners of lands within the designated area, referred to as the “Oxford County Tanager Drive and Falcon Road 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 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 and sanitary sewer services, referred to as the Oxford County Tanager Drive and Falcon Road 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 “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 \$530,823 (“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: \$37,671 shall be funded from the Community Servicing Assistance Program (CSAP) Reserve, \$286,461 shall be funded from the Water – Tillsonburg Reserve, \$23,453 shall be funded from

the Wastewater – Tillsonburg Reserve and \$183,238 shall be attributed to existing benefitting properties.

2. In addition to the total cost of the project, \$275 is attributed to each of the benefitting properties with new water connections for a water meter, in accordance with the 2022 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 and \$50 is attributed to each of the benefitting properties with new sanitary connections for the application to connect review fee, in accordance with the 2022 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, 2023.
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 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*.
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 September, 2022.

READ a third time and finally passed in this 28th day of September, 2022.

LARRY G. MARTIN, WARDEN

CHLOE J. SENIOR, CLERK

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SCHEDULE "B"

Oxford County Tanager Drive and Falcon Road Services Extension Project

ROLL No.	Water	Sanitary	Total
320407007006900	-	10,320	10,320
320407007007300	-	10,320	10,320
320407007007200	-	10,320	10,320
320407007007203	4,198	13,744 *	17,942
320407007007204	4,198	13,744 *	17,942
320407007007201	4,198	13,744 *	17,942
320407007007016	4,198	13,744 *	17,942
320407007007100	-	10,320	10,320
320407007007400	-	10,320	10,320
320407007007500	-	10,320	10,320
320407007006400	-	10,320	10,320
320407007006800	-	10,320	10,320
320407007006500	-	10,320	10,320
320407007006700	-	10,320	10,320
320407007006600	-	10,320	10,320
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Total	16,792	\$168,496	\$185,288

* 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.