RURAL MUNICIPALITY OF ST. ANDREWS

BY-LAW NO. <u>4271</u>

Being a By-Law of the Rural Municipality of St. Andrews to authorize the Expenditure and Borrowing of money for the completion of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 1) as a Local Improvement.

WHEREAS Section 311 of *The Municipal Act*, S.M. 1996, C.58, provides in part as follows:

If approved by by-law, a municipality may undertake, as a local improvement for the benefit of all or part of the municipality,

- (a) the acquisition, development, upgrading or replacement of one or more of the following:
 - sewage collection and treatment facilities;
 - (ii) water supply, treatment and distribution facilities;
 - (iii) waste management facilities;
 - (iv) highways;
 - (v) drainage systems; or
- (b) any other project the cost of which includes a capital component.

AND WHEREAS subsection 320(1) of *The Municipal Act* provides as follows:

Subject to subsection (2) to (6) and subsection 321(4), a Council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

AND WHEREAS Section 172 of *The Municipal Act* provides in part as follows:

In this Division,

"Borrowing" means the borrowing of money, and includes

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10.
- (e) issuing debentures

AND WHEREAS, the Council of the Rural Municipality of St. Andrews has prepared Local Improvement Plan No. 2016-01 providing for the spending, borrowing authority, and imposition of taxes for the the completion a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 1). The wastewater will be conveyed via the Main Street Trunk Sewer in West St. Paul for treatment at the North End Water Pollution Control Centre in Winnipeg as a local improvement pursuant to Part 10 of *The Municipal Act*;

AND WHEREAS, in order to complete such undertaking, it will be necessary for the Rural Municipality of St. Andrews to borrow the sum of \$6,924,429. as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for 20 years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

AND WHEREAS the requirements are prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with;

AND WHEREAS the assessed value of the whole lands chargeable under this by-law according to the latest revised Assessment Roll is \$55,030,800;

AND WHEREAS the amount of the existing borrowing debt of the Rural Municipality of St. Andrews is \$0 of which no portion of the principal or of the interest thereon is in arrears;

NOW THEREFORE the Council of the Rural Municipality of St. Andrews in Special session assembled, enacts as follows:

- 1. That pursuant to subsection 320(1) of *The Municipal Act*, Rural Municipality of St. Andrews adopt Local Improvement Plan No. 2016-01 attached hereto as Schedule "B".
- 2. That the Rural Municipality of St. Andrews may expend up to Fifteen Million, One Hundred Eighty Five Thousand and Three Hundred and Seventeen dollars (\$15,185,317.) for the purpose of completing of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews. The wastewater will be conveyed via the Main Street Trunk Sewer in West St. Paul for treatment at the North End Water Pollution Control Centre in Winnipeg as a local improvement.
- 3. That for the aforesaid project, the said municipality may borrow up to Six Million, Nine Hundred Twenty Four Thousand and Four Hundred and Twenty-nine dollars (\$6,924,429.), such borrowing shall be issued by the Rural Municipality of St. Andrews in the Province of Manitoba, and shall be payable at the Sunova Credit Union in Selkirk, Canada at the holder's option, and shall be dated the 31st day of August, 2017.
- 4. That the said borrowing shall bear interest at a rate estimated for the time being at 5.5% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 31st day of December in each of the years 2018 to 2037, both inclusive.
- 5. That the issuance of borrowings shall be signed by the Mayor or by some other person authorized by by-law to sign same, and by the Chief Administrative Officer of the Rural Municipality of St. Andrews and there shall be affixed thereto the corporate seal of the said municipality.
- 6. That during the currency of the said borrowing; namely, in each of the years 2018 to 2037, both inclusive, there shall be raised annually by a per parcel rate on all the rateable property in the Rural Municipality of St. Andrews described in Schedule "C" hereto, an amount sufficient to provide the principal and interest requirements hereunder.
- 7. That pursuant to subsection 174(3) (d) of *The Municipal Act*, pending the issue of the borrowing, the Council of the Rural Municipality of St. Andrews may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Six Million, Nine Hundred Twenty Four Thousand and Four Hundred and Twenty-nine dollars (\$6,924,429.).
- 8. That, at any time prior to or within (30) days following completion of the work, any ratepayer of the area affected by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his/her share of the debt herein authorized in respect of the frontage and/or flankage OR per parcel rate(s) provided herein to the said Chief Administrative Officer of the Rural Municipality of St. Andrews and thereafter no frontage and/or flankage OR per parcel rate(s) shall be levied against his/her said lands in respect of the borrowing to be authorized herein.

Done and Passed by a by-law of the Rural Mu Manitoba this day of, 2016.	unicipality of St. Andrews in the Province of
	Mayor
	Chief Administrative Officer
Read a first time this 28 th day of June, A.D. 2016 Read a second time this day of A.D. 2016 Read a third time this day of A.D. 2016	.D. 2016

Certified a True Copy of By-Law No. 4271

RURAL MUNICIPALITY OF ST. ANDREWS

SCHEDULE - A TO BYLAW NO.4271

Local Improvement Debenture Issue

 Term (Yrs):
 20
 Amount:
 6,924,429.00

 Date:
 None Entered
 Rate (%):
 5.5000

 Payable:
 None Entered
 Annual Payment:
 579,431.58

 First Year's Payment:
 579,431.58

Adjusted Last Year's Payment: 579,431.62

	MATURITY	SCHEDULE	10 1000
Year	Interest	Principal	Baland
1	380,843.60	198,587.98	6,725,841.0
2	369,921.26	209,510.32	6,516,330.7
3	358,398.19	221,033.39	6,295,297.3
4	346,241.35	233,190.23	6,062,107.0
5	333,415.89	246,015.69	5,816,091.3
6	319,885.03	259,546.55	5,556,544.8
7	305,609.97	273,821.61	5,282,723.2
8	290,549.78	288,881.80	4,993,841.4
9	274,661.28	304,770.30	4,689,071.1
10	257,898.91	321,532.67	4,367,538.4
11	240,214.62	339,216.96	4,028,321.5
12	221,557.68	357,873.90	3,670,447.6
13	201,874.62	377,556.96	3,292,890.6
14	181,108.99	398,322.59	2,894,568.0
15	159,201.24	420,230.34	2,474,337.7
16	136,088.57	443,343.01	2,030,994.7
17	111,704.71	467,726.87	1,563,267.8
18	85,979.73	493,451.85	1,069,815.9
19	58,839.88	520,591.70	549,224.2
20	30,207.34	549,224.28	0.0
TOTALS	4,664,202.64	6,924,429.00	
			23-Apr-1

SCHEDULE "B" TO BY-LAW NO. 4271

Installation of Sewer Services – Phase 1 Local Improvement Plan – (LID #1) – No. 2016-01 Pursuant to Section 315 of *The Municipal Act*

A. Description of the Proposed Local Improvement:

The local improvement plan proposed herein involves the provision of authority to construct and borrow funds for the completion of a new regional wastewater collection system to service the southern portion of the R.M. of St. Andrews (Phase 1). The wastewater will be conveyed via the Main Street Trunk Sewer in West St. Paul for treatment at the North End Water Pollution Control Centre in Winnipeg.

The project has been initiated by the Council of the R.M. of St. Andrews to provide a cost-effective means of treating wastewater while protecting the health of the community located within the Manitoba Conservation Red River Corridor Designated Area that was established in 2009 by Provincial Regulation. This Regulation prohibits the replacement or modification of existing septic fields and construction of new septic fields in the Corridor.

The Onsite Wastewater Management System Regulation of *The Environment Act* of Manitoba states in part as follows:

"Requirement to connect to new wastewater collection system

- 8.1(1) If a wastewater collection system is installed in an area not previously serviced by a wastewater collection system, an owner of land in that area must
 - (a) connect his or her wastewater sources to the wastewater collection system; and
 - (b) take any onsite wastewater management system or privy located on the land out of service and decommission it; before the earlier of
 - (c) the passing of a period of five years from the day that the wastewater collection system was installed; or
 - (d) the transfer or subdivision of the land."

Phase 1 of the project is the construction of a regional wastewater forcemain from Riversprings Drive in West St. Paul to River Road in the R.M. of St. Andrews, a Lift Station and Odour Control System at River Road and low pressure lines throughout the Phase 1 service area.

Part 1 of the project is the construction of a regional wastewater forcemain from Riversprings Drive in West St. Paul to the south boundary of the R.M. of St. Andrews. The project includes the forcemain, a Lift Station at River Road and an Odour Control System. This portion of the project is referred to as the "GAP" and the costs of the forcemain only will be funded by Phase 1 and Phase 2 (north of Liss Road to the area south of Lower Fort Garry) equally. A map of the area included in Phase 1 and Phase 2 of the project is identified in Section I.

Part 2 of the project is the local servicing of all properties located in Phase 1 - south of Liss Road and east of CP Railway with a low-pressure sewer system. The properties will be required to connect within five (5) years once the wastewater system has been commissioned.

All work on private property and the connection cost to the City of Winnipeg (approximately \$2,300.00) will be paid directly by the property owner at the time of connection.

B. Identification of the local improvement district (LID #1):

The local improvement district will include all properties in the municipality other than property described in Section 21 of *The Municipal Assessment Act*.

C. Identification of the potential taxpayers:

The potential taxpayers will be the property owners of all taxable, grant-in-lieu and otherwise exempt properties in the municipality that are located in the area described as Phase 1 in the Rural Municipality of St. Andrews and are described in Schedule "C".

D. Method and Rate for calculation of the proposed local improvement tax:

The method to be used for calculating the proposed local improvement tax will be based on an amount for each parcel of land on property that is real property, described in Schedule "C".

The rate will be:

Finance cost - \$618.39 per annum (based on one (1) lot) for the years 2018 to 2037 Or a

Lump-sum cost (pre-payment amount) of \$7,390.00 per one (1) lot due and payable on a date set by Council.

Pursuant to section 325 of *The Municipal Act*, all taxpayers will be offered the option to pre-pay their portion of the local improvement tax by a date set by Council.

E. Estimated Cost:

The total estimated cost of the local improvement is as follows:

Part 1:

Total GAP Cost \$4,601,317

Less: Manitoba Water Services Board Grant \$2,250,000

Cost to be allocated to Phase 1 & 2 $\frac{\$2,351,\overline{317}}{\$1,840,429}$ Phase 2 – 21% of the total cost \$1,888

Part 2:

Lower Pressure Sewer \$10.584.000

Less: Canada/Manitoba Infrastructure Grant \$ 4,000,000

Less: Manitoba Water Services Board Grant \$ 1,500,000

Cost to be allocated to Phase 1 \$ 5,084,000

Phase 1:

Part 1 – GAP Cost \$ 1,840,429

Part 2 – Lower Pressure Sewer Cost \$ 5,084,000

Total Phase 1 cost <u>\$ 6,924,429</u>

F. Source of funding:

The Council of the Rural Municipality of St. Andrews has secured funding from Canada/Manitoba Infrastructure and the Manitoba Water Services Board.

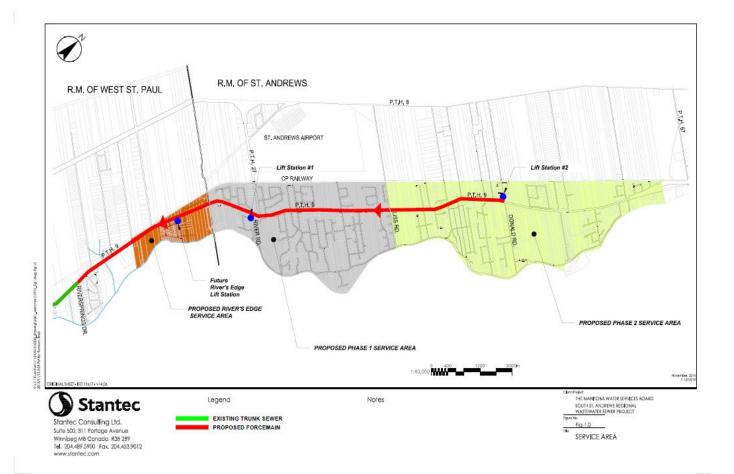
G. Estimated amount of money to be borrowed:

Amount: \$6,924,429
Maximum rate: 5.5% interest
Term: 20-year term
Annual payment: \$579,431.58

H. Annual funding:

The annual operation or maintenance of the local improvement will be funded through revenues received from the levy charged to customers of the sewer utility.

I. Map of area including Phase 1 and Phase 2:



Rural Municipality of St. Andrews

Andrew Weremy, Chief Administrative Officer

SCHEDULE "C" TO BY-LAW NO. 4271 Installation of Sewer Services – Phase 1 Local Improvement Plan – (LID #1) – No. 2016-01 Pursuant to Section 315 of *The Municipal Act*

Finance cost \$618.39 per annum (based on one (1) lot) for the years 2018 to 2037

Or a

Lump-sum cost (pre-payment amount) of \$7,390.00 per one (1) parcel of land on property located in the area described as Phase 1 in the Rural Municipality of St. Andrews due and payable on a date set by Council.

•				
On the following	ng properties:			
100	1602	2800	6400	6553
200	1603	2825	6450	6554
300	1604	2850	6501	6555
500	1605	2860	6502	6556
550	1606	2870	6503	6557
600	1607	2900	6504	6558
700	1608	3000	6505	6559
800	1609	3100	6506	6560
1000	1610	3200	6507	6561
1115	1611	3300	6508	6562
1117	1612	3400	6509	6563
1119	1613	3500	6510	6564
1300	1614	3600	6511	6565
1301	1615	3690	6512	6566
1302	1616	3700	6513	6568
1303	1617	3720	6514	6600
1304	1618	3730	6515	6610
1304	1619	3750 3750	6516	6620
1306	1620	3760	6517	6621
1307	1621	3770	6518	6622
1308	1622	3780	6519	6623
1309	1623	3800	6520	6624
1310	1624	3900	6521	6625
1311	1625	4000	6522	6626
1312	1626	4100	6523	6627
1313	1627	4200	6524	6628
1314	1628	4300	6525	6629
1315	1629	4400	6526	6630
1316	1630	4500	6527	6631
1317	1631	4600	6528	6632
1318	1905	4700	6529	6633
1319	1910	4800	6530	6634
1320	1915	4900	6531	6635
1321	1917	4950	6532	6636
1322	1920	5000	6533	6637
1323	1925	5050	6534	6638
1324	1930	5100	6535	6639
1325	1935	5200	6536	6640
1326	1940	5300	6537	6641
1327	1945	6151	6538	6642
1328	1950	6152	6539	6643
1331	1955	6153	6540	6644
1350	1960	6154	6541	6645
1355	1965	6155	6542	6646
1360	1970	6156	6543	6647
1590	1975	6157	6544	6648
1591	1976	6158	6545	6649
1592	2000	6159	6546	6650
1593	2300	6160	6547	6651
1594	2320	6161	6548	6652
1595	2326	6162	6549	6653
1596	2330	6163	6550	6654
1600	2600	6164	6551	6655
1601	2700	6165	6552	6656
•	=: • •			3003

6657	7980	9390	9736	10400
6658	7982	9395	9737	10700
6659	7983	9400	9738	10720
6660	7984	9450	9739	10730
6661	8000	9500	9740	10900
6662	8002	9505	9741	11000
6663	8004	9520	9742	11200
6664	8006	9522	9743	11300
6665	8008	9524	9744	11600
6665.1	8010	9526	9745	11700
	8012	9528	9746	11800
6666				
6667	8014	9530	9747	11815
6668	8016	9532	9748	11825
6669	8018	9534	9749	11850
6670	8020	9536	9750	11857
7400	8022	9538	9751	11859
7425	8024	9540	9752	12100
7600	8026	9542	9753	12200
7700	8028	9544	9754	12300
7705	8030	9546	9755	12305
7710	8032	9548	9756	12310
7715	8034	9550	9757	12315
7720	8036	9552	9758	12320
7725	8038	9554	9759	12325
7730	8040	9556	9760	12330
7735	8042	9558	9761	12335
7740	8044	9560	9762	12340
7800	8046	9562	9763	12345
7801	8048	9563	9764	12350
7900	8050	9564	9765	12355
7902	8052	9565	10000	12360
7904	8054	9566	10100	12365
7906	8056	9600	10200	12370
7908	8058	9700	10250	12375
7910	8060	9701	10255	12380
7912	8062	9702	10257	12384
7914	8200	9703	10259	12385
7916	8205	9704	10261	12386
7918	8210	9705	10263	12387
7920	8225	9706	10265	12388
7922	8250	9707	10267	12390
7924	8300	9708	10269	12392
7926	8400	9709	10271	12394
7928	8500	9710	10273	12395
7930	8750	9711	10275	12396
7932	8760	9712	10277	12398
7934	8770	9713	10279	12400
7936	8800	9714	10281	12402
7938	8820	9715	10283	12404
7940	8840	9716	10285	12406
7942	8850	9717	10287	12408
7944	8900	9718	10289	12410
7946	9140	9719	10291	12412
7948	9150	9720	10293	12414
7950	9200	9721	10295	12416
7952	9300	9722	10297	12418
7954	9325	9723	10299	12420
7956	9330	9724	10301	12422
7958	9335	9725	10303	12424
7960	9340	9726	10305	12426
7962	9345	9727	10307	12460
7964	9350	9728	10309	12500
7966	9355	9729	10311	12640
	9360		10313	12650
7968		9730		
7970	9365	9731	10315	12700
7972	9370	9732	10317	12710
7974	9375	9733	10319	12800
7976	9380	9734	10321	12900
7978	9385	9735	10323	12950

40050	47000	04.400	00000	00.400
12952	17900	21486	22600	23490
12954	18000	21487	22700	23495
12956	18100	21488	22800	23500
13000	18200	21489	22850	23505
13050	18300	21490	23000	23510
13100	18400	21491	23050	23600
13125	18500	21544	23100	23700
13200	18600	21546	23202	23800
13300	18700	21548	23203	23900
13400	18750	21550	23204	24000
13500	18800	21552	23206	24050
13600	18900	21554	23208	24100
13700	19000	21556	23210	24102
13800	19090	21558	23212	24104
13810	19100	21560	23214	24106
13820	19200	21562	23216	24108
13850	19300	21564	23218	24110
13860	19400	21566	23220	24112
13862	19500	21568	23222	24114
13900	19600	21570	23224	24116
14000	19700	21572	23226	24118
14100	19800	21574	23228	24120
14200	19900	21576	23230	24122
14300	20000	21578	23232	24124
14400	20150	21580	23234	24126
14500	20160	21582	23236	24128
14600	20170	21584	23238	24130
14700	20210	21586	23240	24132
14800	20220	21588	23242	24134
14900	20230	21590	23244	24136
14990	20240	21592	23246	24138
15000	20250	21594	23248	24140
15200	20300	21600	23250	24205
15300	20310	21800	23252	24207
15400	21402	21801	23254	24209
15500	21404	21802	23256	24211
15580	21410	21803	23258	24213
15590	21420	21804	23260	24215
15600	21440	21805	23262	24217
15700	21460	21806	23264	24219
15800	21461	21807	23266	24221
15900	21462	21808	23268	24223
16000	21463	21809	23270	24225
16050	21464	21810	23272	24227
16200	21465	21811	23274	24229
16210	21466	21812	23276	24231
16250	21467	21813	23278	24382
16260	21468	21814	23400	24384
16300	21469	21815	23405	24386
16400	21470	21816	23410	24388
16500	21471	21817	23415	24390
16600	21472	21818	23420	24392
16700	21473	21819	23425	24394
16800	21474	21820	23430	24396
16850	21475	21840	23435	24398
16900	21476	21850	23440	24400
17000	21477	21875	23445	24410
17100	21478	21900	23450	24420
17200	21479	22100	23455	24500
17300	21480	22200	23460	24600
17400	21481	22250	23465	24650
17500	21482	22300	23470	24700
17600	21483	22400	23475	21700
17700	21484	22450	23480	
17800	21485	22500	23485	