

UNOFFICIAL OFFICE CONSOLIDATION – FOR REFERENCE ONLY



BY-LAW 300-25-23

A BY-LAW RELATING TO LOCAL IMPROVEMENTS IN THE TOWN OF RIVERVIEW

MONTGOMERY AVENUE (Whitepine to Fairfax)

BE IT ENACTED by the Town Council of the Town of Riverview, under the authority vested in it by Part 12 of the Local Governance Act R.S.N.B. c. 18 as follows:

WHEREAS the Town Council of the Town of Riverview is committed to the upgrading of the streets within the Town; and

WHEREAS Section 121-123 of the Local Governance Act R.S.N.B. c.18 provides that the Council may authorize the undertaking of a capital works project through a by-law proposing a local improvement and charge the costs, in whole or in part, against the real properties that receive the benefit.

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF RIVERVIEW THAT:

1. The Director of Engineering and Works is hereby authorized to cause to be undertaken a water main replacement and full reconstruction of approximately 800m of roadway, including all materials, equipment and labour required for the construction of a new roadbed, new storm sewer, manholes, catch basins, new water main, new fire hydrants, concrete curb and gutter, concrete sidewalk and asphalt base. The work also includes some sanitary main, water laterals and sanitary laterals upgrades.
2. The cost of the work set out in Section 1 shall be raised through a levy of special frontage assessment on every owner of every abutting lot or parcel of land abutting on that portion of Montgomery Avenue where the local improvement work is to be undertaken, as more clearly indicated in Schedule A.
3. The uniform rate for the special assessment shall be set at \$115 (one hundred & fifteen dollars) per metre of frontage.
4. The total estimated cost of the entire work for Montgomery Avenue, as determined by the Town of Riverview's Engineering Department, is \$2,220,000.00 and the total local improvement charge for Montgomery Avenue is \$141,634.73.
5. As per Section 127 of the *Local Governance Act*, the proportion of the total cost referred to in Section 4 that is due and payable for a period of 60 days constitutes a special lien and charge on the land in priority to every claim, privilege, lien or encumbrance of any person whether the right or title of that person has accrued before or accrues after the lien arises, and the lien is not defeated or impaired by any neglect or omission of the local government or of any officer or employee of the local government or by want of registration.
6. Payment may be made in a lump sum or may be made in annual installments for a period of no longer than ten (10) years with annual interest charges being added.
7. The first installment shall be paid to the Town sixty days from the date of issuance of the original invoice and the annual installments shall be paid on or before this date, in each year.
8. Interest on outstanding amounts and arrears shall be at a rate determined by the Director of Finance.

9. This local improvement project shall proceed with a two-thirds vote of Council in favour of this by-law.

First Reading:

Second Reading:

Third Reading:

MAYOR

Ann Seamans

TOWN CLERK

Annette Crummey

Original by-laws and amendments thereto are on file in the Office of the Town Clerk. This document is for convenient reference purposes only. Any questions should be forwarded to the Office of the Town Clerk.