



**BY-LAW 300-25-27**

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

**BIRKDALE DRIVE**

**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 80m of roadway, including all materials, equipment and labour required for the construction of a new roadbed, catch basins, new watermain, a small section of new storm sewer, new electrical underground conduits, concrete curb and gutter and asphalt base.
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 Birkdale Drive 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 Birkdale Drive, as determined by the Town of Riverview's Engineering Department, is \$360,000.00 and the total local improvement charge for these streets is \$12,262.62.
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: March 13, 2023

Second Reading: April 11, 2023

Third Reading: April 11, 2023

---

**MAYOR**

Andrew J. LeBlanc

---

**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.**

SCHEDULE "A"

