

RURAL MUNICIPALITY OF DUFFERIN

By-Law No. 1732

*Being a by-law to authorize the expenditure and borrowing  
of funds for the completion of Phase 5 Rural Water Line System.*

**WHEREAS** the provisions 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:*
  - ii) water supply, treatment and distribution facilities;*

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

*Subject to subsections (2) and (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 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,*

**AND WHEREAS** Section 174(1) of the Act provides in part as follows:

*A municipality may make a borrowing only if*

- (a) the borrowing is authorized by bylaw;*
- (b) subject to subsection (2), the borrowing is set out as a debt obligation in the operating budget or capital budget or it is made to fund an expenditure authorized under subsection 169(5);*

**AND WHEREAS** the Council of the Rural Municipality of Dufferin has prepared Local Improvement Plan No. 1/2000 providing for spending and borrowing authority for the construction of a rural water line system – Phase 5 as a local improvement pursuant to Part 10 of the Act.

**AND WHEREAS** the requirements as prescribed in sections 318, 319 and 320 of the Act have been complied with;

**AND WHEREAS** the consecutive annual amounts, including principal and interest required to be raised in each year for 10 years as hereinafter provided, for paying the principal and interest under this by-law are the amounts as set out in Schedule "A" hereto;


**AND WHEREAS** the amount of existing debenture debt of the Rural Municipality of Dufferin is \$857,969.07 of which no portion of the principal or interest thereon is in arrears.

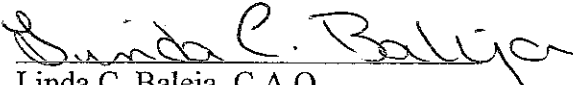
**NOW THEREFORE** the council of the Rural Municipality of Dufferin enacts as follows:

1. THAT pursuant to subsection 320(1) of the Act, the Rural Municipality of Dufferin approve Local Improvement Plan No. 2/2000 attached hereto as Schedule "B",
2. THAT the Rural Municipality of Dufferin may expend up to two hundred and seventy three thousand dollars (\$273,000.00) by the issue and sale of debentures for the purpose of completing the construction of the proposed Phase 5 of the rural water line system as a local improvement.
3. THAT for the aforesaid project, the municipality may borrow two hundred and seventy three thousand dollars (\$273,000.00). Such debentures shall be issued by the R.M. of Dufferin and shall be payable at the Canadian Imperial Bank of Commerce in Carman, Manitoba and shall be dated the 1<sup>st</sup> day of December A.D., 2000.
4. THAT the said debentures shall bear interest at a rate estimated for the time being at 8% 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 1<sup>st</sup> day of December in each of the years 2001 to 2010, both inclusive.
5. THAT each of the said debentures shall be signed by the Reeve, or by some other person authorized by by-law to sign same, and the Chief Administrative Officer of the Rural Municipality of Dufferin, and there shall be affixed thereto the corporate seal of the said municipality, and the coupons, if any attached thereto shall be signed by the Chief Administrative Officer.
6. THAT during the currency of the said debentures, namely, in each of the years 2001 to 2010, both inclusive, there shall be raised annually by a special rate of \$4.85 per foot on all the rateable property described in Schedule "C" hereto, according to the frontage thereof, with a minimum/maximum of 200 feet, an amount sufficient to provide for the principal and interest requirements hereunder.
7. THAT pursuant to paragraph 174(3)(d) of the Municipal Act, pending the issue and sale of debentures, the Council of the Rural Municipality of Dufferin may agree with a bank or person to 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 three hundred and twenty three thousand dollars (\$323,000.00).

- 8. THAT during the term of the debentures authorized herein, in any year where debentures remain unissued, the levies may be made as if the debentures had been issued; and upon completion of the project authorized herein, when the final amount of the debt created hereunder is known, the levies shall be applied in reduction of temporary financing, and when issued, the amount and term of debentures shall be reduced accordingly.
- 9. THAT, at any time prior to or within thirty days following the 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 share of the debt herein authorized in respect of the frontage and/or flankage rates provided herein in the said by-law of the Rural Municipality of Dufferin and hereafter no frontage and/or flankage rates shall be levied against the said lands in respect of the debentures to be authorized herein.

**DONE AND PASSED** as a by-law of the Rural Municipality of Dufferin in the Province of Manitoba this the 12<sup>th</sup> day of Dec. A.D. 2000.


  
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 William K. Roth, Reeve

  
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 Linda C. Baleja, C.A.O.

Read a first time this the 10<sup>th</sup> day of Oct. A.D. 2000

Read a second time this 12<sup>th</sup> day of Dec. A.D., 2000

Read a third time this 12<sup>th</sup> day of Dec. A.D., 2000

APPROVED By Order No. E-00-11a  
 of The Municipal Board  
  
 \_\_\_\_\_  
 Secretary

**Schedule "B" to By-Law No. 1732**

**RURAL MUNICIPALITY OF DUFFERIN**

**LOCAL IMPROVEMENT PLAN #1/2000**

**PHASE 5 – RURAL WATER LINE SYSTEM**

**A. Description of the Proposed Local Improvement**

The local improvement proposed herein involves the provision of additional authority to expend and borrow funds for the completion of Phase 5 of the rural water line system for the Rural Municipality of Dufferin.

Phase 5 represents the fifth phase of the rural water line system project for this municipality, Phase 4 having been completed in 1999.

**B. Local Improvement District to be Taxed**

The Local Improvement Tax required to service the debt to be issued under this proposal will be levied on qualifying properties within the Rural Municipality of Dufferin Local Improvement Phase 5 Rural Water Line System.

**C. Identification of Potential Taxpayers Under the Plan**

The local improvement taxes under this plan are to be imposed in respect of any properties in the Rural Municipality of Dufferin Local Improvement District Phase 5 these properties being only the ones which are serviced with the rural water line system in the 2000 year.

**D. Method of Calculating Local Improvement Tax**

The local improvement tax to be levied under this proposal will be calculated on the basis of a frontage levy against all properties in the local improvement district described in Schedule "C" attached hereto, with a minimum/maximum of 200' frontage. This frontage levy will be equivalent to \$6,500.00 plus interest thereon for the ten year duration of the levy commencing in the year 2001 until 2010, both inclusive. This \$6,500.00 represents the total \$7,500.00 charge for the rural water line service less the deposit which has been paid to the Rural Municipality of Dufferin to ensure the water service for the 2000 year.

Taxpayers will be permitted to pay the \$6,500.00 balance prior to December 1, 2000 instead of having a frontage tax levied against their property for the years 2001 until 2010, both inclusive.

**E. Estimated Cost of Local Improvement Tax****Calculation of Spending Authority Required**

Total Project Cost	\$750,000.00
P.F.R.A. Share	\$ 50,000.00
Manitoba Water Services Board Share	250,000.00
R.M. of Dufferin Share, being	450,000.00
\$273,000.00 Debenture	
\$135,000.00 Waterline Reserve Fund	
\$ 42,500.00 Waterline Deposits	

**Calculation of Additional Required Borrowing Authority**

R.M. Share of total project costs (42 hookups at \$6,500.00)	\$273,000.00
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**F. Particulars of Debenture Issue**

Amount	\$273,000.00
Term	Not more than 10 years
Interest Rate	8%

**G. Other Anticipated Sources of Funding**

At the time of preparation of the local improvement plan, no other sources of funding for the project are expected.

**H. Funding of Operation and Maintenance of Proposed Local Improvement**

The annual operating and maintenance costs of the proposed local improvement will be covered by water utility charges.

Linda C. Baleja  
Chief Administrative Officer  
August 11, 2000

**RURAL MUNICIPALITY OF DUFFERIN**

SCHEDULE - A TO BYLAW 1732

**Local Improvement Debenture Issue**

<b>Term (Yrs):</b>	10	<b>Amount:</b>	273,000.00
<b>Date:</b>	DECEMBER 1, 2000	<b>Rate (%):</b>	8.0000
<b>Payable:</b>	DECEMBER 1, 2001-2010	<b>Annual Payment:</b>	40,685.05
<b># of Days</b>	365	<b>Adjusted First Year's Payment:</b>	40,685.05
		<b>Adjusted Last Year's Payment:</b>	40,685.06

**MATURITY SCHEDULE**

<b>Year</b>	<b>Interest</b>	<b>Principal</b>	<b>Balance</b>
2001	21,840.00	18,845.05	254,154.95
2002	20,332.40	20,352.65	233,802.30
2003	18,704.18	21,980.87	211,821.43
2004	16,945.71	23,739.34	188,082.09
2005	15,046.57	25,638.48	162,443.61
2006	12,995.49	27,689.56	134,754.05
2007	10,780.32	29,904.73	104,849.32
2008	8,387.95	32,297.10	72,552.22
2009	5,804.18	34,880.87	37,671.35
2010	3,013.71	37,671.35	0.00
<b>TOTALS</b>	<b>133,850.51</b>	<b>273,000.00</b>	<b>406,850.51</b>

16-Aug-00

SCHEDULE 'C' - BY-LAW #1732

ST. DANIEL AREA

Warcup	Brian & Donna	Gen. Del.	Carman, MB	ROG 0J0	NW 14-7-5	144750	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Versteeg	Ed & Ann	Box 836	Carman, MB	ROG 0J0	SE 14-7-5	144850	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Veldman	John & Myrna	Box 322	Carman, MB	ROG 0J0	SE 15-7-5	145450	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
McCullough	Geraldine	Box 8	Carman, MB	ROG 0J0	NE 16-7-5	145700	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Wiebe	John & Allison	Box 1414	Carman, MB	ROG 0J0	NW 16-7-5	145900	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Armstrong	Hilton	R.R.#2	Carman, MB	ROG 0J0	SW 26-7-5	150500	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Forster	James M.	R.R.#2	Carman, MB	ROG 0J0	NE 18-7-5	146700	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Funke	Larry & Darlene	R.R.#2	Carman, MB	ROG 0J0	SW 19-7-5	147400	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Armstrong	Stan & Nancy	R.R.#2	Carman, MB	ROG 2R0	SW 20-7-5	147800	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Krahn	Trevor & Martha	Box 38	Carman, MB	ROG 0J0	NE 21-7-5	147900	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
McCullough	Wesley	Gen. Del.	Carman, MB	ROG 0J0	SE 21-7-5	148100	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Zacharias	Vic & Sharon	Box 1571	Carman, MB	ROG 0J0	NE 27-7-5	150600	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Douma	Dennis & Marlene	Box 1000	Carman, MB	ROG 0J0	SW 27-7-5	151400	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
McCullough	Garth	Box 494	Carman, MB	ROG 0J0	NE 28-7-5	151600	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Knaggs	Ken & Shirley	R.R.#2	Carman, MB	ROG 0J0	NE 29-7-5	152000	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Sisson	Doug	Box 1563	Carman, MB	ROG 0J0	SW 29-7-5	152300	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Sisson	Doug	Box 1563	Carman, MB	ROG 0J0	NE 30-7-5	152400	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Blatz	John & Cheryl	R.R.#2	Carman, MB	ROG 0J0	SE 30-7-5	152900	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Major	Clarence	Box 266	Carman, MB	ROG 0J0	SE 30-7-5	152950	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Allen	Maurice	Box 1485	Carman, MB	ROG 0J0	SW 31-7-5	153600	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Fraser	Carmeron	Box 483	Carman, MB	ROG 0J0	NE 32-7-5	153700	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
McCullough	Lana	Gen. Del.	Elm Creek, MB	ROG 0N0	SE 33-7-5	154300	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Owen	Elaine	Box 142	Carman, MB	ROG 0J0	SE 12-7-6	158100	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Middleton	Dean	R.R.#2	Carman, MB	ROG 0J0	NE 24-7-6	160600	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Termeer	Arlene	Box 1216	Carman, MB	ROG 0J0	SE 24-7-6	160900	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Major	Cyril & Wendy Bolton	Box 253	Elm Creek, MB	ROG 0N0	NE 25-7-6	161200	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Stacey	Clive & Patricia	Box 91	Haywood, MB	ROG 0W0	NW 36-7-6	163400	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Pyrme Park Ltd.	Byron & Adeline	Box 250	St. Malo, MB	ROA 1T0	SE 36-7-6	163500	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Wiens	Stan & Nancy	Box 984	Carman, MB	ROG 0J0	NW 23-7-5	149050	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Armstrong	R.R.#2	Box 951	Carman, MB	ROG 0J0	NE 17-7-5	146350	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
McCutcheon	Don	Box 951	Carman, MB	ROG 0J0	NW 23-7-6	160200	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot

WINDING TRAIL

MacNair	Jim & Mae	R.R.#3	Carman, MB	ROG 0J0	SE 19-6-5	84400	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Sandulak	John	Box 54	Carman, MB	ROG 0J0	SE 20-6-5	84800	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Sandulak	Lee	Box	Carman, MB	ROG 0J0	SE 20-6-5	84800	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Sandulak	Diane	Box	Carman, MB	ROG 0J0	SE 20-6-5	84800	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Termeer	Terry	R.R.#3	Carman, MB	ROG 0J0	SE 20-6-5	84900	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
McIntyre	Robert D.	R.R.#3	Carman, MB	ROG 0J0	NE 17-6-5	83300	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Stow	James & Pamela	Box 802	Carman, MB	ROG 0J0	NW 17-6-5	83400	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
Harrison	Rob	Box 1821	Carman, MB	ROG 0J0	SW 19-6-5	84500	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot
MacNair	Neil & Linda	Gen. Del.	Graysville, MB	ROG 0T0	NE 13-6-6	107200	\$7,500.00	\$1,000.00	\$6,500.00	200'	\$4.85/foot

OTHER

McIntyre	James R.	Box 713	Carman, MB.	ROG 0J0	SE 32-6-6	117800	\$9,000.00	\$2,500.00	\$6,500.00	200'	\$4.85/foot
Beau	Byrone & Shaelene	General Delivery	Graysville, MB.	ROG 0J0	SW 25-6-6	113100	\$9,000.00	\$2,500.00	\$6,500.00	200'	\$4.85/foot