

FINANCIAL

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Article 1
INTERPRETATION

266.1.1 Corner lot - defined

“corner lot” means and includes only that parcel or tenement which includes the corner. By-law 3934, 10 February, 1958.

Article 2
PETITION - REQUEST - WORKS - IMPROVEMENTS

266.2.1 2/3 owners - ½ value - real property - required

Upon receipt of a petition praying for any of the works or improvements mentioned in section 664 of the *Consolidated Municipal Act*, 1903, signed by at least two thirds in number of the owners of any real property to be benefitted thereby, according to the last revised assessment roll of the municipality, such owners representing at least one half in value of such real property, and upon the number of such owners and the value of such real property having been ascertained and finally determined in the manner and by the means provided by this Chapter, the Engineer shall forthwith proceed to perform the duties imposed on him/her in Article 4.

266.2.2 Owners - against - ½ value - real property

Unless within one month after the last publication of a notice of the intention of this Council to undertake any proposed work or improvement mentioned in section 664 of the *Consolidated Municipal Act*, 1903, the majority of the owners of the real property to be benefitted thereby, representing at least one half of the value thereof petition the Council against the same, the number of such owners and the value of such real property having been ascertained and finally determined in the manner and by the means provided by this Chapter, the Engineer shall forthwith proceed to perform the duties hereby imposed on him/her in Article 4.

Article 3**CLERK - DUTY - ASSESS PETITIONS****266.3.1 Sufficient number - record - forward to Engineer**

All petitions for any local improvement, work or service mentioned in section 664 of the *Consolidated Municipal Act*, 1903, shall be examined by the Clerk for the time being of this Corporation, whose duty it shall be to ascertain and finally determine whether the same are signed by two thirds in number of the owners, representing at least one half in value of the real property to be benefitted thereby, according to the last revised assessment roll of this municipality and otherwise as provided in said Act, and such petitions when found to be sufficient as aforesaid shall be numbered by him/her in the order they are received and be entered at length in a book to be kept for that purpose, to be called The Local Improvement Book, and the Clerk shall endorse upon such petitions his/her certificate of the correctness thereof, and of the value of the whole of the real property rateable for the proposed improvement, work or service, and shall forthwith transmit the same to the Engineer.

266.3.2 Insufficient - certify - forward to Engineer

In any case where any petition shall be found to be insufficiently signed, it shall be so certified by the said Clerk and forwarded in like manner to the Engineer.

266.3.3 Owners - against - report to Council - within 1 month

In the event of a petition being presented to the Council against any proposed work, improvement or service, mentioned in section 664 of the *Consolidated Municipal Act, 1903*, within one month from the last publication of a notice of the intention of the Council to undertake such improvement, work or service, the Clerk shall ascertain and finally determine whether the same is signed by a majority of the owners of the real property to be benefitted thereby, representing at least one half in value thereof according to the last revised assessment roll of this municipality and otherwise as provided in said Act and shall report the same to the Council.

Article 4**ENGINEER - APPOINTED - AUTHORITY - DUTIES****266.4.1 Ascertain - benefit - assessment**

The Engineer of this Corporation for the time being is hereby appointed to ascertain and determine what real property will be immediately benefitted by the construction of any proposed work or improvement, the expense of which is proposed to be assessed upon the real property benefitted thereby, and also the proportion in which the assessment of the final cost thereof is to be made on the various portions of the real estate to be benefitted.

266.4.2 Prepare - Schedule 'A' - contents

The said Engineer shall prepare a Schedule 'A' to this Chapter, in which he/she shall set out the real property which he/she deems will be benefitted by a proposed work or improvement according to the headings in the said Schedule in as many parcels as there may be in the survey in which the said property is situate, or as there may be owners, so that in each case each owner shall have the parcel of land he/she owns whether more or less than a lot in the said survey separately set out in the said Schedule, the name of each owner, the extent of frontage thereof, stating on what street and the proportion at which it should be assessed.

266.4.3 Deliver to owners - Schedule 'A' - Schedule 'B'

The said Engineer shall make copies of the said Schedule and serve the same on each owner mentioned in said Schedule, or leave at his/her place of abode mentioned in said Schedule, and shall at the same time serve along therewith a notice in the form of Schedule 'B' to this Chapter.

266.4.4 Estimate - life of work - certified - attached

The said Engineer shall attach to the said Schedule a certificate that he/she has assessed all those properties immediately benefitted by such work, improvement, or service, and an estimate of the life of such proposed work, improvement or service. By-law 779, 9 November, 1903.

Article 5**CORNER LOT - PROVISIONS****266.5.1 Cost defrayed - exception**

In making a special assessment to defray the cost of any work undertaken pursuant to the provisions of the *Local Improvement Act* (but not including the services referred to in section 60 of said Act) the Engineer or other officer charged with the duty of making such special assessment shall observe the provisions as set out in Sections 266.5.2 and 266.5.3. in the case of a corner lot.

266.5.2 Sewers - storm - sanitary - reduction - calculation

If such special assessment be for a sanitary sewer or storm sewer, a reduction shall be made in the special assessment by granting an allowance of 80% of the length of the flank or side of such lot provided that if the allowance so calculated exceeds 120 feet the allowance to be granted shall be limited to one hundred and 120 feet.

266.5.3 Other work - reduction - calculation

If such special assessment be for a work other than a sanitary sewer or storm sewer, a reduction shall be made in the special assessment by granting an allowance of 60% of the length of the flank or side of such lot provided that if the allowance so calculated exceeds 80 feet the allowance to be granted shall be limited to 80 feet. By-law 3934, 10 February, 1958.

Article 6**REPEAL - ENACTMENT****266.6.1 By-laws - previous**

By-laws 418 and 738 of this Corporation are hereby repealed.

266.6.2 Effective date

This Chapter shall come into force from and immediately after January 1, 1904. By-law 779, 9 November, 1903.

PROPOSED WORK

SCHEDULE

Schedule 'A' - Form A

Schedule prepared under the authority of By-law _____ of the Council of the Corporation of the City of Brantford.

(General description of work)

Description of Owner's land immediately name benefitted	Extent of frontage	Proportion of assessment
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By-law 779, 9 November, 1903; Schedule 'A'.

PROPOSED WORK

Schedule 'B' - Form B

Take notice, that the Council of the Corporation of the City of Brantford has constructed (or intends to construct)

on

between

and intends to assess a portion of the final cost thereof upon the real property to be immediately benefitted thereby, fronting or abutting upon

by means of a special annual rate according to the frontage thereof upon the real property immediately benefitted by such work or improvement, according to the provisions of the Consolidated Municipal Act, 1903, and the amount of the assessment upon the particular piece of property herein-after described is and the same is payable in ___ years by annual instalments and sinking fund, which said instalments will be payable at the same time as the ordinary municipal taxes on the same property are payable, with the privilege of commuting for the cash payment of the total amount assessed as provided by statute.

And take notice that a statement showing the lands liable to and proposed to be specially assessed for the said work or improvement, and names of the owners thereof, is now filed in the office of the Clerk of this municipality, and is open for inspection during office hours.

The cost of the said improvement or work is \$ _____ of which \$ _____ is to be provided out of the general funds of the municipality; and take notice, that the Court of Revision of the City of Brantford will sit for the purpose of hearing complaints against the proposed assessments or the accuracy of frontage measurements, or any other complaints which the persons interested may desire to make and which is by law cognizable by the Court on the _____ day of _____ A.D. 19 ____ at the hour of _____ o'clock in the _____ noon, at the Council Chamber in the City Hall in the said City of Brantford. By-law 779, 9 November, 1903; Schedule 'B'.