

THE Town of Winnipeg Beach

BY-LAW NO. 01/2015

LOCAL IMPROVEMENT BY-LAW

Being a By-law of the Town of Winnipeg Beach to authorize the Expenditure and Borrowing of money for the completion of Water upgrades 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:
  - (i) 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 Town Winnipeg Beach has prepared Local Improvement Plan No. 2015-01 providing for the spending, borrowing authority, and imposition of taxes for the completion of the Water upgrades 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 Town of Winnipeg Beach to borrow the sum of \$400,000.00 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 Twelve (12) years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

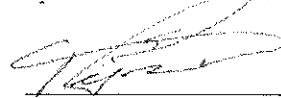
AND WHEREAS the requirements are prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with;

AND WHEREAS the amount of the existing borrowing debt of the Town of Winnipeg Beach is \$1,083,387.12, of which no portion of the principal or of the interest thereon is in arrears;

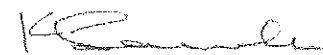
NOW THEREFORE the Council of the Town of Winnipeg Beach in regular session assembled, enacts as follows:

1. That pursuant to subsection 320(1) of *The Municipal Act*, Winnipeg Beach adopts Local Improvement Plan No. 2015-01 attached hereto as Schedule "B".
2. That the Town of Winnipeg Beach may expend up to Eight Hundred Thousand dollars (\$800,000.00) for the purpose of completing the water upgrades as a local improvement.
3. That for the aforesaid project, the said municipality may borrow Four Hundred Thousand dollars (\$400,000.00), such borrowing shall be issued by the Town of Winnipeg Beach in the Province of Manitoba, and shall be payable at the Noventis Credit Union in the Town of Winnipeg Beach, and shall be dated the 31<sup>st</sup> day of December, A.D. 2015.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 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 2016 to 2027, 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 Town of Winnipeg Beach 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 2016 to 2027, both inclusive, there shall be raised annually by a per parcel rate on all the rateable property based on one (1) parcel of land on property that is real property in the Town of Winnipeg Beach described in Schedule "C" hereto, an amounts 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 Town of Winnipeg Beach 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 four hundred thousand dollars (\$400,000.00).
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 per parcel amount provided herein to the said Chief Administrative Officer of the Town of Winnipeg Beach and thereafter no per parcel rates shall be levied against his/her said lands in respect of the debentures to be authorized herein.

Done and passed by a by-law of the Town of Winnipeg Beach in the Province of Manitoba this 25<sup>th</sup> day of July, 2015.



Mayor



Chief Administrative Officer

Read a first time this 8<sup>th</sup> day of April A.D. 2015.  
Read a second time this 22<sup>nd</sup> day of July A.D. 2015.  
Read a third time this 25<sup>th</sup> day of July A.D. 2015.

**Town of Winnipeg Beach**

SCHEDULE - "A" TO BYLAW NO. 01/2015

**Local Improvement Debenture Issue**

<b>Term (Yrs.):</b>	12	<b>Amount:</b>	400,000.00
<b>Date:</b>	December 31, 2016	<b>Rate (%):</b>	5.0000
<b>Payable:</b>	December, 2016 to December 2027	<b>Annual Payment:</b>	45,130.16
		<b>First Year's Payment:</b>	45,130.16
		<b>Adjusted Last Year's Payment:</b>	45,130.22

**MATURITY SCHEDULE**

<b>Year</b>	<b>Interest</b>	<b>Principal</b>	<b>Balance</b>
2016	20,000.00	25,130.16	374,869.84
2017	18,743.49	26,386.67	348,483.17
2018	17,424.16	27,706.00	320,777.17
2019	16,038.86	29,091.30	291,685.87
2020	14,584.29	30,545.87	261,140.00
2021	13,057.00	32,073.16	229,066.84
2022	11,453.34	33,676.82	195,390.02
2023	9,769.50	35,360.66	160,029.36
2024	8,001.47	37,128.69	122,900.67
2025	6,145.03	38,985.13	83,915.54
2026	4,195.78	40,934.38	42,981.16
2027	2,149.06	42,981.16	0.00
<b>TOTALS</b>	<b>141,561.98</b>	<b>400,000.00</b>	

**Town of Winnipeg Beach**  
**Schedule "B" to By-law No. 01/2015**

**Water Upgrade**

**Local Improvement Plan -- (LID #4) --No. 2015-01**

**Pursuant to Section 315 of *The Municipal Act***

**A. Description of the proposed Local Improvement:**

The Town of Winnipeg Beach owns and operates a licensed public water supply, treatment and distribution system to approximately 152 properties. Water is sourced from two (2) groundwater wells and the water is treated by chlorine injection into the main distribution line. This practice does not satisfy the minimum primary disinfection treatment requirement mandated by *Manitoba's Drinking Water Safety Act*. Winnipeg Beach is obliged to upgrade its water treatment system in order to comply with current provincial regulations.

In September, 2014, the Town of Winnipeg Beach received a feasibility study from Dillon Consulting that set out recommendations to upgrade the existing Water system and are as follows:

- 1) Water Treatment Upgrades -- installation of a UV disinfection system
- 2) Water Supply Upgrades -- removal of the existing hydropneumatic tank and replaced by three (3) smaller bladder tanks; that variable frequency drives (VFDs) be installed on each well pump; and that a pressure transducer be installed on the distribution system to allow for control of the VFDs on a system pressure basis.
- 3) Fire Flow Upgrades -- it is the intention through the water upgrade to provide a robust Class 2 fire protection, firm capacity for fire flow is to be maintained. The project will include a new well to be constructed with a 20 hp well pump.

Further to discussions with the Manitoba Water Services Board, who will be funding fifty (50) percent of the project that the installation of a Water Frequency Water Metering System to each customer be included in the project. *The recommendation for the Fire Flow Upgrades will be considered at a future date and has not been included in the proposed project.*

**B. Identification of the local improvement district (LID #4):**

The local improvement district will include all properties in the municipality other than property described in Section 21 of *The Municipal Assessment Act* which are connected or has the potential to be connected the Town of Winnipeg Beach water system.

**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 which are connected or has the potential to be connected to the Town of Winnipeg Beach water system 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 - \$296.91 per annum (based on one (1) lot) for the years 2016 to 2027

The rateable properties described in Schedule "C" shall have an annual per parcel amount of \$296.91.

Or a  
Lump-sum cost (pre-payment amount) of \$ \$2,631.58 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 \$800,000.00 allocated to the upgrade.

Water Supply Upgrades	\$500,000.00
Radio Frequency Water Metering System	\$150,000.00
Engineering	\$100,000.00
Contingency	\$50,000.00
Total	\$800,000.00

**F. Source of funding:**

The Council of the Town of Winnipeg Beach has secured funding from the Manitoba Water Services Board on a 50/50 basis, with the Provincial portion of \$400,000.00.

**G. Estimated amount of money to be borrowed:**

Amount: \$400,000.00  
Maximum rate: 5% interest  
Term: Twelve (12) year term  
Annual payment: \$45,130.16

**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 water utility.

**Town of Winnipeg Beach**

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Kerry Lawless, Chief Administrative Officer

TOWN OF WINNIPEG BEACH  
SCHEDULE – "C" TO BYLAW NO. 01/2015

Finance cost - \$296.91 per annum (based on one (1) parcel of land on property connected or has the potential to be connected to the water system) for the years 2016 to 2027

Or a

Lump-sum cost (pre-payment amount) of \$2,631.58 per one (1) parcel of land on property connected or has the potential to be connected to the water system due and payable on a date set by Council.

on the following properties:

100	5700	9700	17000
200	5800	9800	17100
600	5900	9900	17200
1300	6000	10000	17300
1885	6100	10100	17400
1890	6200	10200	17500
1895	6300	10300	17600
1900	6400	10500	17700
1905	6500	10600	17800
1910	6700	10700	18700
1915	6800	10800	19100
1920	6900	10900	19521
2000	7000	11000	171910
2200	7100	11100	171911
2300	7200	11200	171912
2500	7300	11300	171913
2600	7400	11400	171914
2700	7500	11500	171915
2900	7600	11600	171916
3000	7700	11700	171917
3400	7800	11800	171918
3800	7900	11900	171919
3800	8000	12000	171920
3900	8100	12100	171921
4000	8200	13500	171922
4200	8300	15600	171923
4400	8400	15700	171924
4500	8500	15800	171925
4600	8600	15900	171926
4700	8700	16000	171927
4800	8800	16200	171928
4900	8900	16300	171929
5100	9000	16400	171930
5200	9100	16500	171931
5300	9300	16600	171932
5400	9400	16700	171933
5500	9500	16800	171934
5600	9600	16900	171935