

RURAL MUNICIPALITY OF WEST ST. PAUL

RECEIVED SEP 10 2015

BY-LAW NO. 2015-07

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WEST ST. PAUL TO
AUTHORIZE THE EXPENDITURE AND BORROWING OF MONEY FOR THE
REPLACEMENT OF AN EXISTING WASTEWATER TREATMENT PLANT WITH A
WASTEWATER LIFT STATION AND FORCEMAIN, INCLUDING SURFACE
RESTORATION AND DECOMMISSIONING OF THE EXISTING WASTEWATER
TREATMENT PLANT, AS A LOCAL IMPROVEMENT IN THE AREA KNOWN AS
LISTER RAPIDS.**

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 the following:
(i) sewage collection and treatment facilities;*

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

Subject to subsections (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

- (a) borrowing to pay for a local improvement under Division 4 (Local Improvement and Special Services) of Part 10,*
- (e) issuing debentures;*

AND WHEREAS the Council of the Rural Municipality of West St. Paul has prepared Local Improvement Plan No. 2015-01 providing for the spending, borrowing authority, and imposition of taxes for the replacement of an existing wastewater treatment plant in the R.M. of West St. Paul in the area known as Lister Rapids as indicated in the attached Schedule "B" 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 Rural Municipality of West St. Paul to borrow the sum of Four Hundred and Eighty Five thousand and nine hundred dollars (\$485,900.00) as hereinafter provided, which is the amount of 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 twenty (20) 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 as prescribed in Sections 318, 319, and 320 of *The Municipal Act* have been complied with;

AND WHEREAS the existing debenture debt of the Rural Municipality of West St. Paul is ~~\$348,194.31~~ of which no portion of the principal or interest thereon is in arrears;
\$3,874,685.09

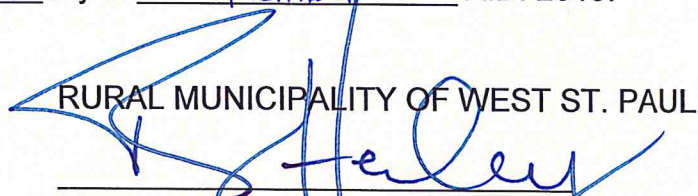
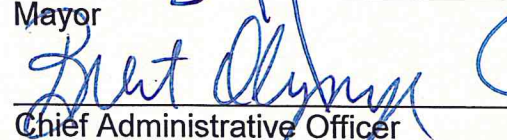
NOW THEREFORE the Council of the Rural Municipality of West St. Paul duly assembled, enacts as follows:

1. **THAT** pursuant to subsection 320(1) of *The Municipal Act* the Rural Municipality of West St. Paul adopt Local Improvement Plan No. 2015-01 attached hereto as Schedule "B".
2. **THAT** the Rural Municipality of West St. Paul may expend up to Four Hundred and Eighty Five thousand and nine hundred dollars (\$485,900.00) for the purpose of completing the replacement of the wastewater treatment plant in the area known as Lister Rapids as indicated in the attached Schedule "B" as a Local Improvement.
3. **THAT** for the aforesaid project, the municipality may borrow the said sum Four Hundred and Eighty Five Thousand, nine hundred dollars (\$485,900.00); such borrowing shall be issued by the Rural Municipality of West St. Paul in the Province of Manitoba, and shall be payable at the Sunova Credit Union in Teulon, Manitoba or in the City of Winnipeg, Canada at the holder's option, and shall be dated the 31st day of December A.D. 2015.
4. **THAT** the said borrowing shall bear interest at a rate estimated for the time being at 4.625% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, payable annually during their currency, 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 2035, both inclusive.
5. **THAT** each of the said borrowing shall be signed by the Mayor of The Rural Municipality of West St. Paul, or by some other person authorized by by-law to sign the same, and by the Chief administrative Officer of The Rural Municipality of West St. Paul, and there shall be affixed thereto the corporate seal of the said

municipality, and the coupons, if any, attached hereto, shall be signed by the Chief Administrative Officer, whose signatures thereon may be by lithograph or other mechanical means.

6. **THAT** during the currency of the said borrowing; namely in each of the years 2016 to 2035, both inclusive, there shall be raised annually by special rate per parcel on all the benefiting properties located within the area known as Lister Rapids – LID No. 3 and described in Schedule "C" hereto attached, with an amount sufficient to pay 50% of the principal and interest requirement hereunder.
7. **THAT** during the currency of the said borrowing; namely in each of the years 2016 to 2035, both inclusive, there shall be raised annually by special frontage rate on all the benefiting properties located within the area known as Lister Rapids – LID No. 3 and described in Schedule "C" hereto attached, with an amount sufficient to pay 50% of the principal and interest requirement hereunder.
8. **THAT** pursuant to ^{subsection 174(3)(d)} ~~the provisions~~ of The Municipal Act, pending the issue of the borrowing, the Council of The Rural Municipality of West St. Paul may agree with a bank or person for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, such advances in total not to exceed the sum of Four Hundred and Eighty Five Thousand, nine hundred dollars (\$485,900.00).
9. **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 may commute and pay in one principal sum that part of his/her share of the debt herein authorized in respect of the special per parcel and/or frontage rates provided herein to the said Chief Administrative Officer of the Rural Municipality of West St. Paul and thereafter no special rate per parcel and/or frontage rates shall be levied against his/her said lands in respect of the borrowing to be authorized herein.

DONE AND PASSED by the Council of The Rural Municipality of West St. Paul in regular session assembled this 17th day of September A.D. 2015.

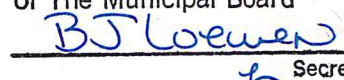

RURAL MUNICIPALITY OF WEST ST. PAUL
Mayor

Chief Administrative Officer

Read a first time this 8th day of April, A.D. 2015.

Read a second time this 17th day of September, A.D. 2015.

Read a third time this 17th day of September, A.D. 2015.

Approved, subject to Amendment

By Order No. E-15-098
of The Municipal Board

Secretary

RM OF WEST ST. PAUL			
SCHEDULE - A TO BYLAW 2015-07			
Local Improvement Debenture Issue			
Term (Yrs):	20	Amount:	485,900.00
Date:	December 31, 2015	Rate (%):	4.6250
Payable:	December 31, 2016-2035	Annual Payment:	37,759.81
# of Days	365	Adjusted First Year's Payment:	37,759.81
		Adjusted Last Year's Payment:	37,759.79
MATURITY SCHEDULE			
Year	Interest	Principal	Balance
2016	22,472.88	15,286.93	470,613.07
2017	21,765.85	15,993.96	454,619.11
2018	21,026.13	16,733.68	437,885.43
2019	20,252.20	17,507.61	420,377.82
2020	19,442.47	18,317.34	402,060.48
2021	18,595.30	19,164.51	382,895.97
2022	17,708.94	20,050.87	362,845.10
2023	16,781.59	20,978.22	341,866.88
2024	15,811.34	21,948.47	319,918.41
2025	14,796.23	22,963.56	296,954.85
2026	13,734.16	24,025.63	272,929.22
2027	12,622.98	25,136.81	247,792.41
2028	11,460.40	26,299.39	221,493.02
2029	10,244.05	27,515.74	193,977.28
2030	8,971.45	28,788.34	165,188.94
2031	7,639.99	30,119.80	135,069.14
2032	6,246.95	31,512.84	103,556.30
2033	4,789.48	32,970.31	70,585.99
2034	3,264.60	34,495.19	36,090.80
2035	1,669.20	36,090.80	0.00
TOTALS	269,296.19	485,900.00	755,196.19
14-Apr-15			

RURAL MUNICIPALITY OF WEST ST. PAUL

LOCAL IMPROVEMENT PLAN NO. 2015-01

SCHEDULE "B" TO BY-LAW NO. 2015-07

**REPLACEMENT OF AN EXISTING WASTEWATER TREATMENT PLANT
IN THE R.M. OF WEST ST. PAUL IN THE AREA KNOWN AS LISTER RAPIDS**

(Pursuant to subsection 315(1) of *The Municipal Act*)

(a) DESCRIPTION OF THE PROPOSED LOCAL IMPROVEMENT

The Local Improvement proposed herein involves the following:

Replacement of an existing wastewater treatment plant with a wastewater lift station and forcemain, including surface restoration and decommissioning of the existing wastewater treatment plant.

The residents known as the current LID#3 residents are currently supplied water by individual wells and sewer treatment is serviced by the RM of West St. Paul wastewater treatment plant for that subdivision.

The property located to the north known as Roll No. 53900 is currently supplied water by an individual well and sewer treatment is serviced by a private septic field.

**(b) LOCAL IMPROVEMENT DISTRICT WHICH THE LOCAL IMPROVEMENT TAX
WILL BE IMPOSED**

The Local Improvement Tax required under this proposal will be levied on

- all benefiting properties in Local Improvement District (LID) #3 as identified on the attached Schedule "C".

(c) IDENTIFICATION OF POTENTIAL TAXPAYERS UNDER THE PLAN

Under this Local Improvement plan, council is proposing to create a new LID No. 3 which would include the following:

- The owners of the rateable property in the existing LID#3 known as Lister Rapids
- The owner of all rateable property north of the Lister Rapids known as Roll Number 53900

(d) **METHOD AND RATE OF CALCULATING THE LOCAL IMPROVEMENT TAX**

The local improvement tax to be levied under this proposal will be based on a 50% per parcel levy and a 50% unit of frontage of the lands benefited by the improvement or service for LID #3. The rates are to be calculated as follows:

Per Parcel Rate

- Cash option of \$3,521.01 per parcel
- Finance option of \$273.62 per parcel to be levied annually for 20 years

And

Frontage Rate – all residents

- Cash option of \$41.80 per frontage foot
- Finance option of \$3.25 per frontage foot to be levied annually for 20 years

Pursuant to Section 325 of The Municipal Act, any potential taxpayer within LID #3 may, within 30 days following the completion of the work, pay in one principal sum that part of his/her share of the debt and thereafter no special rate per parcel or per frontage foot shall be levied against his/her property.

It shall also be a requirement that all benefiting property owners within the LID #3 connect to the proposed gravity wastewater sewer system.

(e) **Estimated Cost of Local Improvement / Sources of Funding**

Total cost of the project is estimated at \$840,500. The Rural Municipality of West St. Paul has been approved for grants totalling \$354,610.50. These grants are from the Manitoba Water Services Board. The remaining balance of \$485,900 will be borrowed.

Gravity Wastewater Sewer	15,500
Lift Station & site works	357,000
Forcemain	140,000
RM Costs	75,000
Decommission Existing WWTP	100,000
Engineering & Contingency (25%)	153,000
Total Project	840,500
Funding-Manitoba Water Services Board	354,610
Cost to Ratepayers	\$485,890

(f) Particulars of Borrowing

Amount:	\$485,900
Term:	20 years
Interest:	Estimated at 4.625%
Annual Payment:	\$37,759.81

(g) Annual Operating and Maintenance Cost of the Proposed Local Improvement

The annual maintenance costs associated with the local improvement proposed herein will be recovered in the annual operating budget of the utility. The Municipality will have to complete a "Water and Sewer Rate Study" to establish consumer rates. These rates must be approved by The Public Utilities Board.

Dated at the RM of West St. Paul this 7th day of April, 2015.

RURAL MUNICIPALITY OF WEST ST. PAUL							
LOCAL IMPROVEMENT DISTRICT NO. 3							
BY-LAW NO. 2015-07							
Schedule "C"							
Roll No	FRONTAGE (FT)	50% Per Parcel Rate	50% Per Frontage Rate	Total Cash Option	50% Per Parcel	50% Per Frontage	Total Finance Option
53801	124.67	\$ 3,521.01	\$ 5,211.21	\$ 8,732.22	\$ 273.62	\$ 405.18	\$678.80
53802	124.67	\$ 3,521.01	\$ 5,211.21	\$ 8,732.22	\$ 273.62	\$ 405.18	\$678.80
53803	87.10	\$ 3,521.01	\$ 3,640.78	\$ 7,161.79	\$ 273.62	\$ 283.08	\$556.70
53804	82.96	\$ 3,521.01	\$ 3,467.73	\$ 6,988.74	\$ 273.62	\$ 269.62	\$543.24
53805	77.58	\$ 3,521.01	\$ 3,242.84	\$ 6,763.85	\$ 273.62	\$ 252.14	\$525.76
53806	83.65	\$ 3,521.01	\$ 3,496.57	\$ 7,017.58	\$ 273.62	\$ 271.86	\$545.48
53807	79.48	\$ 3,521.01	\$ 3,322.26	\$ 6,843.27	\$ 273.62	\$ 258.31	\$531.93
53808	86.89	\$ 3,521.01	\$ 3,632.00	\$ 7,153.01	\$ 273.62	\$ 282.39	\$556.01
53809	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53810	79.52	\$ 3,521.01	\$ 3,323.94	\$ 6,844.95	\$ 273.62	\$ 258.44	\$532.06
53811	88.85	\$ 3,521.01	\$ 3,713.93	\$ 7,234.94	\$ 273.62	\$ 288.76	\$562.38
53812	109.49	\$ 3,521.01	\$ 4,576.68	\$ 8,097.69	\$ 273.62	\$ 355.84	\$629.46
53813	74.61	\$ 3,521.01	\$ 3,118.70	\$ 6,639.71	\$ 273.62	\$ 242.48	\$516.10
53814	74.75	\$ 3,521.01	\$ 3,124.55	\$ 6,645.56	\$ 273.62	\$ 242.94	\$516.56
53815	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53816	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53817	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53818	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53819	70.65	\$ 3,521.01	\$ 2,953.17	\$ 6,474.18	\$ 273.62	\$ 229.61	\$503.23
53820	78.74	\$ 3,521.01	\$ 3,291.33	\$ 6,812.34	\$ 273.62	\$ 255.91	\$529.53
53821	90.68	\$ 3,521.01	\$ 3,790.42	\$ 7,311.43	\$ 273.62	\$ 294.71	\$568.33
53822	85.07	\$ 3,521.01	\$ 3,555.93	\$ 7,076.94	\$ 273.62	\$ 276.48	\$550.10
53823	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53824	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53825	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53826	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53827	58.94	\$ 3,521.01	\$ 2,463.69	\$ 5,984.70	\$ 273.62	\$ 191.56	\$465.18
53828	66.40	\$ 3,521.01	\$ 2,775.52	\$ 6,296.53	\$ 273.62	\$ 215.80	\$489.42
53829	66.40	\$ 3,521.01	\$ 2,775.52	\$ 6,296.53	\$ 273.62	\$ 215.80	\$489.42
53830	91.70	\$ 3,521.01	\$ 3,833.06	\$ 7,354.07	\$ 273.62	\$ 298.03	\$571.65
53831	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53832	84.42	\$ 3,521.01	\$ 3,528.76	\$ 7,049.77	\$ 273.62	\$ 274.37	\$547.99
53833	73.38	\$ 3,521.01	\$ 3,067.28	\$ 6,588.29	\$ 273.62	\$ 238.49	\$512.11
53834	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53835	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53836	70.53	\$ 3,521.01	\$ 2,948.15	\$ 6,469.16	\$ 273.62	\$ 229.22	\$502.84
53837	75.61	\$ 3,521.01	\$ 3,160.50	\$ 6,681.51	\$ 273.62	\$ 245.73	\$519.35

**APPENDIX "A" TO
MUNICIPAL BOARD ORDER
NO. E-15-098**

Roll No	FRONTAGE (FT)	50% Per Parcel Rate	50% Per Frontage Rate	Total Cash Option	50% Per Parcel	50% Per Frontage	Total Finance Option
53838	71.43	\$ 3,521.01	\$ 2,985.77	\$ 6,506.78	\$ 273.62	\$ 232.15	\$505.77
53839	72.05	\$ 3,521.01	\$ 3,011.69	\$ 6,532.70	\$ 273.62	\$ 234.16	\$507.78
53840	67.20	\$ 3,521.01	\$ 2,808.96	\$ 6,329.97	\$ 273.62	\$ 218.40	\$492.02
53841	75.54	\$ 3,521.01	\$ 3,157.57	\$ 6,678.58	\$ 273.62	\$ 245.51	\$519.13
53842	72.78	\$ 3,521.01	\$ 3,042.20	\$ 6,563.21	\$ 273.62	\$ 236.54	\$510.16
53843	69.36	\$ 3,521.01	\$ 2,899.25	\$ 6,420.26	\$ 273.62	\$ 225.42	\$499.04
53844	65.61	\$ 3,521.01	\$ 2,742.50	\$ 6,263.51	\$ 273.62	\$ 213.23	\$486.85
53845	72.81	\$ 3,521.01	\$ 3,043.46	\$ 6,564.47	\$ 273.62	\$ 236.63	\$510.25
53846	85.30	\$ 3,521.01	\$ 3,565.54	\$ 7,086.55	\$ 273.62	\$ 277.23	\$550.85
53847	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53848	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53849	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53850	81.46	\$ 3,521.01	\$ 3,405.03	\$ 6,926.04	\$ 273.62	\$ 264.75	\$538.37
53851	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53852	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53853	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53854	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53855	82.04	\$ 3,521.01	\$ 3,429.27	\$ 6,950.28	\$ 273.62	\$ 266.63	\$540.25
53856	83.66	\$ 3,521.01	\$ 3,496.99	\$ 7,018.00	\$ 273.62	\$ 271.90	\$545.52
53857	82.63	\$ 3,521.01	\$ 3,453.93	\$ 6,974.94	\$ 273.62	\$ 268.55	\$542.17
53858	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53859	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53860	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53861	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53862	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53863	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53864	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53865	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53866	82.02	\$ 3,521.01	\$ 3,428.44	\$ 6,949.45	\$ 273.62	\$ 266.57	\$540.19
53867	83.66	\$ 3,521.01	\$ 3,496.99	\$ 7,018.00	\$ 273.62	\$ 271.90	\$545.52
53868	87.48	\$ 3,521.01	\$ 3,656.66	\$ 7,177.67	\$ 273.62	\$ 284.31	\$557.93
53900	356.00	\$ 3,521.01	\$14,880.80	\$18,401.81	\$ 273.62	\$ 1,157.00	\$1,430.62
Total	5811.88	\$242,949.69	\$242,936.63	\$485,886.32	\$18,879.78	\$18,888.75	\$37,768.53

Rural Municipality of West St. Paul
The Area Known as Lister Rapids – LID No. 3
Schedule "D" to By-Law No. 2015-07

