

RIVERDALE MUNICIPALITY BY-LAW 2018-01

BEING a By-law of Riverdale Municipality to authorize the expenditure and borrowing of money for the construction of a new Lagoon 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 (use only the part that is applicable) 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 Riverdale Municipality has prepared Local Improvement Plan No. 02-17 providing for the spending, borrowing authority, and imposition of taxes for the construction of a new lagoon 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 Riverdale Municipality to borrow the sum of \$2,900,000.00 as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

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And Whereas the consecutive annual amounts, including principal and interest, required to be raised each year for 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 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 Riverdale Municipality is \$1,582,882.59, of which no portion of the principal or of the interest thereon is in arrears;

Now Therefore the Council of Riverdale Municipality in regular session assembled, enacts as follows:

1. That pursuant to subsection 320(1) of *The Municipal Act*, Riverdale Municipality adopt Local Improvement Plan No. 02-17 attached hereto as Schedule "B".
2. That Riverdale Municipality may expend up to six million (\$6,000,000.00) for the purpose of **constructing a new lagoon** as a local improvement.
3. That for the aforesaid project, the said municipality may borrow three million dollars \$2,900,000.00, such borrowing shall be issued by Riverdale Municipality in the Province of Manitoba, and shall be payable at Westoba Credit Union in Rivers, and shall be dated the 31st day of December, A.D. 2018.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 4.125 % 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 2019 to 2038, 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 Riverdale Municipality 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 2019 to 2038, both inclusive, there shall be raised annually by a utility surcharge as approved by PUB, on all rateable property in the Municipality of Riverdale connected to or has access to be connected to, the Rivers Utility system, an amount sufficient to provide for 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 Riverdale Municipality 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

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aforesaid, and the total of such advances shall not exceed six million dollars \$6,000,000.00.

DONE AND PASSED by the Council of the Riverdale Municipality, in a meeting duly assembled, at Rivers, in Manitoba, this 6th day of March A.D. 2018.

Original signed by T. Gill

Mayor – Todd Gill

Original signed by K. Bridgeman

Chief Administrative Officer

Read a first time this	<u>4th</u>	day of	<u>January</u>	A.D.	<u>2018</u>
Read a second time this	<u>6th</u>	day of	<u>March</u>	A.D.	<u>2018</u>
Read a third time this	<u>6th</u>	day of	<u>March</u>	A.D.	<u>2018</u>

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Schedule “B” to By-Law No. 2018-01

RIVERDALE MUNICIPALITY

Local Improvement Plan No. 01-18

For

Construction of a New Wastewater Treatment Lagoon
(Pursuant to Subsection 315 of the Municipal Act)

A. Description of Proposed Local Improvement

Riverdale Municipality intends to construct a new wastewater treatment lagoon.

The existing wastewater treatment lagoon was constructed in 1956 and presently receives wastewater by a gravity sewer system from the community of Rivers, and by truck haul from rural residences, and local cottages. The current truck hauling fee of \$2.22/100 gallons will continue to apply (PUB Order 100/17). The lagoon is located approximately 420 metres south of Rivers on SE ¼ of Section 23-12-21 WPM; and SW ¼ of Section 24-12-21 WPM. The lagoon consists of one primary cell and one secondary cell.

A biosolids cell was constructed in 1997 adjacent to the primary cell (west side) to receive solids cleaned out of the primary cell. The lagoon has a “seepage” discharge system, which ultimately discharges south to the Little Saskatchewan River via underground arteries, currently in contravention of the Provincial Waste Management Act.

In conjunction with current and anticipated future treated effluent regulations for municipal lagoons, the new treatment lagoon footprint will be significantly larger than the current lagoon, which continuously releases effluent into the subsoil. The existing lagoon will be decommissioned.

A conventional facultative lagoon design includes one primary cell and two storage cells that will treat and store a volume that has been estimated to meet a 2035 design load. The organic loading is 158 kg-BOD₅/d and 227 day storage is 100,000 m³. Twenty year life cycle costs have been estimated at \$6,172,500.

B. Local Improvement District To Be Levied

The Local Improvement District under this proposal will be all properties (taxable, grant-in-lieu and otherwise exempt) connected to the Rivers Utility system.

C. Potential Taxpayers:

Potential Taxpayers will be all property owners (taxable, grant-in-lieu and otherwise exempt) that are connected to the Rivers Utility system within Riverdale Municipality.

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D. Method and Rate to Calculate Local Improvement Tax

The Municipality has received approval from the Public Utilities Board (PUB Order 75-15) to apply a sewer rate surcharge to recover debenture servicing with the specific rate surcharge requiring approval. The proposed rate of \$8.51/1,000 gallons is therefore subject to PUB approval

Proposed increases include a 475% increase on sewer per 1,000 gallons.

The current rate per 1,000 gallons of sewer is \$1.48.

The proposed rate per 1,000 gallons of sewer is \$8.51.

E. Estimated Costs of Local Improvement

The proposed Local Improvement has an estimated cost of \$6,000,000.00.

Construction subtotal	\$4,800,000
Contingencies (15%)	\$ 720,000
Engineering and Administration (10%)	\$ 480,000
Total	\$6,000,000

F. Funding Sources

Riverdale Municipality proposes to pay for the project as follows:

1.	Government of Canada (Clean Water & Wastewater Fund)	\$3,000,000.00
2.	Withdrawal from Municipality's Water & Sewer Reserve Fund	\$ 100,000.00
3.	Balance of proposed costs	<u>\$2,900,000.00</u>
		\$6,000,000.00

G. Particulars of Borrowing

Amount:	\$2,900,000.00
Rate:	4.125%
Term:	20 years
Annual Payment	\$ 215,755.65

The aforementioned Local Improvement Plan will be set out in the Financial Plan for the year 2018.

H. Operation and Maintenance of Local Improvement

Annual operation and maintenance of the Local Improvement will be funded by the Municipality's Utility Operating Fund.

Prepared By
Kat Bridgeman, C.M.M.A.
Chief Administrative Officer
Riverdale Municipality

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