

CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 1136



A BY-LAW to authorize the construction of a Four (4) foot cement concrete sidewalk upon the East side of Hythe Avenue from Dundas Street to Cambridge Street and upon the North side of Dundas Street from Hythe Avenue to lane east of Hythe Avenue, and upon the south side of Cambridge Street from Hythe Avenue to lane east of Hythe Avenue, as a local improvement under the provisions of the "Local Improvement Act."

WHEREAS notice of the intention of the Council to undertake the construction, as a local improvement, of the work hereinafter described has been duly given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed, and the publication and service of such notice has been proved by a statutory declaration filed with the Clerk, and no petition against the work signed by a majority of the owners, representing at least one-half the value of the lots which are liable to be specially assessed, has been presented:

THEREFORE the Municipal Council of the Corporation of the District of Burnaby ENACTS AS FOLLOWS:-

1. That a four (4) foot cement concrete sidewalk be constructed upon the East side of Hythe Avenue from Dundas Street to Cambridge Street and upon the North side of Dundas Street from Hythe Avenue to lane east of Hythe Avenue, and upon the south side of Cambridge Street from Hythe Avenue to lane east of Hythe Avenue, as a local improvement under the provisions of the "Local Improvement Act."

2. The Engineer of the Corporation do forthwith make such plans, profiles, and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.

3. The work shall be carried on and executed under the superintendence and according to the directions of such Engineer.

4. The Reeve and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or Corporation subject to the approval of this Council to be declared by resolution; Provided that the Council in its discretion may by resolution determine that the construction of the work or any part thereof shall be done by the Municipality instead of by contract. In the event of the work or any part thereof being undertaken by the Municipality a separate account shall be kept by the Treasurer of all expenditures in connection therewith.

5. The Treasurer may, subject to the approval of the Council agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

6. The special assessment shall be paid by ten (10) equal annual instalments.

7. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest at five (5) per cent per annum and be made payable within ten (10) years on the sinking fund plan and in settling the sum to be raised annually to pay the debt the rate of interest on investments shall not be estimated at more than four (4) per cent per annum.

8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest forthwith after the special assessment roll has been certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at not more than four (4) per cent per annum will provide an annuity sufficient to pay the

special rates for the unexpired portion of the terms as they fall due.

9. This By-law may be cited as "LOCAL IMPROVEMENT CONSTRUCTION BY-LAW NO. 40, 1930."

DONE AND PASSED in Open Council this Eighth (8th) day of September, A.D. 1930.

RECONSIDERED AND FINALLY PASSED this Twenty-second (22nd) day of September, A.D. 1930.



W. A. Pitford
REEVE.

Arthur G. Moore
CLERK.

I, Arthur G. Moore, Clerk to the Municipal Council of the Corporation of the District of Burnaby, do hereby certify that the foregoing is a true copy of a By-law passed by the Municipal Council on the 22nd. day of September, A.D. 1930.

Arthur G. Moore
CLERK.