

VILLAGE OF SALISBURY BY-LAW 35

**RESPECTING ADDITIONS TO SCHEDULE B
CONNECTION CHARGES FREDERICTON ROAD
SEWER AND SERVICED INSTALLED UNDER L.I.A**

THE COUNCIL OF THE MUNICIPALITY OF SALISBURY DULY ASSEMBLED
HEREBY ENACTS AS FOLLOWS:

1. In this By-Law unless the context otherwise requires
 - (a) **THE VILLAGE** means the Village of Salisbury.
 - (b) **LOCAL IMPROVEMENT AGREEMENT** shall mean an agreement dated August 12, 1997, between Irving Oil Limited and The Village of Salisbury.
 - (c) **DEVELOPER** shall mean a person or corporation other than Irving Oil Limited.
 - (d) **SANITARY SEWER** means a sewer receiving and carrying water borne wastes from residences, business buildings, institutions and industrial establishments, and to which storm, surface or ground waters are not intentionally admitted.
 - (e) **SERVICE CONNECTION** means any piping system that conveys sewage or liquid waste from any property to a sewer.
 - (f) **SEWAGE** means the combination of water carried from residences, business buildings, institutions, commercial establishments and industrial establishments containing animal, vegetable or mineral matter in suspension or solution, together with such ground, surface or storm water as may be present.
 - (g) **SEWER** means pipe or conduit for carrying sewage and includes all sewer drains of every description vested in or under the control of the Village of Salisbury.
 - (h) **COUNCIL** means the Mayor and Councillors of the Village of Salisbury.
 - (i) **CLERK** means the clerk appointed by the Council of the Village of Salisbury.

By the virtue of certain Sewer and Services installed under a Local Improvement Agreement with Irving Oil Limited dated August 12, 1997, there is hereby established three areas in which the developer and/or the Village shall be reimbursed as follows:

1. **Fredericton Road (Highway 112) - Connection to existing 250 mm. dia. sanitary sewer extension on Fredericton Road installed under Local Improvement Agreement between the Village of Salisbury and Irving Oil Limited.**

Upon Final Acceptance of the sanitary sewer extension the Clerk and/or Council will negotiate directly with future developers to share in the total construction cost (including Engineering costs) incurred by Irving Oil Limited to install the sanitary sewer extension. The Village will make its best effort to recover costs of construction of the sanitary sewer extension and reimburse Irving Oil Limited accordingly. Any development proposed will be considered on a first come, first serve basis, and connection charges will be evaluated by the Council using a formula based on the ratio of anticipated sewage volumes for the development being considered added to the total flow in the system (including flows from Irving Oil Limited). Under no circumstances will future connection charges exceed the total construction cost of the system. Properties and proposed developments of 2 units or less (defined as having anticipated sewage flows of 1250 l/day per unit) are exempt from sharing the cost of construction of the sanitary sewer extension on Fredericton Road.

2. Fredericton Road (Highway 112) - Previously installed 100mm dia. sanitary sewer services

The property owners along Fredericton Road (Highway 112) shall pay the Village the sum of \$1,200.00 each to connect to eleven (11) sanitary sewer services which were installed previously by the Village of Salisbury under a Local Improvement Agreement. See attached Appendix for list of eleven (11) properties previously referred to.

The property owner is liable for this charge which shall be added to their sewer account at the time of connection.

3. Fredericton Road (Highway 112) - Previously installed 200mm dia. sanitary sewer to service lands to the east of Irving Oil property.

The cost to connect the existing 200mm dia. sanitary sewer located at property line adjacent lands of Irving Oil Limited is \$4,300.00 payable to the Village of Salisbury. In addition, a sanitary manhole is to be provided at the property line when the connection is made, which is at the expense of the developer or property owner, and the developer and/or property owner will share the cost of construction of the sanitary sewer extension on Fredericton Road in accordance with formula set out in paragraph (2) herein.

READ FIRST TIME May 25, 1998

READ SECOND TIME May 25, 1998

READ A THIRD TIME AND ENACTED June 8, 1998