

RESOLVED by the Town Council of the Town of Antigonish that the following By-law be and the same is hereby enacted, and that the Clerk be and he is hereby instructed to forward same to the Minister of Municipal Affairs with a request for his approval hereof.

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1. The Town Council by resolution may order and direct that a permanent curb, gutter and sidewalk or any or either of them be installed, laid or constructed on any street in the Town with such materials as the Council deems necessary or advisable.
 2. The cost incurred in installing, laying or constructing any such curb gutter and sidewalk shall be paid as follows:
 - (a) One-half of the cost shall be paid by the Town out of the general revenues of the Town, and,
 - (b) One-half of the costs shall be paid by the owners of the properties fronting on the street affected in proportion to the length of frontage of each property, provided however, that a corner lot adjacent to two streets on which any of such improvements are being made shall be rated only on that street on which it has the longest frontage, unless the frontage on the other street exceeds sixty feet in which case the excess over sixty feet shall be rated in addition to the frontage on the longer side.
 3. The Town Engineer shall keep an account of the cost of any such work and on its completion shall file in the Town Clerk's Office:
 - (a) A statement of the cost of the work; the amount to be paid by the Town pursuant to clause (a) of Section 2; the total lineal frontage and the cost per foot to be paid by abutters;
 - (b) A statement of the lineal frontage of each property with the name of the owner thereof.
 4. The Town Clerk, from the statement filed by the Engineer, shall determine the amount of charge or tax to be assessed and levied upon and paid by the respective owners of properties fronting on the curb, gutter or sidewalk.
 5. Every charge or tax imposed under the provisions of this By-law shall constitute a lien upon the real property affected, as is provided for rates and taxes by Section 131 of Chapter 15 of R.S.N.S., 1954, the Assessment Act, and shall be collectible in the same manner as rates and taxes on real property are collected, under the Assessment Act.

6. (1) Such charges or tax shall be due and payable on the day when the bill therefor is mailed by ordinary mail to the person liable and at the option of the respective persons liable may be paid either of the following ways:

(a) By one lump sum payment in the year in which the charge or tax is assessed ; or

(b) By equal annual payments, each payable on the anniversary of the date on which the amount became due and payable, extended over the period of ten years with interest payable thereon annually at the rate of six percentum per annum with power however to prepay the whole or any part of the amount remaining, at any time, without notice and provided that if default is made in the payment of any annual payment or interest or both when it falls due then the whole balance immediately becomes due and payable without notice OR demand.

(2) The property owner affected shall within one month after receiving his bill, notify the Town Clerk in writing which option he has selected under Subsection (1) and in event of his failure to do so, shall be deemed to have selected that provided in clause (b) thereof.

7. Whenever the Town Council deems it advisable to repair any then existing curb, gutter or sidewalk, the cost thereof shall be paid out of the general revenues of the Town.

8. Notwithstanding anything contained in the preceding sections of this by-law, Town Council may from time to time direct where special or peculiar circumstances exist with respect to a certain street or streets, that curbs, gutters and sidewalks or any of them be constructed thereon, with any part of the cost up to and including the whole cost thereof to be paid out of the general revenues of the Town.

I, the undersigned, Town Clerk & Treasurer of the Town of Antigonish, do hereby certify that the foregoing By-Law of the Town of Antigonish was duly passed by the Council of the Town of Antigonish on the 17th day of May A.D., 1965.

D.F. Sears, Town Clerk & Treasurer


Approved, 7th day of July, 1965. Department of Municipal Affairs.

TOWN OF ANTIGONISH

CURB, GUTTER AND SIDEWALK BY-LAW AMENDMENT

Passed by Council March 15, 1977

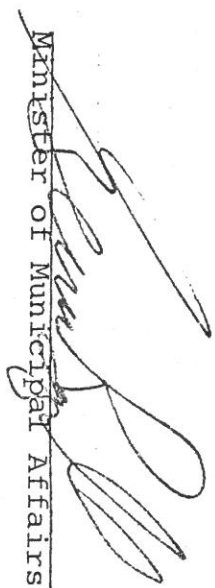
Recommended for approval with an amendment


Departmental Solicitor

The By-law amending the Curb, Gutter and Sidewalk By-law which was passed at a meeting of Town Council of the Town of Antigonish held on March 15, 1977 is amended, pursuant to Section 4 of the Municipal Affairs Act with the following amendment:

Subsection (1) in lines five and six is amended by deleting the words "or a person designate~~d~~" by the Town Clerk".

Dated at Halifax this *27th* day of June 1977


Minister of Municipal Affairs

RESOLVED by the Town Council of the Town of Antigonish that the By-Law entitled "Curb, Gutter and Sidewalk" be amended as follows:

- (1) That Section three (3) of the By-Law of the Town of Antigonish entitled "Curb, Gutter and Sidewalk" be amended by striking out the words "Town Engineer" in the first line thereof, and substituting therefore the words "Town Clerk, ~~or a person designatef~~ by the Town Clerk."
- (2) That Section four (4) of said By-Law be amended by striking out the word "Engineer" in the first line thereof, and substituting therefore the words "Town Clerk, or a person designated by the Town Clerk".
- (3) That Section five (5) of said By-Law be amended by striking out the words "Section 131 of Chapter 15 of R.S.N.S., 1954" and substituting therefore the words "Chapter 14 of the Revised Statutes of Nova Scotia, 1967."

THIS IS TO CERTIFY that the By-Law entitled "Curb, Gutter and Sidewalk" was amended by the Town Council of the Town of Antigonish at a duly called meeting of Town Council duly held on the 15th day of March A.D. 1977; that said amendments were carried out in accordance with Section 232 of the Towns Act (Chapter 309 R.S.N.S., 1967); that the foregoing is a true and correct copy of the Resolution amending said By-Law.


J. Alan Cosgrove

Town Clerk & Treasurer

Town of Antigonish

Antigonish, N.S.

Canada

*Deleted on
approval XR*