



RURAL MUNICIPALITY OF WEST ST. PAUL

PUBLIC NOTICE

REGARDING LOCAL IMPROVEMENT PLAN BY-LAW NO. 2024-11 IN THE AREAS KNOWN AS NYE AVENUE AND BALDOCK STREET

PUBLIC NOTICE is hereby given pursuant to Section 318(1) of *The Municipal Act* that the Council of the Rural Municipality of West St. Paul has scheduled a public hearing at the Access Centre located at 48 Holland Road, in the RM of West St. Paul on the 30th day of May, 2024 at 6:00pm. Council will hear any person who wishes to make representation, ask questions, or register an objection to the following Local Improvement Plan By-Law No. 2024-11:

Installation of wastewater sewer pipes, including surface restoration in the areas known as Nye Avenue and Baldock Street in the RM of West St. Paul.

The cost of the project is \$1,775,317.50. The Municipality has secured 50% funding from the Manitoba Water Services Board up to \$1,037,901.48, estimated to be \$887,658.75 for the project

The Municipality will allocate \$202,230.25 of one-time provincial funding from the Strategic Infrastructure Basket to the project.

The Municipality will allocate \$56,407.14 of interest the Municipality earned from the Manitoba Water Services Board advanced funds and the one-time provincial funding from the Strategic Infrastructure Basket to April 30, 2024.

Council is proposing that the Municipal costs of \$629,021.36 will be funded by borrowing. The terms are 20 years at an estimated interest rate of 7.975% with an annual payment of \$63,948.07. The annual payment is to be recovered by a local improvement tax based on a special per parcel rate on each benefiting property. On the basis of the necessary contribution and the estimated rate of interest, the annual charge for each parcel of land is as follows:

Per Parcel Rate

- Cash option of \$13,978.25 per parcel, or
- Finance option of \$1,421.07 per parcel to be levied annually for 20 years.

A complete copy of Local Improvement Plan By-Law No. 2024-11 is attached.

A written objection may be filed with the Chief Administrative Officer of the Rural Municipality of West St. Paul, 3550 Main Street, West St. Paul, Manitoba, R4A 5A3 prior to the commencement of the hearing on May 30, 2024. Council will hear any potential taxpayer who wishes to make representation, ask questions or register an objection to the local improvement plan.

All objections, written or verbal, must be filed prior to the adjournment of the hearing and must include the name and address of the person filing the objection, identify the property in respect of which the objection is filed and state the grounds of their objection.

Additional copies of Local Improvement Plan By-Law No. 2024-11 are available at the municipal office at 3550 Main Street, West St. Paul, Manitoba and on the municipal website at: www.weststpaul.com.

Dated at the Rural Municipality of West St. Paul this 9th day of May A.D. 2024, and issued pursuant to Section 318 of *The Municipal Act*.

Dave Wardrop, FCPA, CPA, P.Eng.
Chief Administrative Officer
RM of West St. Paul 204-338-0306 info@weststpaul.com

RURAL MUNICIPALITY OF WEST ST. PAUL

BY-LAW NO. 2024-11

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WEST ST. PAUL TO
AUTHORIZE THE EXPENDITURE AND BORROWING OF MONEY FOR THE
INSTALLATION OF WASTEWATER SEWER PIPES INCLUDING SURFACE
RESTORATION, AS A LOCAL IMPROVEMENT IN THE AREAS KNOWN AS NYE
AVENUE AND BALDOCK STREET.**

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

- (b) 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. 2024-02 providing for the spending, borrowing authority, and imposition of taxes for the installation of wastewater sewer pipes in the RM of West St. Paul in the areas known as Nye Avenue and Baldock Street 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 Six Hundred and Twenty-Nine Thousand, Twenty-One Dollars and Thirty-Six Cents (\$629,021.36) 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 Six Million, Three Hundred and Seventy-Seven Thousand, Three Hundred and Forty-Eight Dollars and Five Cents (\$6,377,348.05) of which no portion of the principal or interest thereon is in arrears;

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. 2024-02 attached hereto as Schedule "B".
2. **THAT** the Rural Municipality of West St. Paul may expend up to One Million, Seven Hundred and Seventy-Five Thousand, Three Hundred and Seventeen Dollars and Fifty Cents (\$1,775,317.50) for the purpose of the installation of wastewater service pipes in the areas known as Nye Avenue and Baldock Street as indicated in the attached Schedule "B" as a Local Improvement.
3. **THAT** for the aforesaid project, the municipality may borrow the said sum of Six Hundred and Twenty-Nine Thousand, Twenty-One Dollars and Thirty-Six Cents (\$629,021.36); such borrowing shall be issued by the Rural Municipality of West St. Paul in the Province of Manitoba, and shall be payable at the Access 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. 2024.
4. **THAT** the said borrowing shall bear interest at a rate estimated for the time being at 7.925% 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 2025 to 2044, 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 2025 to 2044, both inclusive, there shall be raised annually by special per parcel

rate on all the benefiting properties located within the areas known as Nye Avenue and Baldock Street and described in Schedule "C" hereto attached, with an amount sufficient to provide the principal and interest requirement hereunder.

7. **THAT** pursuant to 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 One Million, Seven Hundred and Seventy-Five Thousand, Three Hundred and Seventeen Dollars and Fifty Cents (\$1,775,317.50).
8. **THAT** at any time prior to or within thirty (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 rates provided herein to the said Chief Administrative Officer of the Rural Municipality of West St. Paul and thereafter no special rate per parcel 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 _____ day of _____ A.D. _____.

RURAL MUNICIPALITY OF WEST ST. PAUL

Mayor

Chief Administrative Officer

Read a first time this _____ day of _____, A.D. _____.

Read a second time this _____ day of _____, A.D. _____.

Read a third time this _____ day of _____, A.D. _____.

**RURAL MUNICIPALITY OF WEST ST. PAUL
SCHEDULE "A" TO BY-LAW NO. 2024-11
LOCAL IMPROVEMENT DEBENTURE ISSUE**

RM OF WEST ST. PAUL			
SCHEDULE - A TO BY-LAW 2024-11			
Local Improvement Debenture Issue			
Term (Yrs):	20	Amount:	629,021.36
Date:	December 31, 2024	Rate (%):	7.975
Payable:	December 31, 2025-2043	Annual Payment:	63,948.07
# of Days	365	Adjusted First Year's Payment:	63,948.07
		Adjusted Last Year's Payment:	63,948.32

MATURITY SCHEDULE			
Year	Interest	Principal	Balance
2025	50,164.45	13,783.62	615,237.74
2026	49,065.21	14,882.86	600,354.88
2027	47,878.30	16,069.77	584,285.11
2028	46,596.74	17,351.33	566,933.78
2029	45,212.97	18,735.10	548,198.68
2030	43,718.84	20,229.23	527,969.45
2031	42,105.56	21,842.51	506,126.94
2032	40,363.62	23,584.45	482,542.49
2033	38,482.76	25,465.31	457,077.18
2034	36,451.91	27,496.14	429,581.04
2035	34,259.09	29,688.96	399,892.08
2036	31,891.39	32,056.66	367,835.42
2037	29,334.87	34,613.18	333,222.24
2038	26,574.47	37,373.58	295,848.66
2039	23,593.93	40,354.12	255,494.54
2040	20,375.69	43,572.36	211,922.18
2041	16,900.79	47,047.26	164,874.92
2042	13,148.77	50,799.28	114,075.64
2043	9,097.53	54,850.52	59,225.12
2044	4,723.20	59,225.12	-
TOTALS	649,940.09	629,021.36	1,278,961.45

**RURAL MUNICIPALITY OF WEST ST. PAUL
SCHEDULE “B” TO BY-LAW NO. 2024-11
LOCAL IMPROVEMENT PLAN NO. 2024-02**

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

(a) DESCRIPTION OF THE PROPOSED LOCAL IMPROVEMENT

The Local Improvement proposed herein involves the following:

Installation of wastewater sewer pipes including surface restoration in the areas known as Nye Avenue and Baldock Street in the RM of West St. Paul.

The residents known as the current Nye Avenue and Baldock Street residents are currently supplied water by individual wells and sewer treatment is serviced by holding tanks and/or septic fields.

Council has concerns regarding potential liability claims due to failing private septic systems allowing untreated wastewater to enter into municipal road allowance ditches. To promote environmental stewardship in the RM, Council was approved funding under the Manitoba Water Services Board to install a gravity sewer collection system and eliminate environmental concerns with all private septic systems in this LID.

The project has been initiated by the Council of the RM of West St. Paul to provide a cost-effective means of treating wastewater while protecting the health of the community located within the Manitoba Conservation Red River Corridor Designated Area that was established in 2009 by Provincial Regulation.

There is a public health concern and potential environmental issues for the nearby Red River due to septic fields failing and grey water and wastewater being diverted into municipal ditches. The existing homeowners are in the Red River Corridor where the installation of new septic fields is prohibited.

In 2013 Council of the RM of West St. Paul passed By-Law 2013-05 wherein it provided for the construction of a main trunk line and lateral service lines along Main Street for a Wastewater System within the municipality with an estimated cost of \$16,000,000.00. Funding was received from the Canada-Manitoba Building Canada Fund – Communities Component (BCF-CC) program in the amount of \$8,000,000.00 and from the Manitoba Water Services Board in the amount of \$2,000,000.00.

Local Improvement Plans for local servicing of properties have previously been approved in the areas known as Riverdale, Lister Rapids, River Springs, Rivercrest, Rossmore Avenue, and Addis Avenue.

All work on private property and the connection cost to the City of Winnipeg will be paid directly by the property owner at the time of connection.

(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) as identified on the attached Schedule "C" and the attached map.

(c) IDENTIFICATION OF POTENTIAL TAXPAYERS UNDER THE PLAN

Under this Local Improvement Plan, Council is proposing to create a new LID which would include the following:

- The owners of the rateable property in the LID known as Nye Avenue and Baldock Street.

(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 special per parcel rate of the lands benefited by the improvement or service for the LID. The rates are to be calculated as follows:

- Cash option of \$13,978.25 per parcel, or
- Finance option of \$1,421.07 per parcel to be levied annually for 20 years

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

It shall also be a requirement that all benefiting property owners within the LID connect to the proposed gravity wastewater sewer system within ten (10) years as per the following regulation:

The Onsite Wastewater Management System Regulation 83/2003 of The Environment Act of Manitoba states in part as follows:

"Requirement to connect to new wastewater collection system

- 8.1.(1) If a wastewater collection system is installed in an area not previously serviced by a wastewater collection system, an owner of land in that area must
- a. connect his or her wastewater sources to the wastewater collection systems; and
 - b. take any onsite wastewater management system or privy located on the land out of service and decommission it; before the earlier of
 - c. the passing of 10 years from the day that the wastewater collection system was installed; or
 - d. the transfer or subdivision of the land.

8.1(2) If land in an area referred to in subsection (1) is transferred, and despite that subsection either or both of the actions described in clauses (1)(a) and (b) have not been completed, the owner of the land — following the transfer — must complete the action or actions, as the case may be, within two years after the transfer.”

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

Total cost of the project is estimated at \$1,775,317.50.

The Rural Municipality of West St. Paul has been approved for a grant from the Manitoba Water Services Board of 50% funding up to \$1,037,901.48, estimated to be \$887,658.75 for the project.

The Municipality will allocate \$202,230.25 of one-time provincial funding from the Strategic Infrastructure Basket to the project.

The Municipality will allocate \$56,407.14 of interest the Municipality earned from the Manitoba Water Services Board advanced funds and the one-time provincial funding from the Strategic Infrastructure Basket to April 30, 2024.

The remaining balance of \$629,021.36 will be borrowed.

Description	Amount
Total Project Costs	\$ 1,775,317.50
less 50% Grant Funding	\$ (887,658.75)
less Strategic Infrastructure Basket Funding	\$ (202,230.25)
less Interest Earned to April 30, 2024	\$ (56,407.14)
Cost to Ratepayer	\$ 629,021.36

(f) **Particulars of Borrowing**

Amount(rounded): \$629,021.36
Term: 20 years
Interest: Estimated at 7.925%
Annual Payment: \$63,948.07

(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 _____ day of _____, A.D. _____.

**RURAL MUNICIPALITY OF WEST ST. PAUL
SCHEDULE "C" TO BY-LAW NO. 2024-11
LOCAL IMPROVEMENT PLAN 2024-02**

Pursuant to Section 315 of *The Municipal Act*

On the following properties:

Roll #	Cash Option	Finance Option
30500	13,978.25	1,421.07
30600	13,978.25	1,421.07
30700	13,978.25	1,421.07
30800	13,978.25	1,421.07
30900	13,978.25	1,421.07
31000	13,978.25	1,421.07
31100	13,978.25	1,421.07
31200	13,978.25	1,421.07
31300	13,978.25	1,421.07
31310	13,978.25	1,421.07
31400	13,978.25	1,421.07
31450	13,978.25	1,421.07
31500	13,978.25	1,421.07
31600	13,978.25	1,421.07
31700	13,978.25	1,421.07
31800	13,978.25	1,421.07
33300	13,978.25	1,421.07
34100	13,978.25	1,421.07
34200	13,978.25	1,421.07
34400	13,978.25	1,421.07
34500	13,978.25	1,421.07
34600	13,978.25	1,421.07
34700	13,978.25	1,421.07
34790	13,978.25	1,421.07
34800	13,978.25	1,421.07
34900	13,978.25	1,421.07
35100	13,978.25	1,421.07
35200	13,978.25	1,421.07
35300	13,978.25	1,421.07
35400	13,978.25	1,421.07
35500	13,978.25	1,421.07
35600	13,978.25	1,421.07
35700	13,978.25	1,421.07
35800	13,978.25	1,421.07
35900	13,978.25	1,421.07
36000	13,978.25	1,421.07

36100	13,978.25	1,421.07
36200	13,978.25	1,421.07
36300	13,978.25	1,421.07
36400	13,978.25	1,421.07
36500	13,978.25	1,421.07
36600	13,978.25	1,421.07
36700	13,978.25	1,421.07
36800	13,978.25	1,421.07
36900	13,978.25	1,421.07

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**Rural Municipality of West St. Paul
Local Improvement District Map**

