

Bill No. C-04

The Corporation of the City of Hamilton

BY-LAW NO. 98- 15

**Concerning Benefits Derived from the Establishment
of the Barton Village Business Improvement Area
respecting Westinghouse Canada Inc.'s facilities at
29 Princess Street, 286 Sanford Avenue North,
30 Milton Avenue and 42 Westinghouse Avenue and
the levying of a special charge**

WHEREAS, pursuant to Section 220(18) of the Municipal Act, R.S.O. 1990, Chapter M.45, the Council of The Corporation of the City of Hamilton, by By-law No. 87-178, designated an Improvement Area respecting the area described in Schedule "A" and shown on Schedule "B" thereto;

AND WHEREAS subsection 18 of the said Section 220 provides that council may provide that the sum required for purposes of the Board of Management shall be levied as a special charge upon and shall be borne and paid by persons in the area assessed for business assessment who in the opinion of the council derive special benefit from the establishment of the area, and the sum chargeable to such persons shall be equitably apportioned among them in accordance with the benefits that, in the opinion of the council, accrue to them from the establishment of the area;

AND WHEREAS in the opinion of Council, Westinghouse Canada Inc.'s facilities municipally known as 29 Princess Street, 286 Sanford Avenue North, 30 Milton Avenue and 42 Westinghouse Avenue, derive a 33 1/3 per cent benefit from the establishment of the area and each of the other persons in the area assessed for business assessment derives a 100 per cent benefit from the establishment of the area;

AND WHEREAS the Notice of Intent of Council to pass this by-law in accordance with subsection 19 of section 220 of the said Act has been circularized to the Business Improvement Area membership.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The sum required for the purposes of the Board of Management shall be levied as a special charge upon, and shall be borne and paid by:

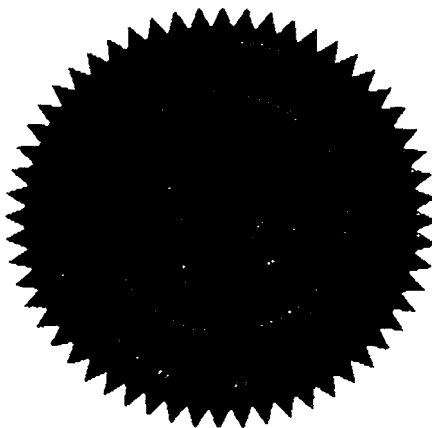
- (a) Westinghouse Canada Inc.'s facilities municipally known as 29 Princess Street, 286 Sanford Avenue North, 30 Milton Avenue and 42 Westinghouse Avenue, in the proportion of one-third of the assessed value of the real property of each that is used as the basis for computing the business assessment bears to the assessed value of all the real property in the Improvement Area used as the basis for computing business assessment; and

- (b) each of the persons in the area assessed for business assessment, (except Westinghouse Canada Inc.'s facilities municipally known as 29 Princess Street, 286 Sanford Avenue North, 30 Milton Avenue and 42 Westinghouse Avenue), in the proportion that the full assessed value of the real property of that person that is used as the basis for computing the business assessment of such person bears to the assessed value of all the real property in the Improvement Area used as the basis for computing business assessment.

PASSED this eleventh day of December A.D. 1997



CITY CLERK



MAYOR