

DISTRICT OF LANTZVILLE

BYLAW NO. 143, 2017

**A BYLAW TO ESTABLISH A LOCAL AREA SERVICE FOR THE CONSTRUCTION OF
A SANITARY SEWER COLLECTION SYSTEM BENEFITING PART OF THE MUNICIPALITY**

WHEREAS Section 210 of the *Community Charter* provides authority for local area services, a municipal service that is to be paid for in whole or in part by a local service tax under Section 216 for services that the Council considers provide particular benefit to part of the municipality;

AND WHEREAS Section 211(1)(b) of the *Community Charter* authorizes Council to establish a local area service by bylaw, if the service and its cost recovery methods have been proposed by Council initiative subject to a petition against by the property owners subject to the local service tax;

AND WHEREAS Council has initiated a local area service subject to petition against to extend sanitary sewer service to an area to be known as Phase III, pursuant to Section 213 of the *Community Charter*;

AND WHEREAS the *Community Charter* provides for a part of the cost to be borne by property owners benefitting from a local area service and for the levy and imposition of a local service tax to be imposed on benefitting properties to recover the owners' portion of the costs;

AND WHEREAS the Corporate Officer has certified that the petition against received for the works does not constitute a sufficient petition signed by a majority of the owners, representing at least half of the assessed value of the parcels that would be subject to the local service tax;

NOW THEREFORE, the Council of the District of Lantzville, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited as "District of Lantzville Phase III Sanitary Sewer Collection System Local Area Service Establishment Bylaw No. 143, 2017".

Establishment of Local Area Service

2. The District hereby establishes a local area service under the provisions of Section 211 of the *Community Charter* to be known as the "Phase III Sanitary Sewer Collection System Local Area Service".

Description of Service

3. The description of the local area service is the construction of a sanitary sewer collection system to serve a specified local service area.

Boundaries of Local Service Area

4. The Phase III Sanitary Sewer Collection System Local Service Area includes all of the parcels within the area outlined in heavy dashed black line on the plan attached to and forming part of this bylaw as Schedule 'A' – Phase III Sanitary Sewer Collection System Local Service Area Boundaries (the "Local Service Area").

Method of Cost Recovery

5. The cost recovery method for an amount not exceeding \$2,506,668, which is a portion of the estimated total construction cost of \$6,880,000 for constructing the sanitary sewer collection system, plus the cost of borrowing up to \$2,506,668 and interest, that is the subject of the local area service established under this bylaw, shall be recovered by way of a parcel tax under Division 4 of Part 7 of the *Community Charter* imposed only within the Local Service Area on the basis of a single amount for each parcel.

As an alternative to the preceding cost recovery method, an owner of a parcel within the Local Service Area may elect to pay their portion of the Local Area Service charge levied for their parcel in the form of a one-time cash payment.

READ A FIRST TIME this 24th day of July, 2017.

READ A SECOND TIME this 24th day of July, 2017.

READ A THIRD TIME this 24th day of July, 2017.

ADOPTED this day of , 2017.

Mayor

Director of Corporate Administration

