

BYLAW NO. 2013-19

BEING A BYLAW OF PARKLAND COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSES OF COLLECTING A FEE FOR THE PROVISION OF RESIDENTIAL STREET LIGHTING WITHIN THE COUNTRY RESIDENTIAL SUBDIVISION OF BIRCH TREE ESTATES.

WHEREAS the Municipal Government Act 2000 C M-26 S. 7, allows Council to pass a bylaw regarding public utilities; and

WHEREAS the Municipal Government Act 2000 C M-26 defines public utilities as including residential street lighting; and

WHEREAS Parkland County deems it necessary to collect a utility fee to pay the operating costs of street lighting within Birch Tree Estates;

NOW THEREFORE the Council of Parkland County, in Council duly assembled, hereby enacts as follows:

1. DEFINITIONS

- 1.1 "Council" shall mean the Council of Parkland County.
- 1.2 "County" shall mean Parkland County.
- 1.3 "General Manager" shall mean the General Manager of Infrastructure Services for the County or his designate from time to time.
- 1.4 "Street Lighting" means the existing security lighting system in place in the Birch Tree Estates Subdivision.

2. AUTHORITY

- 2.1 The General Manager shall be responsible for the administration and enforcement of the provisions of this bylaw.
- 2.2 The person liable to pay the fee imposed in accordance with this bylaw is the owner of the parcel of land in respect of which the fee is imposed.
- 2.3 The County confirms that the street lighting is provided by the Birch Street Community Association on behalf of the County.

3. BENEFITING AREA

- 3.1 The following parcels of lands shall be identified as the benefiting area within Birch Tree Estates: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, Subdivision Plan No. 4921RS, SW 18-51-25-W4M.
- 3.2 Lot R1 is not a benefiting lot.

4. COST OF SERVICE

- 4.1 The cost of service for the street lighting (the utility fee) shall include energy and delivery charges invoiced to Birch Street Community Association by the electric service provider for providing electricity to the existing 7 (800 hps) security lights (the street lighting) under account #22471437.

5. FEE RATE

- 5.1 The utility fee rate shall be based on and applied to each parcel of land identified as a benefitting parcel.
- 5.2 The utility fee for 2013 shall be prorated for the effective date of this bylaw. For all subsequent years the utility fee rate per parcel of land shall be determined annually in December based on a cost estimate of the energy and delivery charges for the upcoming year.

- 5.3 The total estimated energy and delivery charges will be divided equally by the number of benefiting lots to be charged, as identified in the attached schedule “A”. Any adjustment to the utility fee made necessary when the actual amount of energy and delivery charges is known for a given year, shall be accounted for in the determination of the utility fee for the following year.
- 5.4 Schedule “A” may be amended by resolution of Council.
- 5.5 The County will reimburse Birch Street Community Association upon submission of the actual invoices.
- 5.6 The County shall annually issue utility bills to the owner of each benefiting lot.
- 5.7 Unpaid utility fees shall be subject to the same penalties as imposed by the County or other outstanding utility payments pursuant to Bylaw No. 1-2003, Part IX – Penalties (Section 905).
- 5.8 Utility fees in arrears for more than thirty (30) days after issue by the County of the utility bill may be added to the tax roll of the lot for which the invoice is issued.

6. GENERAL

- 6.1 This bylaw shall come into force and affect September 1, 2013.

READ A FIRST TIME this _____ day of _____, 2013.

READ A SECOND TIME this _____ day of _____, 2013.

READ A THIRD AND FINAL TIME this _____ day of _____, 2013.

MAYOR

**MANAGER, LEGISLATIVE AND
ADMINISTRATIVE SERVICES**