

BYLAW 2016-17

A BYLAW TO AUTHORIZE PARKLAND COUNTY COUNCIL TO IMPOSE A LOCAL IMPROVEMENT TAX FOR THE LOCAL IMPROVEMENTS INCLUDING BASE COURSE AND ASPHALTIC COLD MIX SURFACING WITHIN MALLARD PARK COUNTRY RESIDENTIAL SUBDIVISION LOCATED IN NW 33-51-27-W4

WHEREAS Parkland County Council has deemed it expedient and proper to approve a Bylaw to authorize the financing, undertaking and completing of a Local Improvement within Parkland County, Alberta; and

WHEREAS the General Manager of Infrastructure Services has reviewed the Project specifications and received an appropriate estimate for the completion of the Project; and

WHEREAS Parkland County and the Mallard Park landowners are each contributing a portion of the cost of the Local Improvement; and

WHEREAS in order to construct the completion of a Local Improvement, it will be necessary to fund a sum on the credit of the County as herein provided; and

WHEREAS the estimated lifetime of the Local Improvement is TEN (10) years.

NOW THEREFORE the Council of Parkland County duly assembled and under the authority of the *Municipal Government Act, as amended*, hereby enacts the following:

1. For the Purposes of this Bylaw the following definitions apply:
 - a. **"Act"** means the Municipal Government Act, RSA 2000, Chapter M-26, as amended from time to time;
 - b. **"County"** means Parkland County;
 - c. **"Council"** means Parkland County Council;
 - d. **"Mallard Park"** means the subdivision located in Parkland County, Alberta known as Mallard Park Country Residential Subdivision legally located in NW 33-51-27-W4;
 - e. **"Landowners"** means all those landowners identified as owning a parcel of land within Mallard Park and more specifically as identified on the attached Schedule "A";
 - f. **"Local Improvement"** means the same as the definition set out in Division 7 of the Act and more specifically as defined as the Project;
 - g. **"Local Improvement Tax"** has the same meaning as made under the Act; and
 - h. **"Project"** means the entire scope of the Base Construction and Asphaltic Cold Mix Surfacing within the County area known as Mallard Park.
2. Council received notification on January 12, 2016, of an adequate and proper petition requesting that it undertake and complete the Project.
3. Council hereby authorizes the County to enter into contracts and to supply men, equipment, and materials as may be necessary, for the purpose of completing the Project to the County's satisfaction.
4. Council hereby confirms that the Project will be completed for the enjoyment and benefit of the Landowners.
5. Construction of the said Project shall commence and be completed during the County's 2016 construction season.
6. The total estimated cost of the Project is TWO HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS (\$275,000).

7. The Landowner's estimated portion of the cost of the Project is ONE HUNDRED AND FIFTY NINE THOUSAND, THREE HUNDRED AND TWENTY DOLLARS (\$159,320) or 57.9% of the total cost of the Project and the same shall be paid by the Landowners, to the County, through a Local Improvement Tax as set out herein and on the attached Schedule "A".
8. The County at large shall pay the estimated ONE HUNDRED AND FIFTEEN THOUSAND, SIX HUNDRED AND EIGHTY (\$115,680) or 42.1% of the cost of the Project from monies budgeted and received in the construction year of the Project.
9. The estimated uniform tax rate to be imposed on each benefiting parcel of land within Mallard Park is FIVETHOUSAND, SIX HUNDRED & NINETY DOLLARS (\$5,690). The uniform tax rate shall form part of the Local Improvement Tax.
10. The total Local Improvement Tax, if not prepaid, shall be assessed in equal annual amounts, plus applicable interest, on the Landowner's land and improvements within Mallard Park. The annual Local Improvement Tax assessment will be imposed by the County on the Landowner's property over a period of TEN (10) years.
11. If, after a Local Improvement Tax Rate has been set, it is discovered that the actual cost of the local improvement tax is higher than the estimated cost on which the local improvement tax rate is based, Council may revise, once only over the life of the local improvement, the rate with respect to future years so that the local improvement tax bylaw will raise sufficient revenue to pay for the actual cost of the local improvement.
12. Before December 1, only in the year that Project is completed, a Landowner may pay their total Local Improvement Tax interest free. Thereafter, (on December 1, in the year that the Project is completed), all amounts remaining shall be subject to an interest charge of THREE decimal EIGHT SIX percent (3.86%) per annum, calculated yearly and assessed annually which interest shall form part of the Local Improvement Tax payable by each Landowner.
13. This Bylaw shall take effect on the day of the final passing and signing thereof.

READ A FIRST TIME this 12th day of July, 2016

READ A SECOND TIME this 12th day of July, 2016.

READ A THIRD TIME & FINALLY PASSED this 12th day of July, 2016.

MAYOR

CHIEF ADMINISTRATIVE OFFICE