

**PARKLAND COUNTY
PROVINCE OF ALBERTA**

BYLAW 2017-11

A BYLAW TO IMPOSE A LOCAL IMPROVEMENT TAX FOR THE LOCAL IMPROVEMENTS INCLUDING BASE COURSE AND ASPHALTIC COLD MIX SURFACING FOR THE PORTION OF WENDEL DRIVE LYING NORTH OF COLE ANNE DRIVE WITHIN WENDEL HEIGHTS SUBDIVISION LOCATED IN NW-18-53-01-W5M

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;

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

WHEREAS Parkland County and the landowners of the parcels accessing Wendel Drive north of Cole Anne Drive within Wendel Heights are each contributing a portion of the cost of the Local Improvement;

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, c.M-26, as amended from time to time;
 - b. **"County"** means Parkland County;
 - c. **"Council"** means Parkland County Council;
 - d. **"Portion of Wendel Heights"** means the section of Wendel Drive located north of Cole Anne Drive within Wendel Heights legally located in NW 18-53-01-W5M;
 - e. **"Landowners"** means all those landowners identified as owning a parcel of land within Wendel Heights 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 the Portion of Wendel Heights.
2. Council received notification on **September 6, 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 2017 construction season.
6. The total estimated cost of the Project is Eighty Thousand (\$80,000) Dollars.

7. The Landowner's estimated portion of the cost of the Project is Forty Thousand (\$40,000) Dollars or 50% 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 \$40,000 or 50% 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 the Portion of Wendel Heights is Eight Thousand (\$8,000) Dollars. 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 the Portion of Wendel Heights. 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 4.195% per annum, calculated yearly and assessed annually which interest shall form part of the Local Improvement Tax payable by each Landowner.
13. Schedule "A" forms part of this Bylaw.
14. This Bylaw shall take effect on the day of the final passing and signing.

READ A FIRST TIME this ____ day of _____, 2017

READ A SECOND TIME this ____ day of _____, 2017.

READ A THIRD TIME AND FINALLY PASSED this ____ day of _____, 2017.

Mayor

Chief Administrative Officer

SCHEDULE "A" TO BYLAW 2017-11

**LOCAL IMPROVEMENT PLAN
BASE CONSTRUCTION AND ASPHALTIC COLD MIX
SURFACING OF THE PORTION OF WENDEL DRIVE LYING NORTH OF COLE ANNE
DRIVE WITHIN WENDEL HEIGHTS
COUNTRY RESIDENTIAL SUBDIVISION IN NW 18-53-01-W5**

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| 1. | Total Cost of the Project (estimated): | \$80,000 |
| 2. | Total Contribution by Parkland County (estimated): | \$40,000 |
| 3. | Total Local Improvement Tax against all parcels (estimated): (excluding Reserve Lots) | \$40,000 |
| 4. | Total Local Improvement Tax against each parcel (estimated): (payout amount prior to interest being charged on Dec. 1, 2017) | \$8,000 |
| 5. | Annual Interest Rate: (commencing December 1, 2017) | 4.195 % |
| 6. | Term of Annual Local Improvement Tax: (commencing January 1, 2018) | 10 years |
| 7. | Total Annual tax against all parcels (estimated): (including interest) | \$4,979.65 |
| 8. | Total Annual Tax per parcel (estimated): (commencing in 2017) | \$995.93 |
| 9. | Total number of residential parcels: | 5 |
| 10. | Parcels to be assessed: <ul style="list-style-type: none">a) All registered landowners of Lots 1,2, 3B, 15 and 16, Block 0, Plan 1336TR inclusiveb) Parkland County Lot R1, Blk 0, Plan 1336TR | |

In addition to paying for 40% of the total project costs, Parkland County also pays for the Local Improvement Tax assessed against any Reserve Lots in this subdivision.