

BYLAW NO. 439/04

**BEING A BYLAW OF THE
MUNICIPAL DISTRICT OF MACKENZIE NO. 23,
IN THE PROVINCE OF ALBERTA,**

**TO APPROVE A LOCAL IMPROVEMENT CHARGE FOR WATER
FROM 94TH AVENUE ALONG 97TH STREET TO 101 AVENUE; FROM 97 STREET
ALONG 101 AVENUE TO 99 STREET; AND FROM LOT 16, BLOCK 5, PLAN
8921327 ALONG 99 STREET TO THE NORTH END OF PLAN 9421213 BLOCK 19
LOT 3 IN THE HAMLET OF LA CRETE**

WHEREAS, under the authority and pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, the municipality has authority to issue local improvement charges; and

WHEREAS, the Council of the Municipal District of Mackenzie No. 23 in the Province of Alberta has deemed it advisable to charge a local improvement charge to specific locations,

NOW THEREFORE, the Council of the Municipal District of Mackenzie No. 23 in the Province of Alberta, duly assembled, enacts as follows:

1. That the estimated sum of One Hundred Forty One Thousand Five Hundred Twenty Eight Dollars and Twenty Four Cents (\$141,528.24) is required to construct water servicing along the Industrial portion from 94th Avenue along 97th Street to 101 Avenue; from 97 Street along 101 Street to 99 Street; and from Lot 16, Block 5, Plan 8921327 along 99 Street to the north end of Plan 9421213, Block 19, Lot 3 in the Hamlet of La Crete. This amount will be collected by way of special assessment as herein provided in Schedule A and B, attached.
2. That Council of the Municipality has given proper notice of intention to undertake and complete the construction of, and costs thereof to be assessed against abutting owners in accordance with the attached Schedule A and B. Council has not received any sufficiently signed or valid petition against the said proposal.
3. That funding to be provided under this by-law shall be subject to the sum of One Hundred Forty One Thousand Five Hundred Twenty Eight Dollars and Twenty Four Cents (\$141,528.24) or the actual project cost, whichever is greater, and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of the borrowing.
4. The funding shall bear interest, at a rate not exceeding ten per centum (10%), or the interest rate fixed from time to time by the Alberta Capital Finance Authority, per annum, payable in semi-annually or annual installments.
5. The funding shall be issued in such manner that the principal and interest will be combined and made payable in, as nearly as possible, equal semi- annual or

annual installments over a period of (10) years, in accordance with Schedule A and Schedule B, attached.

6. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipal District of Mackenzie for the amount and purpose as authorized by the bylaw, namely the local improvement bylaw.
7. The Municipality shall levy and raise in each year municipal taxes sufficient to pay indebtedness.
8. During the currency of the debenture there shall be raised annually for the payment of the owners' portion of the cost and interest thereon, by special assessment, the respective sums shown as yearly payments on Schedule "A" and "B" hereto attached, and there is hereby imposed on lands fronting or abutting on that portion of the streets or places whereon the improvements are to be laid, a special assessment to cover the owners' portion of the cost of the said work and the interest thereon payable at the unit rate or rates set forth in said Schedule A and Schedule B. The said special assessment shall be in addition to all other rates and taxes.
9. All required approvals for the project have been obtained and the project is in compliance with all acts and regulations of the Province of Alberta.
10. That this bylaw shall come into force and take effect upon receiving third and final reading thereof.

First Reading given on the 8th day of June 2004.

"B. Neufeld" (signed)
Bill Neufeld, Reeve

"B. Spurgeon" (signed)
Barbara Spurgeon, Executive Assistant

Second Reading given on the 14th day of December, 2004.

"B. Neufeld" (signed)
Bill Neufeld, Reeve

"B. Spurgeon" (signed)
Barbara Spurgeon, Executive Assistant

Third Reading and Assent given on the 14th day of December, 2004.

"B. Neufeld" (signed)
Bill Neufeld, Reeve

"B. Spurgeon" (signed)
Barbara Spurgeon, Executive Assistant

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Schedule A

Water Servicing along 94th Avenue for Industrial Lots .

1. Properties to be assessed:

Plan	Block	Lot	Unit Rate per Lot
942 1213	19	3	5384.23
3707NY		C	5384.23
5936RS	RW	106	5384.23
892 1327	5	16	5384.23
942 0729	18	5	5384.23
962 1721	18	6	5384.23
962 1721	18	7	5384.23
962 1726	18	10	5384.23
942 0728	17	9	5384.23
932 3376	17	6	5384.23
022 7658	22	1	5384.23
022 7658	22	2	5384.23
022 7658	22	3	5384.23
022 7658	22	4	5384.23
022 7658	22	5	5384.23
022 7658	21	1	5384.23
022 7658	21	2	5384.23
022 7658	21	3	5384.23
022 7658	21	4	5384.23
022 7658	21	5	5384.23
022 7658	21	6	5384.23

2. Total Cost Per Industrial Lot \$5,384.23
3. Annual Unit Rate Per Lot to be payable for a period of 10 years calculated at 5.276%. \$ 706.66
4. Total Yearly Cost Against All Above Properties \$16,253.16

Schedule B

Water Servicing along 94th Avenue for Industrial Lots. The Municipal District of Mackenzie will pay difference per lot between below costs and total cost for water servicing.

1. Properties to be assessed:

Plan	Block	Lot	Unit Rate Per Lot
022 7658	22	6	455.01
962 1721	18	8	455.01
962 1721	18	9	455.01

2. Total Cost Per Industrial Lot \$ 455.01
3. Annual Unit Rate Per Lot to be payable for a period of 10 years calculated at 5.276%. \$ 59.72
4. Total Yearly Cost Against All Above Properties \$ 179.16
5. The Municipal District of Mackenzie No. 23 portion for the above lots will be as follows:
 Cost per lot \$ 4,986.99