

**BYLAW NO. 427/04**

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

**TO APPROVE A LOCAL IMPROVEMENT CHARGE  
FOR CURB, GUTTER AND SIDEWALKS  
ON SPECIFIC PROPERTIES WITHIN THE MUNICIPALITY**

**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 Nine Thousand Dollars (\$109,000.00) is required to construct curb, gutter and sidewalk along 49 Avenue from 53 Street to 51 Street and along 51 Street from 49 Avenue to 48 Avenue in the Hamlet of Fort Vermilion. The portion of the project subject to the local improvement charge is approximately Thirty Two Thousand Seven Hundred Dollars (\$32,700.00) or 30% of the estimated sum. This 30% portion will be collected by way of special assessment as herein provided in Schedule A, attached.
2. That Council of the Municipality has given proper notice of intention to undertake and complete the construction of curb, gutter and sidewalk along 49 Avenue from 53 Street to 51 Street and on 51 Street from 49 Avenue to 48 Avenue in the Hamlet of Fort Vermilion, and costs thereof to be assessed against abutting owners in accordance with the attached Schedule A. 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 not exceed the sum of One Hundred Nine Thousand Dollars (\$109,000.00), 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 annually.
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 annual installments over a period of ten (10) years, in a accordance with Schedule A, attached.

6. 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 show as yearly payments on Schedule "A" 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. The said special assessment shall be in addition to all other rates and taxes.
7. 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.
8. That this bylaw shall come into force and take effect upon receiving third and final reading thereof.

First Reading given on the 20<sup>th</sup> day of April 2004.

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

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

Second Reading given on the 8<sup>th</sup> day of June 2004.

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

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

Third Reading and Assent given on the 8<sup>th</sup> day of June 2004.

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

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

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**Schedule A**

Curb, gutter and sidewalk along 49 Avenue from 53 Street to 51 Street and along 51 Street from 49 Avenue to 48 Avenue in the Hamlet of Fort Vermilion.

1. Properties to be assessed:

<u>Plan</u>	<u>Block</u>	<u>Lot</u>	<u>Assessable Frontage</u>
2938RS	7	3	63.8 ft
2938RS	7	4	100 ft
2938RS	7	5	100 ft
2938RS	7	6	100 ft
2938RS	7	7	100 ft
2938RS	7	8	100 ft
2938RS	7	9	100 ft
2938RS	7	10	100 ft
2938RS	7	11	78.63 ft
2938RS	6	1	90.04 ft
2938RS	6	2	93.88 ft
2938RS	6	23	60 ft
2938RS	6	24	78.63 ft
2938RS	6	25	78.63 ft
2938RS	6	26	78.63 ft
2938RS	6	27	78.63 ft
2938RS	6	28	58.47 ft
2938RS	6	29	159.78 ft
2938RS	6	30	100 ft
2938RS	6	31	100 ft
2938RS	6	32	100 ft
2938RS	6	33	100 ft
2938RS	6	34	100 ft
2938RS	6	35	95 ft

- 2. Total Assessable Frontage 2,134.29 feet
- 3. Total Assessment Per Front Foot Frontage \$15.32
- 4. Annual Unit Rate Per Front Foot of Frontage to be payable for a period of 10 years calculated at 4.02%. \$1.89
- 5. Total Yearly Assessment Against All Above Properties \$4035.63