

BYLAW NO. 366/03

**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, Statutes of Alberta, 1994, Chapter M-26.1, 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 Thirty Thousand (\$130,000) is required for the purpose of constructing the road improvements on 46 Avenue in Fort Vermilion between 50 and 52 Street. The portion of the project subject to the local improvement charge is approximately \$55,000 of which 30% or \$16,500 will be collected by way of special assessment as herein provided in attached Schedule "A".
2. That Council of the Municipality has given proper notice of intention to undertake and complete the construction of the road improvements on 46 Avenue between 50 and 52 Street in Fort Vermilion, and costs or portion of the costs thereof to be assessed against abutting owners in accordance with the attached Schedule "A" and no sufficiently signed and valid petition against the said proposal has been received by the Council.
3. That funding to be provided under this by-law shall not exceed the sum of sixteen thousand, five hundred (\$16,500), 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 Municipal Finance Corporation, 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 accordance with the schedule 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 institutional, commercial and industrial 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 13th day of May, 2003.

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

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

Second Reading given on the 23rd day of June, 2003.

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

"B. Landiuk" (Signed)
Bill Landiuk, Acting CAO

Third Reading and Assent given on the 23rd day of June, 2003.

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

"B. Landiuk" (Signed)
Bill Landiuk, Acting CAO

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Schedule "A"

Curb, gutter and sidewalk along 46 Avenue in Fort Vermilion between 50 and 52 Street

1. Properties to be assessed:

Plan	Block	Lot	Assessable Frontage (Feet)
2938RS	9	13	442.51
2938RS	9	12	130.0 (MD will pay as property currently has curb, gutter and sidewalk)
2938RS	8	1	130.0
2938RS	8	16	100.0
2938RS	8	15	108.06
2938RS	8	14	122.50
2938RS	8	13	129.37

2. Total Assessable Frontage 1,162.43 feet

3. Total Assessment Against all Properties \$16,500

4. Total Assessment Per Front Foot of Frontage \$14.19

5. Annual Unit Rate per Front Foot of Frontage to be Payable for a period of 10 years Calculated at 6.0% \$1.93

6. Total Yearly Assessment Against All Above Properties \$2,241.82

7. Pursuant to Section 404 of the Municipal Government Act, parcels of land of a different size or shape, or corner lots, are assessed in the following manner:

The front feet of frontage for irregular shaped lots or parcels are calculated using the average of the front and back property lines as follows:

Lot 13, Block 9, Plan 2938RS
Lots 13 – 15, Block 81, Plan 2938RS

The front feet of frontage for corner lots or parcels are calculated using the back property lines as follows:

Lot 1, Block 8, Plan 2938RS