

BYLAW NO. 726/09

**BEING A BYLAW OF THE
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA**

**TO AUTHORIZE THE UTILITY INFRASTRUCTURE CHARGE
IN THE HAMLET OF FORT VERMILION**

WHEREAS, the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta enables Council to pass a bylaw for municipal purposes respecting public utilities; and

WHEREAS, the Council of Mackenzie County has deemed it necessary, and at the request of the affected property owners, to extend the existing public utility by way of the water distribution and sewer collection lines installation in the Hamlet of Fort Vermilion in order to provide a municipal utility service to the properties or portions thereof as described in Schedule A; and

WHEREAS, the plans and specifications have been prepared and the estimated cost for the water distribution and sewer collection line construction is Four Hundred and Fifty Thousand Dollars (\$450,000); and

WHEREAS, the municipality must provide the municipal utility service to the parcel on the request of the owner of the parcel if the system or works of a municipal public utility that provide a municipal utility service are adjacent to a parcel of land;

WHEREAS, the municipal service to be provided can be subject to terms, fees and charges established by Council.

NOW THEREFORE, under the authority of the Municipal Government Act, the Council of the Mackenzie County in the Province of Alberta, enacts as follows:

1. That a utility infrastructure charge be established to recover the construction cost of water distribution and sewer collection lines from the benefiting area as shown on Schedule A and be calculated as follows:

$$\begin{array}{r} \text{Total project cost } \$450,000 \\ \text{-----} = \$15,000 \text{ per acre} \\ \text{Total service area } 30 \text{ acres} \\ \text{(net of road allowance and public utility lanes)} \end{array}$$

2. The utility infrastructure charge for the developed properties shall be the higher of \$15,000 per acre or \$15,000 per title and be paid prior to connection to the municipal utility services.

3. The \$15,000 per acre utility infrastructure charge shall be applied as a condition of issuing a development permit for all future development in the Schedule A area;
4. Administration of the Mackenzie County may enter into an agreement with a property owner in respect to the infrastructure charge payment. The payment period shall not exceed the ten-year (10) year term. An interest charge shall apply at a rate equal to the Alberta Capital Finance Authority rate in effect at the time of the agreement.
5. That this bylaw shall take effect on the date of the third and final reading.

READ a first time this 7th day of July, 2009.

READ a second time 7th day of July, 2009.

READ a third time and finally passed this 11th day of August, 2009.

(original signed)

Greg Newman
Reeve

(original signed)

William Kostiw
Chief Administrative Officer

**BYLAW NO. 726/09
 SCHEDULE "A"**

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Listing of the properties:

LINC	Legal Description	Title Number	Tax Roll	Acres (as per Titles)
0016 707 937	FORTVER;3;11	042 316 323	076707	2.00
0016 707 929	FORTVER;3;11	092 093 460	076708	2.00
0012 307 179	8021220;;A	012 207 301	203662	0.77
0026 127 745	9422615;;1	042 432 807	313796	1.88
0026 127 761	9422615;;2	942 316 478	313797	1.00
0016 707 945	FORTVER;3;11	022 278 539	076706	13.23
0015 999 551	FORTVER;3;10; PLAN 2938RS – SUBDIVISION & PLAN 9023332 - ROAD	902 342 957 +12	076702	86.49 actual with 14.86 service area

Total estimated service area: 35.74 acres

Map of the area:

