BYLAW NO. 29-2008

A BYLAW TO AUTHORIZE PARKLAND COUNTY COUNCIL TO IMPOSE A LOCAL IMPROVEMENT TAX FOR THE LOCAL IMPROVEMENTS INCLUDING BASE COURSE AND ASPHALTIC COLD MIX SURFACING WITHIN GRANDMUIR ESTATES COUNTRY RESIDENTIAL SUBDIVISION LOCATED IN SW 5-54-27-W4M

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; and

WHEREAS the General Manager of Infrastructure Services has reviewed the Project's specifications and received appropriate estimate for the complete of the Project; and

WHEREAS Parkland County and the Grandmuir Estates landowners are each contributing a portion of the cost of the Local Improvement; and

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 PARKLAND COUNTY COUNCIL IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. For the Purposes of this Bylaw the following definitions apply:

    a. "**Act**" means the Municipal Government Act, RSA 2000, Chapter M-26, as amended from time to time;
    b. "**County**" means Parkland County;
    c. "**Council**" means Parkland County Council;
    d. "**Grandmuir Estates**" means the subdivision located in Parkland County, Alberta known as Grandmuir Estates Country Residential Subdivision legally located in SW 5-54-27-W4M;
    e. "**Landowners**" means all those landowners identified as owning a parcel of land within Grandmuir Estates and more specifically as identified on the attached Schedule "B";
    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 Grandmuir Estates.

2. Council received on June 13, 2005 an adequate and proper petition requesting that it undertake and complete the Project, which is attached hereto as Schedule "A".

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 2008 construction season.

6. The total estimated cost of the Project is TWO HUNDRED & THIRTY THOUSAND DOLLARS ($230,000).

7. The Landowner's estimated portion of the cost of the Project is ONE HUNDRED & THIRTY THOUSAND THREE HUNDRED & TWENTY TWO DOLLARS ($130,322) or 56.7% 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 "B".

8. The County as large shall pay the estimated NINETY-NINE THOUSAND SIX HUNDRED & SEVENTY-EIGHT DOLLARS ($99,678) or 43.3% of the cost of the Project from monies budgeted and received in the construction year of the Project.

9. The uniform tax rate to be imposed on each benefiting parcel of land within Grandmuir Estates is THREE THOUSAND EIGHT HUNDRED & THIRTY-THREE DOLLARS ($3,833). The uniform tax rate shall for 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 Grandmuir Estates. 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. On or 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 2, in the year that the Project is completed), all amounts remaining shall be subject to an interest charge of eight percent (8%) per annum, calculated yearly and assessed annually which interest shall form part of the Local Improvement Tax payable by each Landowner.

13. This Bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME this 10th day of June, 2008.

READ A SECOND TIME this 10th day of June, 2008.

READ A THIRD TIME & FINALLY PASSED this 10th day of June, 2008.

MAYOR

MANAGER, LEGISLATIVE & ADMINISTRATIVE SERVICES

SCHEDULE "A" TO BYLAW NO. 29-2008

LOCAL IMPROVEMENT TAX FOR BASE CONSTRUCTION AND ASPHALTIC COLD MIX SURFACING WITHIN GRANDMUIR ESTATES COUNTRY RESIDENTIAL SUBDIVISION IN SW 5-54-27-W4M

Copy of the Petition

The original petition can be viewed by contacting Legislative and Administrative Services.

SCHEDULE "B" TO BYLAW NO. 29-2008

LOCAL IMPROVEMENT PLAN
OF PARKLAND COUNTY FOR
BASE CONSTRUCTION AND ASPHALTIC COLD MIX
SURFACING WITHIN GRANDMUIR ESTATES
COUNTRY RESIDENTIAL SUBDIVISION IN SW 5-54-27-W4M

1.	Total Cost of the Project (estimated):	$230,000
2.	Total Contribution by Parkland County:	$99,678
3.	Total Local Improvement Tax against all parcels: (excluding Reserve Lots)	$130,322
4.	Total Local Improvement Tax against each parcel (estimated): (payout amount prior to interest being charged on Dec. 1, 2008)	**$3,833**
5.	Annual Interest Rate: (commencing December 1, 2008)	8%
6.	Term of Annual Local Improvement Tax: (commencing January 1, 2009)	10 years
7.	Total Annual tax against all parcels: (including interest)	$19,421.82
8.	**Total Annual tax per parcel: (commencing 2009)**	**$571.23**
9.	Total number of parcels:	34

10. Parcels to be assessed:
    a) All registered landowners of Lots 1, 3-9, R, Block 1, Plan 2542 RS inclusive
    b) All registered landowners of Lots 25-34, Block 1, Plan 4636 RS inclusive
    c) All registered landowners of Lot 37, Block 1, Plan 0235354 inclusive
    d) All registered landowners of Lot R-35, Block 1, Plan 4357
    e) All registered landowners of Lots 10-24, Block 2, Plan2542 RS inclusive