

Village of Port Clements
BYLAW NO. 309, 2000

**A BYLAW TO ESTABLISH A SPECIFIED AREA FOR THE
PURPOSE OF PROVIDING SEWER TO THE PORT CLEMENTS EAST AREA**

WHEREAS pursuant to section 646 of the *Local Government Act*, a council may, by bylaw, undertake any work or service coming within the powers of the municipality for the special benefit of a specified area of the municipality;

AND WHEREAS it is deemed desirable and expedient to extend and construct a sewer system to serve a portion of the Village of Port Clements hereinafter referred to as the "Port Clements East Area" to be established as a specified area;

AND WHEREAS a petition has been received from the owners of land within the said specified area and the sufficiency of such petition has been determined;

AND WHEREAS part of the cost of the Works shall be borne by the owners of real property within the specified area, and for that purpose Council may levy and impose within the area a parcel tax as provided in section 646(4) of the *Local Government Act*, and pursuant to section 646(7), advance the funds required until the collection of the parcel tax from the owners and pay that portion to the general funds when it is collected;

AND WHEREAS the total estimated cost of the Works is \$78,400.00;

NOW, THEREFORE, the Council of the Village of Port Clements, in open meeting assembled, enacts as follows:

1. The lands legally described as attached in Schedule "A" and shown outlined on the sketch plan attached as Schedule "B" to this Bylaw are hereby defined as the specified area within the meaning of section 646 of the *Local Government Act* (the "Specified Area") and will be benefited by the Works authorized to be undertaken by this Bylaw.
2. Council is hereby empowered and authorized to:
 - (a) undertake and carry out the Works as described in Schedule "C" for the special benefit of the Specified Area;
 - (b) spend the sum of \$78,400 for the aforesaid purpose;
 - (c) acquire all such property, easements, rights of way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the Works.
3. Pursuant to section 646(3) of the *Local Government Act*, part of the cost of the Works, being the sum of \$25,200.00, is to be borne by the owners of the real property within the Specified Area and for this purpose, commencing in 2001 and each year thereafter for a total period of twenty years, Council may levy and impose annually against each parcel within the Specified Area liable to be specially charged a parcel tax in the amount of \$329.00 pursuant to section 646(4) of the *Local Government Act*.

4. Pursuant to section 646(6) of the *Local Government Act* the parcel tax imposed under this bylaw may be commuted for payment in cash of \$2,800.00 (Two Thousand Eight Hundred Dollars), upon completion of the sewer system; or at any time thereafter for payment in cash of \$2,800.00 (Two Thousand Eight Hundred Dollars) plus interest in the amount of 0% (Ten Percent) calculated annually from the date of completion of the sewer system to the date of payment, less parcel taxes paid.
 5. The Specified Area created by this Bylaw may be merged with one or more other specified areas in accordance with section 650 of the *Local Government Act*; whether contiguous or not, for the purpose of providing, consolidating or completing necessary Works or services for the merged area.
 6. The Specified Area created by this Bylaw may be enlarged or reduced in accordance with section 649 of the *Local Government Act*.
 7. This Bylaw may be cited as the "Port Clements East Sewer Extension Specified Area Establishment Bylaw No. 309, 2000".
- READ A FIRST TIME THIS 6th day of SEPTEMBER, 2000.
- READ A SECOND TIME THIS 6th day of SEPTEMBER, 2000.
- READ A THIRD TIME THIS 6th day of SEPTEMBER, 2000.
- FINALLY ADOPTED THIS 11th day of SEPTEMBER, 2000.

Joan Ann Allen
Mayor

John E. Nielsen
Chief Administrator