

HAMIOTA MUNICIPALITY

BY-LAW NO. 5/2015

Being a By-law of the Hamiota Municipality to establish a rate for police and recreation services as a special service in the urban community of Hamiota (formerly the Town of Hamiota) for the year 2015

WHEREAS the Council of Hamiota Municipality has prepared Special Service Plan No. 001 to establish a rate for police and recreation support services as a special service pursuant to Part 10 of *The Municipal Act*;

AND WHEREAS the requirements as prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with.

The Municipal Act states as follows:

Definition

310 In this Division, "**potential taxpayer**", in relation to a local improvement plan or by-law or a special services proposal or by-law, means a person who would, if the local improvement or special service were approved by by-law, be liable to pay for the local improvement or special service

Special service

312 If approved by by-law, a municipality may provide, as a special service to all or part of a municipality, one or more of the following:

- (a) highway construction and maintenance;
- (b) snow removal and dust control;
- (c) tree planting or control of a plant or tree disease;
- (d) grass and weed cutting and control;
- (e) the collection and transportation of waste or recyclable materials;
- (f) incentives to health care professionals to practise their professions in the municipality;
- (g) recreation support services;
- (h) street lighting;
- (i) fire and police protection services;
- (j) business improvement area services;
- (k) drainage construction and maintenance;
- (l) maintenance or operation of a local improvement.

Plan or proposal

313 A municipality must prepare a local improvement plan or special service proposal if the local improvement or special service has been

- (a) proposed by the council;
- (b) requested by the committee of a local urban district; or
- (c) requested in a petition to the council signed by at least 2/3 of the potential taxpayers under the plan or proposal.

Content of proposal

314 A special service proposal must

- (a) describe the proposed service;
- (b) describe the area of the municipality to which the service is to be provided and in respect of which the special services tax is to be imposed;
- (c) state the estimated cost of the service; and
- (d) state the proposed method and rate to be used for calculating the special service tax.

Basis for calculating taxes

316(1) Local improvement taxes or special services taxes must be calculated on the basis of one or more of the following:

- (a) the portioned value of assessable property that is real property;
- (b) the annual rental value of premises as assessed for the purpose of a business tax;
- (c) an amount for each unit of area of the lands benefited by the improvement or service;



- (d) an amount for each unit of frontage of the lands benefited by the improvement or service;
- (e) an amount for each business;
- (f) an amount for each parcel of land.

NOW THEREFORE BE IT RESOLVED the Hamiota Municipality duly assembled enacts as follows:

THAT pursuant to subsection 320 (1) of the Municipal Act, Hamiota Municipality approves Special Service Plan No. 001 attached hereto as Schedule "A".

THAT the Hamiota Municipality levy an annual special services tax upon all taxable properties and grant-in-lieu as included in the annual assessment roll of the Hamiota Municipality.

DONE AND PASSED by the Council of Hamiota Municipality in regular session assembled at the Council Chambers in the Hamiota in the Province of Manitoba, this ____ day of _____ 2015

Reeve

Chief Administrative Officer

READ a first time this day of _____, 2015

READ a second time this day of _____, 2015

READ a third time this day of _____, 2015



HAMIOTA MUNICIPALITY
SCHEDULE "A" TO BY-LAW NO. 5/2015
SPECIAL SERVICES PLAN NO. 001

Establishing a rate for police and recreation services as a special service within Hamiota Municipality

DESCRIPTION OF PROPOSED SPECIAL SERVICE

Hamiota Municipality provides for police and recreation services to all properties within the boundaries of Hamiota Municipality. Under By-Law No. 1/2013 the Town of Hamiota shifted the cost of these services from the Town's general mill rate to a special service per parcel rate. The Town of Hamiota and the Rural Municipality of Hamiota amalgamated effective January 1, 2015 under Regulation 122/2014 to form Hamiota Municipality. Under this Plan as By-Law No. 1/2013 expired at the end of 2014, Council is proposing to continue the per parcel levy on the former Town for the year 2015.

SPECIAL SERVICE AREA TO BE LEVIED

The Special Service Tax will be levied on all rateable property – taxable and grant-in-lieu within urban community(former Town of Hamiota) in Hamiota Municipality limits as described in Schedule "B" attached hereto.

ESTIMATED COST OF THE SPECIAL SERVICES

The estimated cost of the Special Service Plan for 2015 as follows

SERVICE	GROSS EXPENSE	REVENUE	NET LEVY
Police Services	148000.00	1000.00	147000.00
Recreation	30000.00	0.00	30000.00
TOTAL			177000.00

2015	177,000.00
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METHOD AND RATE OF CALCULATING THE SPECIAL SERVICES TAX

Method of and Rate of Calculating the Special Services Tax shall be a flat rate equally applied to each eligible property. The rate will be established by dividing the entire expense by the amount of eligible properties.

In 2015 the Town of Hamiota has 442 taxable properties divided by the total expense of \$177,000.00 equals a levy of \$400.45 per parcel.

Tom Mollard
Chief Administrative Officer
Hamiota Municipality

