

## HAMIOTA MUNICIPALITY

### BY-LAW NO. 2/2017

**Being** a By-law of the Hamiota Municipality to establish a rate, in the urban community of Hamiota, for Garbage Collection, Recycling Collection, Street lighting, Sidewalk Construction, Road Maintenance and Landfill operations as a special service for the year 2017 and 2018;

WHEREAS the Council of Hamiota Municipality has prepared Special Services Plan No. 002 to establish a rate for highway construction and maintenance, collection of garbage and recycling, street lighting and landfill operation 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;
- (e) the collection and transportation of waste or recyclable materials;
- (h) street lighting;
- (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.

#### By-law to approve plan or proposal

**320(1)** Subject to subsections (2) to (6) and subsection 321(4), a council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and



(b) authorize the municipality to impose taxes as set out in the plan or proposal.

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

1. THAT pursuant to subsection 320 (1) of *The Municipal Act*, Hamiota Municipality approves Special Service Plan No. 002 attached hereto as Schedule "A".
2. THAT the Hamiota Municipality levy an annual special services tax upon all taxable and grant-in-lieu properties as included in the annual assessment roll of the urban community of Hamiota within 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 \_\_\_\_\_ 2017

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Reeve

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Chief Administrative Officer

READ a first time this day of \_\_\_\_\_, 2017

READ a second time this day of \_\_\_\_\_, 2017

READ a third time this day of \_\_\_\_\_, 2017



**HAMIOTA MUNICIPALITY**  
**SCHEDULE "A" TO BY-LAW NO. 2/2017**  
**SPECIAL SERVICES PLAN NO. 002**

Pursuant to Section 314 of The Municipal Act

Establishing a rate for Garbage Collection, Recycling Collection, Street lighting, Sidewalk Construction, Road Maintenance and Landfill operation services as a special service within the urban community of Hamiota within Hamiota Municipality

**A. DESCRIPTION OF PROPOSED SPECIAL SERVICE**

Hamiota Municipality provides for Garbage Collection, Recycling Collection, Street lighting, Sidewalk Construction, Road Maintenance and Landfill services to all properties within the boundaries of Hamiota Municipality.

This proposal will replace Special Service By-law No. 3/2016 which expired at the end of 2016. Under this Plan, to continue to minimize any tax shift with amalgamation, Council is proposing these costs remain a special service mill rate to be levied on the former Town for the years 2017 and 2018;

**SPECIAL SERVICE AREA TO BE LEVIED**

The Special Service Tax will be levied on all rateable property – taxable and grant-in-lieu and otherwise exempt property in the urban community of Hamiota (formerly Town of Hamiota) within Hamiota Municipality limits.

**ESTIMATED COST OF THE SPECIAL SERVICES**

The estimated cost of the Special Service Plan for 2017 and 2018 as follows

<b>SERVICE</b>	<b>GROSS EXPENSE</b>
Garbage Collection	47,700.00
Recycling Collection	30,400.00
Streetlighting	22,500.00
Sidewalk Construction & Maintenance	12,500.00
Road Maintenance & Reconstruction	56,300.00
Fire Protection	20,000.00
Landfill	20,000.00
<b>TOTAL</b>	<b>209,400.00</b>

**METHOD AND RATE OF CALCULATING THE SPECIAL SERVICES TAX**

Method for Calculating the Special Services Tax shall be based on the portioned value of assessable property in the urban community of Hamiota. The rate will be established by dividing the entire expense by the assessment.

In 2016 the urban community of Hamiota in Hamiota Municipality has a portioned assessment 23,071,560 divided by the total expense of \$209,400.00 equals a levy of 9.076 mills.

Calculated on a residential property valued at \$100,000 (portioned 45,000) an estimated \$408.00 special service tax will be levied in 2017 and 2018.

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Tom Mollard  
 Chief Administrative Officer  
 Hamiota Municipality

