

## HAMIOTA MUNICIPALITY

### BY-LAW NO. 2019-02

**Being** a By-law to establish a rate, in the urban community of Hamiota, for police service, recreation service, garbage collection, recycling collection and transportation, street lighting, road maintenance and construction, fire protection, and landfill operations as a special service for the year 2019 and 2020;

**WHEREAS** the Council of Hamiota Municipality has prepared Special Services Plan No. 001 to establish a rate for police service, recreation service, garbage collection, recycling collection and transportation, street lighting, road maintenance and construction, fire protection, and landfill operations 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;
- (g) recreation support services;
- (h) street lighting;
- (i) fire and police protection services;
- (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;
- (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. 001 attached hereto as Schedule "A".
2. THAT the Hamiota Municipality levy an annual special services tax upon all taxable and grant-in-lieu properties within the urban community of Hamiota in the Hamiota Municipality as hereby attached in Schedule "B".

**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 5<sup>th</sup> day of June 2019.

  
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Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

READ a first time this 3<sup>rd</sup> day of June, 2019

READ a second time this 5<sup>th</sup> day of June, 2019

READ a third time this 5<sup>th</sup> day of June, 2019

**HAMIOTA MUNICIPALITY**  
**SCHEDULE "A" TO BY-LAW NO. 2019-02**  
**SPECIAL SERVICES PLAN NO. 001**

Pursuant to Section 314 of The Municipal Act

Establishing a rate for police service, recreation service, garbage collection, recycling collection and transportation, street lighting, road maintenance and construction, fire protection, and maintenance or operation of a local improvement as a special service within the urban community of Hamiota within Hamiota Municipality

**DESCRIPTION OF PROPOSED SPECIAL SERVICE**

Hamiota Municipality provides for police service, recreation service, garbage collection, recycling collection and transportation, street lighting, road maintenance and construction, fire protection, and maintenance or operation of a local improvement to all properties within the boundaries of Hamiota Municipality.

Under By-Law No. 6-2015 Hamiota Municipality shifted the cost of highway construction and maintenance, collection of garbage and recycling, street lighting and maintenance or operation of a local improvement from the general mill rate to a special service rate on the urban community. The By-Law was succeeded by By-Laws 3/2016, and 2/2017 which expired at the end of 2018.

Under By-Law No. 1/2013 the former Town of Hamiota shifted the cost of police and recreation services from the general mill rate to a special service per parcel rate. The By-Law was succeeded by By-Laws 2-2015, 2/2016, and 1/2017 which expired at the end of 2018.

Council is proposing to consolidate and continue the special service levy on the urban community (former Town) for the year 2019 and 2020.

**SPECIAL SERVICE AREA TO BE LEVIED**

The Special Service Tax will be levied on all rateable property – taxable and grant-in-lieu 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 2019 and 2020 as follows

SERVICE	PER PARCEL	MILL RATE	GROSS EXPENSE
Police	148,000.00		148,000.00
Recreation		32,000.00	32,000.00
Garbage Collection	34,000.00	6,000.00	40,000.00
Recycling Collection & Transportation	21,300.00	38,700.00	60,000.00
Streetlighting		20,000.00	20,000.00
Road Maintenance & Construction		75,000.00	75,000.00
Fire Protection		45,000.00	45,000.00
Landfill		40,000.00	40,000.00
<b>TOTAL</b>	<b>203,300.00</b>	<b>256,700.00</b>	<b>460,000.00</b>

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

Method for Calculating the Special Services Tax shall be an equal amount per parcel of land and an amount based on the portioned value of assessable property in the urban community of Hamiota. The rate will be established by dividing the expense by the number of properties and assessment.

In 2019 the urban community of Hamiota in Hamiota Municipality has 428 properties with a portioned assessment of 24,154,310. Dividing the expense of \$203,300 by the 428 properties equals a levy of \$475.00 per parcel. Dividing the \$256,700 expense by the assessment equals a levy of 10.628 mills.

Calculated on a residential property valued at \$100,000 (portioned 45,000) an estimated \$953.26 (\$475.00 flat plus \$478.26 on mill rate) special service tax will be levied.

  
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Tristan Urquhart  
Chief Administrative Officer  
Hamiota Municipality

