

BYLAW 6271

OF THE CITY OF LETHBRIDGE
(hereinafter referred to as "the Municipality")
IN THE PROVINCE OF ALBERTA

This bylaw authorizes the Council of the Municipality to impose a local improvement tax in respect of all lands that directly benefit from the Lane Paving Petition No. LP 19-03, local improvement project.

WHEREAS:

The Council of the Municipality has decided to issue a bylaw pursuant to Section 397 of the *Municipal Government Act* to authorize a local improvement tax levy to pay for the Lane Paving Petition No. LP-19-03, local improvement project.

A local improvement plan has been prepared and the required notice of the project given to the benefiting owners in accordance with the attached Schedule A and Schedule B and no sufficient objection to **Lane Paving Petition No. LP-19-03**, local improvement project has been filed with the Municipality's Chief Administrative Officer.

The Council has decided to set a uniform tax rate based on the number of units of frontage assessed against the benefiting owners.

Plans and specifications have been prepared, the work has been completed and the total cost of the project was \$55,560.60 and the local improvement plan provides that the benefiting owners shall be responsible for that amount.

The local improvement tax will be collected for Ten (10) years with interest not exceeding Eight (8) per centum per annum, payable annually. The total amount levied annually against the benefiting owners is \$5,956.20.

All required approvals for the project were obtained and the project is in compliance with all *Acts and Regulations* of the Province of Alberta.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. That for the purpose of completing **Lane Paving Petition No. LP 19-03**, local improvement project, the sum of FIFTY-FIVE THOUSAND FIVE HUNDRED SIXTY DOLLARS AND SIXTY CENTS (\$55,560.60) be collected by way of an annual, uniform local improvement tax rate assessed against the benefiting owners as provided in Schedule A and B attached.

2. The net amount levied under the bylaw shall be applied only to the local improvement project specified by this bylaw.
3. This bylaw comes into force on the date it is passed.

READ A FIRST TIME this 23rd day of February A.D. 2021

C.A. Spear
MAYOR

Bonnie L. Helph
CITY CLERK

READ A SECOND TIME this 9th day of March, A.D. 2021

C.A. Spear
MAYOR

Bonnie L. Helph
CITY CLERK

READ A THIRD TIME this 9th day of March, A.D. 2021

C.A. Spear
MAYOR

Bonnie L. Helph
CITY CLERK

LOCAL IMPROVEMENT TAX
CITY OF LETHBRIDGE
SCHEDULE "A" TO BYLAW 6271

RESIDENTIAL LOCAL IMPROVEMENT LANE PAVING CALCULATION

1	Properties to be assessed as per attached	10
2	Total Cost	\$55,560.60
3	Total Assessable Footage	540.00
4	Cash Price per Assessable Foot	\$102.89
5	Annual Unit Rate per front foot of Frontage to be payable for a 10 year period@ 1.2880%	11.03
6	Total yearly assessment against all of the above Properties	\$5,956.20

Schedule "B"

2020 LOCAL IMPROVEMENTS
LANE PAVING

Petition No. Representative	Legal Description	Municipal Location (Lane located between...)	Date Validated	Letter of Intent	Assessed Frontage Ft.	Cost/foot \$102.89	# Properties
LP-19-03	Plan 4160AA Block 5 Lots 1-20	10 A Avenue South and 11 Avenue South 16 Street South and 17 Street South	2-May-19	3-May-19	540.00	\$55,560.60	10

Totals: 540.00 \$55,560.60 10

LOCAL IMPROVEMENT VALIDATION PROCESS

1. Before a local improvement petition is filed with the Assessment and Taxation Department the following checklist will be completed and attached to the petition:

Checklist:

- a) Date petition initiated: April 29, 2019
- b) Date petition is filed: May 2, 2019
- c) Date of signature by first petitioner: April 29, 2019
- d) Number of day's petitioner first signed to filing with CAO: 4
- e) Total number of properties in proposed LI area: 10
- f) 2/3 number of affected property owners: 7
- g) Number of properties with signatures: 8
- h) Number of valid signatures: 7
- i) % of valid signatures: 70%
- j) Assessed value of valid signatures: 1,442,600
- k) Assessed value of total LI petition area: 1,988,500
- l) % of assessed value of valid signatures: 72.5%
- m) Date declaration to Council: May 13, 2019
- n) Date notification of LI plan mailed: May 3, 2019
- o) Date of petition objection: _____
- p) Date of Declaration to Council on petition of objection if applicable _____

2. A petition is sufficient if it meets the requirements of sections 224 to 226, 392 and 396 of the Municipal Government Act.

3. **Report** on sufficiency of petition - within 30 days after the date on which a petition is filed, the chief administrative officer must make a declaration to the council or the Minister on whether the petition is sufficient or insufficient.

4. If a petition is declared insufficient; it will not be returned to the original petitioner for further work in order to have the petition declared sufficient

May 3, 2019

«NAME1»
«NAME2»
«MAILING_ADDRESS»
«MAILING_ADDRESS1»

Dear property owner:

Property Address: «PROP_ADDRESS»
Roll#: «Folio»

RE: NOTICE OF INTENTION TO PAVE A LANE LP-19-03

A petition in favor of paving your lane has been agreed to by the majority of the adjacent property owners. A map of your lane is attached and illustrates all the properties abutting the lane. When a property abuts a local improvement, the owners of that property are responsible to pay for that improvement, based on the assessable footage of their property.

Footage:

The Assessment & Taxation Department has calculated the assessable footage for your property to be «FRONTAGE» feet.

Estimated Cost:

The projected cost for lane paving is **estimated** to be \$75.00 per assessable foot. Your cost is calculated as follows: «FRONTAGE» X \$75.00 = \$«TOTAL».

Payment:

You may choose one of the following methods of payment:

1. Payment in full, upon receipt of a "Payout Notice" in the year following paving.
2. Annual installments for a period of 10 years. This amount will include interest per annum and would be included on your property tax bill following construction of the project and each subsequent year up to 10 years.

You have the right to petition against this lane paving within 30 days of this notice.

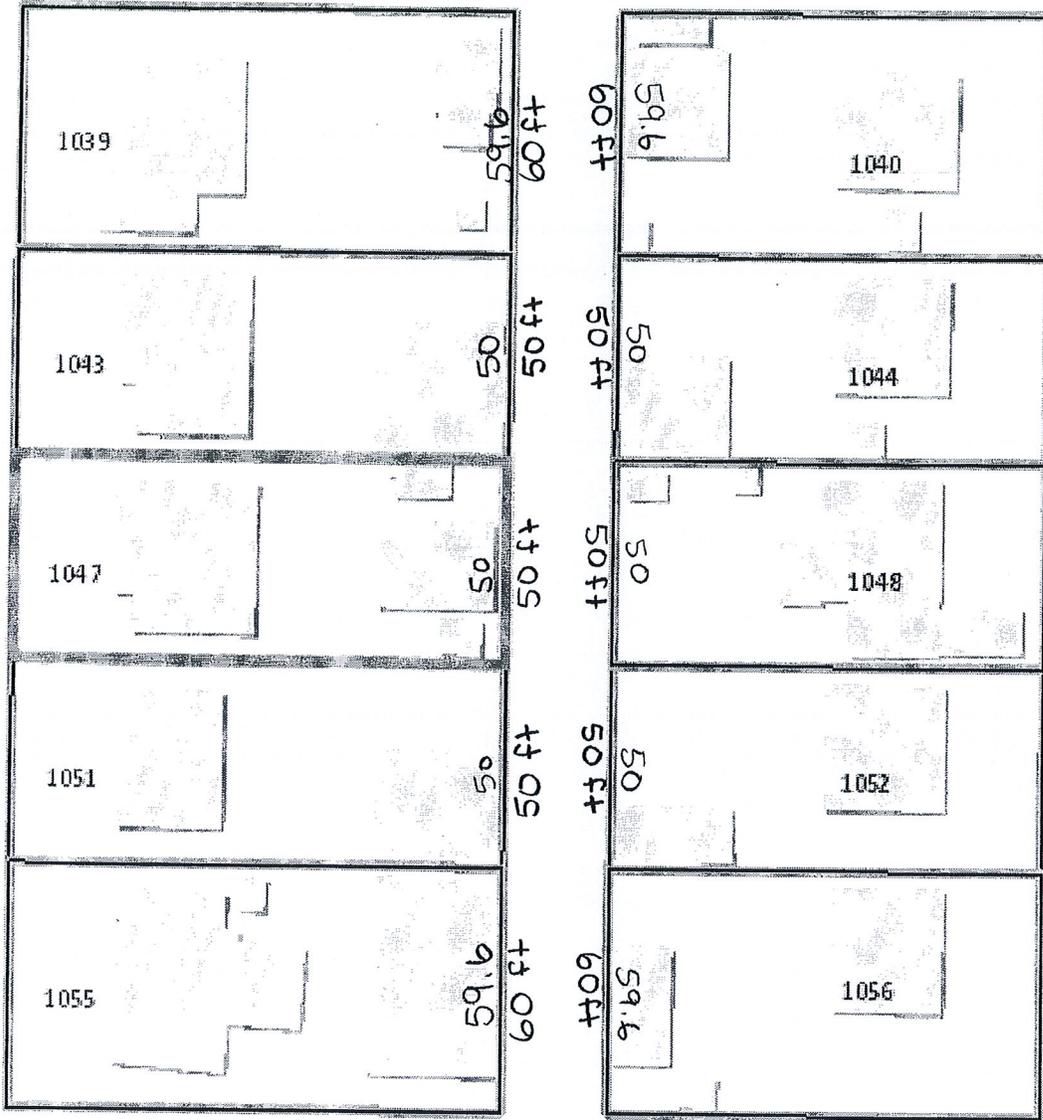
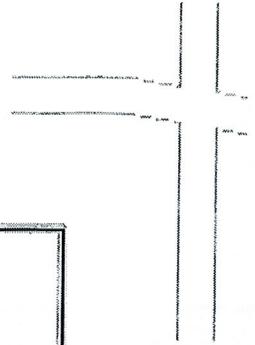
If you have any questions or concerns relating to the petition, please contact Infrastructure Services at 403-320-3076. Should you have any questions related to the footage calculations, please contact the Assessment & Taxation Department at 403-320-3950.

Yours Sincerely,



Larry Laverty
City Assessor

10 A Ave S



S + S

17 S + S

11 Ave S



CITY OF
Lethbridge

REQUEST FOR DECISION

Date of Meeting: June 10, 2019

Subject: Sufficiency of a Petition for a Local Lane Improvement between 16th and 17th Street South and 10 'A' and 11th Avenue South

Submitted By: Larry Laverty, Assessment & Taxation Manager

Recommended Action:	This submission be received as information.
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Executive Summary: Under Section 226 of the Municipal Government Act (MGA), the Chief Administrative Officer must make a declaration to City Council on whether a petition is sufficient or not within 45 days from the date it is filed. This responsibility has been delegated to the Assessment and Taxation Manager.

Rationale: On May 2, 2019, a petition was filed to construct paving on the lane located between 16 and 17 Street South and 10 'A' and 11 Avenue South. This local improvement petition has been signed by two thirds of the property owners whose property represent at least half of the value of assessments liable to pay the local improvement tax. The petition has been declared sufficient in accordance with Part 7 and 10 of the MGA. City Council may undertake the local improvement.

Financial: External borrowing is not required for this local improvement. When the actual costs are finalized City Council must pass a Local Improvement Tax Bylaw authorizing a local improvement tax levy on the properties abutting the lane paving to raise revenue to pay for the local improvement.

Legal: Under Section 226 of the MGA, City Council is hereby notified that the petition for a local improvement for paving of the lane located between 16 and 17 Street South and 10 'A' and 11 Avenue South is declared sufficient.

Attachments:

- Attachment 1 - Map

Department Director:	Hailey Pinksen
City Treasurer:	
City Solicitor:	
City Manager:	Bramwell Strain



CITY OF
Lethbridge

Assessment & Taxation
Department

February __, 2021

«NAME1»
«NAME2»
«ADD_L1»
«ADD_L2»

Dear Property Owner:

Property Address: «PROP_ADDRESS»
Roll # «Folio»
LP-19-03

RE: LOCAL IMPROVEMENT PAYOUT NOTICE

Your property has recently been improved by the installation of lane paving. Repayment of these costs by the property owner is calculated over a 10 year period plus interest at the rate of «INTEREST»%. This amount is then added to your yearly tax bill shown as Local Improvement.

If you disagree with this assessment, you may appeal in writing to the Assessment Review Board. It should be noted that the rates per foot cannot be appealed.

The **one-time payment** levied against the above address if you wish to prepay is:

«TAXABLE» feet X \$«COST» per chargeable footage = \$«TOTAL» **total payment (one-time)**

Or if you choose to pay over ten years, the **yearly installment** starting this tax year, which includes interest, will be:

«TAXABLE» feet X \$«ANNUAL» per foot = \$ «M_2013Pmt» **per year (yearly installment)**

Should you wish to save these interest charges, the one-time payment should be received by **May 4, 2021** to avoid the yearly installment amount levied on your annual property tax notice commencing this year. Payout of the local improvement can be made at any time and interest will be adjusted according to the payout date.

Yours Sincerely,

Larry Laverty
City Assessor

Assessment & Taxation Department
Phone 403-320-3950
City Hall 910 4 Ave S Lethbridge, AB T1J 0P6
www.lethbridge.ca

LP-19-03

Property Address	Frontage	Estimate	Estimated	Actual Cost*	Total Actual
		Cost*	Total		Cost
1039 16 ST S	60.0	\$ 75.00	\$ 4,500.00	\$ 102.89	\$ 6,173.40
1043 16 ST S	50.0	\$ 75.00	\$ 3,750.00	\$ 102.89	\$ 5,144.50
1047 16 ST S	50.0	\$ 75.00	\$ 3,750.00	\$ 102.89	\$ 5,144.50
1051 16 ST S	50.0	\$ 75.00	\$ 3,750.00	\$ 102.89	\$ 5,144.50
1055 16 ST S	60.0	\$ 75.00	\$ 4,500.00	\$ 102.89	\$ 6,173.40
1040 17 ST S	60.0	\$ 75.00	\$ 4,500.00	\$ 102.89	\$ 6,173.40
1044 17 ST S	50.0	\$ 75.00	\$ 3,750.00	\$ 102.89	\$ 5,144.50
1048 17 ST S	50.0	\$ 75.00	\$ 3,750.00	\$ 102.89	\$ 5,144.50
1052 17 ST S	50.0	\$ 75.00	\$ 3,750.00	\$ 102.89	\$ 5,144.50
1088 CANYON BLVD W	60.0	\$ 75.00	\$ 4,500.00	\$ 102.89	\$ 6,173.40
	540.0		\$ 40,500.00		<u>\$ 55,560.60</u>

* Estimated and Actual Costs provided by Transportations Operations Department