THE CITY OF WINNIPEG

BY-LAW NO. 7958/2002

A By-law of THE CITY OF WINNIPEG to impose and fix frontage rates and to provide for their collection and expenditure.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Short Title

1. This By-law may be referred to as "The Frontage Levy By-law."

Definitions

2. In this By-law,

"Chief Financial Officer" means the Chief Financial Officer of the City of Winnipeg or designate.

"Frontage" means that side or limit of a property that abuts directly on a street containing a main of the City's waterworks and, when a property abuts on two intersecting streets containing mains of the City's waterworks, means the shorter of its sides or limits abutting on those streets.

"Fronting" includes "abutting".

"Property" means land or buildings or both or any part thereof.

"Sewer" has the same meaning as it has in the Sewer By-law.

"Special waterworks connection" means a connection to the City's waterworks of a property that does not front on a street containing a main of the City's waterworks.

"Streets" includes roads, road allowances, lanes, bridges, thoroughfares and other places or ways that the public is ordinarily entitled or permitted to use for the passage of vehicles.

"Waterworks" includes water mains and sewer mains.

Frontage levy for properties fronting on water mains

3. (1) A rate of $.65 per foot of frontage is hereby imposed annually on all properties fronting on streets in which water mains have been or are placed.

Frontage levy for properties fronting on sewer mains

(2) A rate of $1.90 per foot of frontage is hereby imposed annually on all properties fronting on streets in which sewer mains have been or are placed.

Application clarified

(3) For greater certainty, where a property fronts on a street containing both water and sewer mains, the rates imposed by both subsections (1) and (2) apply.

Frontage determined

4. The Chief Financial Officer shall determine the frontage of a property

(a) by calculating the extent to which a property fronts on streets that contain mains of the City's waterworks; or

(b) where inequities would result from the application of clause (a) for groups of irregularly-shaped properties, by apportioning the frontage among the properties on an equitable basis.

No levy imposed until a year after installation of main

5. (1) Frontage rates will not be imposed on a property until the calendar year following the installation of a main of the City's waterworks in the street on which the property fronts.

Levy imposed regardless of use

(2) Frontage rates are imposed regardless of whether the property is vacant or is not connected with the mains of the City's waterworks or does not use or receive services from such waterworks.

Levy imposed for special connections

(3) A frontage rate applies to properties serviced by special waterworks connections as if those properties fronted on streets containing mains of the City's waterworks.

Process for imposing frontage rates

6. The Tax Collector shall determine the frontage rates payable for each property and shall enter the amount of the rates in the rolls against the property in the same manner as ordinary rates and taxes.

Process for collecting frontage rates

7. The frontage rates imposed under this By-law shall be collected in the same manner and otherwise treated as ordinary rates and taxes imposed on land.

Expenditures of frontage rates

8. The money from the rates imposed under section 3 may be used for the repair and replacement of:

(a) water and sewer mains; and

(b) streets and sidewalks in residential areas.

By-law 549/73 repealed

9. The Frontage By-law No. 549/73 is hereby repealed.

Coming into force

10. This By-law comes into force on January 1, 2002.

DONE AND PASSED, in Council assembled, this day of , 2002.

_____
Mayor

_____
City Clerk

Approved as to content and
financial details:

_____
City Treasurer

Certified as to form:

_____
for City Solicitor/Manager of
Legal Services
File No. W.3.6.