THE CITY OF WINNIPEG

BY-LAW NO. 40/2012

A By-law of THE CITY OF WINNIPEG to amend the Local Improvement Regulation By-law

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

Local Improvement Regulation By-law amended

1 The Local Improvement Regulation By-law No. 98/72 is amended by this By-law.

Section 4.1 replaced

2 Section 4.1 is replaced with the following:

4.1 ***WASTEWATER SEWERS***

(1) When a wastewater sewer has been constructed as a local improvement, local improvement taxes shall be imposed on all parcels of land fronting on the street or streets in which the wastewater sewer was constructed or which are otherwise served by the wastewater sewer, including parcels of land served by the wastewater sewer on their flankage only.

(2) The local improvement taxes referred to in subsection (1) shall be calculated by multiplying the rate determined in accordance with subsections (3) and (4) against the total number of feet of frontage of each parcel of land which fronts on or is served by wastewater sewers concerning which notices were given under section 409 of The City of Winnipeg Charter in a calendar year, taking into account any allowances provided by by-law or variations imposed pursuant to section 13.

(3) Subject to subsection (4), the rate for calculating the local improvement taxes imposed under subsection (1) shall be determined by dividing the actual costs of constructing all wastewater sewers concerning which notice was given under section 409 of The City of Winnipeg Charter in that calendar year by the total number of frontage feet of all parcels of land referred to in subsection (1) fronting on or served by those wastewater sewers, taking into account any allowances provided by by-law.

(4) Notwithstanding subsection (3), the rate referred to in subsections (2) and (3) shall not exceed the rate set out in Column A of Table 1, set out below, for the year set out in Column B in which notice was given under section 409 of The City of Winnipeg Charter with respect to construction of the wastewater sewer as a local improvement.

TABLE 1

Column A Maximum rate (multiplied by frontage feet)	***Column B Year in which project was authorized***
$110.00	*2012*
$116.00	*2013*
$122.00	*2014*

(5) The City of Winnipeg is responsible for any costs in respect of the construction of a wastewater sewer that exceeds the local improvement taxes imposed under this section.

(6) Where land is connected to an existing wastewater sewer, and where local improvement taxes have never been paid for that land in respect of a wastewater sewer, the owner of the land must pay to the City a sum equivalent to the local improvement taxes that would have been imposed on the land under this By-law if notice have been given in respect of the construction of the wastewater sewer as a local improvement in the year in which the land was connected with the wastewater sewer.

Section 5 replaced

3 Section 5 is replaced with the following:

5 WATERMAINS

(1) When a watermain has been constructed as a local improvement, local improvement taxes shall be imposed on all parcels of land fronting on the street or streets in which the watermain was constructed or which are otherwise served by the watermain, including parcels of land served by the watermain on their flankage only.

(2) The local improvement taxes referred to in subsection (1) shall be calculated by multiplying the rate determined in accordance with subsections (3) and (4) against the total number of feet of frontage of each parcel of land which fronts on or is served by watermains concerning which notices were given under section 409 of The City of Winnipeg Charter in a calendar year, taking into account any allowances provided by by-law or variations imposed pursuant to section 13.

(3) Subject to subsection (4), the rate for calculating the local improvement taxes imposed under subsection (1) shall be determined by dividing the actual costs of constructing all watermains concerning which notice was given under section 409 of The City of Winnipeg Charter in that calendar year by the total number of frontage feet of all parcels of land referred to in subsection (1) fronting on or served by those watermains, taking into account any allowances provided by by-law.

(4) Notwithstanding subsection (3), the rate referred to in subsections (2) and (3) shall not exceed the rate set out in Column A of Table 1, set out below, for the year set out in Column B in which notice was given under section 409 of The City of Winnipeg Charter with respect to construction of the watermain as a local improvement.

TABLE 1

Column A Maximum rate (multiplied by frontage feet)	***Column B Year in which project was authorized***
$110.00	*2012*
$116.00	*2013*
$122.00	*2014*

(5) The City of Winnipeg is responsible for any costs in respect of the construction of a watermain that exceeds the local improvement taxes imposed under this section.

(6) Where land is connected to an existing watermain, and where local improvement taxes have never been paid for that land in respect of a watermain, the owner of the land must pay to the City a sum equivalent to the local improvement taxes that would have been imposed on the land under this By-law if notice have been given in respect of the construction of the watermain as a local improvement in the year in which the land was connected with the watermain.

DONE AND PASSED, this 22nd day of February, 2012.

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Mayor

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City Clerk

Approved as to content:

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Director of Water and Waste

Approved as to form:

By-law No.

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For Director of Legal Services/City Solicitor