

By-Law No. 29-02

A BY-LAW OF LEDUC COUNTY TO AUTHORIZE A LOCAL IMPROVEMENT TAX IN RESPECT OF LANDS BENEFITTING FROM THE INSTALLATION OF A MUNICIPAL WASTEWATER COLLECTION AND TREATMENT SYSTEM IN THE HAMLET OF LOOMA (THE "LOCAL IMPROVEMENT PROJECT").

WHEREAS the Local Improvement Project has been authorized by the municipal Council of the Leduc County as a local improvement project as described in Schedule "A" attached hereto and forming part of this By-Law;

AND WHEREAS the lands that will benefit from the Local Improvement Project are described in Schedule "B" attached hereto and forming part of this By-Law and shall bear the local improvement tax imposed by this By-Law;

AND WHEREAS the persons and corporations listed in Schedule "B" and their successors in title shall pay the local improvement tax established by the By-law in equal annual installments over the period which the cost of the Local Improvement Project will be spread;

AND WHEREAS the local improvement tax is to be based on assessments prepared in accordance with Part 9 of the Municipal Government Act R.S.A. 2000, c.M-26;

AND WHEREAS the estimated cost of the Project is \$578,731.25.

AND WHEREAS the cost of the Local Improvement Project will be spread over TWENTY (20) years;

AND WHEREAS funding for the Local Improvement Project shall include \$172,755.25 from the Local Improvement Tax, \$318,750.00 from the Alberta Municipal Water/Wastewater Partnership and \$87,226.00 from the Infrastructure Canada-Alberta Program;

THEREFORE, THE COUNCIL OF LEDUC COUNTY DULY ASSEMBLED ENACTS AS FOLLOWS:

1. A local improvement tax is hereby imposed at the rates and on the lands described in Schedule "A" attached hereto and forming part of this By-Law.
2. The local improvement tax hereby imposed shall be paid in equal payments during each year over which the cost of the Local Improvement Project will be amortized being TWENTY (20) years commencing in 2004.
3. Notwithstanding Section 2 above, the Persons liable to pay the local improvement tax will have the option of paying, in advance, their portion of the costs of the Local Improvement Project in one lump sum payment.
4. The By-Law shall take effect on the date of the final passing thereof.

DONE AND PASSED in open Council assembled at Nisku, in the Province of Alberta, this 8th day of October A.D., 2002.

Read a first time this 8th day of October, A.D., 2002.

Read a second time this 8th day of October, A.D., 2002.

Read a third time with the unanimous consent of the Council Members present and finally passed this 8th day of October, A.D., 2002.

Edward Chubocka

REEVE

SEAL

Allen Majeski

COUNTY MANAGER

Schedule "A"
By-Law No. 29-02

LOCAL IMPROVEMENT PLAN

**INSTALLATION OF A MUNICIPAL WASTEWATER COLLECTION AND
TREATMENT SYSTEM IN THE HAMLET OF LOOMA**

Description of the Proposed Local Improvement

The proposed "Local Improvement" consists of the installation of a municipal wastewater collection and treatment system to service the Hamlet of Looma located in the SE 35-50-23-W4. The municipal wastewater system is proposed to include approximately 850 metres of 200 mm diameter sanitary sewer main and 275 metres of 75 mm diameter force main, a lagoon, a lift station, and 100 mm diameter sanitary sewer service connections installed to property line for each developable parcel within the benefiting area of the Local Improvement. A sanitary sewer connection would not be installed for properties less than 0.20 acres (.081 hectares) that are considered undevelopable.

The area affected by the proposed Local Improvement will be the area within the Hamlet of Looma bounded by:

- The Highway 21 road allowance on the east;
- The Canadian National Railway (CNR) right of way on the south and the west;
- The quarter section line on the north, and

will include an irregular panhandle-shaped parcel of land approximately 25 acres in area in the SE 35-50-23-W4 bounded by Highway 21 on the east, the CNR on the north, and the section line on the south.

The attached map outlines the area affected by the Local Improvement and the location of the of the proposed sanitary sewer main, sewage lagoon and outfall structure.

The Local Improvement will be constructed over a period of one calendar year.

Identification of the Affected Properties and Persons liable to pay the Local Improvement Tax

The proposed Local Improvement Tax will be imposed on all of the parcels in the affected area (except as otherwise noted) and the registered owners of those parcels will be liable to pay the Local Improvement Tax. Attached is a complete list of the affected properties, the persons liable to pay the Local Improvement Taxes and the amount of the tax to be imposed against each parcel. The annual payments on a 20-year amortization will be dependent upon the interest rate obtained by the County when it borrows the money to finance the Local Improvement. No Local Improvement Tax will be imposed on parcels of less than 0.20 acres (0.081 hectares) that are considered undevelopable and will not benefit from the Local Improvement. Also no Local Improvement Tax will be imposed on parcels owned by the County that are not developable and that will not receive any benefit from the Local Improvement.

Basis for the Assessment of the Local Improvement Tax Rate

The project will be financed by a combination of grant funding from the Alberta Municipal Water/Wastewater Partnership and the Infrastructure Canada-Alberta Program, and a Local Improvement Tax based on the number of developable parcels of land within the affected area that would benefit from the Local Improvement. Since the Goods and Services Tax (GST) is not eligible for funding under Federal and Provincial grant programs, the net GST (after the municipal rebate) will be financed by the Local Improvement Tax. The amount of tax to be levied on each parcel will be based on the 17 developable parcels of land within the affected area.

Estimated Cost of the Local Improvement

The total cost of the Local Improvement, including 3% Net GST, is estimated to be \$578,731.25.

Period over which the Cost will be spread

Property owners will be given an option to pay their portion of the improvement costs in advance or to repay over a twenty-year period in annual installments.

Portion of the Cost Proposed to be paid

i.	By Leduc County	nil
ii.	From revenue raised by the Local Improvement Tax (Including 3% Net GST on the total project cost)	\$172,755.25
iii.	From other sources of revenue	
	a. Alberta Municipal Water/Wastewater Partnership	\$318,750.00
	<u>b. Infrastructure Canada-Alberta Program</u>	<u>\$87,226.00</u>
	Total Cost	<u>\$578,731.25</u>
	Tax assessed to each property = $\$172,755.25 \div 17 \text{ lots} =$	\$10,162.07 per lot

Schedule B

By-Law No. 29-02

HAMLET OF LOOMA
PROPOSED MUNICIPAL WASTEWATER COLLECTION AND TREATMENT SYSTEM
Landowner and Property Listing

Roll Number	Land Owner	Address	City	Province	Country	Postal Code	Pt. Section	Section	Township	Range	Meridian	Location	Plan	Block	Lot	Area (acres)	Area (hectares)	Total Assessment	Annual Payment @ 5.75% over 20 Yrs*
737010	656497 ALBERTA LTD	BOX 26, SITE 405, RR #4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma				30.850	12.485	\$10,162.07	\$868.08
737130	EVANS; EVAN G. & GISELA	BOX 12, SITE 405, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	8622687	1	6	0.520	0.210	\$10,162.07	\$868.08
737110	KONANZ; FRANK & VALERIE	BOX 6, SITE 405	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	1618 RS	1	4A	0.430	0.174	\$10,162.07	\$868.08
737040	LOOMA AUTOMOTIVE HOLDINGS	BOX 7, SITE 405, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma				5.650	2.287	\$10,162.07	\$868.08
737090	LOOMA GOOD DEED ASSOCIATION	BOX 22, SITE 4, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	6335 HW	1	2	0.450	0.182	\$10,162.07	\$868.08
737100	LOOMA GOOD DEED ASSOCIATION	BOX 22, SITE 4, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	6335 HW	1	3	0.440	0.178	\$10,162.07	\$868.08
737150	LYSOHIRKA; SHEILA I. & GERALD V.	SITE 405, BOX 25, RR#4	SHERWOOD PARK	AB	CANADA	T8A 4K4	SE	35	50	23	4	Looma	8622687	2	2	0.470	0.190	\$10,162.07	\$868.08
737140	MACEACHERN; TIMOTHY & INGRID	BOX 13, SITE 405, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	8622687	2	1	0.720	0.291	\$10,162.07	\$868.08
737120	MILLS; ERIC & INA	BOX 11, SITE 405, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	8622687	1	5	0.490	0.198	\$10,162.07	\$868.08
737180	PATMORE; DOUGLAS T.	RR#4, SITE 405, BOX 20	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	8622687	2	5	0.670	0.271	\$10,162.07	\$868.08
737030	SEIB; LAURIE G.H. & PATRICIA	BOX 9, SITE 405, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma				1.000	0.405	\$10,162.07	\$868.08
737020	SWIATEK; MARIUSZ	BOX 1, SITE 405, RR #4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma				0.660	0.267	\$10,162.07	\$868.08
737160	TREASURE; CRAIG	BOX 29, SITE 405, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	8622687	2	3	0.470	0.190	\$10,162.07	\$868.08
737170	TYMCHAK; GREGORY L.	836 MILLBOURNE ROAD E.	EDMONTON	AB	CANADA	T6K 0S4	SE	35	50	23	4	Looma	8622687	2	4	0.470	0.190	\$10,162.07	\$868.08
737080	VAN SICKLE; BARBARA A.	12240 - 86 STREET	EDMONTON	AB	CANADA	T5B 3K9	SE	35	50	23	4	Looma	6335 HW	1	1	0.450	0.182	\$10,162.07	\$868.08
737070	ZALUCKI; JOHN J. & SONIA L.	SITE 405, BOX 21, RR#4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	6335 HW		A	3.070	1.242	\$10,162.07	\$868.08
737190	ZBUDOVSKIJ; PAVEL & LUBOV	BOX 28, SITE 405, RR #4	SHERWOOD PARK	AB	CANADA	T8A 3K4	SE	35	50	23	4	Looma	8622687	3	1	0.470	0.190	\$10,162.07	\$868.08

17 = Total Number of Developable Properties

* Alberta Municipal Financing Corporation 20-year lending rate as at Sept. 1/02