

CITY OF CASTLEGAR

BYLAW 441

A bylaw to impose a frontage tax for water services.

WHEREAS the Municipal Act provides that Council may by bylaw impose a frontage tax on the owners of real property which is capable of being connected with a water main;

AND WHEREAS certain costs have been incurred by the City in providing water service to real property within the municipality;

AND WHEREAS it is deemed expedient and in the public interest to impose a frontage tax to meet the capital cost of providing water service;

NOW THEREFORE the Council of the City of Castlegar, in open meeting, enacts as follows:

1. This bylaw may be cited as the "Water Frontage Tax Bylaw".
2. In this bylaw:
 - (a) "actual frontage" means the distance which a parcel of land actually abuts on the work or highway;
 - (b) "Collector" means the person appointed by Council as Collector of the City of Castlegar;
 - (c) "frontage tax" means the frontage tax imposed pursuant to the bylaw;
 - (d) "municipality" means the City of Castlegar;
 - (e) "taxable frontage" means the actual frontage or, where applicable, the distance which a parcel of land is deemed to abut on the work or highway, and in respect of which parcel the frontage tax is levied for the work or service;
 - (f) "total actual frontage" means the sum of actual frontage of the parcels of land which actually abut on the work or highway;
 - (g) "total taxable frontage" means the sum of taxable frontage of the parcels of land which abut or are deemed to abut on the work or highway.
3. A frontage tax shall be and is hereby imposed upon the owners of land or real property within the municipality which is capable of being connected with any water main, whether or not the parcel of land is connected with a water main.
4. (1) The frontage tax shall be levied in each year on each parcel of land aforementioned and the amount thereof, except as otherwise provided in this bylaw, shall be the product of the taxable frontage and the annual rate.
(2) The annual rate shall be eighty cents (\$.80) per foot of taxable frontage.
5. The frontage tax shall be in force and in effect until the complete discharge and satisfaction by the municipality of all obligations presently incurred, and to be incurred, in respect of the aforesaid service.
6. For the purposes of this bylaw, the following total frontages have been initially determined from a study of the records of the water system and of the lands within the City:
 - (a) total actual frontage 363,486 feet;
 - (b) total taxable frontage 207,781 feet.

- 7. To place the frontage tax on a fair and equitable basis, the taxable frontage of the following parcels of land shall be the distance fixed by the Collector unless otherwise provided in this bylaw:
 - (a) a triangular or other irregularly shaped parcel of land;
 - (b) a parcel of land wholly or in part unfit for building purposes;
 - (c) a parcel of land that does not abut on the work or highway but is nevertheless deemed to abut on the work or highway;
 - (d) a parcel of land which not only abuts on a water main but is also traversed by the water main; and
 - (e) a parcel of land situated at the junction or intersection of two highways where the work or service is provided on or along one, or more than one, side of the parcel.
- 8. The Collector, in fixing the taxable frontage under Section 7 shall have due regard to the condition, situation, value and superficial area of the parcel compared with other parcels of land, or to the benefit derived from the work or service, to bring the frontage tax, when imposed, to a fair and equitable basis.
- 9. For the purpose of this bylaw:
 - (a) the taxable frontage of any parcel shall not be less than thirty (30) feet;
 - (b) the taxable frontage of any parcel shall not exceed five hundred (500) feet;
 - (c) corner lots shall be deemed to have the frontage of their shorter road boundary notwithstanding that service may for convenience be given to a point on the longer road boundary;
 - (d) the taxable frontage for gore lots shall be the lot width measured thirty (30) feet perpendicularly distant from a straight line passing through the front lot corners; and
 - (e) a regularly shaped parcel of land is rectangular.
- 10. Bylaw 344 is repealed.
- 11. This bylaw shall come into full force and effect upon final adoption.

INTRODUCED AND READ A FIRST TIME this 11th day of February, 1986.

READ A SECOND TIME this 11th day of February, 1986.

READ A THIRD TIME this 11th day of February, 1986.

RECONSIDERED AND ADOPTED, signed by the Mayor and Clerk and sealed with the corporate seal this 25th day of February, 1986.

D. L. Moore

 Mayor

Mrs. Betty Price

 Clerk