

AGENDA

SPECIAL CITY COUNCIL MEETING

Monday, April 25, 2016 – 6:30 p.m.

1. **CALL TO ORDER**

2. **BYLAWS**

Consideration/3rd Reading of Bylaws:

#5518 – Cast Iron Watermain Construction Bylaw – Phase I

#5519 – Property Tax Bylaw, 2016

3. **ADJOURNMENT**

*The Next Regular Meeting of City Council is
Scheduled for MONDAY, MAY 2, 2016*

CITY OF MOOSE JAW

LETTER OF TRANSMITTAL

April 21, 2016

File #2101-46

TO: City Council

FROM: City Clerk/Solicitor's Department

SUBJECT: Bylaw No. 5518 – Cast Iron Watermain Construction Bylaw – Phase I (3rd Reading)

PURPOSE:

The purpose of this report is to submit proposed Bylaw No. 5518, being the Cast Iron Watermain Construction Bylaw – Phase I, for consideration of third reading of the Bylaw.

BACKGROUND/DISCUSSION:

City Council at its regular meeting held on April 18, 2016 gave first and second readings to Bylaw No. 5518, Cast Iron Watermain Construction Bylaw – Phase I. The purpose of the proposed Bylaw is to authorize construction of Phase I of the Cast Iron Watermain Replacement Local Improvement approved by the Saskatchewan Municipal Board on March 9, 2016.

RECOMMENDATION:

It is recommended that City Council give third reading to Bylaw No. 5518 – Cast Iron Watermain Construction Bylaw – Phase I.

Respectfully submitted,

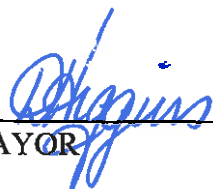


Myron Gulka-Tiechko
City Clerk/Solicitor
/hs/th

CITY MANAGER'S COMMENTS:


CITY MANAGER

MAYOR'S COMMENTS



MAYOR

CITY OF MOOSE JAW

BYLAW NO. 5518

A BYLAW TO UNDERTAKE CAST IRON WATERMAIN CONSTRUCTION – PHASE I

WHEREAS section 3 of *The Local Improvements Act, 1993* authorizes Council to undertake a work or service as a local improvement by bylaw;

AND WHEREAS section 5(1)(c) of *The Local Improvements Act, 1993* authorizes Council to pass a bylaw for undertaking a local improvement;

AND WHEREAS the Saskatchewan Municipal Board approved the October 5, 2015 decision of Council to proceed with the local improvement as proposed without conditions, on March 9, 2016;

AND WHEREAS section 49 of *The Local Improvements Act, 1993* authorizes Council to require any defined group of owners to connect the property by connections approved by the municipality with the municipal system of waterworks as constructed or as they may be extended from time to time;

NOW THEREFORE the Council of the City of Moose Jaw, in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw may be cited as “The Cast Iron Watermain Construction Bylaw – Phase I”.

Purpose

2. The purpose of this Bylaw is to authorize construction of Phase I of the Cast Iron Watermain Replacement Local Improvement approved by the Saskatchewan Municipal Board on March 9, 2016.

Definitions

3. In this Bylaw the following definitions apply:

- a) “**benefiting landowners**” means owners of properties currently connected to or desirous of connection to the City watermain as outlined in s. 4 hereof.
- b) “**City**” means the City of Moose Jaw;
- c) “**Council**” means the City Council for the City of Moose Jaw; and

d) “**engineer**” means the Director of Engineering Services for the City of Moose Jaw.

4. The undertaking of Cast Iron Watermain Replacement as a Local Improvement is hereby authorized on:

STREET	FROM	TO
4 th Ave NE	Athabasca St E	Hochelaga St E
9 th Ave NW	Edmonton St	Francis St
Ominica St E	6 th Ave NE	8 th Ave NE
Main St N	Caribou St	Ross St
Manitoba St W	Main St N	1 st Ave NW
6 th Ave SW	Vaughan St W	Grandview St W
Keith Cr	6 th Ave SW	7 th Ave SW
River St W	2 nd Ave NW	3 rd Ave NW
3 rd Ave NW	Manitoba St W	River St W
8 th Ave NW	Oxford St W	Hall St W

5. The undertaking includes replacement of cast iron watermains, service connections, and service lines from property line to building to connect benefiting landowners by connections approved by the City.
6. The estimated cost of the undertaking is \$4,670,315.72; the estimated sum of \$3,463,896.67 is to be paid by the municipality and the estimated sum of \$1,206,419.05 is to be paid by benefiting landowners by way of special assessment.
7. The estimated special assessment rate on a prepaid basis is \$551.33 per metre of assessed frontage. If not prepaid, the estimated special assessment rate to be paid during the years 2016 to 2035 inclusive is \$50.16 per metre, which includes interest at 4%, to be payable in twenty annual instalments on taxes.
8. The lifetime of the work described above, as estimated by the engineer, is:
 - (1) *Cast Iron Water Main Replacement – 75 years*
 - (2) *Service Connection Replacement – 60 years*
 - (3) *Road Restoration – 15 years*

Coming into Force

9. This Bylaw comes into force and effect on the date of passage.

PASSED AND ENACTED ON THE ____ DAY OF _____, 2016.

MAYOR

CITY CLERK

READ a first time the 18th day of April, 2016

READ a second time the 18th day of April, 2016

READ a third time the ____ day of _____, 2016

CITY OF MOOSE JAW

April 21, 2016

File 2101-30

TO: Members of City Council
FROM: City Clerk/Solicitor's Department

SUBJECT: Bylaw No. 5519 – Property Tax Bylaw, 2016 (3rd Reading)

PURPOSE

The purpose of this report is to submit proposed Bylaw No. 5519, being the Property Tax Bylaw, 2016, for consideration of third reading of the Bylaw.

BACKGROUND/DISCUSSION:

City Council at its regular meeting held on April 18, 2016 gave first and second readings to Bylaw No. 5519, Property Tax Bylaw, 2016. The purpose of the proposed Bylaw is to:

- (1) define the classes and subclasses to be used for taxation purposes;
- (2) establish the municipal rates of taxation for the year 2016;
- (3) enumerate the mill rate factors to be applied to each;
- (4) set a uniform base tax for the purposes of contributing to the Hospital Fund Reserve; and.
- (5) indicate the taxation rates for the School Divisions as determined by the Lieutenant Governor in Council.

RECOMMENDATION:

It is recommended that City Council give third reading to Bylaw No. 5519 – Property Tax Bylaw, 2016.

Respectfully submitted,



Myron Gulka-Tiechko
City Clerk/Solicitor
/bh/hs

CITY MANAGER'S COMMENTS:



CITY MANAGER

MAYOR'S COMMENTS:



MAYOR

BYLAW NO. 5519
PROPERTY TAX BYLAW, 2016

WHEREAS section 253 of *The Cities Act* authorizes Council to annually pass a property tax bylaw to impose a tax on all taxable assessments in the City of Moose Jaw:

- (a) at a uniform rate considered sufficient to raise the amount of taxes required to meet the estimated expenditures and transfers, having regard to estimated revenues from other sources, set out in the City's budget; and
- (b) at any other rates required by *The Cities Act* or any other Act;

AND WHEREAS subsection 254(1) of *The Cities Act* authorizes Council to establish classes and sub-classes of property for the purposes of establishing tax rates;

AND WHEREAS section 255 of *The Cities Act* authorizes Council to set mill rate factors, which factors, when multiplied by the uniform rate determined by Council, establish a tax rate for each class or sub-class of property established by Council, which tax rates may be different for each class or sub-class of property;

AND WHEREAS section 259 of *The Cities Act* provides that the annual property tax bylaw may provide for:

- (a) a uniform base amount of base tax payable as property tax;
- (b) either a base amount of tax or a method of calculating the amount of base tax; and
- (c) different amounts of base tax or different methods of calculating base tax for different classes or sub-classes of property;

AND WHEREAS subsection 259(6) of *The Cities Act* authorizes Council to impose a tax with respect to property in addition to any amount collected as base tax;

AND WHEREAS section 290 of *The Education Act, 1995* requires the City to levy against the properties in the school divisions within the City, the tax rates determined under section 288 of that Act by the Lieutenant Governor in Council for the different property classes and/or different property tiers as set out in section 288 of that Act;

AND WHEREAS the City has not received notice pursuant to section 288.1 of *The Education Act, 1995* that the Holy Trinity Roman Catholic Separate School Division No. 22 intends to determine its own tax rates pursuant to section 288.1 of that Act;

NOW THEREFORE THE COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

Definitions

- 1 In this Bylaw “**taxable properties**” means properties that are not fully exempt from taxation pursuant to *The Cities Act* (the “CAct”) or any other Act.

City Mill Rates

- 2 Pursuant to section 253 CAct, the City levies a tax rate of 11.2982 mills per dollar on all taxable properties within the City of Moose Jaw to, in addition to the base tax payable under section 5, raise the amount of money required in the year 2016 to meet the City's estimated expenditures and transfers having regard to the estimated revenues from other sources.

Property Class and Subclasses

- 3 Pursuant to subsection 254(1) CAct, for the purposes of establishing tax rates, Council:
 - (a) adopts the classes of property set out in section 12 *The Cities Regulations*;
 - (b) establishes the following sub-classes of property:
 - (i) Golf Courses as a subclass of the Commercial and Industrial Class of property, which subclass includes land and improvements used for the playing of golf on standard or short courses;
 - (ii) Resource Properties as a subclass of the Railway Rights of Way and Pipeline, which subclass includes pipelines and land and improvements used in conjunction with a pipeline;
 - (iii) Condominium Properties as a subclass of the Multi-unit Residential property class, which subclass includes any condominium unit within the meaning of *The Condominium Property Act, 1993* that is used for residential purposes; and
 - (iv) Vacant Commercial and Industrial Land (PUSE 3000 & 4000) as a subclass of the Commercial and Industrial property class, which subclass includes any vacant land with no assessed improvement(s) within the property use code 3000 or 4000.

Mill Rate Factors

- 4 Pursuant to section 255 CAct, the following mill rate factors are established by Council, to be multiplied by the uniform rate established by Council under section 2, respecting the following classes and subclasses of property:

<u>Property Classification</u>	<u>Subclass</u>	<u>Mill Rate Factor</u>
Residential		0.7512
Multi-Unit Residential		0.7512
Multi-Unit Residential	Condominium Properties	0.7512
Commercial and Industrial		1.4320
Commercial and Industrial	Golf Courses	0.4304
Commercial and Industrial	Vacant	3.5800
Elevators		1.3240
Railway Rights of Way and Pipeline		1.3240
Railway Rights of Way and Pipeline	Resource Properties	1.3240
Other Agricultural Land and Improvements		0.4425
Non-Arable (Range) Land and Improvements		0.4425

Base Tax

- 5(1) Pursuant to section 259 CAct, a uniform base tax shall be payable as property tax with respect to all taxable properties within the City of Moose Jaw to, in addition to the taxes levied under section 2, raise the amount of money required in the year 2016 to meet the City's estimated expenditures having regard to the estimated revenues from other sources.
- (2) The base tax payable under subsection (1) is \$96.00 per:
- (a) taxable property for all classes and subclasses of property excluding Multi-unit Residential properties; and
 - (b) taxable residential dwelling unit for Multi-unit Residential properties.
- (3) Partially exempt properties shall pay the full amount of the base tax in accordance with subsection (2).
- (4) All monies raised by the base tax in section 5 shall be credited to the Hospital Fund.

School Division Mill Rates

6 Pursuant to section 290 of *The Education Act, 1995*, on behalf of the school divisions within the City of Moose Jaw, for the year 2016, the City levies the following tax rates on all taxable properties within each school division using the property classes and property tiers as established by the Lieutenant Governor in Council pursuant to section 288 of that Act:

<u>Property Classification</u>	<u>Mill Rate</u>
Agricultural Property	2.67
Residential Property	5.03
Commercial and Industrial Property	8.28
Resource Property	11.04

Severability

7 If any section, subsection or other portion of this bylaw is, for any reason, found to be invalid or unconstitutional by any Court of competent jurisdiction, that portion of the bylaw shall be deemed to be a separate, distinct and independent provision and such finding of the Court shall not affect the validity of the remaining portions of the Bylaw.

Coming into Force

8 This Bylaw comes into force on the day of passage but shall be deemed retroactive to January 1, 2016.

READ a first time the 18th day of April, 2016

READ a second time the 18th day of April, 2016

READ a third time the ____ day of _____, 2016

MAYOR

CITY CLERK