

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2017-

**A BY-LAW TO AUTHORIZE THE IMPOSITION OF SPECIAL CHARGES
RELATING TO THE SEPTIC REHABILITATION LOAN PROGRAM ON 306
FOREST HARBOUR TRAIL, BOBCAYGEON, IN THE CITY OF KAWARTHA
LAKES**

Recitals

1. At its meeting of April 8, 2014, City Council enacted By-law 2014-115, being a by-law to authorize the undertaking of septic rehabilitation works on private residential property as local improvements in the City of Kawartha Lakes in accordance with section 36.5 of Ontario Regulation 586/06 - Local Improvement Charges - Priority Lien Status, made under the Municipal Act, 2001 ("O. Reg. 586/06").
2. The owner(s) of the benefitting property and the City of Kawartha Lakes (the "City") have entered into a Property Owner Agreement (the "POA") pursuant to section 36.2 of O. Reg. 586/06 for the City to undertake work as a local improvement (the "Work") on the benefitting property and to raise the cost of the Work (the "Cost") by imposing a special charge on the benefitting property.
3. The City Clerk has certified the POA pursuant to section 36.4 of O. Reg. 586/06.
4. The Work has been completed.
5. A local improvement roll was prepared in accordance with section 36.10 of O. Reg. 586/06, setting out the Cost of the Work, the proposed special charges to be imposed on the benefitting property, when the special charges are to be paid, and the lifetime of the Work,
6. The City has given notice of the proposed local improvement roll to the owner(s) of the benefitting property pursuant to subsection 36.11(1) of O. Reg. 586/06.
7. The Treasurer has certified the proposed local improvement roll in accordance with subsection 36.11(2) of the O. Reg. 586/06.
8. Section 36.14 of O. Reg. 586/06 provides that after the Treasurer has certified the local improvement roll, the City shall by by-law provide that the amount specially charged on the lot set out in the roll shall be sufficient to raise the lot's share of the cost by a number of equal annual payments and that a special charge shall be imposed in each year on the lot equal to the amount of the payment payable in that year.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2016-175.

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions**: In this by-law,

"City", "City of Kawartha Lakes" or "Kawartha Lakes" means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*;

"Corporate Services Manager – Revenue and Taxation" means the person within the administration of the city which fulfills the function of the

Tax Collector and his or her delegate(s), as required by the *Municipal Act, 2001* or, in the event of organizational changes, another person designated by Council.

“**Council**” or “**City Council**” means the municipal council for the City;

“**POA**” means Property Owner Agreement;

“**Treasurer**” means the person appointed by Council to carry out the duties of the clerk described in section 286 of the *Municipal Act, 2001*;

1.02 **Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Local Improvement Charge
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2.01 The provisions of section 36.14 of O. Reg. 586/06 apply to the benefitting property as a result of the completion of the work pursuant to the POA.

2.02 The amounts specially charged on the lot as set out in the certified local improvement roll attached as Schedule "A" to this by-law (the "Special Charge") is sufficient to raise the lot's share of the Cost and shall be imposed on and collected by annually adding the annual amount payable as set out in Schedule "A" to this by-law (the "Annual Payment") to the tax roll of the lot.

2.03 The Annual Payments as set out in certified local improvement roll attached as Schedule "A" do not extend beyond the lifetime of the work.

2.04 The amount of each payment made in respect of the Special Charge shall be entered in the local improvement roll by the Treasurer.

2.05 This by-law shall be deemed repealed on the date on which the Treasurer certifies that the Special Charge has been paid in full.

Section 3.00: Administration and Effective Date

3.01 **Administration of the By-law:** The Corporate Services Manager – Revenue and Taxation is responsible for the administration of this by-law.

3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 4th day of April, 2017.

Schedule "A"
City of Kawartha Lakes – Septic Rehabilitation Loan Program
Local Improvement Charges Added to Taxes

Roll Number	Site Address	Lot	Property Owner(s)
1651 026 020 13758	306 Forest Harbour Trail	Plan 534 Lot 58	Brown, Edward Jackson Brown, Suzanne Greta

Local Improvement Charge	
Cost of Work	\$12,204.00
Funding Amount	\$12,204.00
Interest Charge	5,480.15
Admin Charge (paid)	\$ 154.50
Special Charge (Total Amount Owing)	\$17,684.15
Interest Rate	5.04%
When Special Charge to be Paid	within 20 year(s) from first payment date
Lifetime of Work	15 years
Annual Payment	\$1,178.94
Detail Description	Septic Rehabilitation Loan Local Improvement Charges added to taxes

Certified as sufficient, in accordance with O.Reg. 586/06
Carolyn Daynes, Treasurer
Approved as to Form
Christine Norris, Manager, Revenue & Taxation/Deputy Treasurer