

TOWN OF MORINVILLE
PROVINCE OF ALBERTA

BYLAW 3/2009

A BYLAW OF THE TOWN OF MORINVILLE IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF PROVIDING FOR THE IMPOSITION OF A LEVY, TO BE KNOWN AS AN “OFF-SITE LEVY”, IN RESPECT OF LAND THAT IS TO BE SUBDIVIDED OR DEVELOPED.

WHEREAS Part 17, Division 6 of the Municipal Government Act, R.S.A. 2000 Chapter M-26, provides that the Council of a municipality may pass a bylaw establishing an Off-Site Levy;

WHEREAS Council for the Town of Morinville deems it desirable to establish an Off-Site Levy for the purposes described in the Act;

WHEREAS the Town of Morinville has undertaken a study entitled the “Town of Morinville Off-Site Levy Rate Study – May 2009” which identifies the object of each levy and how the levy was determined;

WHEREAS the Town of Morinville has heard, considered, and incorporated the comments of the development industry in the determination of the Off-Site Levy rates;

WHEREAS the Town of Morinville proposes to impose an Off-Site Levy in respect of land that is to be subdivided or developed to provide for the construction or expansion of water supply storage, transmission and distribution, and transportation systems; and,

WHEREAS Council intends that agreements be entered into in respect of payment of Off-Site Levies to ensure that the developer of a parcel of land that is subdivided or developed pays a proportionate share of the costs to provide new or expanded infrastructure required per the this Bylaw and the “Town of Morinville Off-Site Levy Rate Study – May 2009”.

NOW THEREFORE the Municipal Council for the Town of Morinville, duly assembled, hereby enacts as follows:

1. The Council of the Town of Morinville hereby imposes off-site levies on lands subdivided or developed for paying or reimbursing the Town a proportionate share of the capital costs associated with the construction and provision of new or expanded infrastructure that benefit the lands and as determined by the “Town of Morinville Off-Site Levy Rate Study – May 2009” and in accordance with the following rates:
 - 1.1. Water Off-Site Levy of \$29,560 per Net Development Hectare; and
 - 1.2. Road Off-Site Levy of \$55,777 per Net Development Hectare.
2. The Off-Site Levies payable to the Town pursuant to this Bylaw shall be paid in full by the developer of subdivisions within thirty (30) days from the mutual execution of the subdivision servicing agreement, and for development prior to the issuance by the Town of a building permit unless the time and method of payment is otherwise stipulated pursuant to a development agreement so long as that the payment does not exceed thirty (30) days from the mutual execution of the development agreement.
3. Council hereby delegates to the C.A.O. the duty and authority to enforce and administer this bylaw and to execute on behalf of the municipality written agreements with owners of land that is to be subdivided or developed providing for the payment of Off-Site Levies imposed by this Bylaw.

4. SEVERABILITY

- 4.1 If any Section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.
5. Bylaw 29/2003 is hereby repealed in its entirety.
6. That this Bylaw shall come into full force and effect upon the final passing thereof.

READ a first time this 26th day of May, 2009

READ a second time this 23rd day of June, 2009

READ a third time and finally passed this 23rd day of June, 2009

R. Lloyd Bertschi
Mayor

Kevin Robins
Interim CAO