

THE TOWN OF BEAUSEJOUR

BY-LAW NO. 1735/17

BEING A BY-LAW OF THE TOWN OF BEAUSEJOUR TO ESTABLISH A RATE FOR A SPECIAL SERVICES LEVY FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF HOUSEHOLD SOLID WASTE, OTHER HOUSEHOLD SOLID WASTE, COMMERCIAL AND INDUSTRIAL SOLID WASTE, CURBSIDE RECYCLING AND THE OPERATION OF THE COMPOST SITE, FOR 2017 TO 2021.

Whereas section 312 of the of The Manitoba Municipal Act ^{S.M. 1996, c. 58 – Chap. M225} (TMA) provides that a municipal may by by-law, as a special service to all or part of the municipality, provide

- (e) the collection and transportation of waste or recyclable materials;
- (l) maintenance or operation of a local improvement.

And whereas sections 316(1) to 316(3) of TMA establish how Special Services Taxes must be calculated;

And whereas section 316(4) of TMA permits that a Special Services Tax may be imposed in respect to any assessable property that is real property, other than property described in Section 21 of *The Municipal Assessment Act*;

And whereas subsection 320(1) of TMA the Act provides as follows:

320(1) Subject to subsection (2) to (6) and subsection 321(4), a council may by by-law:

- a) Approve the local improvement or special services as set out in the plan or proposal, and
- b) Authorize the municipality to impose taxes as set out in the plan or proposal;

And whereas section 324 (a) of the TMA requires that if the taxes collected by a municipality to pay for a special service exceeds its actual cost of undertaking the provision of the service, the municipality must (a) place the excess in a fund that may be used only for the benefit of the properties and businesses in respect of which they were imposed; or (b) refund the excess to the taxpayers.

And whereas the Council of the Town of Beausejour has prepared Special Services Proposal No. 01/17 to establish a rate for the collection of waste and recyclable materials and compost site as a special service pursuant to Part 10 of TMA.

And whereas the requirements as prescribed in section 318, 319 and 320 of TMA the act have been complied with;

Now therefore the Council of the Town of Beausejour, in open session assembled, enacts as follows:

1. That this By-law may be referred to as “The Town of Beausejour Solid Waste Management Special Services By-law”.
2. That pursuant to subsection 320(1) of the Act, the Town of Beausejour approves Special Service Proposal No. 01/17, attached hereto as Schedule “A”;
3. That the Town Beausejour levy an annual special service tax: 1) a per parcel levy upon all ratable properties within the Town of Beausejour, attached hereto as Schedule “B and 2) a mill rate levy on all Taxable, grant-in-lieu and otherwise exempt properties within the Town of Beausejour:

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Done and Passed by the Council of the Town of Beausejour duly assembled in Beausejour, Manitoba, this _____ day of _____, 2017.

Mayor

Chief Administrative Officer

Read a First Time on the 28th day of February, 2017

Read a Second Time on the _____ day of _____, 2017

Read a Third Time on the _____ day of _____, 2017

THE TOWN OF BEAUSEJOUR

SCHEDULE “A” TO BY-LAW NO. 1735/17

SPECIAL SERVICE PROPOSAL No. 01/17

COLLECTION, TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOLID WASTE, RECYCLABLE MATERIALS AND THE OPERATION OF THE TOWN OF BEAUSEJOUR COMPOST SITE

PURSUANT TO SECTION 314 OF THE MUNICIPAL ACT

A. PROPOSED SERVICE

- A1 The Town shall provide a weekly program for the collection, transportation and disposal of Solid Waste within Municipal By-law 1675/12.
- A2 The Town, wherever feasible, shall attempt to provide a program or participate in a program for the annual collection and disposal of Household Hazardous Waste.
- A3 The Town shall provide a weekly curbside program for the collection of Recyclables.
- A4 The Town shall provide a site for the collection and treatment of compost waste as per its license issued by Manitoba Conservation
- A5 The level of service for the programs outlined within items A1 to A4 shall be determined through the Annual Financial Plan of the Council of the Town.
- A6 The Town may employ or enter into contracts with such numbers of persons as may be deemed necessary, owning or possessing equipment reasonably adequate for the purposes required, for the collection, removal and disposal of ashes, wastes and refuse accumulated in the Town as herein provided for such persons shall be deemed to by “Collectors”.
- A7 Town of Beausejour Special Service By-law No. 1674/12 for solid waste expired at the end of 2016.

B. SPECIAL SERVICES AREA OF THE MUNICIPALITY

THERE ARE TWO CLASSIFICATIONS OF TAX PAYER:

- 1) All residential and commercial property in the Town of Beausejour receiving service, excludes vacant lots and institutional, described in Schedule “B” attached hereto.
- 2) All taxable, grant-in-lieu and otherwise exempt property except property described in Section 21 of the Manitoba Municipal Assessment Act and Class 52 railway property in the Town of Beausejour.

C. ESTIMATED COST OF SERVICE

- C1 The estimated cost for the provision of curbside solid waste collection, transportation and disposal for the years 2017-2021 within the Town of Beausejour, both inclusive, is outlined in Schedule “C”, attached hereto.
- C2 The estimated cost for the provision of the Town of Beausejour recyclable waste collection, transportation and disposal and operating a compost disposal site for the years 2017-2021, both inclusive, is outlined in Schedule “D”, attached hereto

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SCHEDULE "A" TO BY-LAW NO. 1735/17 (CONTINUED)

D. METHOD AND RATE OF CALCULATING THE SPECIAL SERVICES TAX

- D1 The method of calculating the annual Special Service Tax for the curbside collection, transportation and disposal of solid waste shall be based on an amount per parcel of land and the rate structure is shown on Schedule "E" attached hereto based on the level of service provided on each parcel.
- D2 The method of calculating the annual Special Service Tax for the collection, transportation and disposal of recyclables and the operation of the compost site will be based on the portioned value of all assessable property within the Town of Beausejour. Based on the 2016 Assessment Roll of \$112,000.00/180,926,160 an estimated mill rate of 0.62 mills will be required in 2017. Calculated on a residential property valued at \$100,000 (portioned 45,000) an estimated \$30 special service tax will be levied annually. The special mill rate will be determined annually according to the Estimated Cost of Service amounts as set out in Schedule "D", attached hereto.
- D3 The Council shall annually allocated any funds received in excess of its annual cost for the collection and disposal of household solid wastes, other household solid waste, commercial and industrial solid waste, curbside recycling and the compost site in a designated reserve for environmental project or programs as presented within the Town's Annual Financial Plan.

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**SCHEDULE "B"
TO BY-LAW NO. 1735/17**

LIST OF AFFECTED PROPERTIES

THE TOWN OF BEAUSEJOUR

**SCHEDULE "C"
TO BY-LAW NO. 1735/17**

CURBSIDE WASTE COSTS

A. ESTIMATED COSTS:

ITEMS	2017	2018	2019	2020	2021
CONTRACT	\$ 218,500.00	\$ 222,000.00	\$ 225,300.00	\$ 228,700.00	\$ 234,000.00

THE TOWN OF BEAUSEJOUR

**SCHEDULE "D"
TO BY-LAW NO. 1735/17**

RECYCLING & COMPOST

A. ESTIMATED COSTS:

ITEM	2017	2018	2019	2020	2021
AGREEMENT	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00	\$ 85,000.00
DISPOSAL	\$ 15,000.00	\$ 17,000.00	\$17,000.00	\$17,500.00	\$18,000.00
COMPOST	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00
TOTAL	\$112,000.00	\$114,000.00	\$114,000.00	\$114,500.00	\$115,000.00

THE TOWN OF BEAUSEJOUR

**SCHEDULE “E”
TO BY-LAW NO. 1735/17**

SOLID WASTE PER PARCEL RATE SCHEDULE

<u>Type of Property</u>	<u>Annual Amount Per Parcel</u>				
	<u>Year</u>				
	2017	2018	2019	2020	2021
<u>Residential</u>					
Single Dwelling	\$128.00	\$130.00	\$132.00	\$134.00	\$137.00
Duplex	\$256.00	\$260.00	\$264.00	\$268.00	\$274.00
Triplex	\$384.00	\$390.00	\$396.00	\$402.00	\$411.00
Apartment 4 Suites	\$512.00	\$520.00	\$528.00	\$536.00	\$548.00
Apartment 20 Suites	\$2,560.00	\$2,600.00	\$2,640.00	\$2,680.00	\$2,740.00
<u>Small Commercial/Residential</u>	<u>Annual amount per parcel</u>				
One Business	\$128.00	\$130.00	\$132.00	\$134.00	\$137.00
Two Businesses	\$256.00	\$260.00	\$264.00	\$268.00	\$274.00
Three Businesses	\$384.00	\$390.00	\$396.00	\$402.00	\$411.00
Four Businesses	\$512.00	\$520.00	\$528.00	\$536.00	\$548.00
<u>Large Commercial/Restaurants</u>	<u>Annual amount per parcel</u>				
One Business	\$256.00	\$260.00	\$264.00	\$268.00	\$274.00
One Business & One Residential	\$384.00	\$390.00	\$396.00	\$402.00	\$411.00
Two businesses & One Residential	\$640.00	\$650.00	\$660.00	\$670.00	\$685.00

Note: Residential/Small Commercial receives one curbside pickup of solid waste per week with a two bag limit.

Large Commercial/Restaurants receives two curbside pickups of solid waste per week with a two bag limit.