

Town of Cardston
Bylaw #1561

A BY-LAW OF THE TOWN OF CARDSTON TO PROVIDE FOR THE IMPOSITION OF DEVELOPER REIMBURSEMENTS FOR THE COMPILATION OF THE WEST AREA STRUCTURE PLAN.

WHEREAS, pursuant to the provisions of the Municipal Government Act, being Chapter M26, of the Statutes of Alberta, 2000 and amendments thereto, a council may pass Bylaws respecting to services provided by, or on behalf of the municipality; and

WHEREAS, the Town of Cardston will complete the West Area Structure Plan in 2007 as shown on Schedule "A", attached and forming part of this bylaw; and

WHEREAS, the Municipal Government Act permits a municipality to enter into agreements to pay for all or a portion of the cost of an improvement constructed or paid for in whole or in part by a municipality, and

WHEREAS, Council has identified project cost, which might be recovered, and has deemed it necessary and desirable to impose fees to recover these costs incurred by the Town of Cardston.

NOW THEREFORE BE IT RESOLVED, duly assembled in a Regular Meeting, the Council of the Town of Cardston, in the Province of Alberta Hereby enacts as follows:

I. DEFINITIONS

1. "Developer" shall mean any person who applies for a plan of subdivision, whether this is the owner, or someone acting on behalf of the owner.
2. "Developer Reimbursements" shall mean those developer reimbursements as specified in schedule "B" attached and forming part of this bylaw, which indicate all the lands subject to these reimbursements.
3. "West Area Structure Plan" shall mean the plan prepared for the development of the west side of Cardston.
4. "Improvement Area" shall mean all the area included and outlined on Schedule "A" attached and forming part of this bylaw.
5. "Plan of Subdivision" shall have the same meaning as provided in the Municipal Government Act.
6. "Serviceable Acres" shall mean the entire land base within a proposed Plan of Subdivision.
7. "Subdivision" shall have the same meaning as provided in the Municipal Government Act.
8. "Town" shall mean the Town of Cardston or its duly authorized representatives.

II. OBJECT OF THE DEVELOPER REIMBURSEMENT

The object of the Developer Reimbursement is to pay for part of the cost of the West Area Structure Plan and excludes carrying costs, such as interest paid or interest lost. It is recognized that the portion of overall costs paid by

the Town, and any carrying costs, will become the Town's investment in the project, unless otherwise determined by Council.

III. DETERMINATION OF DEVELOPER REIMBURSEMENT

The components of the Developer Reimbursements as indicated on Schedule "B" have been calculated based upon the full proposal costs. Reimbursements for costs incurred are due prior to approval of a Plan of Subdivision, and based upon:

Direct Revenue Recovery From Developers – direct cost of the West Area Structure Plan for the specific portion of the Improvement Area. These specific costs will be imposed as indicated on Schedule "B", attached and forming part of this bylaw.

IV. APPLICATION OF DEVELOPER REIMBURSEMENT

The imposition of Developer Reimbursements shall commence on the passing of this Bylaw, and shall have affect for all new Subdivisions within the Improvement Area.

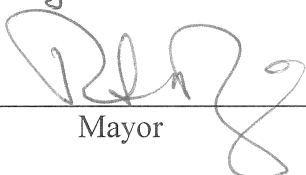
Payments for Developer Reimbursements are due to the Town prior to approval of a Plan of Subdivision. The Town authorizes the Development Officer, or any of their designates, the duty and authority to administer and enforce this bylaw.

Received First reading this 27 day of March, 2007


Received Second reading this 27 day of March, 2007

Received Third reading and Finally passed this 24 day of April, 2007

Signed by the Mayor and the Chief Administrative Officer this 2 day of May, 2007.



Mayor



Chief Administrative Officer

Schedule "B"

\$65.42 per acre payable at time of Subdivision.