

**MUNICIPALITY OF JASPER
BYLAW #252**

**BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA
TO AMEND BYLAW #239 CONNAUGHT UTILITIES BORROWING, AND BYLAW #240
CONNAUGHT UTILITIES LOCAL IMPROVEMENT BYLAW.**

WHEREAS The Council of the Municipality issued a bylaw pursuant to Section 263 of the *Municipal Government Act* to authorize the financing, undertaking and completion of Jasper GB and GC Parcel Service local improvement project as described in the local improvement plan authorized by council;

AND WHEREAS a local improvement plan has been prepared and the required notice of the project given to the benefiting owners, and no sufficient objection to the Connaught utilities local improvement project has been filed with the Municipality's Chief Administrative Officer;

AND WHEREAS the cost estimates provided in Bylaw #239, the *Connaught Utilities Borrowing Bylaw*, and Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, have decreased after Council gave third and final reading to each of the bylaws;

AND WHEREAS Bylaw #239, the *Connaught Utilities Borrowing Bylaw*, needs to be updated to show the final amount of the debenture obtained; and Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, needs to be updated to reflect the new local improvement levies required to be collected through taxation of affected properties in 2023 and beyond;

NOW, THEREFORE, the Council of the Municipality of Jasper in the Province of Alberta, duly assembled enacts as follows:

1. CITATION

- 1.1 This Bylaw may be cited as Municipality of Jasper Bylaw #252, "Connaught Utilities Borrowing and Local Improvement Levy Amending Bylaw".
- 1.2 Bylaw #239, the *Connaught Utilities Borrowing Bylaw*, may now be cited as Municipality of Jasper Bylaw #239, "Amended Connaught Utilities Borrowing Bylaw".
- 1.3 Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, may now be cited as the Municipality of Jasper Bylaw #240, "Amended Connaught Utilities Local Improvement Bylaw".

2. PURPOSE

- 2.1 This Bylaw amends Bylaw #239, the *Connaught Utilities Borrowing Bylaw*, and Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, and shall come into force and effect on the final day of passing thereof.

3. AMENDMENTS TO THE CONNAUGHT UTILITIES BORROWING BYLAW

- 3.1 The preamble of Bylaw #239, the *Connaught Utilities Borrowing Bylaw*, is hereby amended as follows:

BEING A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO

AUTHORIZE THE COUNCIL OF THE MUNICIPALITY TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE IN THE AMOUNT OF \$6,200,000 FOR THE PURPOSE OF SERVICING PARCELS GB AND GC IN THE MUNICIPALITY OF JASPER.

WHEREAS The Council of the Municipality has decided to issue a bylaw pursuant to Section 263 of the *Municipal Government Act* to authorize the financing, undertaking and completion of Jasper GB and GC Parcel Service local improvement project as described in the local improvement plan authorized by council.

AND WHEREAS Jasper National Park owns Parcels GB and GC;

AND WHEREAS the requirement for safe and efficient operation of developments on the parcels depend on services provided to the parcels of land;

AND WHEREAS plans and specifications have been prepared and the total cost of the project is estimated to be \$6,200,000;

AND WHEREAS the Municipality estimates the following grants and contributions will be applied to the project:

Municipality at Large	\$2,808,600
Benefitting Owners	<u>\$3,391,400</u>
Total Costs	\$6,200,000

AND WHEREAS in order to complete the project it will be necessary for the Municipality to borrow the sum of \$6,200,000 for a period not to exceed THIRTY (30) years from the Province of Alberta or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw;

AND WHEREAS the estimated lifetime of the project financed under this bylaw is equal to, or in excess of FORTY-FIVE (45) years;

AND WHEREAS the principal amount of outstanding debt of the Municipality of Jasper at December 31st, 2020 is \$6,581,402, and no part of the principal or interest is in arrears;

AND WHEREAS all required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Government of Canada and the Province of Alberta.

NOW, THEREFORE, the Council of the Municipality of Jasper in the Province of Alberta, duly assembled enacts as follows:

3.2 Section 3 of Bylaw #239, the *Connaught Utilities Borrowing Bylaw*, is hereby amended as follows:

3.1 That for the purpose of completing services to Parcel GB and GC local improvement project sum of SIX MILLION TWO HUNDRED THOUSAND DOLLARS (\$6,200,000) be borrowed from the Province of Alberta or another authorized financial institution by way of debenture on the credit and security of the Municipality of Jasper

at large.

3.2 The amount TWO MILLION EIGHT HUNDRED AND EIGHT THOUSAND SIX HUNDRED DOLLARS (\$2,808,600) and applicable interest in the amount of ONE MILLION SEVEN HUNDRED AND TWENTY SEVEN THOUSAND SIX HUNDRED AND TWO DOLLARS AND EIGHTY-FOUR CENTS (1,727,602.84) is to be paid by the Municipality at large, and THREE MILLION THREE HUNDRED AND NINETY-ONE THOUSAND FOUR HUNDRED DOLLARS \$3,391,400 and applicable interest in the amount of TWO MILLION EIGHTY-SIX THOUSAND AND EIGHTY NINE DOLLARS AND NINETY SIX CENTS (\$2,086,089.96) is to be collected by way of local improvement tax imposed pursuant to the Connaught Utilities Local Improvement Levy Bylaw #240.

3.3 The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

4. AMENDMENTS TO THE CONNAUGHT UTILITIES LOCAL IMPROVEMENT BYLAW

4.1 The preamble of Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, is hereby amended as follows:

WHEREAS the Municipality of Jasper has decided to issue a bylaw pursuant to Section 397 of the *Municipal Government Act*, being Chapter M-26, RSA 2000 as amended, to authorize a local improvement tax levy to pay for the Servicing Parcels GB and GC local improvement project;

AND WHEREAS a local improvement plan has been prepared and the required notice of the project given to the benefiting owners in accordance with the attached Schedule A and Schedule B and no sufficient objection to the Connaught utilities local improvement project has been filed with the Municipality's Chief Administrative Officer;

AND WHEREAS the Council has decided to set a uniform tax rate based on the number of units of frontage assessed against the benefiting owners;

AND WHEREAS plans and specifications have been prepared and the total cost of the project is estimated at \$6,200,000, and the local improvement plan estimates that the following contributions will be applied to the project:

Municipality at Large	\$2,808,600
Benefitting Owners	<u>\$3,391,400</u>
Total	\$6,200,000

AND WHEREAS the local improvement tax will be collected for thirty (30) years and the total amount levied annually against the benefiting owners is \$182,583.00;

AND WHEREAS all required approvals for the project have been obtained and the project is in compliance with all Acts and Regulations of the Province of Alberta.

NOW THEREFORE, the Council of the Municipality of Jasper in the Province of Alberta, duly assembled, enacts as follows:

4.2 Section 3 of Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, is hereby amended as follows:

3.1 That for the purpose of completing installation Connaught utilities local improvement project the sum of THREE MILLION THREE HUNDRED AND NINETY-ONE THOUSAND FOUR HUNDRED DOLLARS (\$3,391,400) and applicable interest in the amount of TWO MILLION EIGHTY-SIX THOUSAND AND EIGHTY NINE DOLLARS AND NINETY SIX CENTS (\$2,086,089.96) be collected by way of an annual, uniform local improvement tax rate assessed against the benefiting owners as provided in Schedule A and Schedule B attached.

3.2 The net amount levied under the bylaw shall be applied only to the local improvement project specified by the bylaw.

4.3 Schedule A of Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, is hereby amended as follows:

Annual levy for Connaught Utilities Local Improvement Project.

1. Properties to be Assessed:

Parcel	Leaseholder	Legal Land Description	Total Frontage in Metres
Parcel GC	Parks Canada	86103 CLSR AB	238.911
Parcel GB	Parks Canada	86103 CLSR AB	179.487

- 2. Total Frontage 418.398
- 3. Total Levy \$5,477,489.96
- 4. Total Levy per Front Metre \$13,091.58
- 5. Annual Unit Rate per Front Metre Payable for a Period of Thirty (30) years at 3.46% \$436.39
- 6. Total Yearly Assessment Against all Properties to be Assessed \$182,583.00

4.4 Schedule B of Bylaw #240, the *Connaught Utilities Local Improvement Bylaw*, is hereby amended as follows:

Annual Levy for Servicing Parcel GB and GC Local Improvement Project

1. Properties to be assessed:

Parcels	Annual Rate of Assessment Per Front Metre	Amount of Annual Assessment
GC	\$436.39	\$104,258
GB	\$436.39	\$ 78,325

2. Total Number of Parcels: 2
3. Total Annual Assessments: \$182,583.00
4. Term of Annual Assessments: 30
5. Total Assessment Against all Parcels: \$5,477,489.96

5. SEVERANCE

- 5.1 If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

6. COMING INTO EFFECT

- 6.1 This Bylaw shall come into force and effect on the final day of passing thereof.
- 6.2 If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect, but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

GIVEN FIRST READING THIS 18th DAY OF April 2023.

GIVEN SECOND READING THIS 2nd DAY OF May 2023.

GIVEN THIRD AND FINAL READING THIS 16th DAY OF May 2023.

Mayor

Chief Administrative Officer