

BYLAW NO. 5257

A bylaw of The City of Saskatoon respecting certain local improvements, the establishment of uniform rates and special assessments.

Codified to Bylaw No. 7388
(January 17, 1994)

BYLAW NO. 5257

A bylaw of The City of Saskatoon respecting certain local improvements, the establishment of uniform rates and special assessments.

The Council of The City of Saskatoon enacts as follows:

Short Title	<ol style="list-style-type: none">1. This bylaw may be cited as "The Local Improvement Procedure Bylaw".2. In this bylaw:<ol style="list-style-type: none">(a) "Act", means The Local Improvements Act, R.S.S. 1965, Chapter 154 and amendments thereto.(b) "District Storm Sewer", means a storm sewer which drains an area greater than the area upon which it directly abuts.(c) "Constructing", "construction", "corner lot", "flank", "frontage", "land", "lifetime", "rate per foot", "sewer", "specially assessed", and "work", shall have the same meaning as contained in The Local Improvements Act.3. The provisions of this bylaw shall apply to the undertaking of any local improvement work as provided by Section 3 (1) of the Act.
Storm Sewers as District Improvements	<ol style="list-style-type: none">4. Where the work is a storm sewer intended to drain an area greater than the abutting lands, the provisions of this bylaw shall be modified so that the following rules apply, namely:<ol style="list-style-type: none">(a) All of the area drained shall be charged at the same rate per front foot of the property;(b) Flankage property shall be assessed for their frontage only; and,(c) The Engineer's report shall, in addition to all other requirements certify the land to be drained by the work and which abuts on the work or the benefitting frontage.
List of Proposed Work to be Submitted	<ol style="list-style-type: none">5. (1) The Chief City Commissioner shall submit to the Council not later than the 31st day of December each year, a list of local improvement works which in his opinion should be carried out during the next calendar year.

To Council

- (2) The said list shall contain the following information, viz:
 - (a) Particulars of streets or lanes where proposed improvements are to be made or constructed;
 - (b) Total estimated cost of each class of improvement;
 - (c) Total estimated share to be borne by the City and property owners respectively;
 - (d) Probable lifetime of each class of work; and
 - (e) The method by which the cost of the work abutting land exempt from local improvement assessment under any general or special Act might be recovered from the owner of such land.

Engineer to
Report to
Director of
Works and
Utilities
Supplying
Certain
Information

6. The Engineer shall supply the Director of Works and Utilities as soon as possible after being requested so to do, and not later than the 30th day of November each year, with a report containing the following information in respect of the proposed improvements, viz:
 - (a) Plans showing proposed improvements and their relationship to existing improvements of the same nature;
 - (b) Estimated cost of each class of improvement in detail as to streets;
 - (c) Estimated share of cost to be borne by the City and property owners respectively;
 - (d) Estimated cost of work opposite land exempt from taxation for local improvements under any general or special Act which is nevertheless to be assessed but the special assessments against which are not to be collected;
 - (e) Probable lifetime of work;
 - (f) Full particulars of proposed method of constructing improvements; and
 - (g) Such other information as may be required in furtherance of The Local Improvement Program.

Method of

7. The Engineer shall include in the estimated cost of all proposed

Calculating
Estimated
Cost

local improvements, all items referred to in Section 13(2) of the Act.

City's Share
to Include
Certain Items

8. There shall be included in the City's share of the cost of local improvements:
- (a) So much of the cost as is incurred at street and lane intersections, except the work of construction of sidewalks, curbs, boulevards or paving which shall be included in the owner's share of the cost;
 - (b) The cost of the work abutting on corner and triangular or irregularly shaped lots situate at the junction or intersection of streets over and above the portion to be specially assessed against said lots;
 - (c) In the case of all sodding, grading, levelling, boulevarding, planting, curbing or sidewalks, the City's share shall include the cost of exemptions on corner and irregularly shaped lots;
 - (d) In the case of all paving in residential districts, if the width paved be more than thirty-six (36) feet, the whole cost over and above the cost of a thirty-six (36) foot pavement; and
 - (e) In the case of all paving in commercial or industrial districts if the width paved be more than forty-eight (48) feet, the whole cost over and above the cost of a forty-eight (48) foot pavement.

Expropri-
ation
Costs

9. In all cases where work undertaken as a local improvement requires the purchase or expropriation of land or any interest therein, the total cost of such land acquisition shall be added to the City's portion of the cost.

Council
May Vary
Chief City
Commis-
sioner's
Report

10. The Council shall, upon receiving the Chief City Commissioner's report containing the particulars hereinbefore provided for, consider the same, varying it in any manner deemed advisable and may thereupon adopt the same. Provided that the estimated lifetime of the improvement shall not be altered by the Council to extend it beyond the period estimated by the Engineer.
11. Where the work undertaken consists of a surface improvement abutting directly on the flank of any corner lot or lots, the lot or lots shall be specially assessed with respect to such work at the applicable uniform rate per foot frontage applied to Twenty (20%) percent of the length of the abutting flank, with all remaining costs being borne by the City.

- Assessment of Triangular or Irregularly Shaped Lots
12. (1) Triangular or irregularly shaped lots situate at the junction of intersection of streets shall be assessed in the following manner: All that portion of the lot abutting on the improvement shall be assessed for a frontage based on the relationship of the area of a lot with thirty (30) foot frontage and a depth of one hundred and forty (140) feet (four thousand, two hundred (4,200) square feet) to the area of the irregular lot in question.
- Reduction to Form Part of City's Cost
- (2) The amount of any reduction made in the assessment of any lot under the provisions of this clause shall not be chargeable upon the lots liable to be specially assessed, but shall be borne by the City.
- Assessing Cost of Sidewalks on Abutting Property Only
- (3) Where the improvement undertaken is a sidewalk or curbing, only the land abutting on that side of the street upon which the improvement is constructed shall be specially assessed.
- (4) Where the improvement undertaken is a central street boulevard and curb, the land opposite same shall be assessed one-half of the cost thereof.
- Uniform Rates
13. A uniform rate shall be fixed with respect to the following works, namely, district storm sewers, sanitary sewers, watermains, storm sewer mains, paving new base, paving existing base and sidewalk, curbs and boulevards.

14. (1) The uniform rates shall be as follows:

(a) **1992 LOCAL IMPROVEMENT PROGRAM**

(i) **Surface Works**

<u>Works</u>	<u>Rate to be Assessed (Per Foot Frontage)</u>	<u>Term of Assessment</u>
Paving New Base		
- 36-foot roadway	\$ 5.927437	10 years
Infrastructure Concrete Sidewalks, Curbs and Gutters		
- 10-foot walk, curb & gutter	10.980313	10 years
- 5-foot walk, curb & gutter	7.084073	10 years
- 5-foot walk only	3.896240	10 years

- curb only & gutter	3.187833	10 years
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(b) **1993 LOCAL IMPROVEMENT PROGRAM**

(i) **Surface Works**

<u>Works</u>	<u>Rate to be Assessed (Per Foot Frontage)</u>	<u>Term of Assessment</u>
Paving New Base		
- 36-foot roadway	\$ 5.736672	10 years
Concrete Sidewalks, Curbs and Gutters		
- 5-foot walk, curb & gutter	6.856084	10 years
- curb, gutter & shoulder paving	7.198888	10 years
Infrastructure Concrete Sidewalks, Curbs and Gutters		
- 10-foot walk, curb & gutter	10.626930	10 years
- 5-foot walk, curb & gutter	6.856084	10 years
- curb only & gutter	3.085238	10 years

(c) **1994 LOCAL IMPROVEMENT PROGRAM**

(i) **Surface Works**

<u>Works</u>	<u>Rate to be Assessed (Per Foot Frontage)</u>	<u>Term of Assessment</u>
Infrastructure Concrete Sidewalks, Curbs and Gutters		
- 12-foot walk, curb & gutter	\$ 13.197260	10 years
- 10-foot walk, curb & gutter	11.556923	10 years
- 5-foot walk, curb & gutter	7.456079	10 years
- 5-foot walk only	4.100844	10 years

(2) Deleted by Bylaw No. 7006 - January 3, 1989.

Manner of Assessment	15.	The said uniform rates shall be specially assessed annually upon the lands liable therefore throughout the various terms of assessment set forth in Section 14(1) hereof, which terms of assessment are, in each case, within the estimated lifetime of the work.
Assessing Owner's	16.	In assessing the owner's share of the cost of construction of a district storm sewer, the said rate shall be specially assessed upon:

Share
District
Storm
Sewers

- (a) the land directly abutting upon the work;
- (b) the land not abutting directly on the work but deemed by Council to be benefitted thereby.

Excess
Funds

17. Should the special assessments provided for by this bylaw exceed the total cost of the work for or in respect of which they are levied, the proceeds of the special rate to the amount of the excess shall be placed in a general local improvement fund and shall not be used for any other purpose than to meet the whole or a part of the City's portion of the cost of a work of similar character.

Administra-
tion Duty
to Carry
Out Proce-
dures

18. The Administration shall do all things and carry out all necessary procedures to implement the terms and intent of this bylaw and comply with the requirements of the Act in bringing forward each year, when deemed necessary, the local improvement programs and the implementation of the same upon ratification by Council.

Repeal or
Amendment

19. This bylaw shall not be repealed or amended except:
- (a) by a bylaw unanimously passed at a regular or special meeting of Council at which all the members of the Council are present; or
 - (b) by a bylaw passed at a regular meeting of the Council pursuant to a notice in writing given and openly announced at the next preceding regular meeting of the Council setting forth the terms and substantial effect of the proposed bylaw.
20. Bylaw No. 5099 and amendments thereto are hereby repealed.
21. This bylaw shall come into force and take effect on the day of the final passing thereof.

Read a first time this 18th day of June A.D. 1973.
Read a second time this 25th day of June A.D. 1973.
Read a third time and passed this 25th day of June A.D. 1973.

"H.S. Sears"

"J. Kolynchuk"

Mayor

(SEAL)

A/City Clerk