

TOWN OF NEW GLASGOW
BYLAW NO. 19
LOCAL IMPROVEMENTS BYLAW

1. This Bylaw shall be known and may be cited as the "Local Improvements Bylaw" of the Town of New Glasgow.
2. In this bylaw:
 - (a) "curb" means concrete or asphalt curb
 - (b) frontage of a property means the linear measurement of the property line that abuts a street
 - (c) "owner" means owner of real property
 - (d) "property" means real property
 - (e) "street" includes a portion of the street, the street right of way or a portion of the street right of way
3. Council shall consider an petition requesting construction of curb on a street provided such petition is signed by owners whose combined frontage on the street exceeds 75% of the total frontage of the property abutting on that street and who are prepared to participate in cost sharing of the curb.
4. Upon receipt of the petition Council will prepare estimates and send each owner on the street by registered mail a proposal setting out the work to be done, its total cost and the cost to each owner with a request that the owner reply in writing within 10 days to the Town Clerk whether he or she is for or against the proposal.
5. Upon receipt of written acceptances of the proposal from owners whose combined frontage on the street exceeds 75% of the total frontage of the property abutting on that street, the construction of the curb shall take place if Council determines Town funding is available for it.
6. Total Town funding shall not exceed \$50,000.00 in any fiscal year and petitions shall be considered on a "first come first served" basis.
7. The total cost of the curb less any financial contributions from the federal, provincial or other municipal governments will be shared 60% by the Town and 40% by the owners.
8. Each owner's share of the cost shall be paid by a frontage charge which shall be in the same proportion to the total cost to all owners as his or her frontage is to the total frontage on the street, but there shall be a reduction for corner lots whereby 50% of the frontage of the shortest tangent of a corner lot will be subtracted from the total frontage.
9. The frontage charge shall constitute a lien on the whole of the individual owner's property fronting on the street in the same manner and with the same effect as rates and taxes pursuant to the Assessment Act of Nova Scotia and shall be collectable in the same manner as rates and taxes pursuant to the Assessment Act.

10. The frontage charge shall be due and payable thirty days from the date on the bill sent to the owner but may be paid either:

(a) in full on or before the due date or

(b) by equal annual installments over a ten year period.

11. If a owner wishes to pay by installment, he or she must so notify the Town Clerk in writing within 30 days of the initial frontage charge bill.

12. If the owner chooses to pay by installment:

(a) installments are payable on the anniversary of the date on which the charge became due and payable as shown on the initial bill.

(b) interest is payable on the unpaid balance at the same rate as the Town charges from time to time on overdue property taxes.

(c) the whole or any part of the unpaid balance may be paid at any time without notice or penalty.

(d) in case of default of payment of any annual installment or interest when due the whole balance including interest becomes immediately due and payable without notice or demand.

13. Interest on all amounts outstanding and unpaid, whether or not the owner has chosen to pay by installments, is payable at the same rate as the Town charges from time to time on overdue property taxes commencing 60 days after the date on the initial bill.

14. Notwithstanding any other section of this bylaw Council may proceed to install curb on any street that it deems necessary or appropriate in its usual course of service provision.

**DEPARTMENT OF HOUSING
& MUNICIPAL AFFAIRS**

Recommended for
approval of the Minister

Cathleen O'Grady
.....
Department Solicitor

APPROVED this20.....day
ofOctober.....19.....98

George Stedley
.....
Minister of Housing & Municipal Affairs

I, J.K. Langille, Clerk of the Town of New Glasgow do hereby certify that the foregoing is a true copy of a bylaw duly passed at a duly called meeting of the Town Council of the Town of New Glasgow, duly convened and held on the 21st day of September, 1998.

Given under the hand of the Town Clerk and under the seal of the said Town this 29th day of September, 1998

J.K. Langille
.....
TOWN CLERK