

BE IT RESOLVED by the Municipal Council of the Municipality of the County of Inverness that By-law No. 25, Improvement Charges, be repealed and re-enacted as follows:

**BY-LAW 22**

**IMPROVEMENT CHARGES**

1. The Municipal Council by resolution may order and direct that a permanent curb, gutter, sidewalk or pavement or any of them may be installed, laid or constructed on any street in the Municipality whether or not the same has been previously installed, laid or constructed thereon, with such material as the council deems necessary or advisable.
2. The costs incurred in installing, laying or constructing such curb, gutter, sidewalk or pavement shall be for as follows:
  - (a) One half of the cost to be paid by the Municipality;
  - (b) One half of the cost shall be paid by the owners of the properties fronting on the curb, gutter, sidewalk or pavement frontage in proportion to the length or frontage of each property;
  - (c) The full cost shall be paid by the Municipality for any curb, gutter, sidewalk or pavement situate at the intersection of two streets, and common to both.
3. The Municipal Engineer shall keep an account of the cost of such work and on its completion shall file in the Municipal Clerk's Office:
  - (a) A statement of the cost of the work;
    - (i) The amount to be paid by the Municipality pursuant to clause (c) of Section 2;
    - (ii) The total lineage frontage and the cost per foot to be paid by abutters;
  - (b) A statement of the lineal frontage of each property with the name of the owner thereof.
4. The Municipal Clerk, from the statements filed by the Engineer, shall determine the amount of charge or tax to be assessed and levied upon and paid by the respective owner of properties fronting on the curb, gutter, sidewalk or pavement.
5. Every charge or tax imposed under the provisions of this by-law, shall constitute a lien upon the real property as provided for rates and taxes of the Assessment Act and shall be collectible in the same manner as rates and taxes on real property are collected under the Assessment Act.

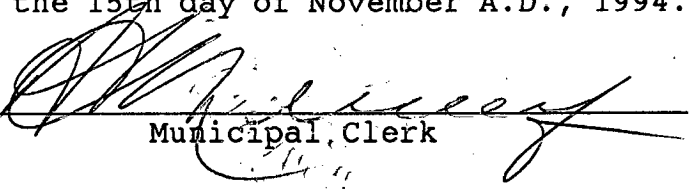
6.(1) Such charge or tax shall be due and payable on the day when the bill therefor is mailed by ordinary mail to the person liable, and at the option of the respective persons liable may be paid in either of the following ways:

(a) By one lump sum payment in the year in which the charge or tax is assessed; or

(b) By equal annual payments each, payable on the anniversary of the date on which the amount became due and payable, extended over the period of ten years, with interest payable thereon annually at the rate of ten per centum per annum with power however to prepay the whole or any part of the amount remaining, at any time, without notice and provided that if default is made in the payment of any annual payment or interest or both when it falls due then the whole balance immediately becomes due and payable without notice or demand.

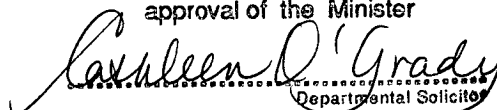
(2) The owner shall within one month after receiving the bill, notify the Municipal Clerk in writing of which option has been selected under subsection (1), and in event of failure to do shall be deemed to have selected that provided by clause (b) thereof.

THIS IS TO CERTIFY that the foregoing by law is a true copy of a by-law duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness duly held on the 15th day of November A.D., 1994.

  
Municipal Clerk

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for  
approval of the Minister

  
Departmental Solicitor

APPROVED this 9th day  
of December 1994

  
Minister of Municipal Affairs