

**CITY OF PRINCE GEORGE**

**BYLAW NO. 7650, 2004**

**A Bylaw of the City of Prince George to authorize the construction of works as a local area service project pursuant to the *Community Charter*.**

**WHEREAS** the *Community Charter* authorizes Council to undertake various works on the initiative of Council as a local area service (LAS);

**AND WHEREAS** the Council of the City of Prince George wishes to undertake:

Downtown Street Tree Planting Local Area Service 2004

as a local area service on the initiative plan;

**AND WHEREAS** the required notice of the intention of Council to undertake the work was given by publication of a notice and by the mailing of such notice to the owners of parcels of land subject to the local service tax for said street tree planting;

**AND WHEREAS** no petition against the work signed by at least 50 per cent of the owners, representing at least 50 per cent of the value of the parcels that are subject to the local service tax, has been filed within one month after publication of the notice;

**NOW THEREFORE** the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. Council is hereby empowered and authorized to undertake and carry out the planting of street trees, and associated professional services, construction works to restore sidewalks, curbs and asphalt pavement and existing infrastructure relocation as required to accommodate the tree planting, of the following project as a local area service:

Downtown Street Tree Planting LAS 2004

- (a) On the street boulevards within the boundaries of the areas indicated in Schedule A, which generally includes:
  - The west side of Brunswick Street, Quebec Street and Dominion Street between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue;
  - The east side of Brunswick Street between 2<sup>nd</sup> Avenue and southward to the lane north of 3<sup>rd</sup> Avenue;
  - The east side of Quebec Street between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue;
  - The east side of Dominion Street between 3<sup>rd</sup> Avenue and northward to the lane south of 2<sup>nd</sup> Avenue;
  - The west and east sides of George Street between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue;and,

- The west side of George Street between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue for a distance southward that is the equivalent of the frontage length of the first 5 lots.
2. Council is hereby empowered and authorized to:
    - (a) Spend the amount of \$108,100.00 (one hundred eight thousand one hundred dollars) for the aforesaid purpose;
    - (b) Acquire all such property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction, enlargement or extension of the said work.
  3. The total actual frontage of the parcels of land within the local area service boundary identified in Section 1 (a) of this Bylaw is 633.428 metres. In cases where street trees already exist, the total taxable frontage of the parcels of land within the local area service boundary defined in Section 1 (a) of this Bylaw will be determined by reducing the actual frontage by the amount of frontage as calculated pursuant to Section 4 (b).
  4. A parcel tax assessment roll shall be prepared by the Collector for those parcels subject to the local service tax pursuant to this Bylaw. The parcel tax shall be charged on the basis of actual frontage abutting the street on which the street trees are planted. The streets on which trees will be planted as defined in Section 1 (a) of this Bylaw include Brunswick Street, Quebec Street, Dominion Street and George Street. Where, on the date of approval of this Bylaw, street trees exist within the highway boulevard abutting a parcel included in the boundaries described in Section 1 (a) of this Bylaw, the parcel tax assessment roll prepared by the Collector for those parcels subject to the local service tax shall divide those parcels into classes. The classes shall be defined according to the following formula and charges for such classes as set out herein:
    - (a) Class 1 shall include any parcel of land with no existing street trees on the date of approval of this Bylaw and the taxable frontage shall be calculated on the basis of the actual frontage of the Bylaw;
    - (b) Class 2 shall include any parcel of land where, on the date of approval of this Bylaw street trees exist within the highway boulevard abutting the parcel included in the boundaries, and shall be charged on the basis of taxable frontage, which is defined as the actual frontage less 11.176 metres per existing tree.
  5. The proportion of the cost of the local area service to be subject to the local service tax against the parcels within the boundaries of the area of local area service is 50 percent.
  6. The amount charged to persons whose parcels are subject to the local service tax for the works to be constructed pursuant to this Bylaw shall be determined by: multiplying the cost of the work by 50 percent ; dividing that product by the total taxable frontage of the project as indicated in Section 3 of this Bylaw; and then multiplying the resulting quotient by the taxable frontage of the property owner's parcel as determined in Section 4 of this Bylaw.

- 7. The local area service costs, as calculated in Section 6 of this Bylaw, plus financing costs, shall be divided over a ten period and levied on the parcels within the boundaries of the local area service, unless the parcel owner elects to commute payment in accordance with Section 8 of this Bylaw.
- 8. Persons whose parcels are subject to the local service tax for the works to be constructed pursuant to this Bylaw may commute for a payment in cash the local service tax imposed on them. In order to commute for payment in cash the local service tax imposed on them, owners whose parcels are subject to the local service tax for the works to be constructed pursuant to this Bylaw must make payment in full of the amount determined pursuant to Section 6 of this Bylaw not later than thirty (30) days after the authentication of the local improvement frontage tax assessment roll by the Court of Revision.
- 9. This Bylaw may be cited as "Downtown Street Tree Planting Local Area Service 2004 Bylaw No.7650, 2004".

READ A FIRST TIME THIS THE 13th DAY OF SEPTEMBER , 2004.

READ A SECOND TIME THIS THE 13th DAY OF SEPTEMBER , 2004.

READ A THIRD TIME THIS THE 13th DAY OF SEPTEMBER , 2004.


All three readings passed by a unanimous decision of Members of City Council present and eligible to vote.


THIRD READING RESCINDED ON THIS THE 27TH DAY OF SEPTEMBER , 2004, BY A UNANIMOUS DECISION OF MEMBERS OF COUNCIL PRESENT AND ELIGIBLE TO VOTE.

READ A THIRD TIME AS AMENDED THIS THE 27TH DAY OF SEPTEMBER , 2004.

Third reading passed by a UNANIMOUS decision of Members of City Council present and eligible to vote.

ADOPTED THIS THE 1st DAY OF NOVEMBER , 2004, BY A UNANIMOUS DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

  
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 MAYOR

  
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 CLERK

Local Area  
Service Boundary



Schedule "A" Local Area Service Bylaw No. 7650