

C3 Water Supply Program (WSP) Bylaw

The Municipal Council of the Municipality of the County of Annapolis under the authority vested in it by Subsections 65(acb) and 81A(1)(b) of the *Municipal Government Act*, enacts as follows:

Title

1. This Bylaw shall be known as “*C3 Water Supply Program (WSP) Bylaw.*”

Purpose

2. The purpose of this Bylaw is to enable financing of water supply upgrades to qualifying residential properties within the Municipality of the County of Annapolis.

Definitions

3. In this Bylaw words and phrases have the same meaning as in the *Municipal Government Act* or as provided below:
 - a) “Chief Administrative Officer” means the Chief Administrative Officer of the Municipality;
 - b) “Director of Finance” means the Director of Finance of the Municipality;
 - c) “Water Supply Upgrade” means an installation that is permanently affixed to the property and which
 - i. Provides a sustainable water supply;
 - ii. Will result in substantially improved water supply;
 - iii. Will result in substantially improved water conservation;
 - iv. Will remove or alleviate contaminants rendering a water supply potable in accordance with Health Canada drinking water guidelines.
 - d) “Municipality” means the Municipality of the County of Annapolis;
 - e) “WSP Customer Agreement” means the written, signed Water Supply Program Customer Agreement between the owner of a qualifying property and the Municipality for financing of a Water Supply Upgrade to the property.
 - f) “WSP Charge” means the Water Supply improvement tax levied on the property pursuant to s.81A of the *Municipal Government Act*.
 - g) “WSP Program” means the program established by the Municipality under which owners of Qualifying Properties may apply for and obtain financing for Water Supply Upgrades.
 - h) “Qualifying Property” means an owner-occupied residential property located within the Municipality, but does not include multi-unit residential or non-profit owned buildings and does not include business or industrial premises.

APPLICATION AND APPROVAL

4. An owner of a Qualifying Property within the Municipality who is not otherwise in default of any municipal taxes, rates or charges, may apply for Municipal financing of Water Supply Upgrades to the property.
5. Financing shall be subject to Municipal approval and execution of a WSP Customer Agreement with the owner of the Qualifying Property.

PAYMENT OF CHARGE

6. The WSP charge shall become payable in full on completion of installation of the Water Supply Upgrade in accordance with the WSP Customer Agreement.

C4 Clean Energy Program (CEP) Bylaw

- 7. The Director of Finance shall maintain a separate account of all monies due for WSP charges levied pursuant to this Bylaw, identifying:
 - a) The names of the property owners and assessment, PID and civic address information of the subject property;
 - b) The amount of the WSP charge levied on the property;
 - c) The amount paid on the WSP charge.

LIEN

- 8. On completion of a Water Supply Upgrade pursuant to a WSP Customer Agreement, the WSP Charge shall be levied against the property.
- 9. A WSP Charge imposed pursuant to this Bylaw constitutes a first lien on the subject property and has the same effect as rates and taxes under the *Assessment Act*.
- 10. A WSP Charge pursuant to this Bylaw is collectable in the same manner as rates and taxes under the *Assessment Act* and, at the option of the Director of Finance, is collectable at the same time and by the same proceedings as taxes.
- 11. The lien provided for in this Bylaw shall become effective on the date on which the Chief Administrative Officer files with the Director of Finance a certificate that the agreed improvement has been completed.
- 12. The lien provided for in this Bylaw shall remain in effect until the total charge, plus interest, has been paid in full.

INTEREST

- 13. Interest will be charged on WSP Charges at a rate of Municipal cost of borrowing plus one percent (1%) per annum.
- 14. Interest shall accrue on any WSP Charge or portion thereof which remain outstanding from the date of billing.
- 15. Interest is payable annually on the entire amount outstanding and unpaid, whether or not the owner has elected to pay by installments.

INSTALLMENT PAYMENTS

- 16. The owner of a Qualified Property may elect to pay the WSP Charge by equal installment payments over a period or not more than 10 years, as set out in the WSP Customer Agreement.
- 17. In the event of default of any installment payment under the WSP Customer Agreement, the entire outstanding balance shall be immediately due and payable.

Clerk 's Annotation For Official Bylaw Book	
Date of First Reading	December 20, 2016
Date of Advertisement of Notice of Intent to Consider	January 11, 2017
Date of Second Reading	January 17, 2017
Date of advertisement of Adoption of Bylaw	January 25, 2017*
I certify that this Bylaw was adopted by Municipal Council and published as indicated above.	
<i>Carolyn Young</i>	January 25, 2017
Municipal Clerk	Date
*Effective date of the Bylaw unless otherwise specified.	