

**CORPORATION OF THE VILLAGE OF BARNWELL  
IN THE  
PROVINCE OF ALBERTA**

**BYLAW NO. 04-15**

BEING A BYLAW OF THE VILLAGE OF BARNWELL IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AMENDING BYLAW NO. 5-09 "OFF-SITE LEVY" BYLAW

**WHEREAS**, pursuant to the provisions of the Municipal Government Act, RSA 200 cM-26 as amended or repealed and replaced from time to time, provides that the Council of a Municipality may pass a Bylaw establishing an off-site levy;

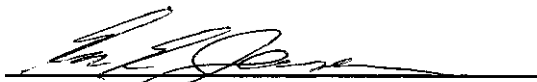
**WHEREAS**, Council deems that the amount of the off-site levy as established in Village of Barnwell Bylaw 5-09 by MPE Engineering is in excess of an amount that is reasonable to encourage growth and stimulate the economy in the Village

**WHEREAS**, the Council of the Village of Barnwell deems it necessary to amend Village of Barnwell Offsite Levy Bylaw No. 5-09

**NOW THEREFORE** the Municipal Council of the Village of Barnwell, duly assembled, hereby enacts as follows:


1. That Bylaw No. 5-09 Section 4 is amended as follows:
  - a) The "off-site levy" to be imposed will be Thirty Thousand Dollars (\$30,000) per hectare of land that is to be developed or subdivided.
  - b) Developers who front end the construction of off-site levy infrastructure may apply the cost of this infrastructure against off-site levies due to the Village of Barnwell as per Guiding Principles outlined in Schedule "B" as attached
  - c) Payment of the Off-Site Levy:
    - i. 50% of the Levy is payable upon signing of the Development Agreement
    - ii. The remaining 50% shall be paid prior to the issuance of any Development permits on the developed land
  - d) Special conditions by resolution of Council shall apply where Council sees that it would be equitable to do so.
  
2. That this Bylaw shall take force and have effect upon final reading thereof.

READ a **first** time this 19<sup>th</sup> day of November, 2015.

  
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Mayor - Eric Jensen

  
\_\_\_\_\_  
Municipal Administrator - Wendy Bateman

READ a **second** time this 21<sup>st</sup> day of January, 2016.

  
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Mayor – Eric Jensen

  
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Municipal Administrator - Wendy Bateman

READ a **third** time and finally PASSED this 21<sup>st</sup> day of January, 2016.

  
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Mayor – Eric Jensen

  
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Municipal Administrator - Wendy Bateman

**VILLAGE OF BARNWELL  
BYLAW 4-15**

**SCHEDULE 'B'**

**OFFSETTING OFF-SITE LEVIES FOR FRONT END INFRASTRUCTURE COSTS**

**Guiding Principle**

Developers that front end the construction of off-site infrastructure for a development may apply the cost of this infrastructure against off-site levies as follows:

1. The offset credit will be based upon the Village of Barnwell approved construction estimates. The developer will provide this estimate. The developer estimate must be certified by a professional engineer or based on a fixed price bid from a contractor. When the infrastructure is ultimately constructed, the actual cost of construction, approved by the Village, may be applied to adjust any off-site levies still owing. The developer must advise the Village of any change orders that impact the cost of the approved infrastructure and the change order must be approved in writing by the Village to be eligible levy assessment offset.
2. Developers will be responsible to construct off-site infrastructure to the standards and specifications of the Village. At completion, infrastructure will be subject to Village inspection. The developer will be responsible to remedy construction deficiencies at the developers own expense.
3. The Village of Barnwell will not reimburse the developer for off-site infrastructure costs greater than the amount of the calculated off-site levy. However, if the developer is required to oversize or install infrastructure to service their development, where later developments may access or tie-in to those services, the Village may use an 'Endeavor to Assist Clause' in the Development Agreement to compensate for such costs. Any cost recovery required through such agreement is over and above the off-site levies attached to any parcel.

