

BY-LAW 24

IMPROVEMENT CHARGES

1. Whenever persons owning more than fifty percent of the frontage of the real property fronting on the street where a curb, gutter, sidewalk or pavement is to be installed, laid or constructed, and whenever these persons have filed with the Clerk a petition praying that the work be performed, then the Municipal Council may by Resolution 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 with such materials as the Council deems necessary or advisable.
2. The total costs incurred by the Municipality in installing, laying or constructing such curb, gutter, sidewalk or pavement shall be paid for as follows:
  - (a) 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.
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 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 is provided for rates and taxes by Section 153, Chapter 14 of R.S.N.S., 1967, 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 10 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 his bill, notify the Municipal Clerk in writing, which option he has selected under subsection (1), and in event of his failure to do so shall be deemed to have selected that provided by Clause (b) thereof.