



## **TOWN OF KENTVILLE BY-LAW CHAPTER 63 CURB AND SIDEWALK CHARGES**

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1. The Town may require a residential developer or other person installing a street (herein called an “assessed Street”) to install a permanent curb, gutter and sidewalk or any one or more of them (herein called “the Work”) on or in conjunction with such street using such materials as the Town may direct.
2. The cost of the Work shall be paid by the owners, from time to time, of any lots of land having frontage on the assessed Street; and the cost shall be pro-rated amongst the owners in proportion to the length of frontage of each lot.
3. If a lot is located on a corner formed by the intersection of two assessed Streets, the lot frontage of the corner lot shall be deemed to be the longest of the two frontages unless both frontages exceed 75 feet, in which case the frontage shall be deemed to be the longest of the two frontages plus the amount by which the second frontage exceeds 75 feet.
4. The Town engineer shall keep a record of the cost of the Work and provide it to the Town Clerk. The Town Clerk shall retain the record in the Town Clerk’s office and the Clerk shall maintain the information in the record up to date. The information in the record shall include:
  - a. a statement of the cost of the Work; and
  - b. a record of the frontage of each lot as determined by section 2 hereof; and
  - c. the name of the owner of each such lot.
5. By reference to the information filed in the Town Clerk’s office, the Town Clerk shall determine the amount to be paid by an owner pursuant to section 2 (herein sometimes referred to as the “owner’s charge”). The owner’s charge shall be assessed and levied upon the lot and shall be paid by the owner with and in the same manner as the owner’s property tax.
6. Every owner’s charge shall constitute a lien upon the lot as provided for under section 81(1)(d) and section 507 of the Municipal Government Act.
7. (1) The owner’s charge shall be payable upon completion of the Work and delivery by the Town of the assessment of the owner’s charge which assessment shall be delivered in the same manner as the delivery of the owner’s property assessment. The Town shall provide to the owner of the lot the option of paying the owner’s charge in either of the following ways:
  - a. by one lump sum in the year in which the owner’s charge is assessed;
  - b. by payment thereof, together with interest at the rate of 6% per annum by equal annual payments of blended principal and interest

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over a term of ten years commencing on the due date indicated in the Town's assessment of the owner's charge;

- c. the balance owing can be pre-paid at any time without bonus or penalty;
- d. if default is made in the payment of any instalment or portion thereof the full balance of the owner's charge becomes immediately due and payable without notice or demand, together with interest to the date of payment;

(2) An owner shall exercise the option provided in section 7(1) within 30 days of receipt from the Town of the owner's charge by notifying the Town Clerk in writing as to which option the owner selects. Failure to notify the Town Clerk as provided shall be deemed to be the selection of option 7(1)(b)

Date of first reading:	July 10, 2002
Date of advertisement of Notice of Intent to Consider:	August 27, 2002
Date of second reading:	September 11, 2002
*Date of advertisement of Passage of By-Law:	September 17, 2002
Date of mailing to Minister a certified copy of By-Law:	September 18, 2002

I certify that this Curb and Sidewalk Charges Bylaw – Chapter 64 was adopted by Council and published as indicated above.



CAO Mark Phillips

\*Effective Date of the By-Law unless otherwise specified in the By-Law