

TITLE: LOCAL IMPROVEMENT PLAN - PAVING

RESOLUTION NUMBER: 2020-11-12

POLICY #: CP-026

EFFECTIVE DATE: JULY 15, 2025

SUPERSEDES: 250-004/22

UP FOR REVIEW: 2029

PURPOSE

The Town of Magrath uses Local Improvement Plan charges to recover all or part of the cost of paving streets benefitting abutting property owners. When a street is at a stage where it is possible to pave, the Town has already contributed to the costs by completing coring, basing, and possibly curb, gutter and sidewalks. The complete cost of paving will be paid by the abutting property owners through a Local Improvement Plan and will be applied in a fair and equitable manner, taking into consideration the impact said charges have on its ratepayers, and the impact on benefitting properties.

DEFINITIONS

Flankage means the longest side of a rectangle corner lot.

Frontage means the shortest side of a rectangular lot.

Odd Shaped Lot means a lot in which the front and rear dimensions are not uniform.

Paving means hot asphalt paving and does not include road oiling or cold mix paving.

POLICY STATEMENTS

1. Project Proposal
 - a. A Local Improvement Plan project may be initiated by the ratepayers through a petition to the Council.
 - b. Council may propose a Local Improvement Plan project on its own initiative.

2. Implementation
 - a. When a Local Improvement project is initiated by an owner's petition or by Council, the rate for which the Town and the benefitting owners will contribute will be determined by council while preparing the Local Improvement Plan.
 - b. If a petition for paving is received before a road is ready for paving (coring, basing, curb, gutter and sidewalks where appropriate, and all deep services installed) the costs for the preparation of the road will also be included in the Local Improvement Plan.

- c. The costs of Local Improvements will be charged based on frontage and/or flankage. This provides a method to allocate the construction cost based on the number of lineal meters in the Local Improvement project. Each parcel abutting or benefitting in the Local Improvement will be a fair, just and equitable proportion.
 - d. The costs of the Local Improvement will be recovered over a period not greater than 10 years unless the Council determines it is equitable or required to extend or shorten the duration.
 - e. The Town will prepare a Local Improvement Plan and accompanying Bylaws following Part 10, Division 7 of the Alberta Municipal Government Act (MGA).
 - f. Under the MGA, if more than two-thirds (2/3) or sixty-seven percent (67%) of the benefitting property owners representing fifty percent (50%) of the assessed value of the Local Improvement area object in writing to a Local Improvement, the Town will not proceed with the Local Improvement project within one (1) year.
3. Procedures:
- a. Frontage, for the front or rear side of a rectangular property, will be determined by the front or rear dimension of the properties abutting the Local Improvements.
 - b. Flankage, for a corner lot, the maximum portion the owner will pay is the first 15.24 meters (50 feet) from any corner (in some instances there would be 2 corners involved – 30.48 meters [100 feet]). The Town will be responsible for the remainder of the flankage side.
 - c. Odd-shaped lot frontage will be determined by calculating the average of the front and rear dimensions of the property abutting the Local Improvements. Frontage for pie-shaped lots will be calculated in the same manner.
4. Payment of Local Improvement Tax:
- a. The Local Improvement assessed value repayment may be either as one lump sum or over a period not to exceed ten (10) years, with interest at the prevailing rate prescribed by the Alberta Government's Loans to Local Authority program.
 - b. If an owner chooses a payment plan, the annual amount will be applied to the tax assessment and will be collected in the same manner as taxes.