

PROPOSED

PFC2021-0503
ATTACHMENT 1

BYLAW NUMBER 1H2021

BEING A CHARTER BYLAW OF THE CITY OF CALGARY TO AUTHORIZE ONLINE ADVERTISING OF PUBLIC WORKS NOTICES AND SALE OF LAND/MANUFACTURED HOMES TO RECOVER TAXES

WHEREAS the section 4 of the City of Calgary Charter, 2018 Regulation, AR 40/2018 (the “Charter”) modifies the Municipal Government Act, R.S.A. 2000, c. M-26, (the “Act”) as it is to be read for the purposes of being applied to the City of Calgary;

AND WHEREAS subsection 4(28.1) of the Charter adds section 606.2 to the Act;

AND WHEREAS section 606.2 states that Council may by bylaw modify any or all of the advertising requirements set out in subsections 421(1), 436.12(1) and 534(2) of the Act;

AND WHEREAS Part 10, Division 8 (Recovery of Taxes Related to Land) of the Act requires a municipality to conduct a public auction of land to recover tax arrears and subsection 421(1) requires the municipality to advertise such an auction;

AND WHEREAS Part 10, Division 8.1 (Recovery of Taxes Related to Designated Manufactured Homes) contains similar provisions including subsection 436.12(1) regarding the recovery of tax arrears in respect of designated manufactured homes;

AND WHEREAS subsection 534(2) requires a municipality to, within one year after construction or erection of a public work or structure is completed, place in a newspaper circulating in the municipality, a notice that (a) identifies the public work or structure, (b) gives the date of completion, and (c) states that claims for compensation under section 534 must be received within 60 days after the notice is published in the newspaper;

AND WHEREAS pursuant to subsection 9(1) of the Charter, Council must, before giving second reading to a proposed bylaw under the authority provided by section 4 of the Charter, hold a public hearing in respect of the proposed bylaw in accordance with section 230 of the Act, after giving notice of it in accordance with section 606 of the Act.

AND WHEREAS this Bylaw has been advertised in accordance with section 606 and a public hearing has been held in accordance with section 230:

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

Short Title

1. This Bylaw may be cited as the “Online Advertising of Public Works Notices and Tax Recovery Sales Charter Bylaw”.

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Definitions

2. In this Bylaw:

- (a) “*Act*” means the Municipal Government Act, R.S.A. 2000, c. M-26;
- (b) “*City*” means the municipal corporation of The City of Calgary;

Advertising of Public Auctions of Land

- 3. (1) Despite subsection 421(1) of the *Act*, the *City* may advertise a public auction held pursuant to Part 10, Division 8 - Recovery of Taxes Related to Land by posting a notice of the auction on the *City*’s website not less than 10 days before the date on which the public auction is to be held.
- (2) Subsections 421(2), (3) and (4) of the *Act* apply to a notice posted pursuant to subsection (1).

Advertising of Public Auctions of Designated Manufactured Homes

- 4. (1) Despite subsection 436.12(1) of the *Act*, the *City* may advertise a public auction held pursuant to Part 10, Division 8.1 - Recovery of Taxes Related to Designated Manufactured Homes by posting a notice of the auction on the *City*’s website not less than 10 days before the date on which the public auction is to be held.
- (2) Subsections 436.12(2) and (3) of the *Act* apply to a notice posted pursuant to subsection (1).

Section 534 Notice

- 5. Despite subsection 534(2) of the *Act*, within one year after the construction or erection of a public work or structure is completed, as signified by the construction completion certificate, the *City* must deliver or mail to every owner of land that abuts land on which the public work or structure is situated, and post on the *City*’s website, a notice that:
 - (a) identifies the public work or structure,
 - (b) gives the date of completion, and
 - (c) states that claims for compensation under this section must be received within 60 days after the notice is posted on the *City*’s website.

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Coming into force

6. This Bylaw comes into force upon being published on the *City's* website in accordance with section 10 of the City of Calgary Charter, 2018 Regulation, AR 40/2018.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____

PUBLISHED ON THE CITY'S WEBSITE THIS _____ DAY OF _____, 2021.