

THE RURAL MUNICIPALITY OF WHITEMOUTH

BY-LAW NO. 621/14

BEING A BY-LAW TO ESTABLISH A FINANCIAL ASSISTANCE PROGRAM TO PROVIDE AN INCENTIVE FOR NEW RESIDENTIAL DEVELOPMENT.

WHEREAS subsections 261.2 (2) of The Municipal Act provides as follows: "A council may by by-law establish financial assistance programs, which may include provisions establishing terms and conditions under which financial assistance may be provided or terminated, including establishing criteria for determining the year or years during which financial assistance may be paid out or applied";

AND WHEREAS it is deemed necessary and desirable to establish a financial assistance program to provide incentives for new residential development;

NOW THEREFORE the council of The Rural Municipality of Whitemouth enacts as follows:


That a financial assistance program to provide taxation incentives for new residential development be established. That The Rural Municipality of Whitemouth will provide to the registered owner of a newly constructed residential dwelling a grant the equivalent of two years general municipal taxes. This grant does not include School Division taxations or future by-law taxations.

That the financial assistance program be administered in accordance with the Policy Requirements as attached to this by-law as Schedule "A".

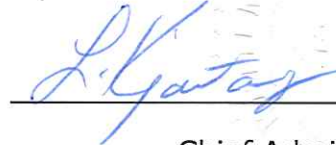
That the applicant is responsible to apply for the incentive program on the Application Form as attached to this by-law as Schedule "B".

That upon acceptance of the incentive program application; the applicant must enter into a Development Incentive Agreement with the Rural Municipality of Whitemouth as attached to this by-law as Schedule "C".

DONE, PASSED and ENACTED as a by-law of The Rural Municipality of Whitemouth in the Province of Manitoba this 9th day of July, 2014.

23rd JK


Reeve



Chief Administrative Officer

Read a first time this 25th day of June, AD 2014

Read a second time this 25th day of June, AD. 2014

Read a third time this 9th day of July, AD. 2014

23rd JK

THE RURAL MUNICIPALITY OF WHITEMOUTH

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Schedule "A" POLICY GUIDELINES

Program Purpose:

The purpose of the program is to encourage construction of new, fully constructed residences in The Rural Municipality of Whitemouth effectively increasing economic development and increasing the tax base.

Definitions:

"general municipal taxes" means all municipal taxes and existing debenture debt as of the date of third reading of this By-law No. 621/14 imposed by The Rural Municipality of Whitemouth based on the portioned assessment of the land and buildings. This does not include School Division taxations or pertinent by-law taxations.

"new, fully constructed residences" means the following single family dwellings:

- (a) built on site structures, constructed in the year or immediately preceding year, that comply with building codes and by-laws of The Rural Municipality and the Province of Manitoba;
- (b) Ready to Move (RTM) homes constructed in the year of immediately preceding year, as certified by the contractor that comply with building codes and by-laws of The Rural Municipality of Whitemouth and the Province of Manitoba.

"registered property owner" means the registered owner(s) of the land upon which a new, fully constructed residence is or is to be situated.

Requirements:

1. Upon acceptance of a tax incentive credit applicant as passed by a Resolution of the Council of The Rural Municipality of Whitemouth, The Rural Municipality of Whitemouth shall grant and will apply a credit for general municipal taxes on The Rural Municipality of Whitemouth property tax roll to the registered property owner annually on October 31st of each eligible year as calculated in paragraph two below.
2. The Development Incentive program will provide general municipal tax credits for a maximum of twenty-four months. The general municipal tax credits distributed on a prorated basis as follows:

Portion A: The first portion of the tax credit will be calculated from January 1st to December 31st in the first full year that taxes are levied. This portion of the tax credit will be applied directly to the municipal tax account on October 31st.

Portion B: The second portion of the tax credit will be calculated from January 1st to December 31st. This portion of the tax credit will be applied directly to the municipal tax account on October 31st.

3. Registered property owners are responsible to apply for an incentive under this program and must make application in writing to The Rural Municipality of Whitemouth on the application form attached to this By-law No.621/14 as Schedule "B" and provide such additional documentation as may be required by The Rural Municipality of Whitemouth to process such application prior to commencing construction.
4. Building permits must be obtained and approved and construction of the new, fully constructed residence must be substantially complete within twelve (12) months of the application to be eligible for the incentive program. The date of the final inspection and approval by the Building Inspector shall be the date of substantial completion. The registered property owner may make an application to the Council of The Rural Municipality of Whitemouth for an extension for the date of substantial completion.
5. The new, fully constructed residence must have a minimum building assessment of One Hundred Thousand Dollars (\$100,000.00).
6. The new, fully constructed residence must be in full compliance with building codes and by-laws of the Rural Municipality of Whitemouth and the Province of Manitoba.
7. The registered property owner must not be in violation of any of the by-laws, development agreements or zoning regulations of the Rural Municipality of Whitemouth. In the event of such violation, the tax incentive credit shall cease and the Development Incentive Agreement shall be terminated.
8. All infrastructure costs associated with the preparation of the land shall be borne by the registered property owner, subject to any applicable development agreement.
9. All costs associated with transfer of title of a new, fully constructed residence are the responsibility of the purchaser.
10. A Municipal sign (Successful Tax Incentive Recipient) must be visibly placed on the property for a minimum period of six (6) months following the date of substantial completion.
11. Property taxes must be kept current. In the event that there are any tax arrears, the tax incentive credit shall cease and the Development Incentive Agreement shall be terminated. Any property taxes due during the residual construction year prior to the date of substantial completion must be paid in full by October 31st of the current year.
12. In the event that there is any dispute regarding eligibility for the program and/or credit amount available, the decision of Council of the Rural Municipality of Whitemouth will be final.

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Schedule "B"

New Residential Tax Incentive Application

Please submit the completed application to:
Rural Municipality of Whitemouth
Tax Incentive Program
Box 248
Whitemouth, MB
R0E 2G0

Only one application per property will be accepted.
You are eligible to apply for the R.M. of Whitemouth New Residential Tax Incentive Program if you are constructing or moving in a new dwelling onto currently owned or newly acquired property within the Municipality. Property must be appropriately zoned in accordance to the Rural Municipality of Whitemouth Zoning By-law.

Applicant

First Name	Last Name
Mailing Address	
Number & Street	
Box Number	
City	
Province	
Postal Code	
Phone Number	
Fax Number	
E-mail Address	

Co-Applicant (if applicable)

First Name	Last Name
Mailing Address	
Number & Street	
Box Number	
City	
Province	
Postal Code	
Phone Number	
Fax Number	
E-mail Address	

Property Information

Street Address and/or Legal Description	
Title Number	Roll Number
Property area/frontage	Assessed Value

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Please provide a detailed description of the proposed new dwelling.

Please provide a detailed site plan.

I, _____ hereby acknowledge that this credit is only issued by the RM if the property owner is in compliance with Schedule A to By-Law 621/14 - Policy Guidelines.

RM of Whitemouth Building Permit Number: _____

Signature of Applicant: _____

Date: _____

Signature of Co-Applicant: _____

Checklist of required documentation:

Document	Required	Submitted	Received by
Certificate of Title			
Approved Building Permit			

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**Schedule "C"
DEVELOPMENT INCENTIVES AGREEMENT**

THIS AGREEMENT made this _____ day of _____ A.D., 20____

BETWEEN:

Rural Municipality of Whitemouth (First Party)

AND

(Registered Property Owner(s))(Second Party)

Roll# _____

Civic Address: _____

Legal Description: _____

THAT both parties agree that Schedule "A" Policy Requirements to By-law No. 621/14, being The Rural Municipality of Whitemouth Development Incentive By-law, must be met to deem this agreement valid; and

THAT both parties agree that a grant, equivalent to two (2) year's general municipal taxes be allocated after all conditions of By-law No. 621/14 have been met;

THEREFORE a grant will be given to the registered property owner who has met all conditions of By-law No. 621/14 pertaining to the construction of a new residence.

DATED at The Rural Municipality of Whitemouth, in Whitemouth, Manitoba this _____ day of _____, A.D. 20_____.

Witness

Registered Property Owner

Witness

Registered Property Owner

The Rural Municipality of Whitemouth

Witness

Reeve

Witness

Chief Administrative Officer