

**TOWN OF KAMSACK
BYLAW NO. 12/2010**

**A BYLAW TO PROVIDE FOR THE ABATEMENT OF COMMERCIAL OR INDUSTRIAL
LAND OR IMPROVEMENTS, IN WHOLE OR IN PART, FROM TAXATION.**

The Council of the Town of Kamsack, in the Province of Saskatchewan, enacts as follows:

Title

1. This Bylaw may be referred to as “The Business Tax Concession Bylaw.”

Definitions

2.
 - a. Existing Business – a business that is currently licensed by the Town of Kamsack and has been for a minimum of one (1) year.
 - b. New Business – a business that is not currently licensed by the Town of Kamsack and has not been for a period of one (1) year.

Concessions

3. The tax concessions outlined on schedule ‘A’ shall be applicable to business owners in the Town of Kamsack.

4. General

- a) One year from the date of business opening shall be allowed for an owner to apply for a tax concession for a business.
- b) Applications for tax concessions shall originate with the property owner, and shall be sent to the Town, in writing. Only one application shall be considered in a calendar year (January 1 - December 31). Each tax concession will be in the form of an Agreement signed by both the Town and the property owner and is not transferrable. A Bylaw will be passed by Council to enter into said Agreement. The form of the Agreement shall be as shown by Schedule ‘B’, attached to and forming part of this Bylaw.
- c) Local Improvement (Frontage) taxes are not included in any tax concession.
- d) Each application for a tax concession will be considered by Council, and may be rejected. Council may enter into Agreements other than those listed in Schedule ‘A’, at its’ discretion. Council’s decision shall be considered final.
- e) Tax concessions will be given provided taxes are paid on or before December 31 of each year. If taxes are not paid before December 31 of a given year within the duration of a tax concession, the agreement shall be considered void.
- f) This Bylaw is made in accordance with Section 295(2) of *The Municipalities Act*.
- g) Bylaw No. 14/2009 is hereby repealed.
- h) This Bylaw shall come into force and take effect on the final date of passing.

Mayor

Town Administrator

**Read a third time and adopted
this ___ day of _____, 2010.**

Schedule 'A'

Concession	Concession Details
Construct a new building and operate a new or existing business	Year 1 - 100% Year 2 - 75% Year 3 - 50%
<p>Business Purchases or Expansions, which includes:</p> <ul style="list-style-type: none">• Purchase a building which has been vacant for at least 1 year and operate a new or existing business• Purchase, through an arm's length transaction, an existing business and operate the same business• Purchase, through an arm's length transaction, an existing business and operate a new business• Expand or renovate an existing business. Renovations/expansion must result in an increase in assessed value. Concession applies only to the increased portion of the assessed value.	Year 1 - 50% Year 2 - 25%

SCHEDULE 'B' OF BYLAW NO. 12/2010 OF THE TOWN OF KAMSACK

THIS AGREEMENT made in duplicate this _____ day of _____, A.D., _____.

BETWEEN:

**THE TOWN OF KAMSACK
OF THE FIRST PART
AND**

**PROPERTY OWNER
OF THE SECOND PART**

WHEREAS Section 295(2) of *The Municipalities Act*, authorizes a Municipality to pass a bylaw to enter into an agreement with an owner or occupant of any land, improvements or business designated in the said bylaw for the purpose of abating that land, improvements or business from taxation for not more than five (5) years;

NOW THEREFORE the Council of the Town of Kamsack hereby agrees to abate from taxation the following, effective _____:
(insert effective dates of concession)

Year One (1) _____ (insert applicable rate)
Year Two (2) _____ (insert applicable rate)
Year Three (3) _____ (insert applicable rate)

This does not include Frontage Taxes.

AND the following conditions shall apply during the term of this Agreement:

1. Any taxes that are payable in any given year are to be paid by December 1st of the year they are due. For the duration of this agreement, no tax concessions will be granted if any taxes or local improvements due are unpaid by December 31.
2. No sub-leases will be allowed under this tax concession.
3. The business must remain in operation to qualify for the annual tax concession. Should the business close its doors during the year, the concession shall apply only to the portion of the year that the business was in operation.

THIS AGREEMENT shall be in full force and effect only during such time as:

_____ operate the business known as _____ on the
(insert property owners) (insert business name)
premises described as: _____
(insert legal description of property)

IN WITNESS WHEREOF the Parties have hereunto caused their hands and seals to be affixed the day and year first above written.

TOWN OF KAMSACK

Mayor

Town Administrator

S E A L

SIGNED, SEALED AND DELIVERED
in the presence of:

OR IN THE CASE OF A CORPORATION

_____ **has hereby caused this**
Agreement to be executed by its proper officers in that behalf.

(Corporate Seal)

Per _____

Per _____