

Mr Sim

PUTARURU BOROUGH EMPOWERING

[LOCAL]

ANALYSIS

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A BILL INTITULED

An Act to empower the Putaruru Borough Council to levy a sanitation fee on property within the borough

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Putaruru Borough Empowering Act 1958.

2. Interpretation—In this Act, unless the context otherwise requires,—

“Borough” means the Borough of Putaruru:

“Council” means the Putaruru Borough Council.

3. Council may make bylaws levying annual fee for sewerage purposes—(1) The Council may from time to time, in manner provided by the Municipal Corporations Act 1954, make bylaws providing for the payment of an annual fee for sewerage purposes (hereinafter referred to as the sanitation

fee), and may in every year levy a sanitation fee in accordance with such bylaws on all rateable property situated within the borough, and may also in every year levy such fee as aforesaid on all non-rateable property (not being lands vested in Her Majesty of which there is not an owner or occupier, as defined 5 by the Rating Act 1925, other than Her Majesty) situated within the borough and connected with and receiving service from the Council's sewerage system.

(2) Any such bylaws may make provision for the exemption from payment of the sanitation fee of any owner or occupier 10 of property which is not served or is not likely to be served by the Council's sewerage service.

(3) The sanitation fee may in any year be of a sufficient amount to provide for the payment in whole or in part of the interest and other charges for that year on any loan or loans 15 heretofore or hereafter raised by the Council for sewerage purposes, and of the cost of maintaining the Council's sewerage service.

(4) Where any loan has been raised by the Council for the purpose of carrying out any sewerage or drainage scheme and 20 has been secured by a special rate levied over the rateable property within the borough or any defined portion of the borough, the Council may, in any year in which the amount collected or to be collected by way of sanitation fees is available and sufficient for the payment of the whole or part of 25 the interest and other charges on the loan, refrain from levying the said special rate or reduce the amount thereof to be levied in that year, as the case may require.

(5) The proceeds of any sanitation fee shall be available only for the purposes mentioned in subsection three of this 30 section.

(6) A sanitation fee shall for all purposes be deemed to be a separate rate.

4. Act not to affect rights of debenture holders or creditors—Nothing in this Act shall in any way affect the rights 35 or interests of any debenture holder or other creditor of the Council.