

New Zealand.

ANALYSIS.

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1912, No. 14.—*Local.*

AN ACT to confer on the Council of the County of Waimairi Power to classify Lands in the said County, and make and levy a Differential Rate upon such Lands calculated upon a Valuation Basis for the Purpose of Drainage-works. [26th October, 1912.]

WHEREAS the Waimairi County Council has in every year since its incorporation carried out drainage-works within the county, and has defrayed the cost of such works out of a uniform general rate levied in the ridings in which the said drainage-works were respectively situated without regard to whether the lands rated received any or what degree of benefit from such works: And whereas it is expedient that the cost of defraying such works should be borne in proportion to the benefit received therefrom:

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

1. This Act may be cited as the Waimairi County Differential Rate Empowering Act, 1912.

2. This Act shall not apply to any lands comprised in the Christchurch Drainage District, but, save and except such lands, shall apply to the whole County of Waimairi.

3. "Drainage-works" means drainage-works of any sort, including the making of drains for receiving water in its natural flow on or from any hills or other sloping lands, and diverting the same to prevent its overflow on to any other lands on a lower level, as well as drains for carrying off water from any lands.

4. (1.) The Council may from time to time, by special order, make and levy rates for the purpose of drainage-works upon all lands within such portion of the county as is defined in the special order.

(2.) The rating-power hereby conferred upon the Waimairi County Council shall be in addition to all other rating-powers now possessed by it.

Drainage or special rate for drainage purposes shall be on a graduated scale.

5. (1.) Every drainage rate or special rate for drainage purposes levied under this Act shall be on a graduated scale according to a classification made by the Council of the rateable property within the rating-area.

(2.) For the purposes of this section the Council may from time to time, as it thinks fit, classify all rateable property within the rating-area into two or more classes, by reference to the degree to which the rateable property has received or is likely to receive benefit from the expenditure in respect of which the rate is levied.

(3.) The rate shall be imposed upon the several classes in such proportions as the Council determines, but shall not exceed twopence in the pound in any one year.

(4.) Every classification so made shall be set forth in a list to be sealed with the common seal of the county, and the Council shall immediately cause public notice of such classification to be given, and of the place where the classification-list may be inspected for a period of twenty-one days.

(5.) The person having the custody of the classification-list shall permit the same to be inspected during office hours by the owner or occupier of any land included therein.

(6.) Any person who thinks himself aggrieved by such classification may appeal against the same on the ground that the land of the appellant, or any other land included in the list, has not been fairly classified in accordance with the benefit received or likely to be received from the expenditure aforesaid.

(7.) A notice of appeal setting out the grounds thereof shall be lodged at the public office of the County Council within seven days next after the expiration of the twenty-one days appointed for the inspection of the classification-list.

(8.) Every such appeal shall be proceeded with and shall be heard and determined by a Magistrate in manner prescribed by regulations, and the determination of the Magistrate shall be final and conclusive.

(9.) On the hearing of any such appeal the Magistrate may cause the classification-list to be amended in such manner as he thinks reasonable, and he shall sign the list as so amended.

(10.) Every classification-list sealed with the seal of the county as aforesaid, or signed by a Magistrate in the case of any such appeal as aforesaid, shall, for the purpose of any proceedings for the recovery of rates, be sufficient evidence of a classification duly made by the Council in accordance with the requirements of this Act.