

*Mr Kirk*

## AKAROA COUNTY COUNCIL EMPOWERING

[LOCAL]

### ANALYSIS

Title  
1. Short Title  
2. Interpretation

3. Council may make bylaws levying a rate and annual fee for sewerage purposes  
4. Act not to affect rights of debenture holders or creditors

### A BILL INTITULED

**An Act to empower the Akaroa County Council to levy a rate and sanitation fee on property within the Akaroa County Town Urban Drainage Area**

5 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 Akaroa County Council Empowering Act 1962.

10 2. **Interpretation**—In this Act, unless the context otherwise requires, “Council” means the Akaroa County Council.

15 3. **Council may make bylaws levying a rate and annual fee for sewerage purposes**—(1) The Council may, in addition to the powers granted by the Counties Act 1956 as amended by the Counties Amendment Act 1961, from time to time make bylaws providing for an annual payment for sewerage purposes in the Akaroa County Town Urban Drainage Area,

and may in every year in accordance with such bylaws levy such annual payment as to one-half thereof by a rate, and as to the remaining one-half thereof by a sanitation fee, on all rateable property situated within such urban drainage area.

(2) Any such bylaws may make provision for the exemption from payment of the sanitation fee or part thereof of any owner or occupier of property which is not served by any such sewerage system or which could be so served but is not connected thereto. 5

(3) The rate and sanitation fee may in any year be of a sufficient amount to provide for the payment of the whole or part of the interest and other charges for that year on any loan or loans heretofore or hereafter raised by the Council for sewerage purposes within such urban drainage area and of the cost of maintaining and extending any sewerage service provided by the Council within such urban drainage area. 10 15

(4) Where any loan has been raised by the Council for the purpose of carrying out any sewerage or drainage scheme within such urban drainage area and has been secured by a special rate over the rateable property within the Akaroa County or any defined portion thereof, the Council may, in any year in which the amount collected or to be collected by way of rating and sanitation fee on all rateable property situated within the Akaroa County Town Urban Drainage Area is available and sufficient for the payment of the whole or part of 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 be. 20 25

(5) The proceeds of any rate and sanitation fee shall be available only for the purposes mentioned in subsection (3) of this section. 30

(6) A rate and sanitation fee as mentioned 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 or interests of any debenture holder or other creditor of the Council. 35