

Mr Gillespie

RANGIORA BOROUGH EMPOWERING

[LOCAL]

ANALYSIS

Title
1. Short Title
2. Interpretation

3. Power to levy consolidated special rate
4. Power to levy annual sanitation fee
5. Rights of debenture holders and creditors not affected

A BILL INTITULED

An Act to empower the Rangiora Borough Council to consolidate its special rates and levy the same over the whole Borough, and to levy a sanitation fee on property within the Borough of Rangiora

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 Rangiora Borough Empowering Act 1957.

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

“Borough” means the Borough of Rangiora;

“Council” means the Rangiora Borough Council.

3. **Power to levy consolidated special rate**—(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954, the Rangiora Borough Council may from time to time, in lieu of any special rates made and levied, whether before or after the passing of this Act, over the whole of the Borough of Rangiora or over any defined portion or portions

thereof, by special order, make and levy an annually recurring rate on a uniform basis for the whole of the borough (hereinafter referred to as a consolidated rate) on all rateable property within the borough of an amount calculated to produce a sum greater than the annual charges payable in respect of the loans secured by such special rates by an amount equal to ten per cent of those annual charges: 5

Provided that nothing in this section or in any special order made thereunder shall affect the liability of the Crown for the payment of any special rates in accordance with the provisions in that behalf of section one hundred and thirty-one of the Local Authorities Loans Act 1956. 10

(2) The powers conferred by the last preceding subsection shall extend so as to apply in respect of special rates made and levied, whether before or after the passing of this Act, by any local authority other than the Rangiora Borough Council over any area which now is or may hereafter become part of the Borough of Rangiora. 15

(3) Every special order made under this section shall specify the several special rates in lieu of which the consolidated rate is made, and shall be published in the *Gazette*. 20

(4) The proceeds of a consolidated rate made and levied under this section shall be applied for the purposes of the several rates in lieu of which the consolidated rate was made.

4. Power to levy annual sanitation fee—(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 properties (not being lands vested in Her Majesty of which there is not an owner or occupier, as defined 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. 25 30 35

(2) Any such bylaws may make provision for the exemption from payment of the sanitation fee of any owner or occupier of property which is not served or is not likely to be served by the Council's sewerage service. 40

(3) The 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 loans heretofore or hereafter raised by the Council for sewerage
5 purposes, and of the cost of maintaining and extending 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 has been secured by a special rate levied over the rateable
10 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 fee is available and sufficient for the payment of the whole or part of the interest and other charges on the loan refrain from levying
15 the said special rate or reduce the amount thereof to be levied in that year, as the case may be.

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

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

5. Rights of debenture holders and creditors not affected—

Nothing in this Act shall in any way prejudicially affect the security afforded by any special rate to the holders of any
25 securities or affect the rights or interest of any debenture holder or other creditor of the Council.