

SPECIAL TAX LEVY FOR SNOW REMOVAL FROM THE PATHWAYS AND SOME OF THE ENGINEERED WALKWAYS WITHIN THE COMMUNITY OF MCKENZIE LAKE

In the Spring of 2006, there was a petition in the community of McKenzie Lake to determine if the property owners wished to have snow removed from the pathways and some of the engineered walkways leading to pathways or green areas. Over 2/3 of the property owners were in favour of this, and snow removal started in the fall of 2006.

The City requires this Special Tax Levy to be renewed every 5 years by a vote being held in the community.

The final year of the 5 year term is the winter season 2010/2011.

On APRIL 27, 2010, a vote by ballot will be held at the McKenzie Lake Community Association gym, to determine continuance of the Special Tax Levy for another 5 year term. To be eligible to vote, the property owner will provide photo I.D. and register his/her name and address at the desk. The address will be verified as being in the Community of McKenzie Lake and a prenumbered ballot will be issued to the property owner – one ballot per property. A representative from the City will be present.

Hopefully, the following FAQ will answer any questions you have regarding the Special Tax Levy and the vote, but if further information is required, please e-mail bingleman@shaw.ca.

FREQUENTLY ASKED QUESTIONS

What paths are being cleared? All pathways and walkways leading to pathways within the community of McKenzie Lake from Deerfoot Trail up to and including the ridge, and from 130 Avenue to 22X are being cleared. This includes pathways surrounding neighbourhood parks and playgrounds.

Is the ridge pathway north of 130 Ave leading down into Fish Creek Park cleared?

No, this falls within the boundaries of the community of Douglasdale.

Are the walkways between houses cleared? Walkways that lead to the pathway system are cleared. Walkways that do not lead to the pathway system are not cleared as the snow cannot be pushed out onto the street or piled up against private property owners' fences.

Are the pathways/walkways sanded? Sand will be used only if required, in specific areas where there is ice. The sand that the City uses on all pathways, sidewalks and off leash areas contains 5% salt.

Who clears the pathways/walkways? The City of Calgary contracts out the snow removal from all of the pathways and walkways leading to pathways within the above

mentioned boundaries, to city standards – normally within 12 hours of a snow fall. The snow is removed beyond the pavement edges to allow water to drain off the pathway onto the grass shoulder when it melts.

When are they cleared? The pathways/walkways are cleared from the first snowfall in the Fall until the last snowfall in the Spring. “Freak” snowfalls that occur very early in the fall or very late in the spring will not be cleared if it is going to be sunny and warm the following day.

Who is paying for this? Each property owner pays through a Special Tax Levy, the amount of which appears on your tax bill. Each fall, property owners receive a letter from the City advising them of the amount of the Special Tax Levy for the following winter season.

How is the cost determined? There are approximately 11,700 meters of pathways and 800 meters of walkways between houses that lead to pathways or green areas within the community and the cost is based on snow being cleared an average of 35 times per year. A cost is factored in for moving equipment to disjunct sites. There are 4674 properties in the community to share this cost.

How much has it cost each year?

2006-2007 – Tax levy \$10.87, collected \$50,991.17, cost of snow removal \$40,630.

2007-2008 – Tax levy \$11.20, collected \$52,460.80., cost of snow removal \$36,654.

2008-2009 – Tax levy,\$11.20, collected \$52,460,80 cost of snow removal \$63,027.

2009-2010 – Tax levy \$11.20, collected \$52,460,80 cost of snow removal (amount will be published at the end of April 2010)

The levy rate is set each fall for the following year i.e. in the fall of 2006 we had to determine the rate for the winter of 2007-2008. At that point, the City had no previous history of clearing snow in the Community of McKenzie Lake and suggested increasing the levy 3% as we are not allowed to run a deficit. The 2007-2008 season had light snow fall and thus we had a surplus. Therefore, we did not increase the levy for 2008-2009. That was a heavy snowfall year and we had a deficit of approximately \$10,567. We also did not increase the levy for 2009-2010 to reduce the surplus. We increased the levy for 2010-2011 by 3% as we need approximately \$15,000. in reserve in case the vote to determine continuation of the Special Tax Levy goes to a mail out ballot. The cost of mailing out a ballot to each property owner comes out of the money collected from the property owners for the Special Tax Levy. Also, the contract with the contractor runs out at the end of 2009 and the City is predicting an increase in the cost of the new contract.

What if the pathways are not cleared 35 times during the winter? Any excess money at year-end is added to next years balance. A refund will not be issued. If budgeted dollars run out before the last snowfall, the City of Calgary will not stop clearing snow from the pathways/walkways. If the entire budget is not used up, money will be forwarded to the following year’s balance. A refund will not be issued.

Is the cost the same each year? Annual increases never exceed the rate of inflation – for the last 5 years it has ranged between 0% to 3% increase – with 3% being about 30 to 34 cents per property owner per year. Property owners receive a letter from the City each fall advising them of the rate of the Special Tax Levy for the following winter season. i.e. in the fall of 2009 you receive a letter advising of the rate for the 2010/2011 winter snow clearing season.

What is the term of this program? The term is 5 years. Renewal is subject to continuing support of the property owners. The winter season of 2010/2011 is the final year of the first five years. The Special Tax Levy by-law requires a vote to be held in the Community of McKenzie Lake in 2010 and if 50%+1 of the property owners present at the meeting vote in favor of continuing snow removal from the pathways/walkways as outlined above, the Special Tax Levy will continue for another 5 years. If the vote is not sufficient to continue the Special Tax Levy at this meeting, a ballot will be mailed out by the City to each property owner, requiring them to return this ballot indicating whether they wish to continue with the Special Tax Levy or not. If 50%+1 of the ballots returned are NOT in favour of continuing, the Levy will end and there will be no more clearing of pathways/walkways in the community after the spring of 2011. **If a mail out ballot is required, the cost of this phase of voting comes out of the money collected under the Special Tax Levy and is estimated to be between \$12,000 and \$15,000. The City estimates approximately \$3.00 per property owner for postage and administrative costs and there are 4674 properties in the community.**

Why did we need a 2/3 majority for the levy to pass in 2006, but 50%+1 to continue after 5 years? The 2/3 majority is a requirement of the Municipal Government Act for Petitions and after 5 years the City only requires 50%+1 when asking the Community to confirm that they want to continue the program.

What if I vote “no” and 50%+1 vote “yes”, do I still have to contribute? If it is approved by 50%+1, all property owners will contribute.

Can anyone living in the home vote? The registered homeowner of the home or condominium can vote. If there are two registered homeowners, either can vote but only ONE vote per registered property.

How do I know if I am the homeowner? Check a recent property tax bill. If your name appears on the property tax bill, you are a registered homeowner.

What if I live in a rental property, can I vote? No, only the registered homeowner can vote.

Can I FAX or e-mail my vote? No, you must be present at the meeting to receive a ballot to vote.

Are there any pathways cleared in the community that are not under the Special Tax Levy? The pathway on the south side of 130 Ave. from Deerfoot Trail overpass to

the beginning of the Pinnacle Condominium property and the pathway on the south side of McKenzie Lake Blvd. from Deerfoot Trail overpass to the stoplight at Mt. McKenzie Drive S.E. are cleared by the Province as they are on the Provincial right-of-way for the overpasses. The pathway on the south side of McKenzie Lake Blvd. from the bus stop east of McKenzie Lake Way to McKenzie Lake Way at Cardinal Newman School borders the Beach Club property and is cleared by the Beach Club.

Who takes on responsibility of Liability insurance? The City of Calgary takes on the responsibility of Liability insurance. The Pathways Snow Removal Committee and the McKenzie Lake Community Association have no legal liability in this initiative.

Residents of the community make the decision to adopt a Special Tax Levy. The City of Calgary does not impose a Tax Levy on them.

November 17, 2009