

**MUNICIPALITY OF JASPER
BYLAW # 140**

**A BYLAW OF THE MUNICIPALITY OF JASPER IN THE PROVINCE OF ALBERTA TO
PROVIDE FOR THE ESTABLISHMENT OF RATES, FEES AND CHARGES FOR GOODS
AND SERVICES PROVIDED BY OR ON BEHALF OF THE MUNICIPALITY OF JASPER**

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M26, a Municipal Council has broad authority to govern including authority to pass bylaws respecting rates, fees and charges levied for goods and services provided by or on behalf of the Municipality;

AND WHEREAS other provincial legislation empowers or requires a municipality to levy fees and charges specific to activities pursuant to such legislation;

AND WHEREAS Council of the Municipality of Jasper deems it desirable and fiscally responsible to establish rates, fees and charges for municipal services and the use of municipal facilities;

NOW THEREFORE Council of the Municipality of Jasper in the Province of Alberta, duly assembled, hereby enacts:

1. CITATION

- 1.1. This Bylaw may be cited as the “*Jasper Rates and Fees Bylaw 2010*”.

2. DEFINITIONS

- 2.1. In this Bylaw:
- 2.1.1. “*Council*” shall mean Council of the Municipality of Jasper;
- 2.1.2. “*Incidental Fees*” shall mean fees of a temporary and minor or incidental nature established and charged in connection with such activities as special events, public events and promotional events.
- 2.1.3. “*Municipality*” and “*Municipality of Jasper*” shall mean the Specialized Municipality of Jasper in Jasper National Park in the Province of Alberta;
- 2.1.4. “*Municipal Manager*” shall mean the individual duly appointed to that position for the Municipality of Jasper at any given time and includes any Person authorized to act for and in the name of that individual;
- 2.1.5. “*Rates, Fees and Charges*” shall mean monies due to the Municipality for goods or services provided by or on behalf of the Municipality

3. RATES, FEES AND CHARGES

- 3.1. Council hereby authorizes the Municipal Manager to establish, levy and collect rates, fees and charges for municipal services and the use of municipal facilities.
- 3.2. Notwithstanding the provisions of Section 3.1 herein, Council may from time to time establish such rates, fees and charges as it sees fit and such rates, fees and charges will supersede those rates, fees and charges established pursuant to Section 3.1.
- 3.3. All rates, fees and charges established pursuant to this Bylaw and due from a Leaseholder shall be a debt recoverable from the Leaseholder in the same manner as taxes and by action, and the Municipal Manager is hereby authorized to place a lien upon the property of said Leaseholder to accomplish collection of such debt.

4. VARYING RATES

- 4.1. Council hereby authorizes the Municipal Manager to vary the rates, fees and charges established pursuant to Section 3 herein:
 - 4.1.1. when such variance is in the best interests of the Municipality;
 - 4.1.2. when such variance results in a rate, fee or charge being reduced or waived;
 - 4.1.3. subject to such policies respecting fee variations as Council may establish from time to time; and
 - 4.1.4. subject to providing Council a quarterly reporting of all such variations.

5. INCIDENTAL FEES

- 5.1. Council hereby authorizes the Municipal Manager to establish and collect Incidental Fees.

6. SCHEDULE

- 6.1. Council hereby directs the Municipal Manager to set out and make publicly available an accurate and current schedule of all rates, fees and charges established pursuant to this Bylaw except that Incidental Fees shall not form a part of such schedule.

7. SEVERANCE

- 7.1. If any provision herein is adjudged by a Court of competent jurisdiction to be invalid for any reason, then that provision shall be severed from the remainder of this Bylaw and all other provisions of this Bylaw shall remain valid and enforceable.

8. COMING INTO EFFECT

- 8.1. This Bylaw shall come into force and effect on the final day of passing thereof.
- 8.2. If any provision herein is adjudged to be repugnant to any federal regulation or legislation, this Bylaw shall continue in full force and effect but any such repugnant provision shall be of no force or effect until such time as the repugnancy is removed by repeal or amendment of the federal legislation or regulation.

GIVEN FIRST READING THIS 7th DAY OF SEPTEMBER , A.D. 2010

GIVEN SECOND READING THIS 21st DAY OF SEPTEMBER, A.D. 2010

GIVEN THIRD AND FINAL READING THIS 19th DAY OF OCTOBER, A.D. 2010

Mayor

Municipal Manager