

An Act to Amend and Consolidate Chapter 26 of the Revised Statutes 1954, the Bonus Act

BE IT ENACTED by the Governor and Assembly as follows:

1 In this Act,

2 (a) "council" means council of a city,
3 town or municipality;

4 (b) "industry" includes every industrial
5 or manufacturing establishment and every
6 business, undertaking or enterprise;

7 (c) "municipality" means a city, a town
8 to which the Towns' Act relates or a municipi-
9 pality to which the Municipal Act relates.
10 (R.S. c26 s1)

11 2 Where a person is carrying on or proposes to
12 carry on within the municipality an industry, a council
13 may make a by-law

14 (a) fixing the assessment of the property
15 of the person used in that industry in accordance
16 with Sections 3 and 4, or

17 (b) authorizing an agreement limiting the
18 rates and taxes payable by the person upon his
19 property used in that industry in accordance with
20 Sections 5, 6, 7 and 8.

21 PART I

22 3 (1) When an assessment is fixed under clause (a)
23 of Section 2, it shall not be less than the actual value
24 of the land together with twenty-five per cent of the
25 actual value of the improvements that have been made or the
26 estimated cost of proposed improvements, and twenty-five
27 per cent of the value of the personal property.

28 (2) The value of the land, the value of the
29 improvements, the estimated cost of proposed
30 improvements and the value of the personal property
31 shall be determined by the Board of Commissioners of
32 Public Utilities, whose decision shall be final and
33 conclusive. (R.S. c26 s4)

34 4 The assessment under Section 3 shall not be for a
35 period longer than ten years and shall be increased annually
36 by such amount as the by-law determines, not however less
37 than ten per cent of the assessment fixed pursuant to
38 Section 3, so that at the termination of the period of the
39 fixed assessment, the property shall be assessed in
40 accordance with the Assessment Act; when the assessment
41 determined under the by-law equals that determined under
42 the Assessment Act, no further increases shall be made in
43 the assessment determined under the by-law and the by-law
44 ceases to be effective. (R.S. c26 s5)

45 PART II

46 5 An agreement under clause (b) of Section 2 may
47 provide that the rates and taxes for general municipal
48 purposes payable by the person upon the land, building, and
49 personal property used in the industry to which the
50 agreement relates shall, for a period not exceeding ten
51 years, be at a rate not less than one per cent per annum of

1 the actual cost of the land and building or of the land
2 and building and personal property as the agreement may
3 provide.

4 6 (1) When there is an agreement in effect under
5 this Act, the person shall between the twentieth day of
6 November and the first day of December in each year
7 provide the municipality with a statement of the actual
8 cost of the land and building and of the personal
9 property, if this is covered by the agreement, as of the
10 date of the statement, attested by the affidavit of an
11 officer of the company who has a knowledge of the facts.
12 The auditor for the municipality shall be entitled to
13 access at all reasonable times to the books and records
14 of the person for the purpose of verifying the figures
15 given in the certificate.

16 (2) If the certificate required by subsection
17 (1) is not provided before the first day of
18 December in each year, the agreement shall cease
19 to be effective and rates and taxes shall be
20 levied in the usual manner.

21 (3) Rates and taxes under the agreement shall
22 accrue on January 1 following the delivery of the
23 certificate; and shall be included in the amount
24 of rates and taxes levied by the municipality and
25 shall be entitled to any discount for prompt
26 payment of municipal rates and taxes and be liable
27 for any interest charge for nonpayment of rates
28 and taxes provided by the council by resolution for
29 other ratepayers.

30 7 If there is disagreement between the municipality
31 and the person as to the amount of the actual cost referred
32 to in Section 6, either party may give to the other notice
33 of such disagreement; thereupon each party shall appoint an
34 arbitrator and such arbitrators shall proceed in accordance
35 with the provisions of the Arbitration Act.

36 8 An agreement under this Act shall apply to property
37 of the person within the municipality acquired from time to
38 time, but shall not apply to any property acquired by the
39 person more than eight years after the date of the
40 agreement.

41 PART III

42 9 A fixed assessment or a fixed tax rate under this
43 Act may not apply to an industry established elsewhere in
44 the Province and which has been or will be removed to the
45 municipality from another municipality, whether the industry
46 is to be carried on by the same person or a person deriving
47 title or claiming through or under him or otherwise or by such
48 person in partnership with another person or by body corporate
49 or otherwise. (R.S. c26 s6)

50 10 An agreement or a by-law under this Act shall not apply
51 to or exempt real property used for residential purposes only,
52 or household furnishings and effects, or to property not used
53 in the operation of the industry; and shall not affect the
54 liability of the person in respect of water rates, sewer rates,
55 improvement charges or rates or taxes other than the annual
56 rates for general municipal purposes.

57 11 When a fixed assessment or a fixed tax rate has been
58 granted to a person under the authority of this or any Act,
59 no fixed assessment or fixed tax shall thereafter be granted
60 to him or to his successor in title with respect to substantially
61 the same property or business. (R.S. c26 s3)

(6)

1 12 No council shall fix assessment or the rates and
2 taxes of the property of any person other than as in this
3 Act provided. (R.S. c26 s7)

4 13 (1) When a fixed assessment has been provided for
5 a person under the authority of this or any Act, heretofore
6 or hereafter passed, and there is a general reassessment of
7 property throughout the city, town or municipality, then the
8 fixed assessment may be increased to an amount not exceeding
9 the amount obtained by multiplying the assessment then in
10 effect by the proportion of the increase in the assessment of
11 the city, town or municipality.

12 (2) The proportion of the increase in the assessment
13 of the city, town or municipality is the figure obtained by
14 dividing

15 (a) the total amount of all property on which
16 taxes are levied as shown on the assessment roll of
17 the city, town or municipality for the year to which
18 the reassessment applies, by

19 (b) the total amount of all such property as
20 shown on the assessment roll of the city, town or
21 municipality for the year immediately preceding the
22 year to which the assessment applies.

23 14 This Act may be cited as the Bonus Act.

24 15 Chapter 26 of the Revised Statutes, 1954, is repealed.