



ANALYSIS

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1954, No. 12—*Local*

AN ACT to empower the Kaitaia Borough Council to levy a sanitation fee on property within the borough. Title.

[9 September 1954]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Kaitaia Borough Empowering Act 1954. Short Title.

2. In this Act, unless the context otherwise requires,— Interpretation.
 “Borough” means the Borough of Kaitaia:
 “Council” means the Kaitaia Borough Council.

3. (1) The Council may from time to time, in manner provided by the Municipal Corporations Act 1933, make by-laws providing for the payment of an annual fee for sewerage purposes (hereinafter referred to as the sanitation fee), and may in every year after the installation of a sewerage system for the borough or any part thereof levy a sanitation fee in accordance with such by-laws on all rateable property situated within the borough, and may also in every year levy such fee as aforesaid on all non-rateable property (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 Council may make by-laws levying annual fee for sewerage purposes.

Her Majesty) situated within the borough which is connected with and receiving service from any such sewerage system.

(2) Any such by-laws 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.

(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 loan or loans heretofore or hereafter raised by the Council for sewerage purposes and of the cost of maintaining any sewerage service provided by the Council.

(4) Where any loan shall be raised by the Council for the purpose of carrying out any sewerage or drainage scheme and shall be secured by a special rate levied over the rateable 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 fees 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.

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

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

4. Nothing in this Act shall in any way affect the rights or interests of any debenture holder or other creditor of the Council.

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