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**GOVERNMENT AMENDMENT**  
A1 Agreed to May 30, 2018  
**AMENDMENTS TO BILL 10**

**AN ACT TO ENABLE CLEAN  
ENERGY IMPROVEMENTS**

The Bill is amended as follows:

**A Section 5 is struck out.**

**B Section 7 is amended**

**(a) in the proposed section 390.2**

**(i) by striking out “Property is eligible” and substituting  
“Subject to section 390.3(3)(a), property is eligible”;**

**(ii) in clause (b)**

**(A) in subclauses (i) and (ii) by striking out  
“property”;**

**(B) in subclause (iii) by striking out “agricultural  
property” and substituting “farm land”;**

**(b) in the proposed section 390.3**

**(i) by striking out subsections (1) and (2) substituting  
the following:**

**Clean energy improvement tax bylaw**

**390.3(1) Each council may pass a clean energy  
improvement tax bylaw**

**(a) to establish a clean energy improvement program,**

**(b) notwithstanding section 251, to authorize the  
municipality to make a borrowing for the purpose  
of financing clean energy improvements, and**

(c) to enable clean energy improvements to be made to eligible properties.

**(1.1)** Before a clean energy improvement is made to any property, a council must pass a clean energy improvement tax bylaw.

**(2)** A clean energy improvement tax bylaw authorizes the council to impose a clean energy improvement tax in respect of each clean energy improvement made to a property to raise revenue to pay the amount required to recover the costs of those clean energy improvements.

**(ii) in subsection (3) by striking out clauses (a) and (b) and substituting the following:**

(a) set out

(i) the types of private property that are eligible for a clean energy improvement, and

(ii) eligible clean energy improvements,

(a.1) set out

(i) the amount of money to be borrowed for the purpose of financing clean energy improvements,

(ii) the maximum rate of interest, the term and the terms of repayment of the borrowing, and

(iii) the source or sources of money to be used to pay the principal and interest owing under the borrowing,

(a.2) indicate that, where a municipality has entered into a clean energy improvement agreement with the owner of a property, a clean energy improvement tax will be charged based on the clean energy improvement agreement,

(b) identify the period over which the cost of each eligible clean energy improvement will be spread, which period may vary from improvement to

improvement, but the period shall not exceed the probable lifetime of the improvement,

- (c) **by striking out the proposed section 390.5 and substituting the following:**

**Person liable to pay clean energy improvement tax**

**390.5(1)** The person liable to pay a tax imposed in accordance with a clean energy improvement tax bylaw is the owner of the property in respect of which the tax is imposed.

(2) A complaint about a tax imposed in accordance with a clean energy improvement tax bylaw must be made within one year after the tax is first imposed.

- (d) **by striking out the proposed section 390.6 and substituting the following:**

**Paying off a clean energy improvement tax**

**390.6** The owner of a property in respect of which a clean energy improvement tax is imposed may pay the tax at any time.

- (e) **by striking out the proposed section 390.8 and substituting the following:**

**Petitions**

**390.8(1)** Notwithstanding section 232(2), electors of a municipality may petition the municipality to

- (a) pass a clean energy improvement tax bylaw, or
- (b) amend or repeal a clean energy improvement tax bylaw.

(2) For greater certainty, the amendment or repeal of a clean energy improvement tax bylaw does not affect clean energy improvement agreements entered into prior to the passage of that bylaw or the imposition of a clean energy improvement tax in relation to a property where a clean energy improvement has been made.