

TOWN OF VIKING
BYLAW NO. 2025 - 730

BEING A BYLAW OF THE TOWN OF VIKING IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF FURTHER DIVIDING ASSESSMENT CLASS 1 - RESIDENTIAL AND CLASS 2 – NON-RESIDENTIAL INTO SUB-CLASSES

AND WHEREAS, pursuant to Section 297 of the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended, a council may by bylaw divide class 1 into sub-classes on any basis it considers appropriate, and if the council does so, the assessor may assign one or more sub-classes to property in class 1;

AND WHEREAS, pursuant to Section 297 of the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended, a Council may by bylaw divide class 2 into the sub-classes prescribed by the regulations, and if the council does so, the assessor must assign one or more of the prescribed sub-classes to a property in class 2;

AND WHEREAS, the Council of the Town of Viking deems it necessary and desirable to establish a bylaw for sub-classes, for both residential and non-residential classes, to manage unoccupied, derelict properties within municipal limits; and

NOW THEREFORE, The Council of the Town of Viking duly assembled, hereby enacts as follows:

PART 1 – PURPOSE AND DEFINITIONS

PURPOSE

1. A person shall not cause or permit to exist unsightliness or a nuisance with respect to any building or land they own or occupy.
2. Unsightliness and nuisances may impact a neighbourhood, nearby businesses, property values and the overall image of the community.

POLICY

3. The establishment of sub-classes and the related implications shall be as follows:
 - a. The following sub-classes are prescribed in class 1
 - i. unoccupied property; and
 - ii. derelict property.
 - b. The following sub-classes are prescribed in class 2

- i. unoccupied property; and
- ii. derelict property; and
- iii. improved non-residential.

c. The tax rate set for property referred to in both "a." and "b." above shall be a multiplier of four (4) times the described tax rate for the property class.

4. For the purpose of (a) (i) above, "unoccupied property" means property that is temporarily and/or permanently unoccupied, and of which most of its utilities and appliances may still be functioning. That means it can be occupied at any time.
5. For the purpose of (a) (ii) above, "derelict property" means property that is abandoned or unoccupied that is in a dire state of disrepair because no one has permanently occupied it for at least 6 months, partially or fully boarded up, or have been issued Alberta Health Services (AHS) orders.
6. For purpose of (b) (i) above, "unoccupied property" means property that is temporarily and/or permanently unoccupied, and of which most of its utilities and appliances may still be functioning. That means it can be occupied at any time. A non-residential property is deemed un-occupied if being used solely as a dwelling unit.
7. For the purpose of (b) (ii) above, "derelict property" means property that is abandoned or unoccupied that is in a dire state of disrepair because no person or business has permanently occupied it for at least 6 months, partially or fully boarded up, or have been issued Alberta Health Services (AHS) orders.
8. For the purpose of (b) (iii) above, "improved non-residential property" means property whereby the owner has applied to the assessor for "improved" status, received approval for such status, and completed the agreed-to improvements, after previously been deemed as derelict or unoccupied (See Appendix 1).
9. Derelict property owners who clean up or improve their properties may choose to apply to the CAO to be refunded their taxes that had been paid at the higher derelict tax rate for the months of the year after they cleaned up or improved their properties. This ensures taxes paid are equivalent to the general tax rate for the months following clean-up.
10. Subject to any legal appeal process available to a property owner, if a building normally intended for human habitation has been declared unfit for human habitation by the local health or building authority then the property owner shall; (i) remedy the deficiencies in order for the declaration to be removed; or (ii) remove or demolish the building.

11. This bylaw comes into force and effect upon the date of third reading and being signed.

Bylaw No. 2025 - 730

Read a **FIRST** time this 18 day of Feb 2025

Read a **SECOND** time this 18 day of Feb 2025

Read a **THIRD** time and **Adopted** time this 18 day of Feb 2025

Mayor

Chief Administrative Officer