

Rawene Town Council Empowering Act 1955

Local Act 1955 No 3
Date of assent 14 September 1955

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An Act to empower the Rawene Town Council to make and levy an annual water charge in respect of properties within the Rawene Town District.

Preamble.

WHEREAS the Hokianga County Council proposes to raise a loan for the purpose of providing a water supply for the Rawene Town District, the loan to be secured by way of a special rate over the Rawene Town District to be collected by the Rawene Town Council on behalf of the Hokianga County Council: And whereas the levying within the Rawene Town District of the special rate for meeting the annual charges on the loan and a water rate for meeting maintenance expenses would operate inequitably, inasmuch as such a rate based on the unimproved values of all rateable properties within the district would cause undue hardship to the owners of certain of such properties: And whereas the Rawene Town Council, instead of collecting the special rate and levying a water rate as aforesaid, is desirous of making and levying uniform annual water charges sufficient to meet the annual loan charges on the said loan and the cost of maintaining the water supply service: And whereas the Rawene Town Council has no authority to make and levy the said water charges: And whereas it is desirable that such water charges should be made and levied permanently:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title.

This Act may be cited as the Rawene Town Council Empowering Act 1955.

2 Interpretation.

In this Act, unless the context otherwise requires,—

“Town Council” means the Rawene Town Council:

“Town district” means the Rawene Town District.

3 Annual water charge.

- (1) The Town Council may from time to time, in the manner provided by the Municipal Corporations Act 1954, make by-laws providing for the payment for water supply purposes of an annual charge (hereinafter referred to as a water charge), and may in every year levy a water charge in accordance with such by-laws on all rateable property situated within the town district which is directly or indirectly supplied with water from the water supply, and may also in every year levy such water charge 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 Her Majesty) situated within the town district and connected with and receiving service from the water supply.
- (2) Any such by-laws may provide for the exemption from payment of the water charge of any owner or occupier of property which is not served or is not likely to be served from the water supply.
- (3) The water charge 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 raised by the Hokianga County Council for the purposes of the water supply and of the cost of maintaining and administering the water supply.
- (4) Where any loan has been raised by the Hokianga County Council (whether before or after the passing of this Act) for the purpose of carrying out any water supply scheme and has been secured by a special rate levied over the rateable property within the town district or any defined portion of the town district, the Town Council may in any year in which the amount collected or to be collected by way of the water charge is available and sufficient for the payment of the whole or part of the interest and other charges on the loan refrain from collecting the said special rate or reduce the amount thereof to be collected in that year, as the case may require.
- (5) The proceeds of any water charge shall be available only for the purposes mentioned in subsection three of this section.
- (6) A water charge shall for all purposes be deemed to be a separate rate.