



BILL NO. 85

Government Bill

*1st Session, 63rd General Assembly
Nova Scotia
67 Elizabeth II, 2018*

**An Act to Amend Chapter 18
of the Acts of 1998,
the Municipal Government Act,
Respecting Cape Breton Regional Municipality**

CHAPTER 16
ACTS OF 2018

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE
APRIL 18, 2018**

The Honourable Derek Mombourquette
Minister of Municipal Affairs

*Halifax, Nova Scotia
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**An Act to Amend Chapter 18
of the Acts of 1998,
the Municipal Government Act,
Respecting Cape Breton Regional Municipality**

Be it enacted by the Governor and Assembly as follows:

1 Chapter 18 of the Acts of 1998, the *Municipal Government Act*, is amended by adding immediately after Section 51A the following Section:

51B (1) In this Section, “eligible municipal property” has the meaning prescribed by the regulations.

(2) Cape Breton Regional Municipality may sell or lease to any person eligible municipal property at a price less than market value.

(3) A resolution to sell or lease eligible municipal property at less than market value must be passed by at least a two-thirds majority of the council of Cape Breton Regional Municipality present and voting.

(4) Where the council of Cape Breton Regional Municipality proposes to sell or lease eligible municipal property valued at more than ten thousand dollars at less than market value, the council shall first hold a public hearing respecting the sale or lease.

(5) The council of Cape Breton Regional Municipality shall advertise the public hearing on the Municipality’s publicly-accessible Internet site and shall post the advertisement at least fourteen days before the hearing.

(6) The notice of the public hearing must include

- (a) the date, time and place of the hearing;
- (b) the location of the eligible municipal property if it is real property or a description of the property if it is tangible personal property;
- (c) the estimated value of the property; and
- (d) the purpose of the sale or lease.

(7) The Minister may make regulations prescribing the meaning of “eligible municipal property”.

(8) The exercise by the Minister of the authority contained in subsection (7) is regulations within the meaning of the *Regulations Act*.

2 Chapter 18 is further amended by adding immediately after Section 71B the following Section:

71BA (1) In this Section, “eligible industrial property” has the meaning prescribed by the regulations.

(2) Notwithstanding any enactment, where the council of Cape Breton Regional Municipality considers it necessary or advisable, the Municipality may enter

into a taxation agreement with the owner of an eligible industrial property respecting the taxes payable to the Municipality by the owner.

(3) Notwithstanding any enactment, where there is a taxation agreement pursuant to this Section, the owner shall pay taxes with respect to the eligible industrial property in accordance with the agreement instead of the taxes otherwise payable pursuant to this Act.

(4) A taxation agreement does not take effect unless it is approved by by-law.

(5) Taxes payable under a taxation agreement entered into pursuant to this Section are a first lien upon the eligible industrial property.

(6) The Minister may make regulations prescribing the meaning of “eligible industrial property”.

(7) The exercise by the Minister of the authority contained in subsection (6) is regulations within the meaning of the *Regulations Act*.

3 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
