



WEST HANTS
NOVA SCOTIA

**MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Public Hearing
July 10, 2018**

Second Amendment to the Deed Transfer Tax By-law

Present:	A. Zebian	Warden
	R. Jannasch	Councillor District 1
	K. Monroe	Councillor District 2
	D. Keith	Councillor District 3
	R. Hussey	Councillor District 6
	J. Daniels	Councillor District 7
	P. Morton	Deputy Warden
	R. Zwicker	Councillor District 10
	M. Laycock	Chief Administrative Officer
	M. LeMay	Director of Planning and Development
	C. Lowe	Director of Finance
	B. Carrigan	Director of Public Works
	R. Brown	Municipal Clerk
	C. Remme	Executive Assistant/Communications Coordinator
Regrets:	T. Leopold	Councillor District 4
	D. Francis	Councillor District 5

There were 2 members of the public in attendance.

Warden Zebian advised that this was a Public Hearing under Section 168 of the Municipal Government Act stating the sessions, hosted by Council, provide members of the public with an opportunity to bring forward concerns and ask staff questions regarding the proposed amendment. He went on to say that upon completion of the Public Hearing, the Council meeting will resume, and members of Council may then ask questions and make comments.

Warden Zebian called on Municipal Clerk, Rhonda Brown, to speak on the application.

The Municipal Clerk reviewed the presentation (attached).

Warden Zebian asked if there were any questions from the public. Warden Zebian called for any oral or written submissions in favour or against of the proposed amendment. There were none.

Warden Zebian declared the Public Hearing adjourned at 7:09 p.m.

Abraham Zebian, Warden

Rhonda Brown, Municipal Clerk



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Deed Transfer Tax By-law
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Background

- ❖ The Deed Transfer Tax By-law was approved by Council on September 14, 2004. The Deed Transfer Tax rate was set at 1%.
- ❖ The Deed Transfer Tax By-law was amended by Council on March 8, 2016 to include the properties located in the former Town of Hantsport effective April 1, 2016.

Current Proposed Amendment

- ❖ To increase the Deed Transfer Tax rate from 1% to 1.5%, the maximum allowed under the *Municipal Government Act* (MGA).
- ❖ Reason:
 - ❖ Generate estimated new revenue of \$174,375, as proposed in the 2018-2019 approved budget.
 - ❖ Increased new revenue from an increase in the Deed Transfer Tax would help maintain a low residential and commercial general tax rate.
- ❖ Who the Amendment Affects:
 - ❖ All properties transferred by deed, would pay a Deed Transfer tax of 1.5% of the sale price of the property, at the time of deed registration.
 - ❖ Some properties transfer by deed are exempt under the MGA from paying Deed Transfer Tax.



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Second Amendment to the Deed Transfer Tax By-law

1. The Deed Transfer Tax By-Law D-002 is to be amended as follows:
 - a. In Section 3 deleting the words "of one percent (1%)" and replacing with "of one and one half percent (1.5%)."

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the ____ day of ____ (month), ____ (year).

R.N. Brown
Municipal Clerk

By-Law Adoption	
First Reading:	Date
Notice Published:	Date
Second Reading & Approval	Date
Final Publication	Date
Notice to Municipal Affairs	Date
Description: Amends the Deed Transfer Tax By-law by increasing the deed transfer tax to one and one half percent (1.5%).	



BY-LAW

D-002

MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Deed Transfer Tax By-Law (Consolidated)

1. The Municipal Deed Transfer Tax By-law passed by the Council of the Municipality of the District of West Hants on the 10th day of April, A.D., 2001 and published in the Hants Journal, a newspaper circulating in the Municipality of the District of West Hants, on the 18th day of April, A.D., 2001, be and is hereby repealed in its entirety, and the following is substituted therefor.
2. A deed transfer tax shall apply to the Municipality of the District of West Hants including effective April 1, 2016, properties located within the former Town of Hantsport.
3. The amount of the deed transfer tax shall be the sum of one and one half percent (1.5%) of the sale price or value of the property.
4. Part V, "Deed Transfers", and Section 3 (Interpretations) of the *Municipal Government Act*, Stats. N.S. 1998, Chapter 18, shall apply to deed transfers.
5. For the purposes of this By-law, "persons married to one another" shall include those persons who have entered into a domestic partnership declaration and have registered such declaration in accordance with Part II of the *Vital Statistics Act*, R.S.N.S., Chapter 494.

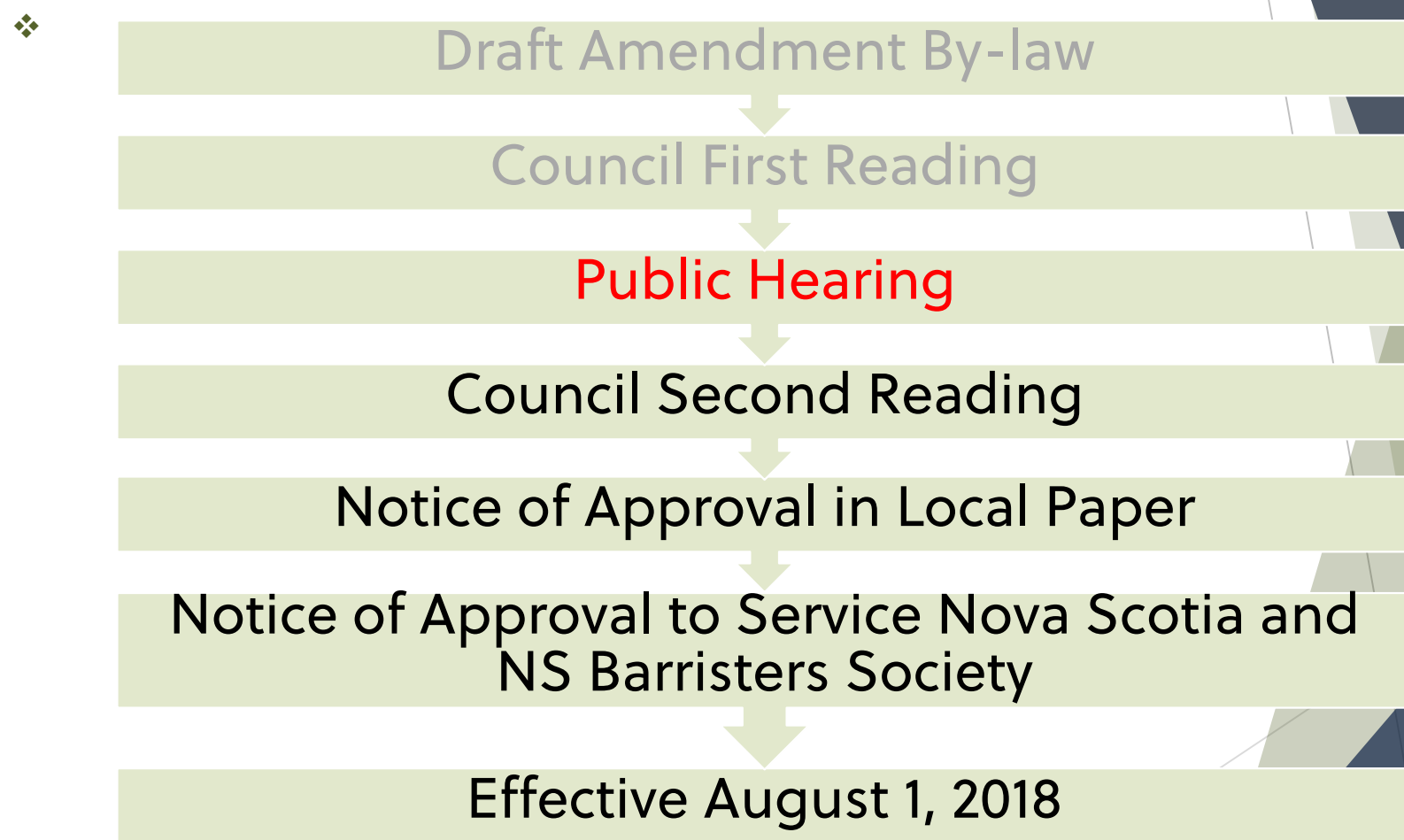
I, **Dwight M. Bennett**, C.A.O. and Municipal Clerk-Treasurer of the Municipality of the District of West Hants, do hereby certify that the foregoing is a true copy of the Deed Transfer Tax By-law duly passed at a duly called meeting of the Municipal Council of the Municipality of the District of West Hants duly convened and held on the **14 day of September, A.D., 2004** and published in the Hants Journal, a newspaper circulating in the Municipality on the **22 day of September, A.D., 2004**.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this **22 day of September, A. D., 2004**.

Dwight M. Bennett, C.A.O.
Municipal Clerk-Treasurer

Approval Procedure

- ❖ Notices of the Public Hearing were placed in the June 26, 2018 edition of the Valley Journal Advertiser and on the Municipal website.
- ❖ Notices were sent to Service Nova Scotia and the NS Barristers Society.





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Suggested Recommendation

...that Council approve Second Reading of D-004 Second Amendment to the Deed Transfer Tax By-law as presented to Council at the meeting held on May 8, 2018.