

CITY OF WHITEHORSE

BYLAW 2009-38

A bylaw to provide a rebate for utility charges paid by City of Whitehorse seniors

WHEREAS section 245 of the *Municipal Act* provides that council may by bylaw provide grants, gifts, or loans of money or municipal property or a guarantee of any borrowing within borrowing limits, including grants for property taxes or service charges or fees, as council considers expedient, to any person, institution, association, group, government, or body of any kind; and

WHEREAS it is deemed desirable to provide senior citizens with relief from certain municipal charges in the form of a rebate;

NOW THEREFORE the Council of the municipality of the City of Whitehorse, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the "**Senior Utility Charges Rebate Bylaw**"

Definitions

2. In this bylaw,
 - (1) "premises" means an applicant's principal residence or normal place of residence within the City of Whitehorse.
 - (2) "senior" means a person who has attained the age of sixty-five years.

General Rules of Application

3. Upon application to the City of Whitehorse, a senior may be paid a rebate equal to annual water, sewer and garbage service charges for a single family residential dwelling to a maximum of five hundred dollars (\$500.00) per year.
4. Applications made pursuant to section 3 of this bylaw may be made for services to premises occupied by the applicant where:
 - (1) water, sewer and garbage service charges have been paid directly to the City by the applicant; or
 - (2) water, sewer and garbage service charges have been paid by a third party but are recoverable from the applicant as a component of a rental payment to the third party.
5. Applications pursuant to section 3 of this bylaw may only be made for the period during which the applicant has owned or rented the premises receiving the services.

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6. Applications pursuant to section 3 of this bylaw may only be made where the applicant has occupied the premises for a period of not less than 183 days in the applicable calendar year.
7. Only one utility rebate is payable in any one year to any one person or for any one premises.
8. Applicants are not eligible to receive the rebate if they are receiving or have received any rent or housing subsidy, are subsidized by or benefit from any ongoing program of the Government of Canada or the Government of Yukon which provides for reduced cost of shelter or occupancy, other than:
 - (1) a grant pursuant to the *Home Owners' Grant Act*; or
 - (2) any benefits under utility equalization programs; or
 - (3) the Pioneer Utility Grant through the Government of Yukon.

Rebates for Eligible Surviving Spouses

9. In the event of the death of an eligible spouse, a surviving spouse who is under the age of 60 years may be eligible for a rebate for the year in which the eligible spouse died, pro-rated to the date of death.
10. A rebate may be paid to a surviving spouse who is between the age of 60 and 65 years provided that,
 - (1) the deceased spouse was eligible for a rebate under section 3 of this bylaw; and
 - (2) the surviving spouse continues to live in the premises for which the deceased eligible spouse had previously received a rebate under section 3 of this bylaw.

First Time Applications

11. In any year during which an applicant attains the eligible age, a rebate may be made for the period commencing the first of the month following the applicant's birthday and ending on the 31st day of December in the same year.
12. First-time applicants shall provide proof of age.
13. First-time applicants who live in rental property shall provide a letter stating that water, sewer and garbage charges have been paid to a third party as a component of their rental agreement.

Application Deadline

14. The deadline for application for a senior utility charges rebate shall be the 31st day of December of the year for which the rebate is to be made.
15. An extension of the deadline for application will be allowed if, for reasons beyond the control of the applicant, the application could not be made within the period of time prescribed in section 12, except that under no circumstances will an

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application be accepted later than the last day of February of the year following that for which a rebate is being applied.

Approved Rebate Procedure

16. Payment of the utility charges remains the responsibility of the applicant. The rebate, when approved, will be forwarded to the applicant by mail, or may be credited to the applicant's utility or property tax account.

Bylaw Repeal

17. Bylaw 2002-13, including all amendments thereto, is hereby repealed.

Coming Into Force

18. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: August 24, 2009
AMENDED by Resolution 2009-19-17: September 14, 2009
THIRD READING and ADOPTION: September 14, 2009

ORIGINAL BYLAW SIGNED BY:

"Bev Buckway"

Bev Buckway, Mayor

"R. I. Fendrick"

Robert I. Fendrick, CGA, City Clerk