

**TOWN OF THE PAS**

**BY-LAW NO. 4538**

**BEING A BY-LAW OF THE TOWN OF THE PAS IN THE PROVINCE OF MANITOBA TO PROVIDE FOR THE CREATION OF A RESEVE FUND FOR COMMUNITY ENHANCEMENT AND TO REPEAL BY-LAW NO. 4453.**

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**WHEREAS** Section 168(1) of the Municipal Act provides that a council may by by-law establish reserve funds for any general or specific purpose;

**WHEREAS** the Town of The Pas has enacted a tax on accommodations of short duration within the Town of The Pas intended to generate revenue for the specific purpose of Community Enhancement;

**AND WHEREAS** it is deemed necessary and desirable to establish a reserve fund for expenditures in regards to Community Enhancement.

**NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL DULY ASSEMBLED ENACTS AS FOLLOWS:**

**Short Title:**

1. This By-law may be referred to as the Community Enhancement Reserve Fund By-Law.

**Definitions:**

2. In this By-Law:

“**Community Enhancement Reserve Fund**” means the Town of The Pas reserve fund which is for the specific purpose of community enhancement projects that make The Pas a safe and welcome community.

“**reserve fund**” means a reserve fund for a specific purpose within the meaning of section 168 of the Municipal Act.

**Establishment of Reserve Fund:**

- 3.1 A reserve fund for the specific purpose of community enhancement be established.
- 3.2 The reserve fund established by subsection (1) may be referred to as the Community Enhancement Reserve Fund.

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**A Portion of the Accommodation Tax to be Deposited into the Fund:**

- 4.1 A portion, being 50%, of the tax collected under the Town of The Pas Accommodation Tax By-Law No. 4535 be appropriated to the Community Enhancement Reserve Fund established by section 3 of this by-law.
- 4.2 Notwithstanding paragraph 4(1) of this by-law, any amount to be refunded under section 6 Refunds of the Town of The Pas Accommodation Tax By-Law No. 4535 may be withdrawn from the Community Enhancement Reserve Fund.

**Expenditures from the Fund:**

- 5.1 Expenditures from the Community Enhancement Reserve Fund established by section 3 of this by-law may only be for the specific purposes of Community Enhancement.
- 5.2 The Town of The Pas shall keep a separate account in its books designating the purpose for which the fund was created and showing at all times the status of the reserve fund.

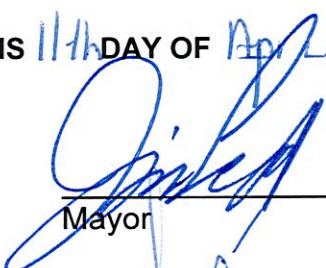
**Repeal:**


- 6. By-Law No. 4453 be hereby repealed.

**Coming into Force:**

- 7. This by-law shall take force and be in effect as the date it is passed.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 11th DAY OF April A.D. 2016.

  
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Mayor

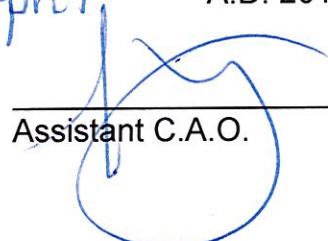
  
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Assistant C.A.O.

CERTIFIED THAT BY-LAW NO. 4538 WAS:

READ A FIRST TIME THIS 29th DAY OF March A.D. 2016.

READ A SECOND TIME THIS 11th DAY OF April A.D. 2016.

READ A THIRD TIME THIS 11th DAY OF April A.D. 2016.

  
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Assistant C.A.O.