

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1239, 1991

A bylaw to convert the D6 Specified Area Establishment and Loan Authorization Bylaw No. 357, 1977, as amended by Bylaw No. 438, Bylaw No. 478, Bylaw No. 555, Bylaw No. 703, Bylaw No. 1048 and Bylaw No. 1071, to a Sanitary Sewer System Local Service.

WHEREAS under Section 767(4) of the Municipal Act, a Regional District, exercising a power to provide a service other than a general service, may adopt a bylaw respecting that service, which converts the service to one exercised under the authority of a bylaw establishing the service, and which:

- (a) meets the requirements of Section 794 for a bylaw establishing the service, and
- (b) is adopted in accordance with the requirements of Section 802 as if it were a bylaw amending a bylaw establishing a service.

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen established, by Bylaw No. 357, adopted on June 23, 1977, cited as "D6 Specified Area Establishment and Loan Authorization Bylaw No. 357, 1977", and as amended by Bylaw No. 438, Bylaw No. 478, Bylaw No. 555, Bylaw No. 703, Bylaw No. 1048 and Bylaw No. 1071, a specified area for the purpose of providing a sanitary sewer system;

AND WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen wishes to convert the aforesaid sanitary sewer system specified area to a local service;

AND WHEREAS the owner of a proposed eight (8) lot subdivision on Part of Block C, Plan 1279, D.L. 337, S.D.Y.D., has petitioned the Regional Board to extend the boundaries of the D6 Specified Area;

AND WHEREAS the Regional Board also intends to extend the boundaries of the service area to include the proposed eight (8) lot subdivision on Part of Block C, Plan 1279, D.L. 337, S.D.Y.D.;

AND WHEREAS the Director for Electoral Area `D' has consented in writing to the establishment of the sanitary sewer system local service;

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NOW THEREFORE the Regional Board of the Regional District of Okanagan-Similkameen in open meeting assembled **ENACTS** as follows:

1. THE SERVICE

The sanitary sewer system provided within the D6 Specified Area, created under Bylaw No. 357, 1977, cited as "D6 Specified Area Establishment and Loan Authorization Bylaw No. 357, 1977 as further amended by Bylaw No. 438, Bylaw No. 478, Bylaw No. 555, Bylaw No. 703, Bylaw No. 1048 and Bylaw No. 1071 is hereby established as a Sanitary Sewer System Local Service.

The boundaries of the specified area are hereby expanded to include a proposed eight (8) lot subdivision on Part of Block C, Plan 1279, D.L. 337, S.D.Y.D.

2. BOUNDARIES OF THE SERVICE AREA

The boundaries of the local service area are the boundaries of a portion of Electoral Area `D' as outlined on the attached Schedule `A' forming and being a part of the bylaw;

3. PARTICIPATING AREA

Electoral Area `D' as outlined on attached Schedule `A' includes the participating area.

4. COST RECOVERY METHOD

The annual costs for the Sanitary Sewer System Local Service shall be recovered by the requisition of money in the participating area within Electoral Area `D' as outlined on attached Schedule `A', as follows:

- (a) the requisition of money under Section 809.1 of the Municipal Act to be collected by a property value tax to be levied and collected under Section 810.1 (1) on the basis of the net taxable value of land and improvements;
- (b) the requisition of money under Section 809.1 to be collected by a frontage tax to be imposed in the manner provided by Sections 810.1 (2);
- (c) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs.

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5. **LIMIT**

The maximum amount that may be requisitioned annually under Section 804 (1)(a) and (b) of the Municipal Act, for the service shall not exceed **\$ 150,000.00**.

6. **CITATION**

This bylaw may be cited as **"Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw No 1239, 1991"**.

