

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2797

A bylaw to establish a service for the purpose of acquiring, developing and operating a wastewater recovery system

WHEREAS the *Local Government Act (Act)* provides that the Board of the Regional District of North Okanagan may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board wishes to establish a service for the purposes of acquisition, development, operation and maintenance of a wastewater recovery system within the North Swan Lake Corridor of the Regional District of North Okanagan;

AND WHEREAS consent on behalf of the electoral participating area will be by petition in accordance with subsections 337 and 347(1)(a) of the *Act*;

AND WHEREAS pursuant to Section 348(1) of the *Act*, if money is to be borrowed for the start of the service, the establishing bylaw and the loan authorization bylaw [*North Okanagan Wastewater Recovery System Loan Authorization Bylaw No. 2798, 2018*] must, for the purpose of obtaining participating area approval, be dealt with as if they were one bylaw;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled hereby, ENACTS AS FOLLOWS:

CITATION

1. This Bylaw may be cited as the “***North Okanagan Wastewater Recovery Service Establishment Bylaw No. 2797, 2018***”.

ESTABLISHMENT AND DESCRIPTION OF SERVICE

2. The Regional District is authorized to establish a service for the purpose of acquiring, developing, operating and maintaining a wastewater recovery system within the North Swan Lake Corridor.

SERVICE AREA BOUNDARIES

3. The boundaries of the service area are those portions of Electoral Area “B” and Electoral Area “C” outlined in red in Schedule ‘A’ attached to and forming part of this bylaw.

PARTICIPANTS

4. The participants to this service are:
 - Electoral Area “B”; and,
 - Electoral Area “C”.

COST RECOVERY

5. The annual cost of providing the service outlined in this Bylaw shall be recovered by one or more of the following:
- a. requisition of money under section 387 [*Requisition of funds from electoral areas*] of the *Act* to be collected by a property value tax to be levied on land and improvements for regional hospital district purposes and collected under section 388 of the *Act*;
 - b. revenues received by way of agreement, enterprise, gift, grant or otherwise;
 - c. imposition of fees and other charges.
6. The maximum amount that may be requisitioned annually for the service shall not exceed \$600,000 or \$2.80 per \$1,000 of net taxable value of land and improvements included in the service area, whichever is greater.

COST APPORTIONMENT

7. The annual cost of this service shall be apportioned amongst the participants on the basis of the value of converted land and improvements for regional hospital district purposes in the participating area.

Read a First, Second and THIRD Time	this	15	day of	August, 2018
THIRD reading rescinded	this	12	day of	December, 2018
Read a THIRD Time as Amended	this	12	day of	December, 2018
Received participating area approval pursuant to section 212 (4) to (6) [Petition for local area service]	this	18	day of	March, 2019,
Approved by the Inspector of Municipalities	this	2	day of	October, 2019
ADOPTED	this	6	day of	November, 2019


Chair
Kevin Acton


Corporate Officer
Paddy Juniper

Swan Lake

B

C

 Service Area

