

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1254

A bylaw to establish a service for the purpose of providing for the design, construction, and continued operation of a water distribution system for the Upper Fintry, Shalal Road, and Valley of the Sun communities which is a portion of the Central Okanagan West Electoral Area.

WHEREAS a regional district may, by bylaw, establish a service under the provisions of Part 24 of the Local Government Act;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan wishes to establish a service for the purpose of providing for the design, construction, and continued operation of a water distribution system for the Upper Fintry, Shalal Road, and Valley of the Sun communities which is a portion of the Central Okanagan West Electoral Area;

AND WHEREAS in accordance with Section 797.4 of the Local Government Act, the Regional District has received a valid petition for the service;

AND WHEREAS the Director of the Central Okanagan West Electoral Area has consented to the establishment of the service area;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. The Regional District hereby establishes within the Central Okanagan West Electoral Area a service for the purpose of providing for the design and construction then continued operation of a water distribution system for the Upper Fintry, Shalal Road, and Valley of the Sun communities, to be known as the "Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area".
2. The participants in the service area, established under Section 1, are a portion of the Central Okanagan West Electoral Area.
3. The boundaries of the service area are shown outlined on Schedule "A" attached hereto and forming part of this bylaw.
4. The annual costs for the service established in Section 1 shall be recovered by:
 - a) The requisition of money under Section 806 to be collected by a parcel tax imposed in the manner provided by Section 806.1, and
 - b) The imposition of fees and other charges that may be set by separate bylaw for the purpose of recovering these costs.
5. The maximum amount that may be requisitioned under Section 806 for the service shall be \$435,000.00.
6. The Regional Board may, by separate bylaw, provide that the parcel tax imposition under Section 806.1(1)(b) may be commuted for payment in cash under the terms and conditions set under that bylaw.

7. This bylaw may be cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009".

READ A FIRST TIME THIS 23rd DAY OF March 2009.

READ A SECOND TIME THIS 23rd DAY OF March 2009.

READ A THIRD TIME THIS 23rd DAY OF March 2009.

Approved by the Inspector of Municipalities this 16 DAY OF April 2009.

RECONSIDERED AND ADOPTED THIS 14 DAY OF May 2009.



CHAIR



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1254 cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009", as read a third time by the Regional Board on the 23rd day of March 2009.

Dated at Kelowna, BC this
27th day of March 2009



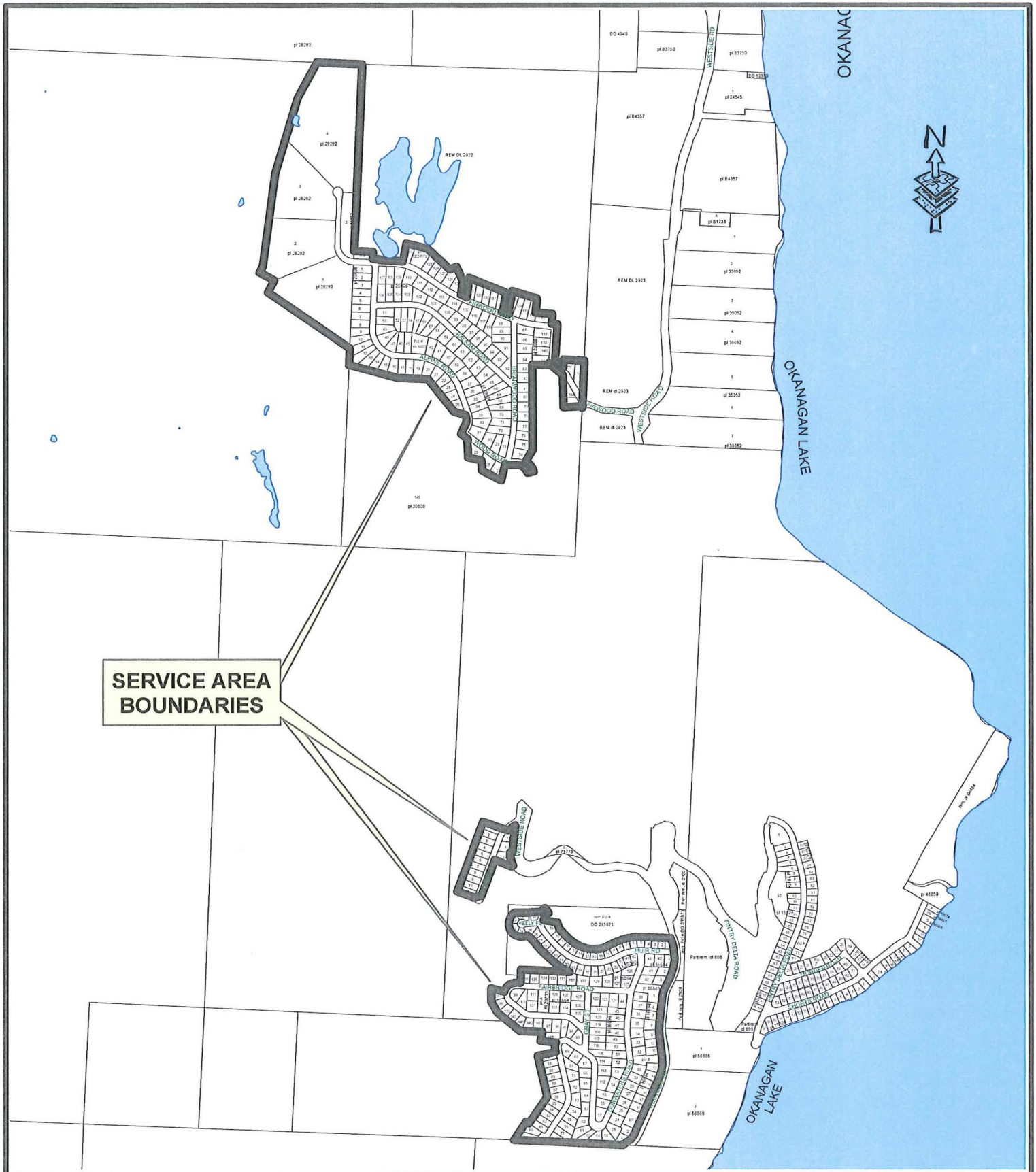
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1254 cited as the "Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009", as adopted by the Regional Board on the 14 day of May 2009.

Dated at Kelowna, BC this
20 day of May 2009.



DIRECTOR OF CORPORATE SERVICES



**Regional District of Central Okanagan
Upper Fintry, Shalal Road, Valley of the Sun
Water Service Area Establishment Bylaw No. 1254, 2009
Schedule "A"**

May 14, 2009

Date of Adoption:

Scale: 1:17,000

Filename: UF_VOS Water BLW.mxd

REVISIONS


DATE BYLAW

CONSENT

I, the undersigned director of the Central Okanagan West Electoral Area of the Regional District of Central Okanagan, hereby consent to:

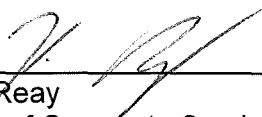
Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009

Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009



Jim Edgson, Director
Central Okanagan West Electoral Area

Dated at Kelowna, B.C.
this 23rd day of March 2009.



Harold Reay
Director of Corporate Services

Regional District of Central Okanagan
Engineering Services
1450 KLO Road
Kelowna, BC V1W 3Z4
Telephone: (250) 469-6241
Fax: (250) 762-7011

**Petition to Establish a Water Service Area
at Upper Fintry / Shalal Road / Valley of the Sun**

To the Board of Directors:

We, the undersigned owners of land shown shaded on the plan attached hereto, hereby petition the Regional Board of the Regional District of Central Okanagan to establish a Service area to provide for a domestic water system. The cost of construction is estimated to be \$6,000,000.00 which equates to \$17,500.00 per parcel or approximately \$1,275 per parcel when amortized over a thirty (30) year period and calculated with an estimated 6% interest annually. The cost of operating and maintaining the system will be paid for through the collection of user and maintenance fees. We request that the Regional District continue in their efforts to secure Provincial Funding for this project.

Legal Description:

Plan

Lot *etc*

Location

Property Owner:

Property Owner's Signature:

Witness:

Date:

Please return to the Regional District of Central Okanagan Engineering Services
Department in the self-addressed, stamped envelope provided, or by fax to (250) 762-7011

CERTIFICATE

Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Establishment Bylaw No. 1254, 2009

Regional District of Central Okanagan Upper Fintry, Shalal Road, and Valley of the Sun Water Service Area Loan Authorization Bylaw No. 1255, 2009

I hereby certify that the petition for the Regional District of Central Okanagan to establish a service area is valid and sufficient pursuant to Section 797.4 of the Local Government Act.

Dated at Kelowna, B.C. this
23rd day of March 2009



Harold Reay
Director of Corporate Services



Statutory Approval

Under the provisions of section _____ ***801(1)*** _____

of the _____ ***Local Government Act*** _____

I hereby approve Bylaw No. _____ ***1254*** _____

of the _____ ***Regional District of Central Okanagan*** _____,

a copy of which is attached hereto.

Dated this ***16*** ***day***
of ***April*** ***, 2009***

Deputy Inspector of Municipalities