

Bylaw No. 1239, 1991

Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw

Consolidated for convenience purposes.
Includes all amendments to the text up to:
March 2, 2023

Summary of Amendments

| Bylaw No. | Adopted | Amendment | Purpose |
|------------------|-------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1409 | August 19, 1993 | Amend Schedule A | To include Lot 1, Plan 24048, SL 37, DL 2710, Exc. Plan 27179, 41143 & 43559, SDYD; Lot 1, Plan 43559 DL 2710, SDYD; and Lots 11 & 12, Plan 43303, DL 10, SDYD; Lot 1, Plan 24048, SL 37, DL 2710, Exc. Plan 27179, 41143 & 43559, SDYD; Lot 1, Plan 43559 DL 2710, SDYD; and Lots 11 & 12, Plan 43303, DL 10, SDYD |
| 2124 | June 20, 2002 | Amend Schedule A | To include Lot 4, Plan 30053, DL 551, SDYD |
| 1239.03 | October 7, 2010 | Amend Sections 4 & 5 | To include revenues received by way of agreement, enterprise, gift, grant or otherwise; impose maximum debt; increase maximum annual requisition amount. |
| 1239.04 | September 1, 2011 | Amend Schedule A | To include Lot C, Plan 1279, DL 337, SDYD, Except Plan 2976 3995 11597 21632 KAP47246; Lot D, Plan 1279, SDYD, DL 337 and 374; and Lot M, Plan 1501, DL 374, SDYD. |
| 1239.05 | July 17, 2014 | Amend Schedule A | To include a portion of the parcel legally described as Plan KAP81234, DL 374, 551, 2710, For Peach Cliff Estates MHP Bays C/Ref 70019.010 ET AL., SDYD. |
| 1239.06 | December 17, 2015 | Amend Schedule A | To include Lot 1, DL 10, SDYD, Plan KAP87398, Manufactured Home Reg.#53889 |
| 1239.07 | September 6, 2018 | Amend Schedule A | To include Lot B, Plan KAP22642, DL551, SDYD Except Plan EPP34540 |
| 1239.08 | July 2, 2020 | Amend Schedule A | To include Lot 2, Plan KAP14822, DL551, SDYD |
| 1239.10 | March 2, 2023 | Amend Schedule A | To include Lots 3 and 5, Plan KAP30053, DL551, SDYD |
| 1239.11 | March 2, 2023 | Amend Schedule A | To include Lot 3, Plan KAP14822, DL551, SDYD and an approximately 2.9 ha area of land comprised within road reserve |

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;

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 METHOD¹

As provided in Section 803 of the Local Government Act, the annual costs of the Service area shall be recovered by requisition of money in the participating area within the Okanagan Falls Sanitary Sewer System Service Area to be collected by:

- (a) property value taxes imposed in accordance with Division 4.3 [Requisition and Tax Collection];
- (b) subject to subsection (2), parcel taxes imposed in accordance with Division 4.3 [Requisition and Tax Collection];
- (c) fees and charges imposed under section 363 [imposition of fees and charges];
- (d) revenues raised by other means authorized under this or another Act;
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

5. LIMIT²

(a) The maximum debt that may be created for the Okanagan Falls Sanitary Sewer System Service Area is \$ 11,685,000. subject to reduction by grant monies.

(b) The maximum annual amount that may be requisitioned under Section 4 of this bylaw for the Okanagan Falls Sanitary Sewer System Service Area is \$1,000,000.

1 Bylaw No. 1239.03, 2010

2 Bylaw No. 1239.03, 2010

6. **CITATION**

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

READ A FIRST TIME this 20th day of June, 1991.

READ A SECOND TIME this 20th day of June, 1991.

READ A THIRD TIME this 20th day of June, 1991.

I hereby certify that the foregoing is a true and correct copy of Bylaw No. **1239, 1991** of the Regional District of Okanagan-Similkameen cited as **"Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw No. 1239, 1991"** as read a third time by the Regional Board on the 20th day of June, 1991.

Dated at Penticton, B.C. this day of , 1991.

Administrator/Secretary-Treasurer

APPROVED BY THE INSPECTOR OF MUNICIPALITIES

this 22nd day of January, 1993.

RECONSIDERED, PASSED AND FINALLY ADOPTED

this 18th day of February, 1993.

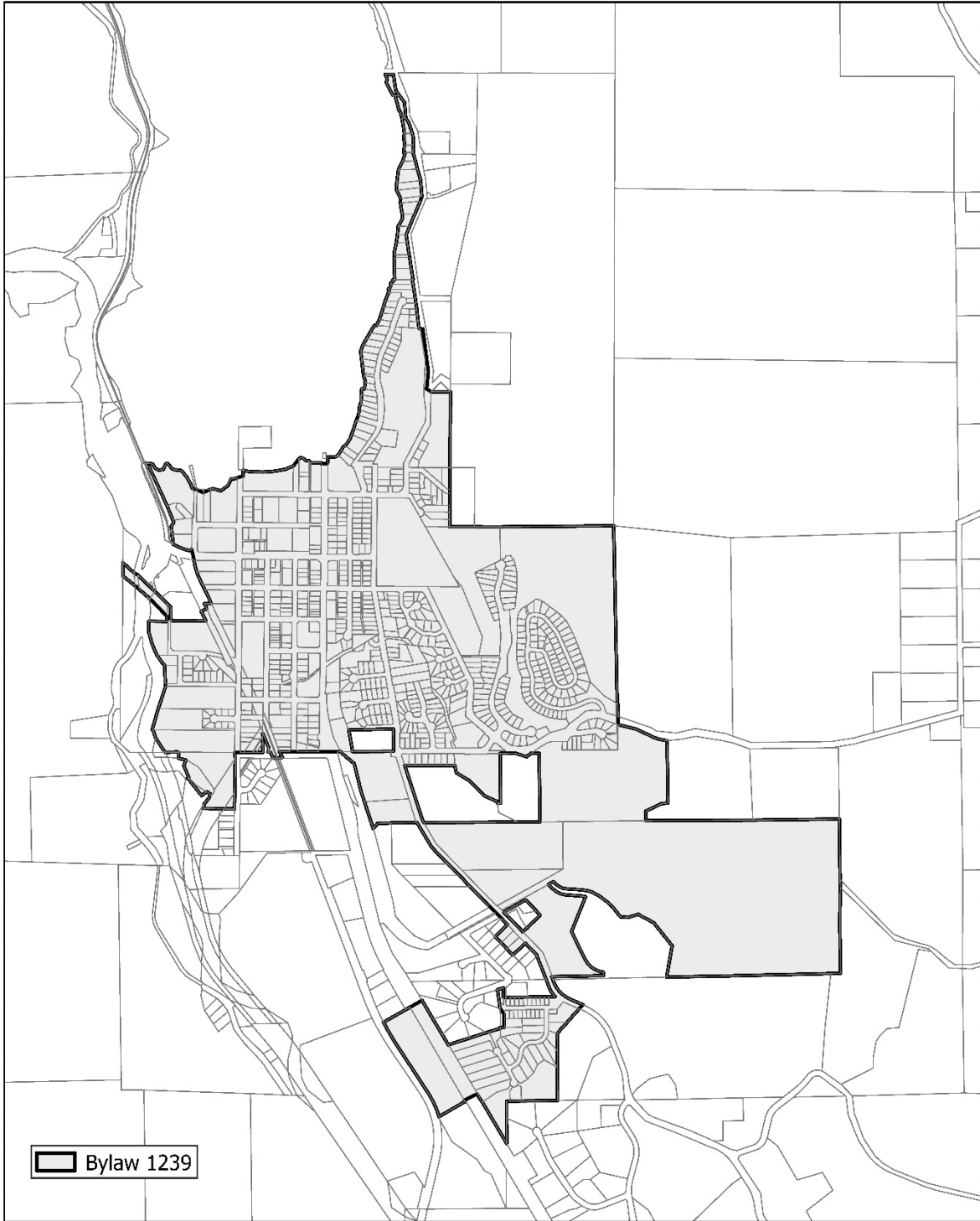
FILED WITH THE INSPECTOR OF MUNICIPALITIES

this 26th day of February, 1993.

Chairman

Administrator/Secretary-Treasurer

Schedule A³



Okanagan Falls Specified Area Sanitary Sewer System Local Service
as amended by Bylaws No. 1239.10 and 1239.11, 2022.



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3 As amended by Bylaw No. 1239.11 adopted March 2, 2023