

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2320

A bylaw to impose rates for the
Gunter Ellison Road Water Local Service

WHEREAS Section 796(1) [*General authority for services*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, states that the Board of the Regional District of North Okanagan may operate any service that the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board has adopted Bylaw No. 1600, 2000 cited as *Gunter Ellison Road Water Local Service Establishment Bylaw No. 1600, 2000* which authorizes the establishment of a domestic water service for the Gunter Ellison Road Service Area;

AND WHEREAS Section 803(1) [*Options for cost recovery*] of the *Local Government Act*, states that Section 363 [*Imposition of fees and charges*] of the *Local Government Act* applies to Regional Districts in relation to their services;

AND WHEREAS Section 363 [*Imposition of fees and charges*] of the *Local Government Act* provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

AND WHEREAS the Regional District of North Okanagan owns and operates a community water system for the Gunter Ellison Road Water Local Service Area in Electoral Area "F";

AND WHEREAS the Regional Board is desirous to amend the existing rates and/or billing process;

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 for all purposes as the "***Gunter Ellison Road Water Fees Imposition Bylaw No. 2320, 2008***".

DEFINITIONS

2. In this Bylaw:

"Commercial User" means a use identified in the Commercial Zones in the *Regional District of North Okanagan Zoning Bylaw* and amendments thereto.

"Domestic Unit" means a single residential dwelling, mobile home, rental suite, strata unit or plumbed residential or agricultural outbuilding or other plumbed buildings including but not limited to commercial and industrial buildings.

"Parcel" means any legal property capable of being served by the Gunter Ellison Domestic Water Service and generally having a water main fronting or along one side of the property boundary and a service stub to the property boundary.

"Parcel – Water Service Area" means all legal properties in the Water Service Area as shown on Schedule "B" of this Bylaw.

"Parcel – Debt Service Area" means all legal properties in the Debt Service Area as shown on Schedule "B" of this Bylaw. For the purposes of establishing rates and fees these properties are also deemed to be in the Water Service Area.

"User" means any domestic unit or commercial user connected to the Gunter Ellison Domestic Water Service.

ESTABLISHMENT

3. Schedule 'A' - "Schedule of Rates and Fees for the Gunter Ellison Domestic Water Service" is hereby established, which is attached to and forms part of this Bylaw.
4. Where a Bylaw contains provision for a rate or fee that is for the same service as contained within the Schedules of Rates and Fees attached to this Bylaw, the rates and fees contained in Schedule 'A' shall apply.
5. Schedule "B" – Gunter Ellison Road Water Debt Service Area is attached to and forms part of this Bylaw.

PAYMENT DUE DATES

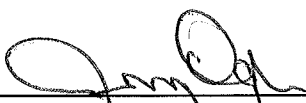
6. Payment of utility invoices outlined in this subsection are due and payable upon issuance of the invoice. A discount of ten percent (10%) will be given for payments of current accounts received on or before the forty-fifth (45th) day after the billing date. Where the forty-fifth day falls on a weekend or holiday, the next business date shall apply. Amount remaining unpaid as at December 31st are deemed to be taxes in arrears and shall be transferred to property taxes.

REPEAL

7. Bylaw 2242, being "*Gunter Ellison Road Water Fees Imposition Bylaw No. 2242, 2007*" is hereby repealed.

Read a FIRST, SECOND and THIRD TIME this 9th day of April , 2008.

Reconsidered and ADOPTED this 9th day of April , 2008.



Chair



Corporate Officer

SCHEDULE "A" attached to and
forming part of Bylaw No. 2320, 2008

SCHEDULE "A"
RATES AND FEES FOR THE
GUNTER ELLISON DOMESTIC WATER SERVICE

Effective January 1, 2008, in accordance with the Utilities Collection Roll, the following rates and fees shall apply and be levied for water use, for a full year or, where applicable, prorated for a portion thereof:

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|---|-----------|----------------------|
| 1. Parcel Fee – Debt Service Area | \$ 623.00 | per annum per parcel |
| 2. Parcel Fee – Water Service Area
(Administration Fees and Frontage
charges per City of Enderby Bylaw) | \$ 687.00 | per annum per parcel |
| 3. Residential User Rate
(Per City of Enderby Bylaw) | \$ 244.00 | per annum |
| 4. Commercial User Rate | \$ N/A | |

DISCOUNT

A discount of ten percent (10%) shall be given on the above Parcel Fees and User Rates to any paid current account if paid by the due dates as set out under Section 5 of this bylaw.

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|-------------------|-------------|----------------|
| 5. Connection Fee | \$ 1,805.00 | per connection |
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