

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2321

A bylaw to impose rates for the  
Mabel Lake Domestic Water Service

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**WHEREAS** pursuant to 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 by Bylaw 1908, being the "*Mabel Lake Community Domestic Water Service Establishment Bylaw No. 1908, 2003*" established a domestic water service for the Mabel Lake Community;

**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 Mabel Lake 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 as "***Mabel Lake Domestic Water Service Fees Imposition Bylaw No. 2321, 2008***".

### DEFINITIONS

2. In this Bylaw:

"**Apartment Unit**" shall mean a rental or strata suite containing two bedrooms or less, forming part of a larger building and contained on a single storey.

"**Availability Fee**" shall be charged on a per parcel basis to all parcels within the service area either developed or capable of being developed with improvements requiring water service, regardless of whether hooked up to the water utility.

"**Club Kingfisher**" shall mean the strata recreation property located at 3303 Mabel Lake Road.

"**Connection Fee**" means the cost to allow a connection from the dwelling to the water system and shall not include the actual costs to install the connection works.

"**Domestic Unit**" means a single residential dwelling, mobile home, townhouse unit, strata unit or plumbed residential or agricultural out building or other plumbed buildings, including but not limited to commercial and industrial buildings.

"**Golf Course**" shall refer to the Mabel Lake Golf and Country Club.

"**Mabel Lake Holiday Centre**" shall mean the campground and ancillary properties and buildings located at 3501, 3510, and 3525 Mabel Lake Road.

"**Motel Unit**" shall mean a hotel or motel unit rented on a daily or weekly basis and containing no more than one bedroom.

"**Parcel**" means any legal property capable of being served by the Mabel Lake Domestic Water Service and generally having a water main fronting or along one side of the property boundary.

"**User**" means any domestic, apartment or motel unit or commercial user connected to the Mabel Lake Domestic Water Service.

### ESTABLISHMENT

3. Schedule "A" – Schedule of Rates and Fees for the Mabel Lake 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.

### PAYMENT DUE DATES

5. 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 (45th) day falls on a weekend or holiday, the next business date shall apply. Amounts remaining unpaid as at December 31st are deemed to be taxes in arrears and shall be transferred to property taxes.

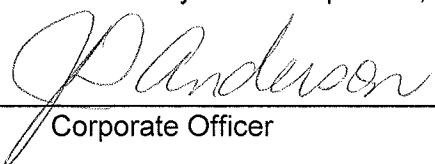
### REPEAL

6. Bylaw 2243, being "*Mabel Lake Domestic Water Service Fees Imposition Bylaw No. 2243, 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.

  
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Chair

  
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Corporate Officer

SCHEDULE "A" attached to and  
forming part of Bylaw No. 2321, 2008

**SCHEDULE "A"**  
**RATES AND FEES FOR THE**  
**MABEL LAKE DOMESTIC WATER SERVICE**

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

1.	Availability Fee	\$ 117.00 per annum per parcel
2.	User Rates	
	Commercial User – Mabel Lake Holiday Centre	\$ 3,510.00 per annum
	Commercial User – Club Kingfisher	\$ 3,276.00 per annum
	Commercial User – Golf Course	\$ 1,630.00 per annum
	Domestic Unit	\$ 117.00 per annum
	Apartment Unit	\$ 164.00 per annum
	Motel Unit	\$ 94.00 per annum

**DISCOUNT**

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

3.	Connection Fee	\$ 105.00 per connection
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