

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 2322

A bylaw to impose rates for the  
Mabel Lake Sewer Utility Service Area

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**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, by Bylaw No. 1860, being "*Mabel Lake Sewer Utility Service Establishment Bylaw No. 1860, 2003*" established a community sewer 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 sewer utility for the Mabel Lake Sewer Utility Service Area in Electoral Area "F";

**AND WHEREAS** the 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 "***Mabel Lake Sewer Utility Fees Imposition Bylaw No. 2322, 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 sewer service, regardless of whether hooked up to the sewer utility.

"**Commercial User**" means a use identified in the Commercial Zones in the *Regional District of North Okanagan Zoning Bylaw No. 725, 1986* and amendments thereto and including the Mabel Lake Golf and Country Club.

"**Connection Fee**" means the cost to allow a connection from the dwelling to the sewer 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 outbuilding or other plumbed buildings including but not limited to commercial and industrial buildings.

"**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 Sewer Utility and generally having a sewer 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 Sewer Utility.

### ESTABLISHMENT

3. Schedule 'A' - "Schedule of Rates and Fees for the Mabel Lake Sewer Utility" - 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 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 2244, being "*Mabel Lake Sewer Utility Fees Imposition Bylaw No. 2244, 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. 2322, 2008

**SCHEDULE "A"**  
**RATES AND FEES FOR THE**  
**MABEL LAKE SEWER UTILITY**

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

1.	Availability Fee	\$ 117.00	per annum per parcel
2.	User Rates		
	Commercial User – Golf Course	\$1,719.12	per annum
	Domestic Unit	\$ 117.00	per annum
	Apartment Unit	\$ 169.00	per annum
	Motel Unit	\$ 96.30	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 Bylaw 2244, 2007.

3.	Connection Fee	\$ 105.00	per connection
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