

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2323

A bylaw to impose rates for the
Silver Star Village Water Specified Area

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 Regional District has by Bylaw 826, being the "*Silver Star Village Water Specified Area Establishment Bylaw No. 826, 1989*" and amendments made thereto, established the "Silver Star Village Water Specified Area";

AND WHEREAS the Regional District has by Bylaw 1082, being the "*Silver Star Village Local Service Area Conversion and Establishment Bylaw No. 1082, 1992*" and amendments made thereto, converted the "Silver Star Village Specified Area" and established the "Silver Star Village Local 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 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 "***Silver Star Water Fees Imposition Bylaw No. 2323, 2008***".

DEFINITIONS

2. In this Bylaw:

"**Commercial User**" means a use identified as commercial 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 out building or other plumbed buildings, including but not limited to commercial and industrial buildings. The number of domestic units may be calculated as thirty (30) fixture units or portion thereof;

"**Fixture Units**" means fixture units as defined in the British Columbia Plumbing Code, current edition;

"Temporary Shut-Off" means a temporary interruption to water service by means of a shut-off or turn-on of a water service pipe at the request of a customer, the cost of which shall be applied for each site visit by water system personnel;

"Unmetered Fire Main" means a pipe that is intended solely for the purpose of providing a standby supply of water for firefighting purposes; and

"Water Allocation Roll" means a list of each property served by the water system that is liable to a water charge, and the roll may indicate the number of domestic units for each parcel of land.

RATES

3. (1) Every person being the owner of lands and premises to which water service is provided shall pay to the Regional District the rates established for the service in accordance with Schedule "A" as attached hereto, and in the manner herein provided.
- (2) All accounts shall be rendered to the owner of the lands and premises to which water service is supplied, and every leaseholder shall be jointly liable with the owner for same.
- (3) A water allocation roll will be prepared prior to June in each year, which will serve as the basis for which the rates described in Schedule "A" will apply and be levied for allocation and water use in the calendar year.
- (4) Water service rates may be prorated for new connections or new construction.

PAYMENT DUE DATES

4. (1) Payment of the Water 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 by the following dates:
 - (a) On any current Fixed Fees account or any current Consumption Fees account paid on or before July 31st in each billing year;
- (2) Payment of fees and charges for Annual Fire Hydrant Maintenance Rates, and Annual Unmetered Fire Main rates shall be due and payable upon receipt of invoice.
- (3) Payment of a Temporary Fire Hydrant User Fee shall be made prior to use of the hydrant.
- (4) Amounts remaining unpaid as at December 31st are deemed to be taxes in arrears and shall be transferred to property taxes.
- (5) Where the dates specified in Section 4(1) above fall on a weekend or statutory holiday, the next business date shall apply.

REPEAL

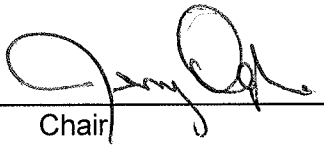
5. Bylaw 2245, being "*Silver Star Water Fees Imposition Bylaw No. 2245, 2007*" is hereby repealed.

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. 2323, 2008

SCHEDULE "A" – RATES

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

1. **Fixed Fees:**
 - a) Each Unit \$ 0.440 per Imp. gallon per annum*
 - b) Minimum Commercial Fee 80.00 per annum
 - c) Minimum Residential Fee 160.00 per annum

* As per Bylaw No. 984 water usage is calculated as follows:

1 seat	=	10 Imperial gallons
1 pillow	=	30 Imperial gallons
Minimum Use	=	180 Imperial gallons

2. **Consumption Fees:**
 - a) Metered rate: \$0.95 per cubic meter
 - b) Where meter unreadable consumption deemed to be equivalent of the highest user in rate category in specified area.
 - c) The metered rate will be adjusted for all residential users in accordance with the following formulae for consumption between December 1 and February 1 and consumption between February 1 and April 1:

<u>Consumption</u>	<u>Rate</u>
First 60 cubic meters	metered rate
Next 40 cubic meters	2x metered rate
Excess of 100 cubic meters	6x metered rate
 - d) The consumption fee shall be based on consumption between April 1 of the previous year and April 1 of year of adoption of Bylaw No. 2245.

3. **Discount:** A discount of ten percent (10%) shall be given on the above rates (1-2 inclusive) as set out in Section 4(1) of Bylaw No. 2245, 2007.

4. **Annual Fire Hydrant Maintenance Rates:**
 - a) 150mm hydrants \$ 2,520.00 Lump Sum

5. **Annual Unmetered Fire Main Rates:**
 - a) 50 mm diameter \$ N/A
 - b) 75 mm diameter \$ N/A
 - c) 100 mm diameter \$ N/A
 - d) 150 mm diameter \$ N/A
 - e) 200 mm diameter \$ N/A
 - f) 250 mm diameter \$ N/A
 - g) 300 mm diameter \$ N/A

6. **Temporary Fire Hydrant User Fee** \$126.00 for a single use
7. **Temporary Shut-Off Fee** \$ 26.50
8. **Minimum Fee for After Hours Call-out** \$ 84.00
9. **Water Service Application Fee** \$ 52.50
10. **Water Connection Inspection Fee** \$210.00
11. **Water Service Connection** Charged at Cost