

## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW NO. 1764

A Bylaw to Amend the Regional Water Supply and Water Distribution Services

---

**WHEREAS** by Order In Council No. 1336 and Supplementary Letters Patent dated October 27, 1994, as amended on December 18, 1997, the Regional District was granted the functions of regional water supply and water distribution in the District of Coldstream, City of Vernon and Electoral Areas “B”, “C” and “D”;

**AND WHEREAS** the Board of the Regional District has enacted three bylaws to establish local service areas for water supply and distribution, as required by the Supplementary Letters Patent;

**AND WHEREAS** the Board enacted “North Okanagan Water Authority Establishment Bylaw No. 1266, 1994” to provide for a regional water commission, as required by the Supplementary Letters Patent;

**AND WHEREAS** the Board wishes to discontinue the regional water commission and to amend the function of water supply and water distribution for the service area defined in this bylaw;

**AND WHEREAS** the Board has obtained the required consent of at least 2/3 of the participants of the original function, pursuant to Section 802(1)(b) of the *Local Government Act*.

**NOW THEREFORE**, the Regional Board of the Regional District of North Okanagan, in open meeting assembled, ENACTS AS FOLLOWS:

#### **TITLE**

1. This bylaw may be cited as the “Greater Vernon Water Service Amendment Bylaw No. 1764, 2002”.

#### **SERVICE AMENDMENT**

2. The function of water supply and water distribution for the City of Vernon, the District of Coldstream and Electoral Areas “B” and “C” , as established by Supplementary Letters Patent dated October 27, 1994 and amended December 18, 1997 and by “Regional District of North Okanagan-Greater Vernon Regional Water Supply Local Service Establishment Bylaw No. 1262, 1994” (“Bylaw No. 1262”) and “Regional District of North Okanagan-Greater Vernon Regional

Water Distribution Local Service Establishment Bylaw No. 1263, 1994” is continued as the “Greater Vernon Water Service”.

3. Bylaw No. 1262 is amended by deleting Sections 1 through 4 of the Bylaw and replacing those sections as follows:

### **SCOPE OF SERVICE**

1. The Greater Vernon Water Service includes:
  - (a) acquiring and constructing water supply and distribution facilities, including without limitation reservoirs, wells, intakes, mains, pipes, pumps, ancillary water transmission lines, water reclamation facilities and water treatment facilities;
  - (b) operating, maintaining, repairing and replacing water supply and distribution facilities;
  - (c) acquiring, improving and maintaining land, buildings, equipment, vehicles and other real and personal property for water supply and distribution purposes;
  - (d) acquiring and holding water licences;
  - (e) planning for water supply and distribution needs within the service area;
  - (f) providing water in bulk to other local authorities for distribution to consumers;
  - (g) reclaiming water from waste treatment, agricultural, industrial and other facilities; and
  - (h) carrying out any other function which involves water supply or distribution.

### **SERVICE AREA**

2. The service area for the Greater Vernon Water Service consists of all of the City of Vernon, all of the District of Coldstream and those parts of Electoral Areas “B” and “C” shown outlined in black on Schedule “A” to this bylaw.

### **PARTICIPATING AREAS**

3. The participating areas for the local service are the City of Vernon, District of Coldstream, and Electoral Areas “B” and “C”.

**COST RECOVERY**

4. The annual cost of providing the service shall be recovered by one or more of the following:
  - (a) the requisition of money under Sections 805 and 806 of the *Local Government Act* to be collected as a property value tax to be imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act* and to be collected in accordance with Sections 805.1 and 806.1 of the Act;
  - (b) parcel taxes to be imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
  - (c) the imposition of fees and other charges; and
  - (d) revenues received by way of agreement.
5. The annual cost of the service shall be apportioned among the participants on the basis of the converted value of land and improvements in those areas.

**MAXIMUM REQUISITION**

6. The maximum amount that may be requisitioned annually for this service shall be the greater of \$0.50 per \$1,000.00 on the net taxable value of land and improvements included in the service area or \$1,500,000.00 whichever is greater.

**REGIONAL BOARD VOTING**

7. In relation to resolutions and bylaws respecting the administration and operation of the service, including bylaws regulating the service, each director who represents a participant in the service shall be entitled to one vote.”

**SCHEDULE AMENDMENT**

4. Bylaw No. 1262 is further amended by deleting Schedule “A” and replacing it with Schedule “A” to this bylaw.

**REPEALS**

5. “North Okanagan Water Authority Establishment Bylaw No. 1266, 1994” and “Regional District of North Okanagan-Greater Vernon Regional Water Distribution Local Service Establishment Bylaw No. 1263, 1994” are repealed.

READ A FIRST TIME this 10th day of April, 2002.

READ A SECOND TIME this 10th day of April, 2002

READ A THIRD TIME this 10th day of April, 2002

APPROVED by the Inspector of Municipalities this 23rd day of April, 2002.

Reconsidered, Finally Passed and ADOPTED this 8<sup>th</sup> day of May , 2002.

---

Chair

---

Corporate Officer