

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 592

A bylaw to provide for the preparation of a frontage tax assessment roll under the provisions of Section 810.1 and 481 of the Municipal Act.

Whereas the Regional Board of the Regional District of Central Okanagan is empowered by the Municipal Act to impose and levy a frontage tax to meet the cost of works and services that benefit land within a local service area;

AND WHEREAS Bylaw No. 456 established the Green Bay Sewer System Local Service for the purpose of providing sewer services to lands within the service area;

AND WHEREAS certain costs have been incurred by the Regional District of Central Okanagan in providing the sewer services to lands within the Green Bay Sewer System Local Service Area;

AND WHEREAS Bylaw No. 456 provides for the recovery of costs for the Green Bay Sewer System Local Service Area by means of the requisition of money to be collected by frontage tax;

AND WHEREAS it is deemed desirable and expedient to provide for the preparation of a frontage tax assessment roll for each parcel of land within the Green Bay Sewer System Local Service area;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN in open meeting assembled enacts as follows:

DEFINITIONS

In this Bylaw, unless the context otherwise requires:

"actual frontage" means the distance which a parcel of land actually abuts on the work or highway;

"taxable frontage" means the actual frontage or, where applicable, the distance which a parcel of land is deemed to abut on the work or highway, and in respect of which parcel the frontage tax is levied for the work or service;

"total actual frontage" means the sum of the actual frontage of the parcel of land which actually abuts on the work or highway;

"total taxable frontage" means the sum of the taxable frontage of the parcel of land which abuts or is deemed to abut on the work or highway.

"collector" means the person appointed by the Regional Board to prepare a frontage tax roll.

"Regional District" means the Regional District of Central Okanagan.

"Local Service Area" means the Green Bay Sewer System Local Service Area.

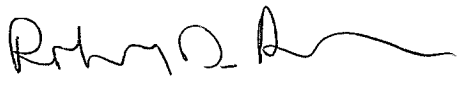
"Taxable Foot" means an actual foot or, where applicable, each foot which a parcel of land is deemed to abut on the work or highway, and in respect of which parcel the frontage tax is levied for the work or service.

1. A frontage tax of \$3.66 per taxable foot shall be and is hereby imposed upon the owners of land within the local service area which is capable of being connected to any sanitary sewer main, whether or not the parcel of land is connected to such sanitary sewer main, the aforesaid tax to be herein referred to as the "Frontage Tax".
2. The frontage tax shall be levied in each year on each parcel of land aforementioned and the amount thereof, except as otherwise provided in this bylaw, will be the product of the taxable frontage and the annual rate.
3. The frontage tax shall not be levied on any parcel of land within the boundary of the local service area of which the owners of the parcel of land have paid their portion of the capital costs in full prior to March 31, 1993.
4. For the purpose of this bylaw, initially the following calculations have been made from a study of the lands within the local service area.
 - a) the total actual frontage is 6137.98 feet
 - b) the total taxable frontage is 5470.33 feet
5. The frontage tax shall be in force and be effective until complete discharge and satisfaction by the Regional District of all obligations presently incurred, and to be incurred, in respect to the aforesaid service.
6. The collector shall prepare a frontage tax roll for the Green Bay Sewer System Local Service Area.
7. The collector shall set down on the frontage tax assessment roll for each parcel of land assessed within the Local Service area, the name of the owner, the actual frontage and the taxable frontage.
8. For the purpose of this Bylaw, a regularly shaped parcel of land is rectangular.
- 9(i) To place Frontage tax on a fair and equitable basis, the taxable frontage of the following parcels of land shall be the number of feet fixed by the Collector:
 - a. a triangular or irregularly shaped parcel of land; or
 - b. a parcel of land wholly or in part unfit for building purposes; or
 - c. a parcel of land which does not abut on the work but is nevertheless deemed to abut on the work, as the case may be.
 - d. a parcel of land which not only abuts the sewer but is also traversed by the sewer.
- (ii) The Collector, in fixing the taxable frontage under Subsection (i) shall have due regard to:
 - a. the condition, situation, value and superficial area of a parcel as compared with other parcels of land; or
 - b. the benefit derived from the sewer service.
10. For the purpose of this Bylaw:
 - (i) Where the number of feet of a parcel of land which abuts a sewer main has less than 100 feet of frontage, the taxable frontage shall be deemed 100 feet and where such parcel has more than 100 feet, the taxable frontage shall be deemed to be the taxable frontage.
 - (ii) Where the parcel of land is situated at the junction or intersection of highways, and the sewer service is provided on or along more than one side of the parcel, the taxable frontage shall be deemed to be the taxable frontage.

- 11. The provisions of Section 9 of this Bylaw shall be subject to the provisions of Section 8 thereof.
- 12. This Bylaw may be cited as the "Regional District of Central Okanagan Green Bay Sewer System Local Service Area Frontage Tax Assessment Roll Bylaw No. 592, 1994.

READ A FIRST TIME THIS 21st DAY OF March, 1994.
 READ A SECOND TIME THIS 21st DAY OF March, 1994.
 READ A THIRD TIME THIS 21st DAY OF March, 1994.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 11th DAY OF April, 1994.



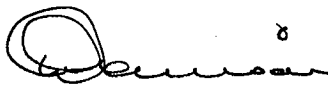
 CHAIRMAN



 SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 592 cited as "Regional District of Central Okanagan Green Bay Sewer System Local Service Area Frontage Tax Assessment Roll Bylaw No. 592, 1994" as read a third time by the Regional Board this 21st day of March, 1994.

Dated at Kelowna, B.C.
 this 23rd day of
 March, 1994.



 Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 592 cited as "Regional District of Central Okanagan Green Bay Sewer System Local Service Area Frontage Tax Assessment Roll Bylaw No. 592, 1994" as reconsidered and adopted by the Regional Board this 11th day of April, 1994.

Dated at Kelowna, B.C.
 this 14th day of
 April, 1994.



 Secretary