

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1063

A bylaw to establish a service in the Westside Electoral Area for the purpose of providing street lighting and to repeal six existing street lighting service areas.

WHEREAS a regional district may, by bylaw, establish and operate a service under the provisions of Part 24 of the Local Government Act;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan wishes to establish a service for the purpose of providing street lighting, to a portion of the Westside Electoral Area;

AND WHEREAS pursuant to section 801.3 of the *Local Government Act*, a regional district may obtain approval of the electors for an establishing bylaw, by the Alternative Approval Process in accordance with Section 86 of the *Community Charter*;

AND WHEREAS the Directors of the Westside Electoral Area have consented to the establishment of the service area;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan established and now wishes to repeal six service areas for the provision of street lighting within the Westside Electoral Area:

- 1) Regional District of Central Okanagan Casa Loma Street Lighting Service Area Establishment Bylaw No. 1047, 2004.
- 2) Regional District of Central Okanagan Green Bay Street Lighting Service Area Establishment Bylaw No. 1048, 2004.
- 3) Regional District of Central Okanagan Pritchard Drive Street Lighting Service Area Establishment Bylaw No. 1049, 2004.
- 4) Regional District of Central Okanagan Shannon Lake Estates Ornamental Street Lighting and Street Name Signs Local Service Area Establishment and Expansion Bylaw No. 496, 1992, as amended.
- 5) Westbank Street Lighting Local Service Area Establishment and Expansion Bylaw No. 422, 1990, as amended and
- 6) Regional District of Central Okanagan Westside Street Lighting Local Service Area Establishment Bylaw No. 651, 1995, as amended;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. The Regional District hereby establishes within the Westside Electoral Area a service for the purpose of providing Street Lighting, to be known as the "Westside Regional Street Lighting Service Area".
2. The participants in the service, established under Section 1, are portions of the Westside Electoral Area shown as the outlined area on Schedule "A" attached hereto and forming part of the Bylaw.
3. The boundaries of the service area, to be known as the "Westside Regional Street Lighting Service Area", are as shown outlined on Schedule "A" attached hereto and forming part of this bylaw.

4. The annual costs for the service established in Section 1 shall be recovered by:
 - a) The requisition of money under Section 806 to be collected by a property value tax levied on land and improvements imposed in the manner provided by Section 806.1(1)(a), and
 - b) The imposition of fees and other charges that may be set by separate bylaw for the purpose of recovering these costs.

5. The maximum amount that may be requisitioned annually for the service provided under Section 1 shall not exceed \$0.06 per \$1,000.00 of net taxable value of land and improvements within the service area;

6. The street lighting service areas established by the following bylaws,
 - a) Regional District of Central Okanagan Casa Loma Street Lighting Service Area Establishment Bylaw No. 1047, 2004;
 - b) Regional District of Central Okanagan Green Bay Street Lighting Service Area Establishment Bylaw No. 1048, 2004;
 - c) Regional District of Central Okanagan Pritchard Drive Street Lighting Service Area Establishment Bylaw No. 1049, 2004;
 - d) Regional District of Central Okanagan Shannon Lake Estates Ornamental Street Lighting and Street Name Signs Local Service Area Establishment and Expansion Bylaw No. 496, 1992, as amended;
 - e) Westbank Street Lighting Local Service Area Establishment and Expansion Bylaw No. 422, 1990, as amended; and
 - f) Regional District of Central Okanagan Westside Street Lighting Local Service Area Establishment Bylaw No. 651, 1995, as amended

are hereby repealed as of December 31, 2004.

7. This bylaw may be cited as the "Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004".

READ A FIRST TIME THIS 19th DAY OF April 2004.

READ A SECOND TIME THIS 19th DAY OF April 2004.

READ A THIRD TIME THIS 19th DAY OF April 2004.

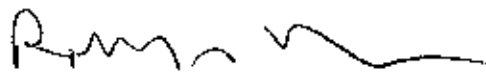
Approved by the Inspector of Municipalities this 14th day of May 2004.

ALTERNATIVE APPROVAL PROCESS RESULTS IN ACCORDANCE WITH THE COMMUNITY CHARTER

Fourteen (14)
Number of signatures

0.08%
Percentage of estimated eligible electors

RECONSIDERED AND ADOPTED THIS 9th DAY OF August 2004.



CHAIR



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1063 cited as the "Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004", as read a third time by the Regional Board on the 19th day of April, 2004.

Dated at Kelowna, B.C. this
20th day of April, 2004.



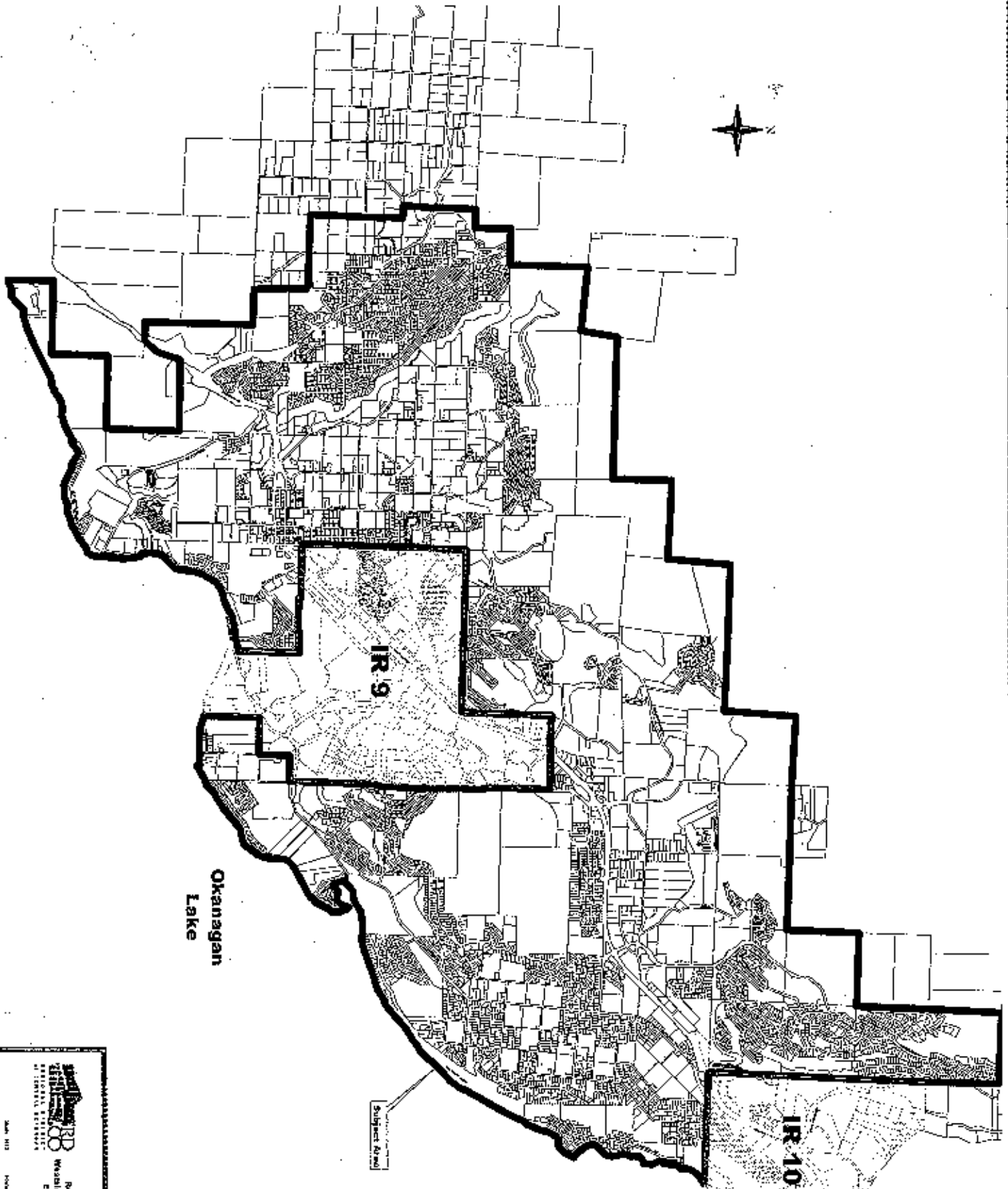
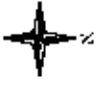
DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1063 cited as the "Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004", as adopted by the Regional Board on the 9th day of August, 2004.

Dated at Kelowna, B.C. this
10th day of August, 2004.



DIRECTOR OF CORPORATE SERVICES



Okanagan
Lake

IR 9

IR 10

Subject Area



Regional District of Okanagan
Regional Services
Emblemson Boulevard, 2005, 2006
Kelowna, BC

Map 103
June 2004
Date Printed



REGIONAL DISTRICT
of CENTRAL OKANAGAN

CONSENT

We, the undersigned Directors of the Westside Electoral Area of the Regional District of Central Okanagan, hereby consent to:

The Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004, being a bylaw to establish a service area.

Len Novakowski
Westside Electoral Area Director

Aaron Dinwoodie
Westside Electoral Area Director

David Knowles
Westside Electoral Area Director

W.B. d'Easum
Director of Corporate Services

Dated at Kelowna, B.C.
This 21st day of April, 2004.



No. _____

Statutory Approval

Under the provisions of section 801(1)

of the Local Government Act

I hereby approve Bylaw No. 1063

of the Regional District of Central Okanagan,

a copy of which is attached hereto.

Dated this 14th day
of May, 2004

A handwritten signature in cursive script, appearing to read "Brenda Melita".

Deputy Inspector of Municipalities



DECLARATION OF ALTERNATIVE APPROVAL PROCESS RESULTS

Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004

I, W.B. d'Easum, Chief Administrative Officer, do hereby declare that an alternative approval process has been conducted in accordance with Section 86 of the *Community Charter*, with regard to Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004 to repeal six existing street lighting service areas and establish one service area for the purpose of amalgamating and expanding the Westside and Lakeview Irrigation District street light service areas.

Of the estimated 17,432 electors eligible to sign the elector response forms, I certify that fourteen (14) valid signatures on the elector response documents were received, being fewer than ten percent (10%) or 1,743 signatures required to prevent approval of Bylaw No. 1063 by the Regional Board without first seeking the assent of the electors by referendum.

In accordance with Section 86 (8) of the *Community Charter*, I certify that the elector response forms submitted are accurate and that elector approval of Bylaw No. 1063 has been obtained.

Dated at Kelowna, BC
this 3rd day of August, 2004.



W.B. d'Easum, Chief Administrative Officer