

**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 1955, 2004
CONSOLIDATED FOR CONVENIENCE**

This document is an office consolidation of the above-noted Bylaw and includes the amendments listed below. This Bylaw has been consolidated for convenience and is intended for information and reference purposes only. This document is not the official version of the Bylaw. Be advised that plans, pictures, other graphics or text in the official version may be missing or altered in this consolidated version. Where accuracy is critical, please contact the Corporate Services Department at the Regional District of North Okanagan.

AMENDMENTS

Bylaw No.	Adopted	Amendment
2117, 2006	June 7, 2006	– to amend the Septage and Holding Tank Waste Treatment and Disposal Service (Schedule A and Text Amendment)
2267, 2007	May 7, 2008	– to amend the Septage and Holding Tank Waste Treatment and Disposal Service (Schedule A)
2382, 2009	March 18, 2009	– to amend the Septage and Holding Tank Waste Treatment and Disposal Service (Text Amendment)

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1955

A bylaw to establish the service of a Regional Septage Utility for the City of Vernon, District of Coldstream, Township of Spallumcheen and all of Electoral Areas "B", "C", and "F" of the Regional District of North Okanagan

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 Sections 796.2 [*General authority for services*] and 800 [*Establishing bylaws required for most services*] of the *Local Government Act* provides for the adoption of a bylaw to establish a new Regional District service;

AND WHEREAS the Board wishes to establish a septage and holding tank waste disposal utility service for the City of Vernon, District of Coldstream, Township of Spallumcheen and all of Electoral Areas "B", "C", and "F" of the Regional District of North Okanagan;

AND WHEREAS in accordance with Section 801(4) [*Approval of establishing bylaws*] of the *Local Government Act* the Board has, by resolution, provided that the Participating Area Approval be obtained from the entire proposed service area;

AND WHEREAS in accordance with Section 86(3)(c) [*Alternative approval process*] of the *Community Charter* the Board has determined the total number of electors of the area to which the approval process applies is 46,391;

AND WHEREAS pursuant to Section 801.3 [*Approval by alternative approval process*] of the *Local Government Act* and Section 86 [*Alternative approval process*] of the *Community Charter* the required participating area approval within the entire proposed service area has been obtained for the establishment of a Regional Septage and Holding Tank Waste Treatment and Disposal Service;

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 the "***Septage and Holding Tank Waste Treatment and Disposal Service Establishment Bylaw No. 1955, 2004***".

ESTABLISHMENT OF SERVICE

2. The service of septage and holding tank waste treatment and disposal called the 'Regional District Septage Utility' is hereby established.
3. The Regional District is hereby authorized to undertake and carry out or cause to be carried out the provision of septage and holding tank waste treatment and disposal within the Regional District Septage Utility service area.

DESCRIPTION OF SERVICE

4. The service established by this Bylaw is limited to the planning, acquisition, construction, operation and maintenance of a regional septage and holding tank waste treatment and disposal system for the properties within the boundaries of the service area as outlined in Schedule 'A' attached hereto and forming part of this Bylaw.

ESTABLISHMENT OF SERVICE AREA

- ~~5. The boundaries of the service area include all of the City of Vernon, District of Coldstream, Township of Spallumcheen and all of Electoral Areas "B", "C", and "F" of the Regional District of North Okanagan as outlined in Schedule 'A' attached hereto and forming part of this Bylaw.~~
- ~~5. *The participants of this service are the City of Vernon, District of Coldstream, Township of Spallumcheen, Electoral Area "C" and those parts of Electoral Areas "B" and "F" of the Regional District as shown outlined on Schedule 'A' attached hereto and forming part of this Bylaw.*~~
5. *The boundaries of the area include the City of Vernon, District of Coldstream, Township of Spallumcheen, Electoral Areas "C", "D", and "E" and those parts of Electoral Areas "B" and "F" of the Regional District as shown outlined in Schedule "A" attached hereto and forming part of this Bylaw.*

PARTICIPANTS

- ~~6. The participants of this service are the City of Vernon, the District of Coldstream, the Township of Spallumcheen and Electoral Areas "B", "C", and "F" of the Regional District of North Okanagan.~~
6. *The participants of this service are the City of Vernon, the District of Coldstream, the Township of Spallumcheen and Electoral Areas "B", "C", "D", "E", and "F" of the Regional District of North Okanagan.*

COST RECOVERY

7. The annual cost of providing the septage utility service outlined in this Bylaw shall be recovered by a combination of the following:
 - a. parcel taxes imposed in accordance with Division 4.3 [*Requisition and tax collection*] of the *Local Government Act*;
 - b. fees and charges imposed under section 363 [*Imposition of fees and other charges*] of the *Local Government Act*; and
 - c. revenues received by way of agreement, enterprise, gift, grant or otherwise.
- ~~8. The maximum requisition amount for providing the septage utility service outlined in this Bylaw shall be Two Hundred Sixty Thousand Dollars (\$260,000).~~

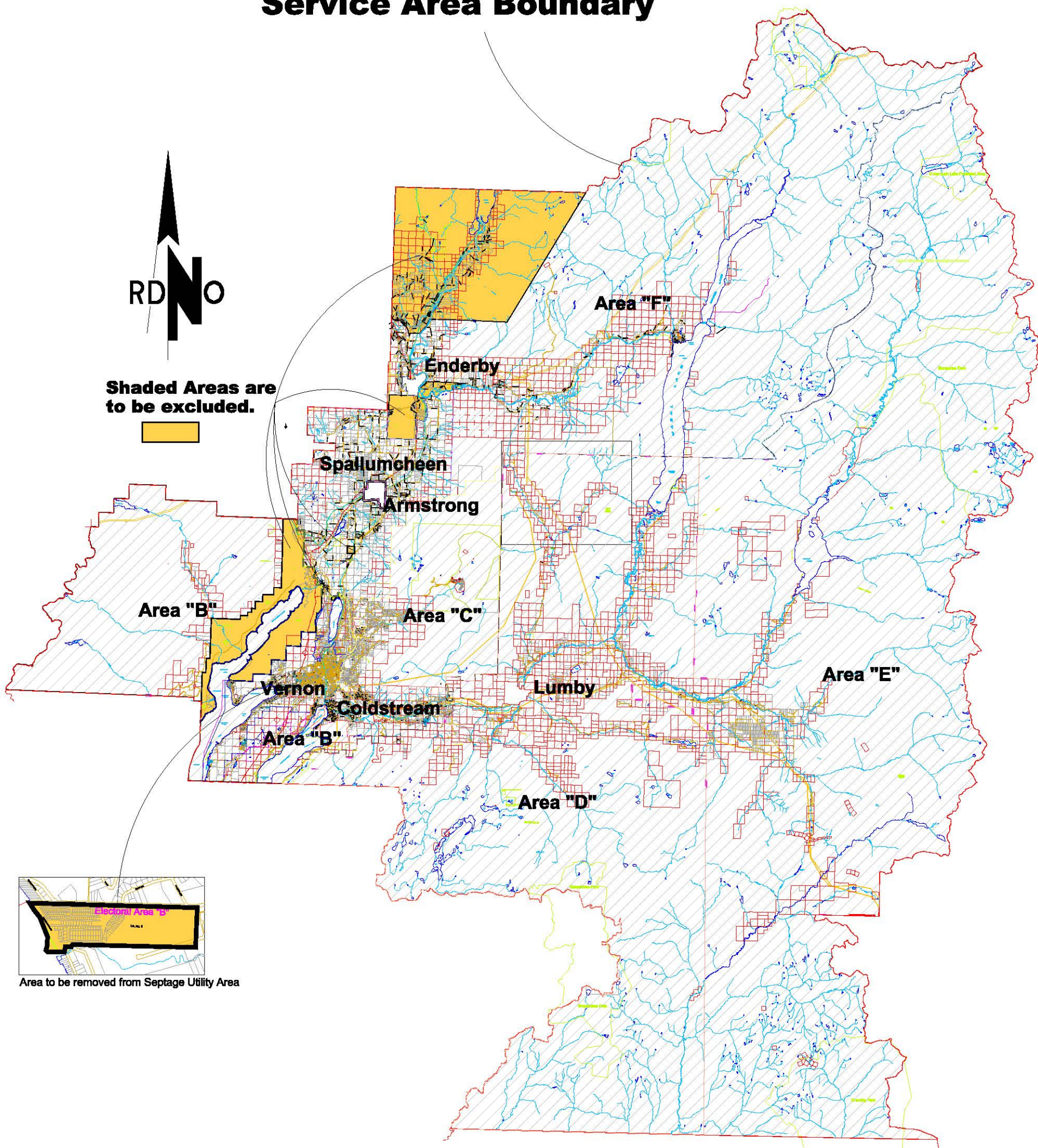
The annual maximum amount that may be requisitioned for providing the septage utility serviced outlined in this Bylaw shall be Five Hundred Thousand Dollars (\$500,000).

Read a First, Second and THIRD Time	this	7th	day of	June, 2004
Approved by the Inspector of Municipalities	this	15th	day of	July, 2004
Received Participating Area Approval	this	26th	day of	August, 2004
ADOPTED	this	7th	day of	September, 2004

"S. Field"
Chair

"B. Reardon"
Corporate Officer

Service Area Boundary



Prepared by:
Regional District of North Okanagan
August, 2007

Schedule 'A' to Bylaw No. 2267, 2007
to replace
Schedule 'A' Septage Utility Bylaw
No. 1955, 2004