

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1239

(Consolidated for Convenience Only – Refer to Original Bylaw)

A bylaw of the Regional District of North Okanagan to establish the local service of a cemetery in Electoral Area "F" and the City of Enderby

WHEREAS the provisions of Section 788(k) of the *Municipal Act* empowers the Regional District to establish and operate cemeteries under the *Cemetery and Funeral Services Act* as a Local Service;

AND WHEREAS the Regional Board has obtained the assent required for Electoral Area "F" under the provisions of Section 797 of the *Municipal Act*;

AND WHEREAS the Council of the City of Enderby has provided consent under Section 799 of the *Municipal Act*;

NOW THEREFORE the Regional Board of the Regional District of North Okanagan in open meeting assembled enacts as follows:

1. The Regional District of North Okanagan hereby establishes the local service of cemeteries;
2. ~~The service area and the participating area for the service is all of Electoral Area "F". The service area for the local service established by Section 1. shall encompass and the participating areas for the local service shall include the Corporation of the City of Enderby and Electoral Area "F";~~ (B/L 2447/10)²
3. ~~The annual cost of the service shall be recovered by a property value tax under Section 803(1)(a) of the Local Government Act. The property value tax is to be imposed on the basis of net taxable value of improvements in the participating area, consistent with Section 804.3(5)(c) of the Act. The requisition of funds under Section 806 of the Local Government Act will be collected from the participating areas in accordance with Section 806.1 of the Act.~~ (B/L 2447/10)²

~~The costs for the service may be recovered by:~~

- ~~(a) the requisition of money under Section 809 and 809.1 of the *Municipal Act* to be collected by a property value tax as provided in Section 810(1) and 810.1(1) of the said Act; on land and improvements **on improvements**; and~~ (B/L 2216/07)⁴
- ~~(b) the imposition of fees and charges that may be fixed by separate bylaw for the purpose of recovering the costs.~~
- ~~4. The annual net costs for this Service shall be apportioned among the participating areas on the basis of the current assessed values of land and improvements **values of improvements**.~~ (B/L 2216/07)¹
(B/L 2447/10)²
45. The maximum amount that may be requisitioned annually for operating and debt charges shall not exceed the product of a levy of Ten Cents (\$0.10) per each One Thousand Dollars (\$1000.00) of net taxable value of land and improvements included in the service area.

56. In accordance with Section 13(1)(b) of the *Community Charter*, the Board of the Regional District has given consent to the City of Enderby to provide the service, subject to the terms and conditions as set out in "*The Corporation of the City of Enderby Service Extension and Commission Delegation Bylaw, No. 1446, 2009*". ~~The Regional District may provide the said service through its own resources or by entering into contractual agreements.~~

(B/L 2447/10) ²

67. This Bylaw may be cited for all purposes as the "**Enderby and District Cemetery Local Service Establishment Bylaw No. 1239, 1994**".

READ A FIRST, SECOND AND THIRD TIME

this 12th day of October, 1994.

RECEIVED APPROVAL FROM THE INSPECTOR OF MUNICIPALITIES

this 18th day of January, 1995.

RECONSIDERED, FINALLY PASSED AND ADOPTED

this 8th day of February, 1995.

"E. Shipmaker"

Chairperson

"P. Mackiewich"

Secretary

¹ Enderby and District Cemetery Local Service Establishment Amendment Bylaw No. 2216, 2007 – adopted June 6, 2007

² Enderby and District Cemetery Local Service Establishment Amendment Bylaw No. 2447, 2010 – adopted March 16, 2011