

**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 2719**

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.

TEXT AMENDMENTS

Bylaw No.	Adopted	Amendment
2751	May 17, 2017	– Schedule “A”
2766	Feb 21, 2018	– Schedule “A”
2862	May 20, 2020	– Schedule “A”

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2719

A bylaw to impose user rates for the
Silver Star Village Garbage Collection Local Service Area

WHEREAS pursuant to Section 332 [General authority for services] of the *Local Government Act*, the Board of the Regional District of North Okanagan may, by Bylaw, operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Regional District of North Okanagan has established the “Silver Star Village Garbage Collection Local Service Area”, authorizing the provision of a service for the collection, recycling, removal, and disposal of waste for Silver Star Village by Bylaw No. 1257, being the “*Silver Star Garbage Collection Service Establishment Bylaw No. 1257, 1994*” as amended;

AND WHEREAS Section 378 [Options for cost recovery] of the *Local Government Act*, states that Section 397 [Imposition of fees and charges] of the *Local Government Act* applies to Regional Districts in relation to their services;

AND WHEREAS Section 397 [Imposition of fees and charges] of the *Local Government Act* provides that a Board of a Regional District may, by bylaw, impose a fee or charge payable in respect of all or part of a service of the Regional District;

AND WHEREAS the Regional District is desirous to amend the current user rates;

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 “***Silver Star Solid Waste Management Service Fees Imposition Bylaw No. 2719, 2016***”.

INTERPRETATION

2. Words or phrases defined in the *British Columbia Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.
3. The headings contained in this Bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this Bylaw.
4. Any act or enactment referred to herein is a reference to an enactment of the Province of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any Bylaw referred to herein (as may be cited by short title or otherwise) is a reference to an enactment of the Board of the Regional District of North Okanagan, as amended, revised, consolidated or replaced from time to time.

5. If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the Bylaw and such invalidity shall not affect the validity of the remaining portions of this Bylaw.

DEFINITIONS

6. In this Bylaw:

Commercial User means each non-residential User that is within the Silver Star Village Garbage Collection Local Service Area.

Residential User means a single residential dwelling, mobile home, rental suite, strata unit or residential or agricultural out building or other buildings, including units within commercial, institutional or industrial building that is in the Silver Star Village Garbage Collection Local Service Area.

User Fees means the periodic lump sum rate for the disposal of solid waste during any defined period of time for use of the solid waste management service.

Pillow means the municipal solid waste allocation designated to a Commercial User for public or private overnight accommodations for one person.

Regional District means the Regional District of North Okanagan.

Seat means the municipal solid waste allocation designated to a Commercial User for each seat at a public or private facility that provides hospitality services (food/drinks).

User means any Residential User or Commercial User that has access to the Silver Star Village Garbage Collection service and generates municipal solid waste. For clarity, vacant land and utility infrastructure are excluded.

RATES

7.
 - a. Every User shall pay to the Regional District, in the manner herein provided, the rates, charges and fees established in accordance with and set out in Schedule "A" of this Bylaw.
 - b. All User accounts for rates, charges and fees imposed pursuant to this bylaw shall be rendered to the owner of the lands and premises to which solid waste management service is available.
 - c. The rates, charges and fees imposed pursuant to this bylaw shall be prorated for new construction from the earlier of the date of final occupancy or the date the property becomes a User.

PAYMENT DUE DATES

8.
 - a. Payment of accounts for rates, charges and fees imposed pursuant to this bylaw are due and payable upon issuance of an invoice.

SCHEDULE "A" attached to and forming part of Bylaw No. 2862, 2020

SCHEDULE "A" – RATES

The following rates shall apply and be levied for solid waste management, for the period indicated or, where applicable, prorated for a portion thereof:

USER FEES:

Charge Type	Effective January 1 to July 31, 2020
Commercial User Fee	
• Each Seat	2.16
• Each Pillow	6.50
• Minimum Fee	39.01
Residential User Fee	
• Each Residential User	81.08

DISCOUNT:

A discount of ten percent (10%) will be applied to the above User Fees if payment is made within 45 days of the billing date.