

DISTRICT OF LAKE COUNTRY

BYLAW 365

A BYLAW TO ESTABLISH A SPECIFIED AREA FOR FINANCING THE CONSTRUCTION OF PART OF MAIN STREET AND THE ASSOCIATED DRAINAGE AND OFF-SITE SERVICES

WHEREAS pursuant to the provisions of Part 19, Division 2 of the Local Government Act, the Council of the District of Lake Country is empowered by bylaw to undertake any service coming within the powers of the municipality for the special benefit of a specified area of the municipality;

AND WHEREAS the service to be undertaken has been requested by a petition;

AND WHEREAS the provisions of Part 19, Division 2 of the Local Government Act have been complied with;

NOW THEREFORE the Council of the District of Lake Country in open meeting assembled, enacts as follows:

1. A portion of the District of Lake Country, more particularly described in Schedule "A" attached hereto and as shown outlined in heavy dark line on the plan contained in Schedule "A" and to be known as the Cooper's Village Main Street Construction Specified Area, shall be the area of the District of Lake Country benefited by the services hereinafter set forth, which area is hereinafter referred to as the "Benefiting Area";
2. The Council is hereby empowered and authorized to provide, operate, maintain and to undertake and carry out, or cause to be carried out, the financing required for the construction and the services requested by petition, and to do all things necessary in connection therewith for the special benefit of the Benefiting Area and without limiting the generality of the foregoing.
3. The entire costs of the service provided pursuant to the authorization of this bylaw shall be borne by the Benefiting Area and shall be raised by Council, and for that purpose the Council may levy and impose a property tax based on the assessed value of the land and improvements on the properties within the Benefiting Area. The costs and services requested by petition are outlined in Schedule "B" attached to and forming part of this bylaw.

4. Should the sums recovered through the levy of a property tax at any time be insufficient to meet the costs of the service, the Council may levy and impose within the Benefiting area a rate on land and improvements over and above all other rates sufficient to meet such deficit in the same manner and time as other general municipal levies.
5. The Benefiting Area may be merged with any other specified area created to provide construction and services, whether contiguous or not, for the purpose of providing Main Street construction and development services.
6. This bylaw may be cited as “District of Lake Country Cooper’s Village Main Street Construction Specified Area Establishment Bylaw 365, 2001”.

READ A FIRST TIME this 22nd day of May, 2001.

READ A SECOND TIME this 22nd day of May, 2001.

READ A THIRD TIME this 22nd day of May, 2001.

ADOPTED this 5th day of June, 2001.

“original signed by Rolly Hein” _____
Mayor _____

“original signed by Lynda Shykora”
Clerk, Deputy

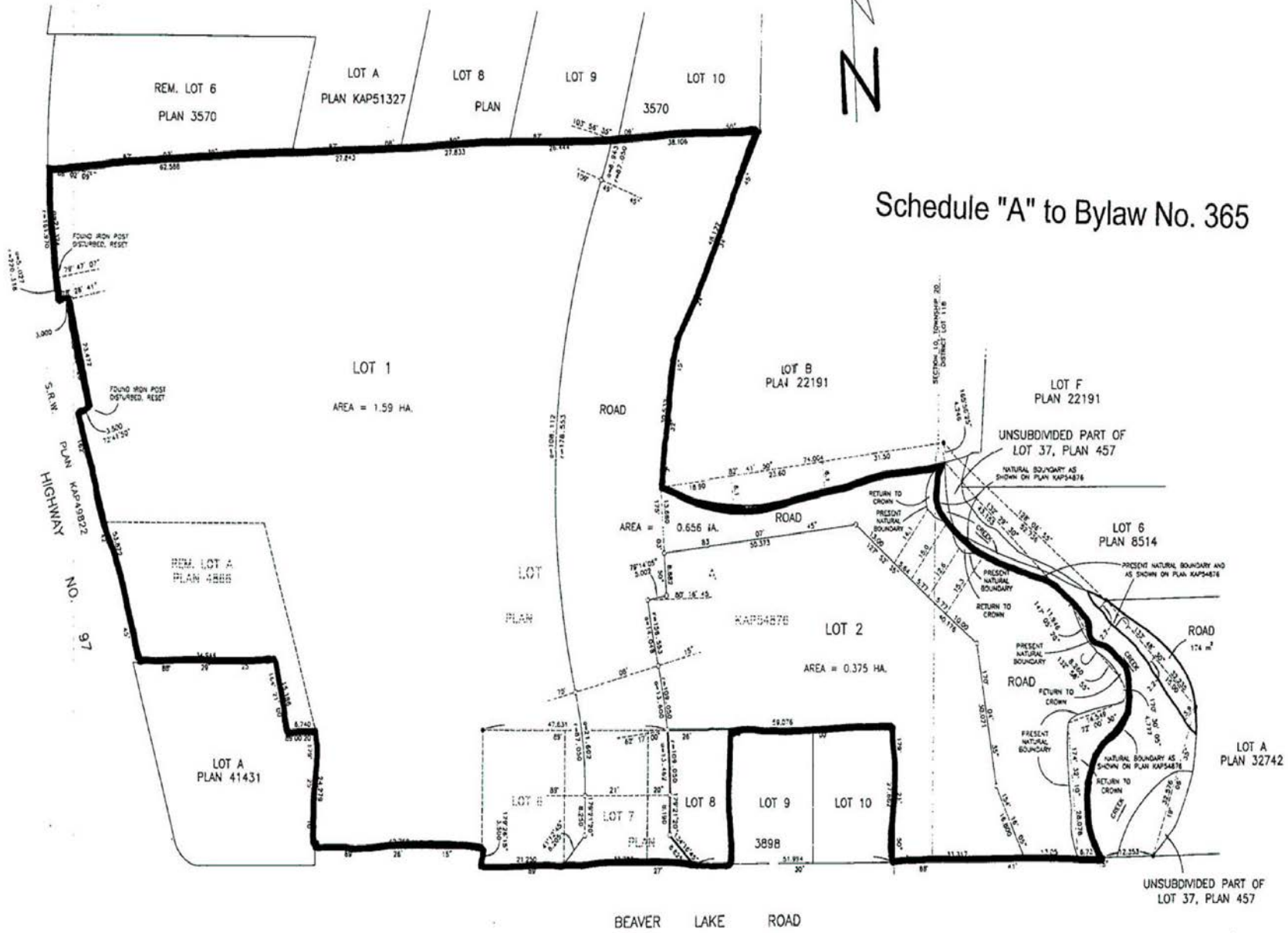
I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as the “District of Lake Country Cooper’s Village Main Street Construction Specified Area Establishment Bylaw 365, 2001” as adopted by the Municipal Council on June 5, 2001.

Dated at Lake Country, B. C.

Clerk, Deputy



Schedule "A" to Bylaw No. 365



Petition

Pursuant to Division 2, Part 19 of the Local Government Act, we the undersigned property owners, hereby petition the District of Lake Country to establish a Specified Area for the purpose of financing construction of part of Main Street, Drainage Works and Offsite Works on Beaver Lake Road.

It is understood that to cover the cost of the works, the District will incur a total debt of \$374,032 amortized over 20 years and charge the benefiting properties noted below a property tax based on assessed value of land and improvements. In 2001, the total value of land and improvements in the said specified area is estimated at \$1,067,900 with an annual cost of \$37.52 per thousand of total value.

Main Street (Road Work, Grading, Retaining Wall, Sidewalks, Curbs & Gutter, Street Lighting)

Total Cost to Specified Area \$251,695

Drainage Works (Knopf Brook pipe, west drainage manhole, east drop structure, and Main Street Drainage. An energy dissipater if required is extra)

Total Cost to Specified Area \$73,052

Offsite Works Beaver Lake Road (Water works upgrade, road upgrade, drainage upgrade)

Total Cost to Specified Area \$49,285 subject to approval of a development variance permit by Council.

Total Cost To Specified Area \$374,032
plus an energy dissipater if required

Owner	Legal Description
	Lot A, District Lot 118, Section 10, Township 20 C, Osoyoos Division Yale District Plan KAP54876
	Lot A, Section 10, Township 20, Osoyoos Division Yale District, Plan 4866, except KAP49822
	Lot 6, Plan 10 Township 20, ODYD, Plan 2898
	Lot 7, Section 10, Township 20 ODYD, Plan 3898
	Lot 8, Section 10, Township 20 ODYD, Plan 3898