

DISTRICT OF LAKE COUNTRY

BYLAW 797

A BYLAW TO ESTABLISH A LOCAL AREA SERVICE FOR THE PURPOSE OF PROVIDING ROAD IMPROVEMENTS TO AN AREA KNOWN AS THE GREENHOW COURT (Strata Plan KAS1325) LOCAL SERVICE AREA

WHEREAS the *Community Charter* authorizes the District of Lake Country to undertake any work or service within the powers of the municipality for the special benefit of a local service area of the municipality;

AND WHEREAS the Council of the District of Lake Country has been petitioned by the owners of Strata Plan KAS1325 to establish a Road Improvement Local Area Service for the purpose of having the municipality provide for the dedication, upgrading and maintenance of property identified as Common Property Strata Plan KAS1325 as road for the special benefit of the local service area;

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

1. In this Bylaw, unless the context otherwise requires:

"parcel" means any lot, block, strata unit, or other area to which the BC Assessment Authority has assigned one folio number or where real property is held or into which it is subdivided.
2. The properties highlighted and outlined in bold as shown on "Schedule A" attached to and forming part of this bylaw, shall be the area of the District of Lake Country benefiting by the works and services hereinafter set forth, which area is referred to as the "*Greenhow Court Local Service Area*".
3. The District of Lake Country is hereby authorized to accept the dedication of Common Property Strata Plan KAS1325 as public road and to do all things necessary in connection therewith for the special benefit of the Greenhow Court Local Service Area.
4. The works and services to be acquired, upgraded, maintained and operated shall generally consist of, but are not limited to, paved roadway area, waterlines, service connections, drainage works, and all other associated works associated with Common Property Strata Plan KAS1325 hereinafter referred to as the "*Works*".
5. The District of Lake Country is authorized to acquire all such real property, easements and rights-of-way and to enter into leases, and to obtain other rights and authorities as may be required or desired in connection with the acquisition, upgrade, expansion or operation of the *Works*.
6. The entire cost of the acquisition and upgrade of the parcel known as Common Property KAS1325 to public road standards shall be borne by the local service area and raised by a parcel tax under the *Community Charter*, levied in 15 annual installments. The amount of the annual parcel tax shall be an amount equal to the annual payment required to be made for the repayment of the principal and interest on the debt authorized for the acquisition and upgrade of the assets through the Local Improvement Reserve Fund.

7. The Collector shall forthwith prepare a parcel tax roll in respect of the said Works.
8. Any person whose parcel is subject to the annual parcel tax under Section 6 of this bylaw may elect to make a one-time payment of their proportionate cost assessed upon their parcel within the deadline established by the Collector of the District of Lake Country.
9. Should the sums recovered through parcel taxes or fees at any time be insufficient to meet the costs of the service, Council may levy and impose within the *Greenhow Local Service Area* an additional 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 taxes.
10. Council may, by bylaw, merge the local service area with any other local service area or specified area created to provide road improvements, whether contiguous or not, for the purpose of providing, consolidating and completing necessary services for such merged areas.
11. This bylaw shall be cited as "Greenhow Court Local Service Area Establishment Bylaw 797, 2011".

READ A FIRST TIME this 6th day of September, 2011.

READ A SECOND TIME this 6th day of September, 2011.

READ A THIRD TIME this 6th day of September, 2011.

RECONSIDERED AND ADOPTED this 3rd day of December, 2013.

Original signed by James Baker
Mayor

Original signed by Reyna Seabrook
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of the bylaw cited as "Greenhow Local Service Area Establishment Bylaw 797, 2011", adopted by Council on this 3rd day of December, 2013.

Dated at Lake Country, B. C.

Corporate Officer

SCHEDULE 'A'

