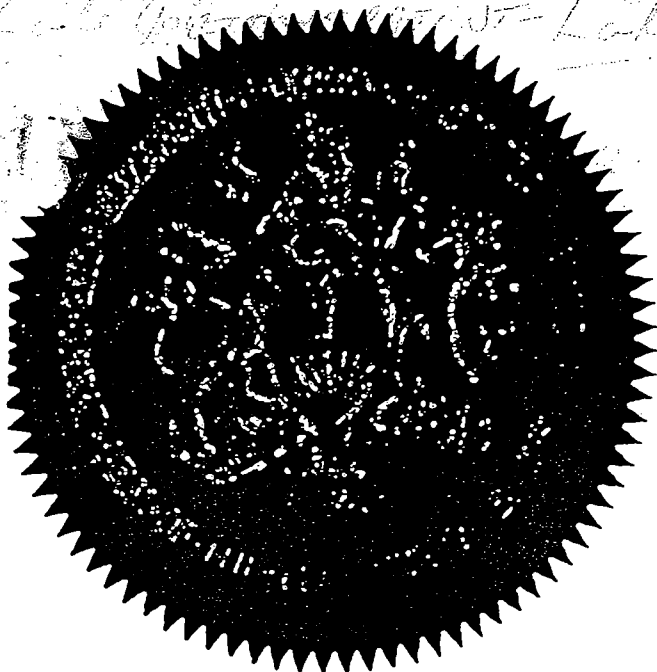


LETTERS PATENT - Lake Country



Stewart
Lieutenant Governor
Administrator

C A N A D A

PROVINCE OF BRITISH COLUMBIA

ELIZABETH the SECOND, by the Grace of God, of the United Kingdom, Canada and Her Other Realms and Territories, Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these presents shall come -

GREETING

Doreen Ferguson

Minister of Municipal Affairs

(WHEREAS by sections 6, 7, and 8 of the
(*Municipal Act* that upon receipt of a
(request for incorporation and after a
(vote in favour, the Lieutenant Governor
(in Council may, on the recommendation of
(the Minister of Municipal Affairs, by
(Letters Patent, incorporate the residents
(of any area of land into a municipality;

AND WHEREAS pursuant to the said section 6 of the *Municipal Act*, a request has been received praying for incorporation as a municipality of the area hereinafter referred to;

AND WHEREAS a vote has been held as required by sections 6 and 7 of the *Municipal Act*, and the result was in favour of incorporation of a municipality;

AND WHEREAS the conditions and requirements of the *Municipal Act* have been complied with;

NOW KNOW YE THAT by these presents, We do order and proclaim that the residents of the area hereinafter described shall, on, from and after the second day of May, 1995, be incorporated as a District under the *Municipal Act* and under the provisions hereinafter contained or referred to:

NAME

1. The municipality shall be called and known by the name of the "District of Lake Country", hereinafter referred to as the municipality.

BOUNDARIES

2. Commencing at the northwest corner of Fractional Section 33, Township 23, Osoyoos Division of Yale Land District, being a point on the natural high water mark of Okanagan Lake, on the easterly shore thereof; thence easterly along the northerly boundaries of Sections 33 and 34, Township

23, to the northeast corner of the Northwest Quarter of said Section 34; thence northeasterly in a straight line to the northwest corner of Lot 14 of Section 3, Township 20 and Section 34, Township 23, Registered Plan 500 on file in the Land Title Office, Kamloops; thence easterly along the northerly boundary of said Lot 14, Plan 500 and continuing easterly along the easterly prolongation thereof to the point of intersection with the westerly boundary of Indian Reserve Number 7 (Duck Lake); thence northerly and easterly along the westerly and northerly boundaries of said Indian Reserve Number 7 (Duck Lake) to the point of intersection with the southerly prolongation of the westerly boundary of Lot 46 of Lot 118, Registered Plan 457; thence northerly along the said southerly prolongation of Lot 46, Plan 457 and continuing northerly along the westerly boundaries of Lots 46 and 45 of Lot 118, Plan 457, to the northwest corner of said Lot 45, Plan 457; thence easterly along the northerly boundary of Lot 45 of Lot 118, Plan 457, to the point of intersection with the northwesterly limit of the Canadian National Railway Company's right-of-way as shown on Registered Plan A339; thence northeasterly along said northwesterly limit of Canadian National Railway right-of-way, Plan A339 to the southeast corner of Lot 2 of Lot 118, Registered Plan 4169; thence easterly along the easterly prolongation of the southerly boundary of said Lot 2, Plan 4169 to the point of intersection with the northwesterly boundary of Lot A of Lot 118, Registered Plan KAP 47342; thence northeasterly along the northwesterly boundary of said Lot A, Plan KAP 47342 to the most northerly corner thereof; thence due east to the point of intersection with the westerly boundary of Lot 50 of Lot 118, Plan 457; thence southerly along the

westerly boundary of said Lot 50, Plan 457 to the southwest corner thereof; thence southerly and easterly along the westerly and southerly boundaries of Lot 1 of Lot 118, Registered Plan 2916 to the southeast corner thereof; thence northerly, easterly, and southerly along the westerly, northerly, and easterly boundaries of Lot A of Section 11, Township 20, Registered Plan 19644, to the southeast corner thereof; thence south to the point of intersection with the northerly boundary of Fractional Section 2, Township 20; thence easterly along the northerly boundary of said Fractional Section 2 to the northeast corner thereof; thence southerly, easterly and northerly along the westerly, southerly and easterly boundaries of Section 1, Township 20 to the southwest corner of the North Half of Section 6, Township 21; thence easterly and northerly along the southerly and easterly boundaries of said North Half of Section 6 to the southwest corner of Lot 3691; thence easterly along the southerly boundary of said Lot 3691 to the southeast corner thereof; thence due east a distance of 2100 metres; thence due north 1250 metres more or less, to the point of intersection with the middle line of Vernon Creek; thence westerly in a straight line, 1300 metres more or less, to the northeast corner of Lot 3690; thence northerly and westerly along the easterly and northerly boundaries of the North Half of Section 8, Township 21 to the southeast corner of the West Half of Section 17, Township 21; thence northerly along the easterly boundaries of the West Halves of Sections 17 and 20, Township 21 to the northeast corner of said West Half of Section 20; thence northerly and westerly along the easterly and northerly boundaries of the South Half of the Southwest Quarter of Section 29, Township 21 to the northwest corner thereof; thence westerly along the

northerly boundary of the South Half of the Southeast Quarter of Section 30, Township 21 to the northwest corner thereof; thence northerly along the easterly boundaries of the West Halves of Sections 30 and 31, Township 21 to the northeast corner of the said West Half of Section 31; thence easterly and northerly along the southerly and easterly boundaries of Section 6, Township 10 to the northeast corner thereof; thence northerly and westerly along the easterly and northerly boundaries of the Southeast Quarter of Section 7, Township 10 to the northwest corner thereof; thence northerly and westerly along the easterly and northerly boundaries of the Northwest Quarter of Section 7, Township 10 to the southeast corner of the West Half of the Southwest Quarter of Section 18, Township 10; thence northerly and westerly along the easterly and northerly boundaries of the said West Half of the Southwest Quarter of Section 18, Township 10 to the northwest corner thereof; thence northerly along the easterly boundaries of Fractional Sections 13 and 24, Township 14 to the point of intersection with the natural high water mark of Kalamalka Lake, on the easterly shore thereof; thence northeasterly along said natural high water mark of Kalamalka Lake, on the easterly shore thereof, to the point of intersection with a line drawn due east from the northeast corner of Fractional Northwest Quarter of Fractional Section 24, Township 14, being a point on the natural high water mark of Kalamalka Lake on the westerly shore thereof; thence due west to said northeast corner of Fractional Northwest Quarter of Fractional Section 24; thence westerly along the northerly boundaries of said Fractional Section 24 and Sections 23, 22, 21 and Fractional Section 20, Township 14 to the northwest corner of said Fractional Section 20, being a point on the natural high water mark of

Okanagan Lake, on the easterly shore thereof; thence due west to the middle line of Okanagan Lake; thence in a general southerly direction along said middle line of Okanagan Lake to the point of intersection with the westerly prolongation of the northerly boundary of Fractional Section 33, Township 23; thence easterly along said westerly prolongation to the aforesaid northwest corner of Fractional Section 33, Township 23, being the point of commencement, and containing by admeasurement 12330 hectares of land, more or less and 4460 hectares of foreshore and land covered by water, more or less:

COUNCIL

- 3.1 The Council of the municipality shall consist of the mayor and 6 councillors. A quorum of Council shall be 4 members.
- 3.2 The term of office for the first Council will be from Tuesday, May 2, 1995, until December 2, 1996. For the 1996 general local election and subsequent elections, Council will be elected as set out in the *Municipal Act*, and sections, 3.3, 3.4, 3.5 and 3.6 apply.
- 3.3 The municipality shall, for the purpose of electing councillors, be divided into four (4) neighbourhood constituencies pursuant to section 209 of the *Municipal Act*.

3.4 The names and boundaries of the neighbourhood constituencies established by section 3.3 shall be as follows:

- (i) Carr's Landing: Commencing at the northwest corner of Fractional Section 20, Township 14, Osoyoos Division of Yale Land District, being a point on the natural high water mark of Okanagan Lake, on the easterly shore thereof; thence easterly along the northerly boundaries of Fractional Section 20 and Sections 21 and 22, Township 14, to the northeast corner of said Section 22; thence southerly and westerly along the easterly and southerly boundaries of Section 22, Township 14 to the southwest corner of the East Half of said Section 22; thence southerly along the easterly boundaries of the West Halves of Sections 15, 10 and 3 of Township 14, to the southeast corner of said West Half of Section 3; thence southerly and westerly along the easterly and southerly boundaries of the Northwest Quarter of Section 34, Township 20 to the southwest corner thereof; thence westerly along the southerly boundary of the South Half of Section 33, Township 14 to the northeast corner of Lot 20 of Section 33, Township 20, Registered Plan KAP 50067, on file in the Land Title Office, Kamloops; thence westerly along the northerly boundary of said Lot 20, Plan KAP 50067 to the northwest corner thereof; thence westerly in a straight line to the northeast corner of Lot 10 of Section 33, Township 20, Plan KAP 50067; thence westerly along the northerly boundaries of said Lot 10, Plan KAP 50067 and Lot 1 of Section 33, Township 20, Registered Plan 29791 and continuing

westerly along the westerly prolongation thereof to the point of intersection with the easterly boundary of Lot 13 of Fractional Section 32, Township 20, Registered Plan 525; thence southerly and northwesterly along the easterly and southwesterly boundaries of said Lot 13, Plan 525 to the point of intersection with the easterly prolongation of the southerly boundary of Lot 30 of Fractional Section 32, Township 20, Plan 525; thence westerly along said easterly prolongation and continuing westerly along the southerly boundaries of Lots 30 and 32 of Fractional Section 32, Township 20, Plan 525 to the southwest corner of said Lot 32, Plan 525; thence westerly in a straight line to the northeast corner of Lot 39 of Fractional Section 32, Township 20, Plan 525; thence westerly along the northerly boundary of said Lot 39, Plan 525 and continuing westerly along the westerly prolongation thereof to the middle line of Okanagan Lake; thence in a general northerly direction along said middle line of Okanagan Lake to the point of intersection with the westerly prolongation of the northerly boundary of Fractional Section 20, Township 14; thence easterly along said westerly prolongation to the aforesaid northwest corner of Fractional Section 20, Township 14, being the point of commencement.

- (ii) Okanagan Centre: Commencing at the northeast corner of the South Half of Section 33, Township 20, Osoyoos Division of Yale Land District; thence southerly along the westerly boundary of the South Half of Section 34, Township 20 to the southwest corner thereof; thence southerly along the westerly boundaries of Sections 27 and

22, Township 20 to the northeast corner of Lot 2 of Section 21, Township 20, Registered Plan 4213, on file in the Land Title Office, Kamloops; thence southwesterly along the northwesterly boundary of said Lot 2, Plan 4213 to the northwest corner thereof; thence southwesterly in a straight line to the northeast corner of Lot A of Section 21, Township 20, Registered Plan 17380; thence southerly along the easterly boundary of said Lot A, Plan 17380 to the southeast corner thereof; thence southerly in a straight line to the northeast corner of Lot A of Section 21, Township 20, Registered Plan B6700; thence southerly and westerly along the easterly and southerly boundaries of said Lot A, Plan B6700 to the point of intersection with the northerly prolongation of the centre line of Bond Road, as constructed on the ground; thence in a general southerly direction along said centre line of Bond Road and continuing southerly along the centre line of Chase Road to the point of intersection with the centre line of Glenmore Road as shown on Registered Plan H10875; thence in a general southerly direction along said centre line of Glenmore Road to the point of intersection with northerly boundary of Section 34, Township 23; thence westerly along the northerly boundaries of Sections 34 and 33, Township 23 and continuing westerly along the westerly prolongation of said Section 33, Township 23 to the middle line of Okanagan Lake; thence in a general northerly direction along the said middle line of Okanagan Lake to the point of intersection with the westerly prolongation of the northerly boundary of Lot 39 of Fractional Section 32, Township 20, Registered Plan 525; thence easterly along

said westerly prolongation and continuing easterly along the northerly boundary of Lot 39 of Fractional Section 32, Township 20, Plan 525 to the northeast corner thereof; thence easterly in a straight line to the northwest corner of Lot 1 of Fractional Section 32, Township 20, Registered Plan 21342; thence easterly along the northerly boundaries of said Lot 1, Plan 21342 and Lot A of Fractional Section 32, Township 20, Registered Plan 25958 and continuing easterly along the easterly prolongation of the northerly boundary of Lot A, Plan 25958 to the point of intersection with the southwesterly boundary of Lot 13 of Fractional Section 32, Township 20, Plan 525; thence southeasterly and northerly along the southwesterly and easterly boundaries of said Lot 13, Plan 525 to the point of intersection with the westerly prolongation of the northerly boundary of Lot 1 of Section 33, Township 20, Registered Plan 29791; thence easterly along said westerly prolongation and continuing easterly along the northerly boundaries of Lot 1 of Section 33, Township 20, Plan 29791 and Lot 10 of Section 33, Township 20, Registered Plan KAP 50067 to the northeast corner of said Lot 10, Plan KAP 50067; thence easterly in a straight line to the northwest corner of Lot 20 of Section 33, Township 20, Plan KAP 50067; thence easterly along the northerly boundary of said Lot 20, Plan KAP 50067 to the northeast corner thereof; thence easterly along the northerly boundary of the South Half of Section 33, Township 20 to the aforesaid northeast corner thereof, being the point of commencement.

(iii) Oyama: Commencing at the southeast corner of the West Half of Section 30, Township 21, Osoyoos Division of Yale Land District; thence northerly along the easterly boundaries of the West Halves of Sections 30 and 31, Township 21 to the northeast corner of the said West Half of Section 31; thence easterly and northerly along the southerly and easterly boundaries of Section 6, Township 10 to the northeast corner thereof; thence northerly and westerly along the easterly and northerly boundaries of the Southeast Quarter of Section 7, Township 10 to the northwest corner thereof; thence northerly and westerly along the easterly and northerly boundaries of the Northwest Quarter of Section 7, Township 10 to the southeast corner of the West Half of the Southwest Quarter of Section 18, Township 10; thence northerly and westerly along the easterly and northerly boundaries of the said West Half of the Southwest Quarter of Section 18, Township 10 to the northwest corner thereof; thence northerly along the easterly boundaries of Fractional Sections 13 and 24, Township 14 to the point of intersection with the natural high water mark of Kalamalka Lake, on the easterly shore thereof; thence northeasterly along said natural high water mark of Kalamalka Lake, on the easterly shore thereof, to the point of intersection with a line drawn due east from the northeast corner of Fractional Northwest Quarter of Fractional Section 24, Township 14, being a point on the natural high water mark of Kalamalka Lake on the westerly shore thereof; thence due west to said northeast corner of Fractional Northwest Quarter of Fractional Section 24; thence westerly along the northerly boundaries of said Fractional Section

24 and Section 23, Township 14, to the northwest corner of said Section 23; thence southerly and westerly along the easterly and southerly boundaries of Section 22, Township 14 to the southwest corner of the East Half of said Section 22; thence southerly along the easterly boundaries of the West Halves of Sections 15, 10 and 3 of Township 14, to the southeast corner of said West Half of Section 3; thence southerly and easterly along the westerly and southerly boundaries of the Northeast Quarter of Section 34, Township 20 to the southeast corner thereof; thence easterly along the southerly boundary of Fractional Northwest Quarter of Fractional Section 35, Township 20 and continuing easterly along the easterly prolongation thereof, to the middle line of Wood Lake; thence in a general southerly direction along said middle line of Wood Lake to the point of intersection with the westerly prolongation of the northerly boundary of Lot A of Fractional Section 23, Township 20, Registered Plan 33075, on file in the Land Title Office, Kamloops; thence easterly along said westerly prolongation and continuing easterly along the northerly boundary of Lot A of Fractional Section 23, Township 20, Plan 33075 to the northeast corner thereof; thence easterly in a straight line to the northwest corner of Lot 38 of Fractional Section 23, Township 20, Registered Plan 216; thence southerly along the westerly boundaries of Lots 38 and 37 of Fractional Section 23, Township 20, Plan 216 to the southwest corner of said Lot 37, Plan 216; thence easterly along the southerly boundary of Lot 37 of Fractional Section 23, Township 20, Plan 216 to the southeast corner thereof; thence easterly and northerly along

the southerly and easterly boundaries of the Northwest Quarter of Section 24, Township 20 to the northeast corner thereof; thence easterly along the southerly boundaries of the Southeast Quarter of Section 25, Township 20 and the West Half of Section 30, Township 21 to the aforesaid southeast corner of the West Half of Section 30, Township 21, being the point of commencement.

- (iv) Winfield: Commencing at the northeast corner of the Northwest Quarter of Section 34, Township 23, Osoyoos Division of Yale Land District; thence northeasterly in a straight line to the northwest corner of Lot 14 of Section 3, Township 20 and Section 34, Township 23, Registered Plan 500 on file in the Land Title Office, Kamloops; thence easterly along the northerly boundary of said Lot 14, Plan 500 and continuing easterly along the easterly prolongation thereof to the point of intersection with the westerly boundary of Indian Reserve Number 7 (Duck Lake); thence northerly and easterly along the westerly and northerly boundaries of said Indian Reserve Number 7 (Duck Lake) to the point of intersection with the southerly prolongation of the westerly boundary of Lot 46 of Lot 118, Registered Plan 457; thence northerly along the said southerly prolongation of Lot 46, Plan 457 and continuing northerly along the westerly boundaries of Lots 46 and 45 of Lot 118, Plan 457, to the northwest corner of said Lot 45, Plan 457; thence easterly along the northerly boundary of Lot 45 of Lot 118, Plan 457, to the point of intersection with the northwesterly limit of the Canadian National Railway Company's right-of-way as shown on Registered Plan A339; thence northeasterly along said northwesterly limit of Canadian

National Railway right-of-way, Plan A339 to the southeast corner of Lot 2 of Lot 118, Registered Plan 4169; thence easterly along the easterly prolongation of the southerly boundary of said Lot 2, Plan 4169 to the point of intersection with the northwesterly boundary of Lot A of Lot 118, Registered Plan KAP 47342; thence northeasterly along the northwesterly boundary of said Lot A, Plan KAP 47342 to the most northerly corner thereof; thence due east to the point of intersection with the westerly boundary of Lot 50 of Lot 118, Plan 457; thence southerly along the westerly boundary of said Lot 50, Plan 457 to the southwest corner thereof; thence southerly and easterly along the westerly and southerly boundaries of Lot 1 of Lot 118, Registered Plan 2916 to the southeast corner thereof; thence northerly, easterly, and southerly along the westerly, northerly, and easterly boundaries of Lot A of Section 11, Township 20, Registered Plan 19644, to the southeast corner thereof; thence south to the point of intersection with the northerly boundary of Fractional Section 2, Township 20; thence easterly along the northerly boundary of said Fractional Section 2 to the northeast corner thereof; thence southerly, easterly and northerly along the westerly, southerly and easterly boundaries of Section 1, Township 20 to the southwest corner of the North Half of Section 6, Township 21; thence easterly and northerly along the southerly and easterly boundaries of said North Half of Section 6 to the southwest corner of Lot 3691; thence easterly along the southerly boundary of said Lot 3691 to the southeast corner thereof; thence due east a distance of 2100 metres; thence due north 1250 metres more or less, to the

point of intersection with the middle line of Vernon Creek; thence westerly in a straight line, 1300 metres more or less, to the northeast corner of Lot 3690; thence northerly and westerly along the easterly and northerly boundaries of the North Half of Section 8, Township 21 to the southeast corner of the West Half of Section 17, Township 21; thence northerly along the easterly boundaries of the West Halves of Sections 17 and 20, Township 21 to the northeast corner of said West Half of Section 20; thence northerly and westerly along the easterly and northerly boundaries of the South Half of the Southwest Quarter of Section 29, Township 21 to the northwest corner thereof; thence westerly and southerly along the northerly and westerly boundaries of the South Half of the Southeast Quarter of Section 30, Township 21 to the southwest corner thereof; thence westerly along the northerly boundaries of Section 19, Township 21 and Section 24, Township 20 to the northeast corner of the Northwest Quarter of Section 24, Township 20; thence southerly and westerly along the easterly and southerly boundaries of said Northwest Quarter of Section 24, Township 20 to the southwest corner thereof; thence westerly along the southerly boundary of Lot 37 of Fractional Section 23, Township 20, Registered Plan 216, to the southwest corner thereof; thence northerly along the westerly boundaries of Lots 37 and 38 of Fractional Section 23, Township 20, Plan 216 to the northwest corner of said Lot 38, Plan 216; thence westerly in a straight line to the northeast corner of Lot A of Fractional Section 23, Township 20, Registered Plan 33075; thence westerly along the northerly boundary of said Lot A, Plan 33075 and

continuing westerly along the westerly prolongation thereof to the middle line of Wood Lake; thence in a general northerly direction along said middle line of Wood Lake to the point of intersection with the easterly prolongation of the southerly boundary of the Fractional Northwest Quarter of Fractional Section 35, Township 20; thence westerly along said easterly prolongation and continuing westerly along the southerly boundary of the Fractional Northwest Quarter of Fractional Section 35, Township 20, to the southwest corner thereof; thence westerly and southerly along the northerly and westerly boundaries of the South Half of Section 34, Township 20 to the southwest corner thereof; thence southerly along the westerly boundaries of Section 27 and 22, Township 20 to the northeast corner of Lot 2 of Section 21, Township 20, Registered Plan 4213; thence southwesterly along the northwesterly boundary of said Lot 2, Plan 4213 to the northwest corner thereof; thence southwesterly in a straight line to the northeast corner of Lot A of Section 21, Township 20, Registered Plan 17380; thence southerly along the easterly boundary of said Lot A, Plan 17380 to the southeast corner thereof; thence southerly in a straight line to the northeast corner of Lot A of Section 21, Township 20, Registered Plan B6700; thence southerly and westerly along the easterly and southerly boundaries of said Lot A, Plan B6700 to the point of intersection with the northerly prolongation of the centre line of Bond Road, as constructed on the ground; thence in a general southerly direction along said centre line of Bond Road and continuing southerly along the centre line of Chase Road to the point of intersection with the

centre line of Glenmore Road as shown on Registered Plan H10875; thence in a general southerly direction along said centre line of Glenmore Road to the point of intersection with northerly boundary of the Northwest Quarter of Section 34, Township 23; thence easterly along the northerly boundary of said Northwest Quarter of Section 34, Township 23 to the aforesaid northeast corner thereof, being the point of commencement.

- 3.5 For the election of the first Council of the municipality, and for the 1996 general local election, the Council shall be elected as follows:
- (i) the mayor shall be elected at large;
 - (ii) 2 councillors shall be elected at large; and
 - (iii) 1 councillor shall be elected from each neighbourhood constituency as established and described in sections 3.3 and 3.4, above.
- 3.6 The Council shall, no earlier than June 30, 1998 and no later than September 30, 1999, submit to the voters of the municipality a referendum to determine whether or not the election of councillors for neighbourhood constituencies shall continue, and if voters determine to continue the election on that basis, the provisions of sections 3.3, 3.4 and 3.5, above, shall continue to be in effect.

ELECTION OF THE FIRST COUNCIL

- 4.1 The election of the members of the first Council of the municipality shall be conducted in the manner provided for general local elections by the *Municipal Act*, including any order under the *Act*.
- 4.2 The election shall be held on Saturday, April 22, 1995.
- 4.3 Lyla Lindsay, the chief election officer for the Regional District of Central Okanagan, shall be the chief election officer and shall be responsible for the conduct of the election of the first Council of the municipality.
- 4.4 For the purposes of the election of the first Council of the municipality, the chief election officer may appoint officials to assist in the administration and conduct of the election.
- 4.5 The provisions of the "Regional District of Central Okanagan Election Procedures Bylaw No. 567, 1993" shall apply to the conduct of the election of the first Council, to the extent that they are not inconsistent with the provisions of these Letters Patent.

FIRST MEETING

5. The first meeting of the Council shall be held in the afternoon of Tuesday, May 2, 1995 at a time and place to be set by the mayor-elect.

- 6.1 An Assessment Roll of lands and improvements for the area incorporated by these Letters Patent shall be completed, returned, confirmed and authenticated by the British Columbia Assessment Authority for the 1996 taxation year.
- 6.2 For 1996, any assessment appeal, pursuant to section 40 of the Assessment Act, against the assessment of a property within the area covered by these Letters Patent, is deemed to be an appeal against the assessment roll of the municipality.

BORROWING POWER

7. The borrowing power of the municipality shall be determined by the Inspector of Municipalities until such time as section 325 of the Municipal Act applies.

CURRENT EXPENDITURES

8. The Council shall have the power to incur liabilities by borrowing money, or otherwise, but not exceeding the amount to be determined by the Inspector of Municipalities for the purpose of operating the municipality, until a bylaw to impose rates under section 273 of the Municipal Act has been adopted for the year 1996 and any liability so incurred shall be repaid out of the revenue for the year 1996.

FARM TAXATION

9.1 For the area included within the municipality by these Letters Patent, real property that before the effective date of these Letters Patent is exempt from taxation by reason of section 13(1)(f) of the Taxation (Rural Area) Act, but after the effective date of these Letters Patent is not exempt from taxation under the Municipal Act, shall be exempt from taxation as provided for in section 13.1 of the Municipal Act.

Dhased

9.2 The municipality shall levy a general purposes and municipal debt tax pursuant sections 273 (a) and 273 (b) of the Municipal Act on Class 9, Farm, as prescribed by the Lieutenant Governor in Council pursuant to section 26 of the Assessment Act, for which the tax rate shall not exceed the tax rate for Class 9, Farm, established pursuant to the Taxation (Rural Area) Act for the prevailing taxation year.

BUDGET

10.1 Notwithstanding section 263 of the *Municipal Act*, the mayor-elect shall cause to be prepared a provisional budget for that portion of 1995 that the municipality is incorporated. A copy of the provisional budget shall be supplied to each member of Council at the first meeting of Council. The provisional budget, that was caused to be prepared by the mayor-elect or as altered by the Council, shall be adopted at the first meeting of the Council.

- 10.2 Notwithstanding section 264 of the *Municipal Act*, the final budget for 1995 shall be adopted by no later than June 15, 1995.

ACCOUNTS AND AUDIT

11. For the purposes of Part 8 of the *Municipal Act*, the first year shall run from the date of incorporation to December 31, 1995.

BYLAW REGISTRATION

12. The municipality is deemed to be a Village for the purposes of section 307 of the *Municipal Act*, until December 31, 1997.

REGIONAL DISTRICT BYLAWS

13. Subject to these Letters Patent, each bylaw, right, power, privilege, contract, resolution, order, regulation, restriction, licence and permit of whatsoever kind and description passed, made, enacted, entered into and granted, and in effect, or in force in, or issued to, or by the Regional District of Central Okanagan, and having application to the area incorporated by these Letters Patent, insofar as they are within the powers of the municipality, on and from midnight of May 2, 1995 may be enforced, amended or repealed by the Council of the municipality in the same manner as if they were passed, made, enacted, entered into, or granted by the municipality.

MANAGEMENT OF DEVELOPMENT

14.1 Jurisdiction for the management of development, pursuant to Part 29 of the *Municipal Act*, within the municipality is transferred from the Regional District of Central Okanagan to the municipality effective May 2, 1995, as described in the Supplementary Letters Patent, effective May 2, 1995, of the Regional District of Central Okanagan.

14.2 Notwithstanding the generality of section 13., above, the official community plan, zoning, and subdivision servicing bylaws for the municipality shall be, respectively:

- (a) Bylaw No. 371 of the Regional District of Central Okanagan, cited as "Electoral Area A Official Community Plan Bylaw No.371.";
- (b) Bylaw No. 176 of the Regional District of Central Okanagan, cited as "Regional District of Central Okanagan Zoning Bylaw No. 176."; and
- (c) Bylaw No. 464 of the Regional District of Central Okanagan, cited as "Regional District of Central Okanagan Subdivision Servicing Bylaw No. 464."

and all subsequent amendments, as if the respective bylaws were passed, made or enacted by the Council of the municipality until amended or repealed by the Council of the municipality.

14.3 A contract is hereby established between the municipality and Regional District of Central Okanagan whereby the Regional District of Central

Okanagan will provide administrative support for management of development services within and on behalf of the municipality, as directed by Council, from the date of incorporation to midnight, December 31, 1995. The specific terms of the contract shall be as mutually agreed by the municipality and the Regional District of Central Okanagan, and those terms may include an expiry of the contract prior to December 31, 1995 upon notice being provided as established by those terms.

- 14.4 With respect to the contract established by section 14.3, above, the municipality shall be responsible for any costs over and above the amount of the 1995 budgeted expenditures of the Regional District of Central Okanagan for management of development within the former Electoral Area A; and the Regional District of Central Okanagan shall only spend funds beyond that budgeted amount with the consent of the municipality.

REGIONAL DISTRICT ELECTORAL AREA MANAGEMENT OF DEVELOPMENT

15. For the year 1995, the municipality shall be a municipal participating area in the Regional District of Central Okanagan general service of management of development, as defined by section 787(c) of the *Municipal Act*.

REGIONAL DISTRICT EXTENDED SERVICES TRANSFERRED TO THE MUNICIPALITY

- 16.1 The following regulatory jurisdictions exercised as extended services of the Regional District of Central Okanagan are transferred to the

municipality as described in Supplementary Letters Patent, effective May 2, 1995, of the Regional District of Central Okanagan:

REGIONAL DISTRICT OF CENTRAL OKANAGAN EXTENDED SERVICES TRANSFERRED TO THE MUNICIPALITY	
SERVICE	AUTHORITY REFERENCE
<u>Building Regulation</u>	Service Establishment (Conversion) Bylaw No. 400
<u>Nuisance and Untidy Premises</u>	Service Establishment (Conversion) Bylaw No. 409
<u>Soil Removal</u>	Letters Patent - Division VIII
<u>Fireworks Regulation</u>	Letters Patent - Division XI
<u>Dog Control</u>	Service Establishment (Conversion) Bylaw No. 425
<u>Noise Control</u>	Letters Patent - Division XX

16.2 A contract is hereby established between the municipality and Regional District of Central Okanagan whereby the Regional District of Central Okanagan will provide administrative support for regulatory bylaws in force and effect in relation to the extended services described in section 16.1, above, at the time of incorporation of the municipality, within and on behalf of the municipality, as directed by Council, from the date of incorporation to midnight, December 31, 1995; and the cost, net of fees and charges, shall be paid for by the Regional District of Central Okanagan to the limit of the portion of the 1995 budget of the Regional District of Central Okanagan for each respective service which represents the pro-rated amount based on the assessed values for the former Electoral Area A in relation to the total assessed values for all participants in the service. The specific terms of the contract shall be as mutually

agreed by the municipality and the Regional District of Central Okanagan and those terms may include an expiry of the contract prior to December 31, 1995 upon notice being provided as established by those terms.

16.3 Notwithstanding the generality of section 16.2, above, this administration shall include the processing of permits and licenses, enforcement, and inspections, of the following bylaws:

- (a) Regional District of Central Okanagan Building Bylaw No. 384, 1989
- (b) Regional District of Central Okanagan Noise Control Bylaw No. 403, 1989
- (c) Regional District of Central Okanagan Area A Pigeon Regulation Bylaw No. 513, 1992
- (d) Regional District of Central Okanagan Prohibition of Unsightly Premises Bylaw No. 433, 1990
- (e) Regional District of Central Okanagan Dog Regulation and Impounding Bylaw No. 366, 1988
- (f) Regional District of Central Okanagan Fireworks Prohibition and Regulation Bylaw No. 53

16.4 With respect to the contract established by section 16.2, above, the municipality shall be responsible for any cost over and above the limit established in that section; and the Regional District of Central Okanagan

shall only spend funds beyond that limit with the consent of the municipality.

16.5 With respect to the Regional District of Central Okanagan extended service of Dog Control, the municipality shall pay annually to the Regional District of Central Okanagan the amount representing the municipality's share of outstanding debt incurred as part of that service prior to the incorporation of the municipality.

COMMUNITY PARKS

17.1 A contract is hereby established between the municipality and Regional District of Central Okanagan whereby the Regional District of Central Okanagan will provide administrative support for management of community parks, including undertaking maintenance, within and on behalf of the municipality, as directed by Council, from the date of incorporation to midnight, December 31, 1995. The specific terms of the contract shall be as mutually agreed by the municipality and the Regional District of Central Okanagan, and those terms may include an expiry of the contract prior to December 31, 1995 upon notice being provided as established by those terms.

17.2 With respect to the contract established by section 17.1, above, the municipality shall be responsible for any cost over and above the amount of the 1995 budgeted expenditures of the Regional District of Central Okanagan for the community parks service within the former Electoral Area

A; and the Regional District of Central Okanagan shall only spend funds beyond that budgeted amount with the consent of the municipality.

17.3 The following community parks held or otherwise administered under the community park service of the Regional District of Central Okanagan which fall within the boundaries of the municipality, as described in these Letters Patent, are and shall be transferred to the municipality:

- (a) lands pursuant to section 685 of the *Municipal Act*; and
- (b) lands leased or owned by the Regional District of Central Okanagan, specifically including:

Lot 39, Plan 25522, District Lot 118 (McCarthy Park); Lot B, Plan KAP45331, District Lot 118 (Swalwell); Lot A, Plan KAP52539, District Lot 117 (A.C. Beasley); Lot 66, Plan 444 (Winfield Cemetery); Lots 1-11 and 22-28, Block G, Plan 454, Section 17, Township 20 (Okanagan Centre); District Lot 572 (Pioneer Park); and Lot 4, Plan 4867 (Oyama Community Park).

17.4 The Regional District of Central Okanagan shall, on or before December 31, 1995, pay to the municipality all unexpended funds collected pursuant to section 992 of the *Municipal Act* with respect to subdivision approvals of land located within the boundaries of the municipality.

REGIONAL DISTRICT LOCAL SERVICES TRANSFERRED TO MUNICIPALITY

18.1 The following local services of the Regional District of Central Okanagan are transferred to the municipality as described in Supplementary Letters

Patent, effective May 2, 1995, of the Regional District of Central Okanagan:

REGIONAL DISTRICT OF CENTRAL OKANAGAN LOCAL SERVICES TRANSFERRED TO MUNICIPALITY	
SERVICE	AUTHORITY REFERENCE
<u>Recreation Complex</u>	Letters Patent - Division XVII
<u>Adventure Road Water System</u>	Service Establishment (Conversion) Bylaw No. 430
<u>Clearwater Subdivision Street Lighting</u>	Service Establishment (Conversion) Bylaw No. 442
<u>Deldor and Mayrus Roads Street Lighting</u>	Specified Area Bylaw No. 189
<u>Kel-Win Subdivision Street Lighting</u>	Specified Area Bylaw No. 159
<u>Pollard Street Lighting</u>	Specified Area Bylaw No. 254
<u>Harmon Street Lighting</u>	Specified Area Bylaw No. 312
<u>Highway Street Lighting</u>	Specified Area Bylaw No. 276
<u>Glenmore Road Street Lighting</u>	Service Establishment Bylaw No. 569
<u>Chase Road Street Lighting</u>	Service Establishment Bylaw No. 573
<u>Carr's Landing, Coral Beach, Juniper Cove Fire Protection</u>	Service Establishment (Conversion) Bylaw No. 417
<u>Land for Recreation Purposes</u>	Service Establishment Bylaw No. 440
<u>Lake Country Shared Use Facility</u>	Service Establishment Bylaw No. 507
<u>A.C. Beasley Community Park</u>	Service Establishment Bylaw No. 524
<u>Senior Citizen's Centre</u>	Specified Area Bylaw No. 155
<u>Transit</u>	Service Establishment Bylaw No. 529
<u>Carr's Landing/Nuyens Sewer System</u>	Service Establishment Bylaw No. 411
<u>Carr's Landing/Marshall Sewer System</u>	Service Establishment Bylaw No. 467

Pres. Road Division
(Municipal Code)

<u>Oyama Water System</u>	Service Establishment Bylaw No. 595
<u>Community Parks</u>	Service Establishment (Conversion) Bylaw No. 550
<u>Sewage Treatment and Disposal</u>	Letters Patent - Division XXVI
<u>Fire Protection</u>	Letters Patent - Division XXXI
<u>Regional Library District Participation</u>	Service Establishment Bylaw No. 610

18.2 With respect to the local services described in section 18.1, above, all rights, title, assets, powers, privileges, licenses, liabilities and interests of the Regional District of Central Okanagan are transferred to the municipality.

18.3 For each of the local services transferred from the Regional District of Central Okanagan, as described in section 18.1, above, which include an area that is less than the area of the entire municipality, there is hereby established a separate municipal specified area, pursuant to section 674 of the *Municipal Act*, as of the date of transfer.

18.4 Division (2) of Part 16 of the *Municipal Act* shall apply to each municipal specified area established by section 18.3, above, and for the purpose of adopting bylaws, these Letters Patent shall be deemed to be a bylaw establishing each respective municipal specified area.

18.5 The municipality shall adopt a bylaw pursuant to section 674 of the *Municipal Act* with respect to each municipal specified area established by section 18.3, above, no later than March 31, 1996, and that bylaw shall

provide for the purpose of the specified area and the area of the municipality benefited to be the same as described in the respective local service authority of the Regional District of Central Okanagan at the time of the transfer of the local service to the municipality, and section 674(4) shall not apply to those bylaws.

- 18.6 Where the Regional District of Central Okanagan has established a reserve fund pursuant to section 811 of the *Municipal Act* for a particular local service transferred to the municipality, the Regional District of Central Okanagan shall transfer those funds, including accumulated interest, to the municipality no later than March 31, 1996; and the municipality shall, no later than December 31, 1995, adopt a bylaw pursuant to section 378 or section 379 of the *Municipal Act*, as applicable, with respect to the reserve fund for the benefit of the entire municipality or the municipal specified area, as applicable. *

MUNICIPAL PARTICIPATION IN REGIONAL DISTRICT SERVICES

- 19.1 The municipality shall be a municipal participating area in the following services of the Regional District of Central Okanagan, and any other services for which Electoral Area A was an electoral participating area at the time of incorporation of the municipality except where transferred as described in Supplementary Letters Patent, effective May 2, 1995, issued for the Regional District of Central Okanagan:

REGIONAL DISTRICT OF CENTRAL OKANAGAN SERVICES MUNICIPALITY A PARTICIPANT	
SERVICE	AUTHORITY REFERENCE
<u>Okanagan Basin Board</u>	Letters Patent - Division V
<u>Noxious Insect Control</u>	Letters Patent - Division VI
<u>Garbage Disposal</u>	Letters Patent - Division VII
<u>Mosquito Control</u>	Letters Patent - Division XIII
<u>Septic Tank Effluent Disposal</u>	Letters Patent - Division XV
<u>Weed Control</u>	Letters Patent - Division XIX
<u>Industrial Development Commission</u>	Letters Patent - Division XXI
<u>911 Emergency Telephone</u>	Letters Patent - Division XXV
<u>Crimestoppers Program grant-in-aid</u>	Letters Patent - Division XXVIII
<u>Victims Assistance Program</u>	Letters Patent - Division XXIX
<u>Rescue Service</u>	Letters Patent - Division XXX
<u>Regional Parks</u>	Service Establishment (Conversion) Bylaw No. 410
<u>Sterile Insect Release Program</u>	Service Establishment Bylaw No. 406
<u>Preparation for Emergencies</u>	Service Establishment Bylaw No. 489
<u>Solid Waste Management</u>	Service Establishment Bylaw No. 577

19.2 Commencing in the 1996 taxation year, the municipality shall levy, collect and remit to the Regional District of Central Okanagan such taxes and charges as are necessary to meet its share of the operating and debt servicing costs of the services described in section 19.1, above.

19.3 The municipality is a participant in the Regional District of Central Okanagan extended service of solid waste management, and the contract entered into by the Regional District of Central Okanagan for refuse collection within the municipality shall continue through the term of the contract, and the municipality shall pay to the Regional District of Central Okanagan its share of the cost of that contract. The municipality shall have the authority to negotiate subsequent contracts for the collection of garbage within its boundaries.

FIRE PROTECTION DISTRICTS

20.1 The Oyama Fire Protection District and the Winfield Fire Protection District are dissolved effective as and from midnight, December 31, 1995, and all property, both real and personal, and all rights, powers and privileges arising out of any contract, agreement, collective agreement, covenant, or otherwise whatsoever, and all tasks, debts, actions, causes of actions, and all claims and demands whatsoever either at law or in equity pertaining to the Oyama Fire Protection District and the Winfield Fire Protection District, shall transfer to, vest in, and belong to the municipality from that date.

20.2 Nothing in these Letters Patent shall impair or affect the rights of any creditor of the Oyama Fire Protection District or the Winfield Fire Protection District, and the municipality shall be liable for and subject to and shall pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties of the Oyama Fire Protection District

and the Winfield Fire Protection District which exist on and from December 31, 1995.

20.3 Subject to these Letters Patent, each bylaw, right, power, privilege, contract, resolution, order, regulation, restriction, licence and permit of whatsoever kind and description passed, made, enacted, entered into and granted, and in effect, or in force in, or issued to, or by the Oyama Fire Protection District and the Winfield Fire Protection District, and having application to the area incorporated by these Letters Patent, insofar as they are within the powers of the municipality, shall remain in full force and effect, in and for the municipality, on and from midnight of December 31, 1995, and each may be enforced, amended or repealed by the Council of the municipality in the same manner as if they were passed, made, enacted, entered into, or granted by the municipality.

20.4 The area of the Oyama Fire Protection District and the area of the Winfield Fire Protection District within the municipality are hereby established as separate municipal specified areas, pursuant to section 674 of the *Municipal Act*, for the purpose of providing fire protection.

20.5 Division (2) of Part 16 of the *Municipal Act* shall apply to the municipal specified areas established by section 20.4, above, and for the purpose of adopting bylaws, these Letters Patent shall be deemed to be a bylaw establishing the respective municipal specified area.

20.6 The municipality shall adopt a bylaw pursuant to section 674 of the Municipal Act with respect to each municipal specified area established by section 20.4, above, no later than March 31, 1996, and that bylaw shall provide for the area of the municipality benefited to be the same as described in the Letters Patent of the respective fire protection districts at the time of dissolution, and section 674 (4) shall not apply to those bylaws.

20.7 With respect to reserve funds of the Oyama Fire Protection District and the Winfield Fire Protection District established by bylaw pursuant to section 852 of the Municipal Act, the municipality shall, upon transfer of those funds in conjunction with the dissolution of the Oyama Fire Protection District and the Winfield Fire Protection District, no later than December 31, 1995, adopt a bylaw pursuant to section 378 of the Municipal Act to establish a reserve fund for the benefit of each respective municipal specified area.

20.8 The municipality shall, after dissolution of the Winfield Fire Protection District, continue to provide fire protection service to the area of the former Winfield Fire Protection District within the City of Kelowna, according to any agreement between the Winfield Fire Protection District and the City of Kelowna; and the City of Kelowna shall continue to pay the municipality for that service according to that agreement.

20.9 Until December 31, 1998, the municipality shall not dispose of any land, building, vehicle or major equipment asset previously held by the Oyama

Fire Protection District or the Winfield Fire Protection District, unless approved by the Inspector of Municipalities.

FIRE PROTECTION SERVICES ADVISORY COMMITTEE

- 21.1 There is hereby established an advisory committee of Council to be known as the Fire Protection Services Advisory Committee, which shall remain in place until December 31, 1997 at the earliest.
- 21.2 The general purpose of the Fire Protection Services Advisory Committee shall be to review and advise Council on any and all matters relating to fire protection within the municipality, including transitional measures for the transfer of the fire departments to the municipality, operational policies and requirements, the integration of fire departments, annual budget, capital and other expenditure plans, and personnel.
- 21.3 The Council shall, no later than August 1, 1995, appoint members to the Fire Protection Services Advisory Committee, which shall, for the years 1995 to December 31, 1997, comprise membership as follows:
- (i) two trustees of the Oyama Fire Protection District, who shall be selected by the board of trustees of the Oyama Fire Protection District;

(ii) two trustees of the Winfield Fire Protection District, who shall be selected by the board of trustees of the Winfield Fire Protection District;

(iii) two members of the management committee for the Carr's Landing/Coral Beach/Juniper Cove fire protection local service of the Regional District of Central Okanagan, who shall be selected by the committee;

(iv) not more than two members of Council; and

(v) not more than one other person, to be appointed annually.

21.4 Where a vacancy exists in the membership required by section 21.3, above, a replacement member may be appointed at the discretion of the Council; and for the year 1998 and subsequent years, the Council may continue the committee with the membership described in section 21.3, above, or with a different membership, or may discontinue the committee.

IRRIGATION DISTRICTS

22.1 The Oyama Irrigation District is dissolved effective as and from midnight, December 31, 1995, and all property, both real and personal, and all rights, powers and privileges arising out of any contract, agreement, collective agreement, license, permit, covenant, or otherwise whatsoever, and all tasks, debts, actions, causes of actions, and all claims and

demands whatsoever either at law or in equity pertaining to the Oyama Irrigation District, shall transfer to, vest in, and belong to the municipality from that date, except as otherwise provided in these Letters Patent; and the system of waterworks transferred from the Oyama Irrigation District to the municipality shall be managed and operated under the authority of the municipal specified area established as described in section 18.3 of these Letters Patent with respect to the Oyama Water System local service area described in section 18.1 of these Letters Patent.

22.2 The Winfield and Okanagan Centre Irrigation District and the Wood Lake Improvement District are dissolved effective as and from midnight, December 31, 1997; and all property, both real and personal, and all rights, powers and privileges arising out of any contract, agreement, collective agreement, license, permit, covenant, or otherwise whatsoever, and all tasks, debts, actions, causes of actions, and all claims and demands whatsoever either at law or in equity pertaining to the Winfield and Okanagan Centre Irrigation District and the Wood Lake Improvement District, shall transfer to, vest in, and belong to the municipality from that date, except as otherwise provided in these Letters Patent.

22.3 Nothing in these Letters Patent shall impair or affect the rights of any creditor of the Oyama Irrigation District, the Winfield and Okanagan Centre Irrigation District or the Wood Lake Improvement District, and the municipality shall be liable for and subject to and shall pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and

duties of the Oyama Irrigation District, the Winfield and Okanagan Centre Irrigation District and the Wood Lake Improvement District, which exist on and from December 31, 1995 for the Oyama Irrigation District, and December 31, 1997 for the Winfield and Okanagan Centre Irrigation District and Wood Lake Improvement District.

22.4 Subject to these Letters Patent, each bylaw, right, power, privilege, contract, resolution, order, regulation, restriction, licence and permit of whatsoever kind and description passed, made, enacted, entered into and granted, and in effect, or in force in, or issued to, or by the Oyama Irrigation District, the Winfield and Okanagan Centre Irrigation District and the Wood Lake Improvement District, and having application to the area incorporated by these Letters Patent, insofar as they are within the powers of the municipality, shall remain in full force and effect, in and for the municipality, on and from midnight of December 31, 1995 for the Oyama Irrigation District, and December 31, 1997 for the Winfield and Okanagan Centre Irrigation District and Wood Lake Improvement District, and each may be enforced, amended or repealed by the Council of the municipality in the same manner as if they were passed, made, enacted, entered into, or granted by the municipality.

22.5 The areas of the Winfield and Okanagan Centre Irrigation District and the Wood Lake Improvement District are hereby established as separate municipal specified areas, pursuant to section 674 of the *Municipal Act*, for the purpose of providing water supply and distribution, for agricultural, residential and other uses.

22.6 Division (2) of Part 16 of the *Municipal Act* shall apply to the municipal specified areas established by section 22.5, above, and for the purpose of adopting bylaws, these Letters Patent shall be deemed to be a bylaw establishing the respective municipal specified area.

22.7 The municipality shall adopt a bylaw pursuant to section 674 of the *Municipal Act* with respect to each municipal specified area established by section 22.5, above, no later than March 31, 1998, and that bylaw shall provide for the area of the municipality benefited to be the same as described in the Letters Patent of the respective improvement districts at the time of dissolution, and section 674(4) shall not apply to those bylaws.

22.8 With respect to reserve funds of the Oyama Irrigation District, the Winfield and Okanagan Centre Irrigation District, and the Wood Lake Improvement District established by bylaw pursuant to section 852 of the *Municipal Act*, the municipality shall, upon transfer of those funds in conjunction with the dissolution of the Oyama Irrigation District, the Winfield and Okanagan Centre Irrigation District, and the Wood Lake Improvement District, no later than December 31, 1995 for the Oyama Irrigation District, and December 31, 1997 for the Winfield and Okanagan Centre Irrigation District and Wood Lake Improvement District, adopt a bylaw pursuant to section 378 of the *Municipal Act* to establish a reserve fund for the benefit of each respective municipal specified area.

22.9 The municipality shall, after dissolution of the Winfield and Okanagan Centre Irrigation District, continue to provide bulk water to the area within the City of Kelowna, according to any agreement between the Winfield and Okanagan Centre Irrigation District and the City of Kelowna; and the City of Kelowna shall continue to pay the municipality for that service according to that agreement.

22.10 Until December 31, 2000, the municipality shall not dispose of any land, building, vehicle or major equipment asset previously held by the Oyama Irrigation District, the Winfield and Okanagan Centre Irrigation District, or the Wood Lake Improvement District, unless approved by the Inspector of Municipalities.

22.11 Until December 31, 2000, the municipality shall not adopt a bylaw which amends or establishes rates, parcel or other charges for the supply and distribution of water within the municipal specified areas established by section 22.5, above, or referred to in section 22.1, above, without first obtaining the approval of the Inspector of Municipalities for that bylaw.

22.12 Notwithstanding the generality of section 22.1, above, any contract between the Oyama Irrigation District and the Regional District of Central Okanagan for the purpose of carrying out capital works shall transfer to the municipality upon the dissolution of the Oyama Irrigation District.

WATER SERVICES COMMISSION

23.1 There is hereby established an advisory committee of Council to be known as the Water Services Commission.

23.2 The purpose of the Water Services Commission shall be to review and advise Council on any and all matters relating to the supply and distribution of water for agricultural, residential and other uses, including:

- i) developing a transitional plan for the transfer of water systems from improvement districts and the Regional District of Central Okanagan to the municipality, including the transfer of personnel from the improvement districts and the review of agreements entered into for the provision of water supply;
- ii) advising on operational policies and requirements, for example the purchasing of supplies;
- iii) developing a plan for improvements to the water systems and to ensure the sufficient capacity to provide water for irrigation purposes; and
- iv) advising on the setting of annual budgets, rates and charges.

23.3 The Council shall no later than August 1, 1995, appoint members to the Water Services Commission, which shall, for the years 1995 until December 31, 2000, comprise membership as follows:

- (i) two trustees of the Winfield and Okanagan Centre Irrigation District, who shall be selected by the board of trustees of the Winfield and Okanagan Centre Irrigation District;
- (ii) two trustees of the Wood Lake Improvement District, who shall be selected by the board of trustees of the Wood Lake Improvement District;
- (iii) two trustees of the Oyama Irrigation District, who shall be selected by the board of trustees of the Oyama Irrigation District;
- (iv) two representatives of the farming community, who shall be actively farming within the municipality, and who shall be appointed by the Council on the recommendation of the other members of the Commission;
- (v) not more than two members of Council; and
- (vi) not more than one other person, who shall be a resident of the municipality receiving water from another water distribution system, to be appointed by Council.

23.4 Where a vacancy exists in the membership required by section 23.3, above, a replacement member may be appointed at the discretion of the Council; and for the year 2001 and subsequent years, the Council shall continue the commission in some form, with the membership from the farming community described in section 23.3 (iv), above, and other members as determined by Council.

ARBITRATION

24. In the event that the municipality and the Regional District of Central Okanagan are unable to agree on any matter arising from the implementation of these Letters Patent, the parties may request the Inspector of Municipalities to review the issue which is the subject of the dispute, and the Inspector may make recommendations, or may impose a resolution which is binding on both parties.

EFFECTIVE DATE

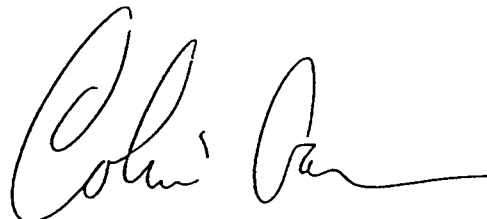
25.1 These Letters Patent, save sections 4.1 to 4.5 inclusive, are effective May 2, 1995.

25.2 Sections 4.1 to 4.5, inclusive, of these Letters Patent are effective February 24, 1995.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent
and the Great Seal of Our said Province to be hereunto affixed.

WITNESS, the Honourable David C. Lam, Lieutenant Governor of Our said
Province of British Columbia, in Our City of Victoria, in Our said
Province, this 23rd day of February, in the year of Our Lord
one thousand nine hundred and ninety-five and in the forty-fourth
year of Our Reign.

By Command.



Attorney General