

CITY OF KELOWNA
BYLAW NO. 8645

A bylaw of the City of Kelowna to authorize the Council to impose a parcel tax under Section 360 of the *Local Government Act* on all benefiting parcels in Specified Sewer Area No. 29 - Totom/Campion

WHEREAS the Council on the City of Kelowna has, by Sanitary Sewer Specified Area No. 29 Bylaw No. 8643 (Totom/Campion Road), created a specified area under Section 646 of the *Local Government Act* and has authorized the borrowing of \$1,653,000.00 and has provided that the entire capital costs of the sewerage works authorized will be paid by a parcel tax levied in 20 annual instalments within the benefiting area created by the bylaw;

AND WHEREAS the Council now is desirous of imposing the parcel tax herein provided;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. In this bylaw:

"**Benefiting Area**" means the area described in Schedule "A" attached to and forming part of this bylaw;

"**Parcel**" means any lot, block or other area, in which land is held or into which it is subdivided other than **strata lots**, but does not include highways; and

"**Strata lot**" means any strata lot created under the *Strata Property Act*.

2. A parcel tax shall be levied with respect to each **parcel** and **strata lot** in the **benefiting area** capable of being connected to the sewer system, whether or not the **parcel** or **strata lot** is connected to or drained into the sewer, or which is deemed to abut the sewer system.
3. The annual parcel tax levied on each **parcel** under Section 2 of this bylaw, in each of the twenty (20) succeeding years, shall be an amount equal to the annual payment required to be made for the repayment of principal and interest on the debt authorized by Sanitary Sewer Specified Area No. 29 Bylaw No. 8643 (Totom/Campion Road), divided by the total number of **parcels** within the **benefiting area** (which for the initial calculation purposes of this bylaw is twenty-seven (27) **parcels**).
4. If a **parcel** is subdivided at any time after the annual parcel tax has been established under Section 3 of this bylaw, the total parcel tax on the subdivided **parcel** shall be equally divided between the newly created **parcels**.
5. The annual parcel tax levied for each **strata lot** under Section 2 of this bylaw, in each of the twenty (20) succeeding years, shall be an amount equal to the parcel tax that would have been levied on the **parcel** prior to it being subdivided into a strata plan under the *Strata Property Act* divided by the total number of **strata lots** in the strata plan.

6. The parcel tax under Section 3 of this bylaw may be waived or lessened in respect of a **parcel**, when any present or previous owner of the **parcel** has paid all debt and debt charges, including interest, in respect of that portion of the sewer system of the municipality that serves the **parcel** or has provided all of part of the sewer service for the **parcel**.
7. The parcel tax imposed on each **parcel** or **strata lot** shall be shown by the Collector on the real property tax roll and payment of the parcel tax shall be made in the same manner or before the same dates as the real property tax. The **parcel** tax shall have the same rights and remedies as the real property tax.
8. This bylaw shall be cited as "Sanitary Sewer Specified Area No. 29 Parcel Tax Bylaw No. 8645".

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk