

# CITY OF KELOWNA

## BYLAW NO. 8704

### **Marshall Street Local Improvement Construction Bylaw (File 649)**

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WHEREAS Section 631 of the *Local Government Act* authorizes Council to undertake certain works by petition as a local improvement;

AND WHEREAS the Council of the City of Kelowna has received a petition from the owners of certain properties to have the municipality undertake the construction of underground conduit, wiring and works for street lighting on both sides of Marshall Street from Buckland Avenue to Rowcliffe Avenue in the City of Kelowna as a local improvement;

AND WHEREAS the Municipal Officer assigned the responsibility for Corporate Administration for the City of Kelowna under Section 198 of the *Local Government Act* has determined the sufficiency of the petition under the provisions of Sections 631 and 632 of the *Local Government Act*;

AND WHEREAS the Council has received a report prepared pursuant to Section 635 of the *Local Government Act* stating:

- (a) the lifetime of the work will be twenty (20) years;
- (b) the estimated cost of the work is \$100,000.00;
- (c) the share or proportion of the cost which will be specially charged against the parcels benefiting from or abutting on the work is \$8,998.00;
- (d) the number of instalments by which the special charges shall be made payable is twenty (20);

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

1. That the above described works be constructed in the City of Kelowna, as a local improvement under the provisions of Part 19 of the *Local Government Act*.
2. That the Director of Works & Utilities shall forthwith prepare such plans, profiles and specifications and furnish such information as may be necessary for the execution of the work.
3. The work shall be carried on and executed under the supervision and according to the direction and orders of the said Director of Works & Utilities.
4. A charge shall be levied against all parcels benefiting from or abutting the works pursuant to City of Kelowna Local Improvements Charges Bylaw No. 6600-90, as amended.

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5. The Collector shall prepare a frontage tax assessment roll of the parcels to be charged upon completion of the works.
6. Any person whose parcel is subject to being specially assessed for the work may commute for a payment in cash the special charges imposed thereon, by paying the portion of the cost of construction assessed upon such parcel, without the interest, upon receipt of written instructions from the Collector.
7. This bylaw may be cited for all purposes as the "Marshall Street Local Improvement Construction Bylaw No. 8704 (File No. 649)".

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

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk