

CITY OF KELOWNA

BYLAW NO. 8913

Hein Road Local Improvement Construction Bylaw (File 651)

A bylaw to authorize the construction of road widening, drainage, concrete curb and gutter and landscaped boulevard in conjunction with the City funded sidewalk and street lighting on both sides of Hein Road from Leathead Road to Houghton Road and including the south side of CP Plan K1577, in the City of Kelowna under the provisions of Part 19 of the *Local Government Act* as amended.

WHEREAS notice of intention of the Council of the City of Kelowna to undertake the construction of the work herein described, as a local improvement, has been given by publication of the notice and by mailing the notice to the owners of the parcels liable to be specially charged, the publication and service of such notice has been duly proved by a statutory declaration filed by the Municipal Officer assigned the responsibility for Corporate Administration for the City of Kelowna under Section 198 of the *Local Government Act*, and no petition against the work signed by a majority of the owners, representing at least 50% of the value of the parcels which are liable to be specially charged, has been presented;

AND WHEREAS the Council has had a report prepared pursuant to Section 635 of the *Local Government Act* in which it has been concluded and recommended that:

1. the lifetime of the work will be twenty (20) years;
2. the estimated cost of the work is Two Hundred Sixty-Two Thousand Dollars (262,000.00);
3. the share or proportion of the cost which will be specially charged against the parcels benefiting from or abutting on the work is One Hundred Twenty-Three Thousand and Fifty-Nine Dollars (\$123,059.00);
4. 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*, as amended.
2. That the Director of Works & Utilities shall 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 Director of Works & Utilities.
4. A charge shall be levied against all parcels, as shown on Map "A" attached to this bylaw, benefiting from or abutting the works pursuant to City of Kelowna Local Improvement 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 "Hein Road Local Improvement Construction Bylaw No. 8913 (File No. 651)".

Read a first, second and third time by the Municipal Council this 7th day of October, 2002.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

MAP 'A'

