

CITY OF KELOWNA

BYLAW NO. 9156

A bylaw of the City of Kelowna to authorize the Council to impose a parcel tax under Section 200 of the *Community Charter* on all benefiting parcels in Water Specified Area – South Lakeshore Road

WHEREAS the Council on the City of Kelowna has, by Water Specified Area Bylaw No. 9089 (South Lakeshore Road), created a specified area under Section 646 of the *Local Government Act* and has authorized the borrowing of up to One Hundred Thirty Thousand Two Hundred Twenty One Dollars (\$130,221.00) and has provided that the entire capital costs of the water 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" Water Specified Area – South Lakeshore Road Bylaw No. 9089, as amended.

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

2. A parcel tax shall be levied with respect to each **parcel** in the **benefiting area** capable of being connected to the water distribution system, whether or not the **parcel** is connected to the water distribution system.
3. The annual parcel tax levied on each **parcel** under Section 2 of this bylaw, in each of the twenty (20) 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 Water Specified Bylaw No. 9089 (Lakeshore Road), divided by the total number of **parcels** within the **benefiting area** (which for the initial calculation purposes of this bylaw is seven (7) **parcels**).
4. 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 water system of the municipality that serves the **parcel** or has provided all or part of the water service for the **parcel**.
5. The parcel tax imposed on each **parcel** 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.

6. This bylaw shall come into full force and effect and be binding on all persons for the 2003 taxation year for a period of twenty (20) years up to and including the 2023 taxation year.
7. This bylaw shall be cited as "Water Specified Area – Lakeshore Road Parcel Tax Bylaw No. 9156".

Read a first, second and third time by the Municipal Council this 19th day of January, 2004.

Adopted by the Municipal Council of the City of Kelowna this ____ day of _____, 2004.

Mayor

City Clerk