

CITY OF KELOWNA

BYLAW NO. 9264

Bertram Street Local Area Service (Construction) Bylaw (File 653)

WHEREAS Section 212 of the *Community Charter* authorizes Council to undertake certain works by petition for a local area service;

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 road drainage, road widening, concrete curb and gutter and landscape of the boulevard along the east side south from Doyle Avenue along the frontage of Lot A, District Lot 139, ODYD, Plan 29818 in the City of Kelowna for a local area service;

AND WHEREAS the Municipal Officer assigned the responsibility for Corporate Administration for the City of Kelowna under Section 148 of the *Community Charter* has determined the sufficiency of the petition under the provisions of Section 212 of the *Community Charter*;

AND WHEREAS the Council has received a report prepared pursuant to Section 211 of the *Community Charter* stating:

- (a) the lifetime of the work will be twenty (20) years;
- (b) the estimated cost of the work is \$204,000.00;
- (c) the share or proportion of the cost which will be specially charged against the parcels benefiting from or abutting on the work is \$17,803.00;
- (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 Division 5 of the *Community Charter*.
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.

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 'Bertram Street Local Area Service (Construction) Bylaw No. 9266 (File No. 653)".

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

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

Mayor

City Clerk