

CITY OF KELOWNA

BYLAW NO. 9696

Amendment No. 12 to “City of Kelowna Parks and Public Spaces Bylaw No. 6819-91”

A bylaw to regulate the use of City of Kelowna boat launches, docks and moorage facilities.

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

1. That City of Kelowna Parks and Public Spaces Bylaw No. 6819–91 be amended by:
 - (a) deleting Schedule “D” the “Passenger Ship Moorage Rental Rates – 2006/07 and Berth Numbering Sketch” and replace with new Scdedule “D”, as attached to and forming part of this bylaw.
2. This bylaw shall be cited for all purposes as “Bylaw No. 9696, being Amendment No. 12 to City of Kelowna Parks and Public Spaces Bylaw No. 6819-91”.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 4th day of December, 2006.

Notice given under section 59 of the Community Charter this day of , 2006

Adopted by the Municipal Council of the City of Kelowna this day of , 2006.

Mayor

City Clerk

SCHEDULE D

Passenger Ship Moorage Rental Rates – 2006/07**Base Rate**

Moorage Space	Annual Rent
Sails Dock	
1 (serviced berth)	Berth x Length x \$7.63 + 5%
2 (serviced berth)	Berth x Length x \$7.63
3 (serviced berth)	Berth x Length x \$7.63 + 5%
4 (serviced berth)	Berth x Length x \$7.63 + 5%
5 (un-serviced berth)	Berth x Length x \$5.00

Notes:

- refer to attached sketch AK-102 for berth numbering
- rental agreements would be conditional upon a \$5,000 damage deposit
- maintenance is included in the base rate
- all spaces would be charged a 5% lease administration fee
- all spaces would be charged for utilities as an additional charge:
 - un-metered utilities (e.g. water and garbage) would be apportioned equally among occupied spaces
 - metered utilities (e.g. electricity)
- the rate structure has a multiplier that recognizes the value of proximity to the dock access ramp(s) (Berth 3) and the visual exposure to the shoreline promenade (Berth 1 and 4)
- spaces allocations would be offered to qualified operators according to the following sequence:
 1. Consensus of all parties, including due consideration for safety as it relates to technical specifications of qualified passenger ships, AND FAILING THIS;
 2. The determination of the Civic Properties Manager in collaboration with Transport Canada in consideration of the stated priorities of qualified operators; OR
 3. Where all things are equal, a random draw.
- where the number of qualified passenger ships exceeds the available spaces, the opportunity to rent a space would be based on a request for proposal and awarded to the highest bidders, referring to the Base Rate Chart above as the “reserve bid”.

Berth Numbering Sketch AK-102

