



Making a difference...together

BYLAW NO. 3753

HIGHLAND AND FERNWOOD WATER SERVICE ESTABLISHMENT BYLAW NO. 1, 2010

**Consolidated for Public Convenience
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED APRIL 13, 2011
(Consolidated with Amending Bylaws 3878)

For reference to original bylaws or further details, please contact the Capital Regional District,
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6
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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3753**

**A BYLAW TO ESTABLISH A SERVICE AREA WITHIN THE SALT SPRING ISLAND
ELECTORAL AREA FOR CONSTRUCTION OF A COMBINED
HIGHLAND AND FERNWOOD WATER SUPPLY SYSTEM**

WHEREAS:

- A. The Capital Regional District may, under Section 796 of the *Local Government Act*, establish and provide any service that the Board considers necessary or desirable for all or part of the Capital Regional District;
- B. Under Bylaw No. 1937, "Highland Water System Local Service Establishment Bylaw No. 1, 1991", as amended, the Capital Regional District established a local service for the provision, operation, supply, treatment, conveyance, storage and distribution of water for the Highland Water System Local Service;
- C. Under Bylaw No. 3580, "Highland Water system Loan Authorization Bylaw No. 1, 2008", the debt servicing is funded from the Highland Water Service area;
- D. Under Bylaw No. 1772, "Fernwood Water Supply Local Service Establishment Bylaw No. 1, 1989", as amended, the Capital Regional District established a local service for the provision, operation, supply, treatment, conveyance, storage and distribution of water for the Fernwood Water Supply Local Service;
- E. Under Bylaw No. 3581, "Fernwood Water Supply Loan Authorization Bylaw No. 1, 2008", the debt servicing is funded from the Fernwood Water Supply Local Service area;
- F. The capital works to combine the Highland Water System Local Service and the Fernwood Water Supply Local Service are underway, and the Capital Regional District Board wishes to establish a service for the construction of works for the provision, supply, treatment, conveyance, storage and distribution of water for the combined area of the Highland and Fernwood Water Service;
- G. Debt servicing under subsequent loan authorizations will be funded from the combined area of the Highland and Fernwood Water Service;
- H. Participating area approval is required and shall be obtained by assent of the electors under Section 801.2 of the *Local Government Act*; and
- I. The approval of the Inspector of Municipalities is required under Section 801(1)(a) of the *Local Government Act*.

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled enacts as follows:

Service

1. The Service established by this Bylaw is for the purposes of the operation of the combined system for the, supply, treatment, conveyance, storage and distribution of water for the area of the Highland and Fernwood Water Service. (Bylaw 3878)

Boundaries

2. The boundaries of the combined area of the Highland and Fernwood Water Service are shown in heavy outline on Schedule "A" attached hereto.

Participating Area

3. Only the Salt Spring Island Electoral Area includes the participating area for this service.

Cost Recovery

4. As provided in Section 803 of the *Local Government Act*, the annual costs of providing the Service may be recovered by one or more of the following:
 - a) the requisition of money under Section 806 of the *Local Government Act* to be collected by a property value tax, based on land and improvements levied and collected under Section 806.1 of the *Local Government Act*;
 - b) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
 - c) fees and charges imposed under Section 363 of the *Local Government Act*;
 - d) revenues raised by other means authorized under this or another Act;
 - e) revenues received by agreement, enterprise, gift, grant or otherwise.

Maximum Requisition

5. The maximum amount that may be requisitioned under Section 800.1(1)(e) for the Service will be the greater of:
 - a) Three Hundred Fifty Thousand Dollars (\$350,000); or
 - b) a property value rate of \$2.5724 per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Service. (Bylaw 3878)

Citation

6. This Bylaw may be cited as the "Highland and Fernwood Water Service Establishment Bylaw No. 1, 2010".

READ A FIRST TIME THIS	8 th	day of	December	2010
READ A SECOND TIME THIS	8 th	day of	December	2010
READ A THIRD TIME THIS	8 th	day of	December	2010
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	6 th	day of	January	2011
RECEIVED ASSENT OF THE ELECTORS UNDER SECTION 801.2 OF THE <i>LOCAL GOVERNMENT ACT</i> THIS	19 th	day of	March	2011
ADOPTED THIS	13 th	day of	April	2011

CHAIR

CORPORATE OFFICER

SCHEDULE A: Highland and Fernwood Water Service Area (Bylaw No. 3753)

