

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BYLAW NO. 1382.01, 2024**

A bylaw to amend “Electoral Area “H” Chain Lake-Shinish Creek Diversion Local Service Establishment Bylaw No. 1382, 1993” to include repair and maintenance of the Chain Lake Dam.

WHEREAS the Board of Directors of the Regional District of Okanagan-Similkameen wishes to proceed under the *Local Government Act*, to amend Chain Lake-Shinish Creek Diversion Local Service Establishment Bylaw No. 1382, 1993;

AND WHEREAS the Regional District has received petitions from at least 50% of the property owners, representing at least 50% of the net taxable value of all land and improvements within the service area, providing approval for adoption of the service establishment amendment bylaw, in accordance with the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Regional District Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

CITATION

1. This bylaw may be cited for all purposes as the “Chain Lake-Shinish Creek Service Establishment Amendment Bylaw No. 1382.01, 2024”.

AMENDMENT

2. “Electoral Area “H” Chain Lake-Shinish Creek Diversion Local Service Establishment Bylaw No. 1382, 1993” is amended by:

- 2.1 Deleting the Long Title in its entirety and replacing with:

“A bylaw to establish the Chain Lake-Shinish Creek Diversion and Chain Lake Dam Service as a service of the Regional District”.

- 2.2 Deleting the first two WHEREAS clauses in their entirety.

- 2.3 Deleting the third WHEREAS clause in its entirety and replacing with:

“WHEREAS the Regional Board of the Regional District of Okanagan-Similkameen wishes to establish the Chain Lake-Shinish Creek Diversion and Chain Lake Dam Service, within Electoral Area “H”, as a service for the purpose of dredging Chain Lake, the construction and maintenance of a creek diversion system, lake drainage and flow control outlet system, and Chain Lake dam, spillway, and bridge.”

- 2.4 Deleting the fourth WHEREAS clause in its entirety and replacing with:

“AND WHEREAS the Regional District of Okanagan-Similkameen has received valid petitions for service pursuant to the *Local Government Act*.”

- 2.5 Deleting the fifth WHEREAS clause in its entirety and replacing with:

“AND WHEREAS the Director of Electoral Area “H” has consented, in writing, to the adoption of this bylaw pursuant to the *Local Government Act*.”

- 2.6 Deleting section 1. THE SERVICE in its entirety and replacing with:

1. THE SERVICE

The Chain Lake-Shinish Creek Diversion Service is hereby established to undertake and carry out, or cause to be undertaken and carried out, provisions of the dredging of Chain Lake, the construction and maintenance of a creek diversion ditch, lake drainage and flow control outlet system, and Chain Lake dam, spillway, and bridge as a service, and without limiting the generality of the foregoing, to:

- (a) acquire all such licenses, rights or authorities as may be required or desirable for or in connection with the service;
- (b) enter into contracts with such authorities and companies as may be necessary or appropriate to implement the service.

- 2.7 Deleting section 4. COST RECOVERY METHOD in its entirety and replacing with:

4. METHODS OF COST RECOVERY

As provided in the *Local Government Act*, the annual costs of the service shall be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*];
- (b) parcel taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*];
- (c) fees and charges imposed under Section 397 [*imposition of fees and charges*];
- (d) revenues raised by other means authorized under this or another Act;
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

2.8 Deleting section 5. LIMIT in its entirety and replacing with:

5. LIMIT

The maximum amount that may be requisitioned annually for the service shall not exceed \$86,151 or \$2.44001 per \$1,000 net taxable value of land and improvements in the service area, whichever is greater.

2.9 Deleting section 6. CITATION in its entirety and replacing with:

6. CITATION

This bylaw may be cited as the "Electoral Area "H" Chain Lake-Shinish Creek Diversion and Chain Lake Dam Service Establishment Bylaw No. 1382, 1993".

2.10 Adding a new section 7 to read as follows:

7. REPEAL

Chain Lake-Shinish Creek Diversion Service Area Bylaw No. 17, 1967, and all amendments thereto are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this 3rd day of October, 2024.

THIRD READING RESCINDED AND RE-READ A THIRD TIME this _ day of ___, 202__.

RECEIVED APPROVAL OF THE ELECTORS through a petition process this ___ day of _____, 20__.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this ___ day of _____, 20__.

ADOPTED this ___ day of _____, 20__.

Board Chair

Corporate Officer

FILED WITH THE INSPECTOR OF MUNICIPALITIES this ___ day of _____, ____.