



## DISTRICT OF NORTH SAANICH

### BY-LAW NO. 1139

#### A BY-LAW TO ESTABLISH A LOCAL AREA SERVICE FOR THE PURPOSE OF CONSTRUCTING AND OPERATING A SEWER COLLECTION SYSTEM FOR THE DEEP COVE, PATRICIA BAY AND MCDONALD PARK AREAS OF THE DISTRICT OF NORTH SAANICH

WHEREAS under section 211 of the *Community Charter* the District of North Saanich may create a local area service to provide a sewer collection system service within a portion of the District of North Saanich;

AND WHEREAS the District of North Saanich established a Service Area for the construction and operation of a sewer collection system within the Deep Cove/Patricia Bay /McDonald Park area as a specified area (the "Service Area") under Deep Cove/Patricia Bay/McDonald Park Sewer Collection Systems Specified Area (Sewer Area No. 3) Establishment Bylaw No. 1068, 2004;

AND WHEREAS the District of North Saanich wishes to expand the Service Area and to establish the service as a local area service under the *Community Charter*;

AND WHEREAS this By-law is adopted for the purpose of implementing a liquid waste management plan in accordance with section 24(7) of the *Environmental Management Act* (British Columbia)

NOW THEREFORE the Council of the District of North Saanich, in open meeting assembled, ENACTS AS FOLLOWS:

#### Citation:

1. This By-law may be cited for all purposes as the "North Saanich Deep Cove/Patricia Bay/McDonald Park Sewer Collection System Local Area Service (Sewer Area No. 3) Establishment Bylaw No. 1139 (2007)".

#### Interpretation

2. In this By-law, unless the context otherwise requires, the following words and phrases have the following meanings:

"Service Area" means that part of the District of North Saanich known as the Deep Cove/Patricia Bay/McDonald Park area shown outlined on the plans attached to this By-law as Schedules A, B and C.

"Sewer System" includes the construction, operation, maintenance, repair, replacement, and extension of sewer collection mains, pipes, pumps, fittings and associated infrastructure for the collection of sewage within the Service Area;

#### Service

3. A local area service is created and continued for the purpose of providing for the collection of sewage and operation of a Sewer System to serve the Service Area.

#### Service Area Boundaries

4. The boundaries of the Service Area are the boundaries of the parcels shown in heavy outline on Schedules A, B and C.

**Recovery of Annual Cost**

5. The annual cost of providing the service established under this By-law shall be recovered by:
- (a) a local service tax in the form of a parcel tax imposed on each parcel within the Service Area;
  - (b) fees and other charges imposed under the *Community Charter*;
  - (c) agreement, gift or grant;
  - (d) contribution from the local improvement fund of not more than \$240,000; and
  - (e) contribution from the sewer fund of not more than \$288,600.

**Portion of Costs of the Service to be Recovered by Parcel Tax**

6. Approximately \$9,657,300 (65%) percent of the cost of the service is to be recovered through the local service tax.

**Tax Roll**

7. (a) The local service tax imposed on a parcel under this By-law shall be shown by the Collector on the Parcel Tax Roll of the municipality and payment of the parcel tax shall be made in the same manner on or before the same dates as parcels shown on the plan attached as Schedules "A", "B" and "C" to this By-law.
- (b) The Collector is authorized to prepare a Parcel Tax Roll for the purpose of imposing the parcel tax.

**Repeal**

8. By-law No. 1068, being "Deep Cove/Patricia Bay/McDonald Park Sewer Collection System Specified Area (Sewer Area No. 3) Establishment By-law No. 1068, 2004" is hereby repealed.

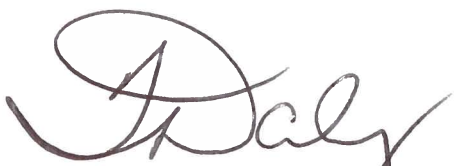
READ A FIRST TIME the 19th day of February, 2007.


READ A SECOND TIME the 19th day of February, 2007.

READ A THIRD TIME the 19th day of February, 2007.

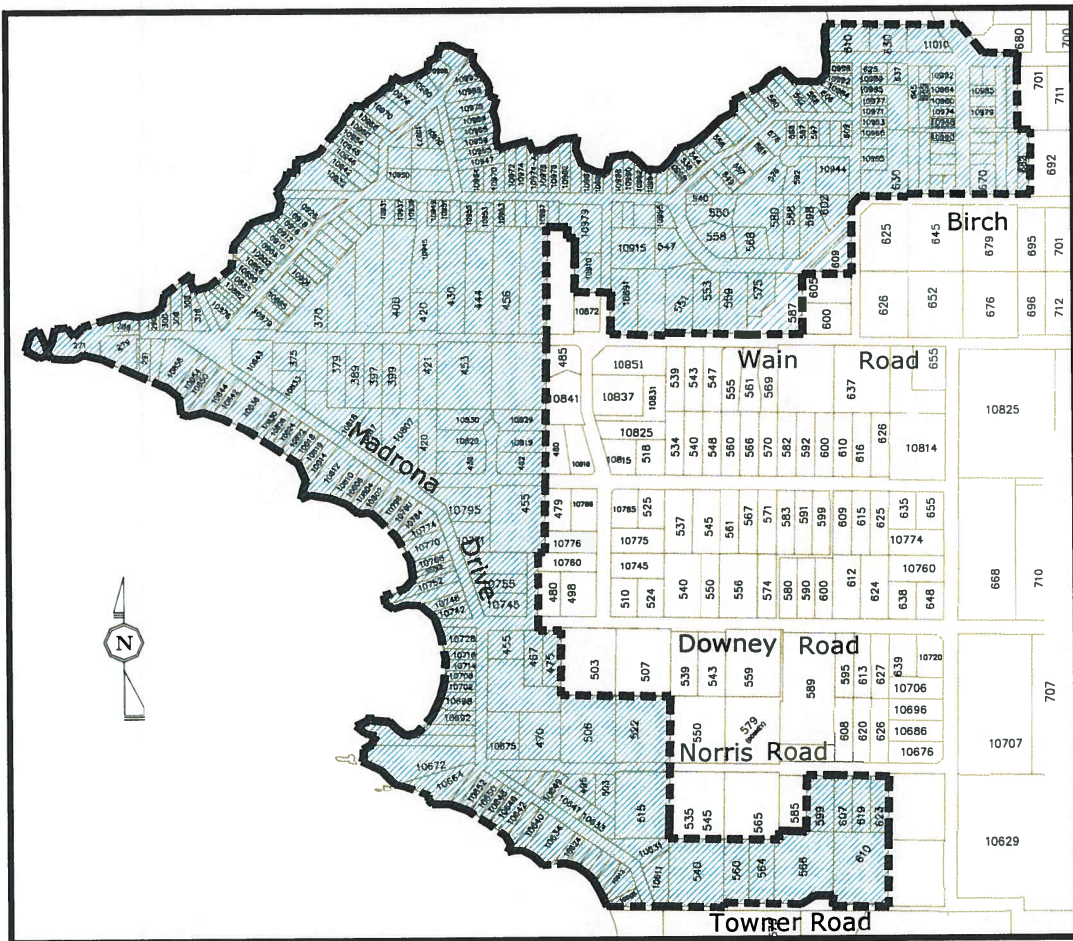
ADOPTED the 26th day of February, 2007.



  
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 MAYOR

  
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 DIRECTOR OF CORPORATE SERVICES

# SCHEDULE A BY-LAW NO. 1139



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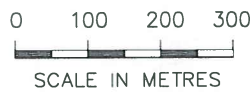
SCALE IN METRES

February 14, 2007



DEEP COVE  
SEWER SERVICE AREA

# SCHEDULE B BY-LAW NO. 1139

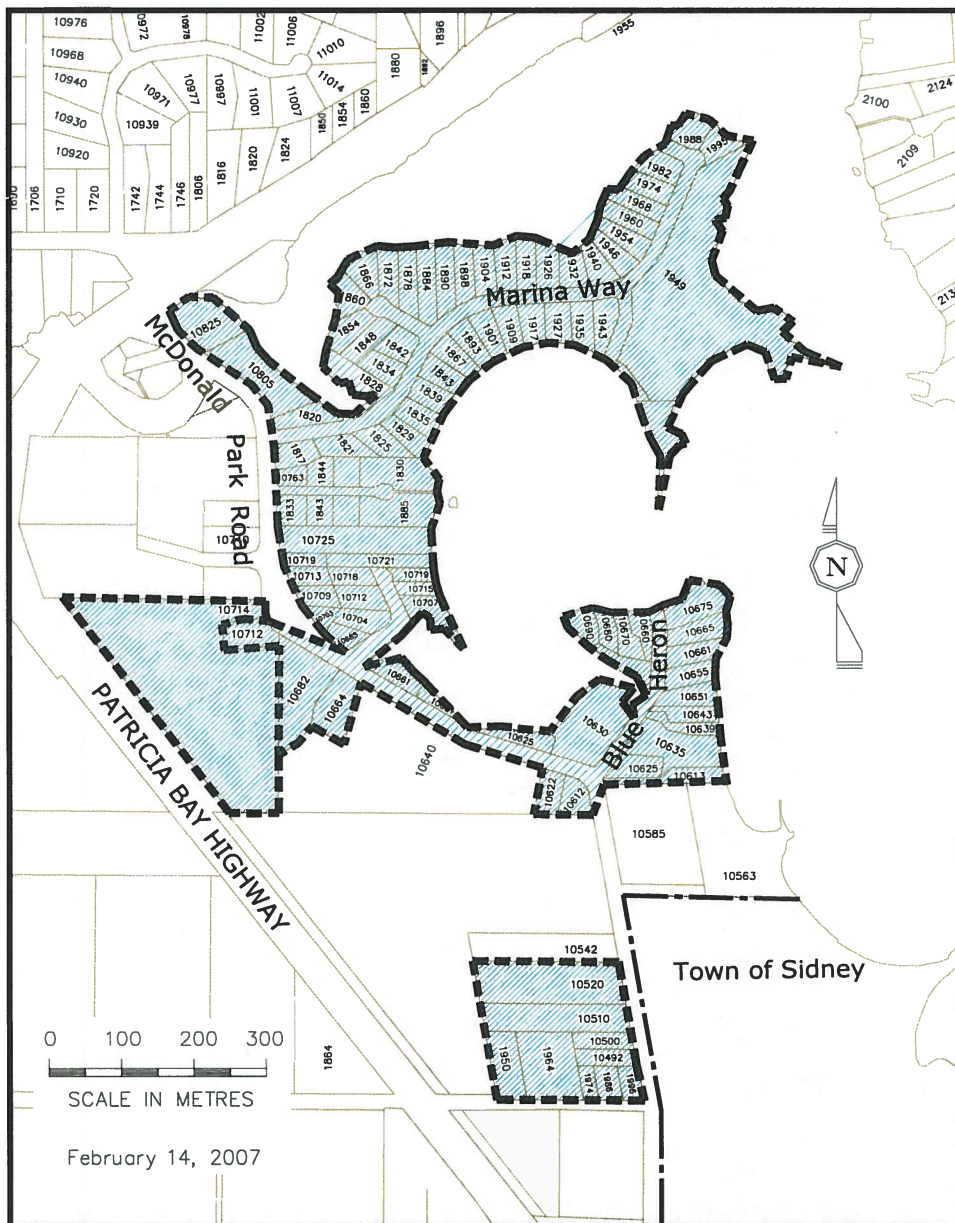


February 14, 2007



PATRICIA BAY  
SEWER SERVICE AREA

# SCHEDULE C BY-LAW NO. 1139



**McDONALD PARK ROAD  
SEWER SERVICE AREA**