

**DISTRICT OF BARRIERE
BYLAW NO. 190**

**A BYLAW TO ESTABLISH A LOCAL AREA SERVICE FOR THE
LOUIS CREEK INDUSTRIAL PARK WATER SYSTEM**

WHEREAS Section 210 of the *Community Charter* provides authority for local area services, a municipal service that is to be paid for in whole or in part by a local service tax under Section 216 for services that the Council considers provide particular benefit to part of the municipality; and,

WHEREAS Section 211(1)(b) of the *Community Charter* authorizes Council to establish a local area service by bylaw, if the service and its cost recovery methods have been proposed by Council initiative subject to a petition against by the property owners subject to the local service tax; and,

WHEREAS Council has initiated a local area service subject to petition against to construct and operate a water system to be known as the Louis Creek Industrial Park Water System, pursuant to Section 213 of the *Community Charter*; and,

WHEREAS the *Community Charter* provides for a part of the cost to be borne by property owners benefitting from a local area service and for the levy and imposition of a local service tax to be imposed on benefitting properties to recover the owners' portion of the costs; and,

WHEREAS the Corporate Officer has certified that the petition against received for the works does not constitute a sufficient petition signed by a majority of the owners, representing at least half of the assessed value of the parcels that would be subject to the local service tax;

NOW THEREFORE the Council of the District of Barriere in open meeting assembled, enacts as follows:

1. Title

This Bylaw shall be cited for all purposes as the "*District Of Barriere Louis Creek Industrial Park Water System Local Area Service Establishment Bylaw No.190*".

2. Establishment of Local Area Service

The District of Barriere hereby establishes a local area service under the provisions of Section 211 of the *Community Charter* to be known as the "*Louis Creek Industrial Park Water System Local Area Service*".

3. Description of Service

The description of the local area service is the construction and operation of a water system to serve a specified local service area.

4. Boundaries of Local Area Service

The Louis Creek Industrial Park Water System Local Area Service includes all of the parcels within the area outlined in heavy dashed black line on the plan attached to and forming part of

this bylaw as Schedule 'A' – Louis Creek Industrial Park Water System Local Area Service Boundaries (the "Local Area Service").

5. The Annual Costs For The Service Established In Section 2 Shall Be Recovered By:

- 5.1. The cost recovery method for an amount not exceeding \$ 55,000 annually, minus the anticipated annual revenue, that is subject of the local area service established under this bylaw, shall be recovered by way of a parcel tax under Division 4 of Part 7 of the *Community Charter* imposed only within the Local Area Service on the basis of a single amount for each parcel; and/or
- 5.2 The imposition of local area service fees and other charges under Section 210 and 194 of the *Community Charter* for the operation of the water system for the purpose of recovering maintenance, connection, reconnection and operational costs that may be set by separate bylaw.

READ A FIRST, SECOND AND THIRD TIME THIS 7th DAY OF **December, 2020**.

RECEIVED the Assent of the Electors this 22nd day of **February, 2021**.

ADOPTED THIS _____ DAY OF _____, 2021.

Mayor Ward Stamer

Corporate Officer