

REGIONAL DISTRICT OF CENTRAL OKANAGAN

("service establishment bylaw")

BYLAW NO. 759

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Being a bylaw to establish and operate the extended service of control of pollution, nuisances, unwholesome or noxious materials, odours and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia in the Regional District of Central Okanagan.

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WHEREAS, Section 799 of the Municipal Act provides for the establishment and operation of extended services within the Regional District;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan wishes to establish and operate an extended service for the control of pollution, nuisances, unwholesome or noxious materials, odours, and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia in the Regional District of Central Okanagan;

AND WHEREAS in relation to such matters the Regional District of Central Okanagan may require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia; and prescribe measures and precautions to be taken for the purpose; and establish limits not to be exceeded for those emissions;

AND WHEREAS the City of Kelowna, District of Lake Country and Electoral Areas "G", "Westbank" and "I" wish to participate in this service;

AND WHEREAS pursuant to Section 810 of the Municipal Act, the Councils of the City of Kelowna and District of Lake Country have waived the assent requirements of Section 807(2)(a)(i);

AND WHEREAS pursuant to Section 811 of the Municipal Act, the Board of the Regional District of Central Okanagan has waived the assent requirements of Section 807(2)(a)(i);

AND WHEREAS the Directors of Electoral Areas "G", "Westbank" and "I" have consented in writing to the adoption of this Bylaw;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan wishes to promote the preservation of air quality for all residents of the Regional District of Central Okanagan.

NOW THEREFORE, the Regional Board of the Regional District of Central Okanagan in open meeting assembled, enacts as follows:

1. That the Regional District of Central Okanagan hereby establishes and operates the extended service of the control of pollution, nuisances, unwholesome or noxious materials, odours and disturbances in relation to the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia in the Regional District of Central Okanagan, and more specifically, to require the owners or occupiers of real property, or their agents, to eliminate or reduce the fouling or contaminating of the atmosphere through those emissions; and to prescribe measures and precautions to be taken for the purpose; and to establish limits not to be exceeded for those emissions;
2. That the City of Kelowna, District of Lake Country and Electoral Areas "G", "Westbank" and "I" shall participate in this extended service as participating areas.
3. That the annual costs for this service shall be recovered by the requisition of money to be collected by a property value tax levied and collected upon land and improvements within the participating areas under Section 824(1) and 825(1) of the Municipal Act.

4. That the cost of providing the service shall be apportioned among the participating areas on the basis of the converted value of land and improvements in the participating areas.

5. That this bylaw may be cited for all purposes as "Regional District of Central Okanagan Smoke Control Extended Service Establishment Bylaw No. 759, 1998".


READ A FIRST TIME THIS 12th DAY OF January, 1998.

READ A SECOND TIME THIS 12th DAY OF January, 1998.

READ A THIRD TIME THIS 9th DAY OF February, 1998.

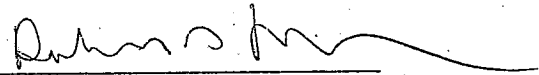
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 759, cited as "Regional District of Central Okanagan Smoke Control Extended Service Establishment Bylaw No. 759, 1998" as read a third time by the Regional Board on the 9th day of February, 1998.


Dated at Kelowna, B.C. this 10th day of February, 1998.

  
SECRETARY

Approved by the Inspector of Municipalities this 31st day of March, 1998.

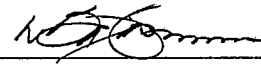
Reconsidered and adopted this 6th day of April, 1998.

  
CHAIRPERSON

  
SECRETARY

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 759 cited as "Regional District of Central Okanagan Smoke Control Extended Service Establishment Bylaw No. 759, 1998" as adopted by the Regional Board on the 6th day of April, 1998.

Dated at Kelowna, B.C. this 17th day of April, 1998.

  
SECRETARY