

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1009

A bylaw to impose a parcel tax on owners of land subject to a sterile insect release service under the Sterile Insect Release program, and to direct the preparation of an assessment roll

WHEREAS the Okanagan-Kootenay Sterile Insect Release Service (S.I.R.) was established under section 283(2) of the *Municipalities Enabling and Validating Act*;

AND WHEREAS the regional districts of Okanagan-Similkameen, Central Okanagan, North Okanagan, Columbia Shuswap, and Central Kootenay have each established an extended service of sterile insect release;

AND WHEREAS the *Okanagan-Kootenay Sterile Insect Release Service Regulation* established that participating regional districts for a sterile insect release service may recover a portion of the annual costs of the service by means of a parcel tax;

AND WHEREAS it has been deemed desirable to impose a parcel tax on parcels benefiting from the program according to the quantity of apple and/or pear trees growing on the parcel;

AND WHEREAS Section 806 (1) [*Requisition of funds for electoral areas*] and Section 806.1 [*Collection in electoral areas*] of the *Local Government Act* provide for the imposing of a parcel tax in electoral areas, and the preparation of an assessment roll (which requires the appointment of a collector) for the purpose of imposing a parcel tax;

NOW THEREFORE, the Board of the Regional District of Central Okanagan, in open meeting assembled, hereby **ENACTS AS FOLLOWS**:

Title

1. This Bylaw shall be cited for all purposes as the "Regional District of Central Okanagan Sterile Insect Release Parcel Tax Bylaw No. 1009, 2003".

Definitions

2. In this bylaw:

"annual costs" means the annual operating and debt servicing costs of providing a sterile insect release service minus any grants or donations received towards those costs;

"collector" means the person assigned responsibility as collector to prepare and amend the parcel tax assessment roll in accordance with the *Municipal Act*;

"parcel" means any lot, block or other area that is 0.3 acres or greater in size and on which 20 or more codling moth host trees (apple, pear, crabapple and/or quince) are under cultivation;

"under cultivation" means any lot, block or other area on which fruit bearing or non-fruit bearing apple, pear, crabapple and/or quince trees or stumps exist.

Establishment

- 3. Within the City of Kelowna, District of Peachland, District of Lake Country, Westside Electoral Area and Ellison/Joe Rich Electoral Area, a Sterile Insect Release (S.I.R.) parcel tax shall be imposed on all parcels deemed as benefiting from the sterile insect release service.
- 4. The Sterile Insect Release parcel tax shall be imposed on each parcel that is 0.3 acre or greater in size with 20 or more codling moth host trees (apple, pear, crabapple and/or quince) under cultivation on it, with the minimum taxable acreage being one (1) acre.
- 5. The parcel tax rates shall be in accordance with Schedule 'A' of this bylaw. This parcel tax will be used to cover a portion of the cost of operating the Okanagan-Kootenay Sterile Insect Release service as provided for in the Sterile Insect Release Board's final annual budget.
- 6. The Corporate Officer of the Regional District, or such other person as may be appointed annually by resolution of the Regional Board, shall be appointed as the collector for the preparation and amendment of the Sterile Insect Release Parcel Tax Assessment Roll.
- 7. A Sterile Insect Release Parcel Tax Assessment Roll shall be prepared by the collector annually for each year that the service operates, setting out all the parcels to be assessed the Sterile Insect Release parcel tax, the name and address of the owner of each parcel and the number of taxable acres.
- 8. The Board shall, by resolution, establish a Court of Revision, and shall set the time and place for the sitting of the court of revision.

Repeal

- 9. Bylaw No. 718 cited as "Sterile Insect Release Parcel Tax Bylaw No. 718, 1997" is hereby repealed.

Citation

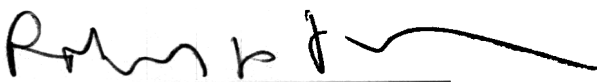
- 10. This bylaw may be cited as the "Regional District of Central Okanagan Sterile Insect Release Parcel Tax Bylaw No. 1009, 2003".

READ A FIRST TIME THIS 24th DAY OF February 2003.

READ A SECOND TIME THIS 24th DAY OF February 2003.

READ A THIRD TIME THIS 24th DAY OF February 2003

RECONSIDERED AND ADOPTED THIS 24th DAY OF February 2003



 CHAIRPERSON



 DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Regional District of Central Okanagan Sterile Insect Release Parcel Tax Bylaw No. 1009, 2003, as read a third time by the Regional Board on the 24th day of February, 2003.

Dated at Kelowna, B.C.
this 5th day of March, 2003.



DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Regional District of Central Okanagan Sterile Insect Release Parcel Tax Bylaw No. 1009, 2003, as adopted by the Regional Board on the 24th day of February, 2003.

Dated at Kelowna, B.C.
this 5th day of March, 2003.



DIRECTOR OF CORPORATE SERVICES

Schedule 'A' attached to and forming part of
Bylaw No. 1009 being the "*Regional District of
Central Okanagan Sterile Insect Release Parcel Tax
Bylaw No. 1009, 2003*"

Schedule "A"

Sterile Insect Release Parcel Tax Rates

The Sterile Insect Release Parcel Tax Rates shall be as follows:

<u>Rate</u>	<u>Description:</u>
\$ 95.53	per acre under cultivation
\$ 98.40	per acre under cultivation
\$101.35	per acre under cultivation

The parcel tax rate will be as established by the Okanagan-Kootenay Sterile Insect Release Board and as agreed to by the Regional District Board.