

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 1038

A Bylaw to impose a parcel tax on owners of land under the provisions of Section 482 of the Municipal Act.

WHEREAS the Regional District of Central Kootenay is empowered by the Municipal Act to impose and levy a parcel tax to meet the costs of the Okanagan-Kootenay Sterile Insect Release Board for benefitting land within participating Areas A, B and C;

AND WHEREAS the Okanagan-Kootenay Sterile Insect Release Board is an agent for the participating regional districts;

AND WHEREAS certain costs have been incurred by the Sterile Insect Release Board in providing a program that is designated to control destructive insect pests by means of a program that includes the release of sterile insects;

AND WHEREAS it is deemed desirable and expedient to impose and levy a parcel tax on land benefitting from such service to meet such costs;

NOW THEREFORE, THE BOARD OF THE REGIONAL DISTRICT OF CENTRAL KOOTENAY IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. In this Bylaw, unless the context otherwise requires:  
  
"Parcel" means any lot, block or other area in which apple and pear trees are under cultivation.  
  
"Under Cultivation" means any lot, block or other area on which either fruit bearing or non fruit bearing apple and/or pear trees or stumps exist.
2. A tax shall be levied on each parcel or groups of parcels of real property within the participating Areas A, B and C, which is capable of benefitting from the Sterile Insect Release Program, as described in Schedule "A" attached hereto and forming part of this Bylaw.
3. The basis for the levy of a parcel tax is described on Schedule "B" attached hereto and forming part of this Bylaw.
4. The annual tax shall be in the amount of \$70.00 per cultivated acre which will apply to apple and pear trees under cultivation. This levy will cover a portion of the cost of operating the Okanagan-Kootenay Sterile Insect Release program as provided by the Sterile Insect Release Board's final annual budget.

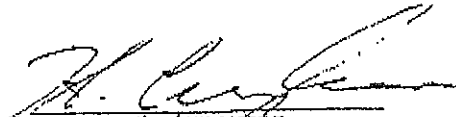
5. This Bylaw may be cited for all purposes as the "Regional District of Central Kootenay Sterile Insect Release Parcel Tax Bylaw No. 1038, 1994".


READ A FIRST TIME this 26th day of March , 1994.

READ A SECOND TIME this 26th day of March , 1994.

READ A THIRD TIME this 26th day of March , 1994.

RECONSIDERED AND ADOPTED this 26th day of  
March , 1994.

  
\_\_\_\_\_  
Chairperson

  
\_\_\_\_\_  
Secretary

I hereby certify that the within is a true copy of "Regional District of Central Kootenay Sterile Insect Release Parcel Tax Bylaw No. 1038, 1994" of the bylaws of the Regional District of Central Kootenay.

DATED this            day of            , 1994.

\_\_\_\_\_  
Secretary

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 1038

SCHEDULE "B"

POLICY FOR LEVY OF A PARCEL TAX

1. The status of the orchards as of February 1 in each year will form the basis of the parcel tax.

ORCHARD STATUS

- a) All apple and/or pear trees - parcel tax levy will apply
  - b) Apple and/or Pear acreage where stumps have not been uprooted - parcel tax will apply
  - c) Orchards replanted to apple and/or pear trees - parcel tax will apply
  - d) Bare land devoid of stumps and branches of apple and/or pear trees - parcel tax will not apply
2. Each parcel of real property with apple and/or pear trees will be levied a parcel tax if the parcel is greater than 0.24 acres in size and has more than 15 apple and/or pear trees planted on it.
3. Apple and/or pear orchards which are interplanted with other trees will be levied a parcel tax as follows:
    - a) if the total acreage of apples and/or pears planted on the parcel of land is greater than or equal to 50% of the total acreage of the parcel, then the total acreage of the parcel will be levied a parcel tax; or
    - b) if the total acreage of apples and/or pears planted on the parcel of land is less than 50% of the total acreage of the parcel, then 50% of the total acreage of the parcel will be levied a parcel tax.

(

(

(