

TOWN OF COMOX

BYLAW NO. 1777

**A BYLAW TO AMEND THE POINT HOLMES WATER LOCAL AREA SERVICE
PARCEL TAX FOR THE YEAR 2014 AND SUBSEQUENT YEARS**

The Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the "Point Holmes Water Local Area Service Parcel Tax Bylaw Amendment No. 3, 2014".

2. Amendment

The Point Holmes Water Local Area Service Parcel Tax Bylaw, 2007 (Bylaw No. 1583) is hereby amended as follows:

Add the following to Section 2 [Establishment of Parcel Taxes]:

"(7) For the year 2014 and subsequent years, the parcel tax rate shall be at the rate of Three Hundred and Sixty Four Dollars (\$364.00) per parcel per year."

3. Adoption

- | | |
|---|-------------------------------------|
| (1) READ A FIRST, SECOND AND THIRD
time this | 16 th day of April, 2014 |
| (2) ADOPTED this | 7 th day of May, 2014 |

"Paul Ives"

MAYOR

"Richard Kanigan"

CORPORATE OFFICER

TOWN OF COMOX

BYLAW NO. 1583

**A BYLAW IMPOSING A PARCEL TAX STARTING IN 2008 TO REPAY THE
OUTSTANDING DEBT OF THE POINT HOLMES WATER LOCAL AREA SERVICE**

WHEREAS the Community Charter empowers the Town to impose a parcel tax, by bylaw;

AND WHEREAS the Town has adopted the Point Holmes Water Local Area Service Establishment Bylaw, 2006 and the Point Holmes Water Local Area Service Loan Authorization Bylaw, 2006 which together established a Local Area Service for the provision of water service in Point Holmes, authorized borrowing of \$290,000 and stated that the cost of the local area service would be recovered by a parcel tax on the parcels in the area;

AND WHEREAS the Town has constructed the required water improvements through the area and borrowed the full amount authorized;

AND WHEREAS the Town has offered property owners the opportunity to pay their share of the project costs (estimated at \$5,000 per parcel) before December 15, 2007 in order to thereafter have the parcel tax on their parcel waived;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited as "Point Holmes Water Local Area Service Parcel Tax Bylaw, 2007"

2. Establishment of Parcel Taxes

- (1) A parcel tax shall be levied annually within the Point Holmes Water Local Area Service in order to repay the debt incurred on behalf of that service, starting in 2008 and continuing until the year 2022, when the debt is scheduled to be repaid in full.
- (2) The parcel tax roll used to levy this parcel tax shall be the "Point Holmes Water Local Area Service Parcel Tax Roll".
- (3) The parcel tax shall be imposed upon the basis of a single amount for each parcel.
- (4) For the year 2008 the parcel tax rate shall be at the rate of Six Hundred Twenty Five (\$625) dollars per parcel.

3. Waiver of Parcel Taxes When Share of Debt is Prepaid

- (1) The parcel tax enacted in Section 2 of this bylaw shall be waived for all parcels for which the Town of Comox has received a payment of \$5,000 (per parcel) before December 15, 2007.
- (2) Should a parcel, for which such a payment of \$5,000 (per parcel) was received before December 15, 2007 be subsequently subdivided or converted to multiple parcels, only one of the resultant parcels shall have its parcel tax waived, and it shall be the responsibility of the Collector of Taxes to determine for which parcel the parcel tax would be waived and for which other(s) the parcel tax would be levied upon.

4. Adoption

- (1) READ A FIRST AND SECOND time this 3rd day of October, 2007
- (2) READ A THIRD TIME this 17th day of October, 2007
- (3) ADOPTED this 5th day of December, 2007

“Dr. Jim Brass”

MAYOR

“Richard Kanigan”

CORPORATE OFFICER

TOWN OF COMOX

BYLAW NO. 1519

A BYLAW TO ESTABLISH A POINT HOLMES WATER LOCAL AREA SERVICE

WHEREAS the Council of the Town of Comox may establish a Local Area Service that Council considers will provide a particular benefit to part of the Municipality;

AND WHEREAS a majority of property owners in Point Holmes have petitioned Council to establish a Local Area Service to provide water service through the area which requires capital improvements to the Town's water system;

AND WHEREAS Council also wishes to recover a portion of its cost to construct the Knight Road water line from the Point Holmes area, because that water line provided the Comox water system with the capacity to service Point Holmes;

AND WHEREAS the Town will provide the equivalent of one 19 mm sized pipe connection (including shut off valve, meter box, and water meter) to each lot as part of the capital improvements undertaken by this Local Area Service;

AND WHEREAS property owners in this area will be subject to Regional District of Comox-Strathcona Water Supply Capital Improvement Charge Bylaw No. 2350, 2001;

AND WHEREAS Comox Town Council believes that Point Holmes also requires sanitary sewer service, and wishes to facilitate the expected future establishment of a Point Holmes Sanitary Sewer Local Area Service by requiring that a bond of Ten Thousand Dollars (\$10,000) be paid to the Town upon connection to the Town's water service, until Council adopts a Point Holmes Sanitary Sewer Local Area Service Establishment Bylaw;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the "Point Holmes Water Local Area Service Establishment Bylaw, 2006".

2. Local Area Service Establishment

(1) The Town hereby establishes the "Point Holmes Water Local Area Service" to finance:

(a) up to Two Hundred and Sixty Thousand dollars (\$260,000) of improvements to the Comox water system in the local area service to provide water

service throughout the area, improve fire protection through additional fire hydrants, and provide residential service connections to all the lots in the area, plus

- (b) Thirty Thousand dollars (\$30,000) to reimburse the Town of Comox part of the cost it incurred building the Knight Road water line (which provided the capacity needed to service the Point Holmes area).
- (2) The boundaries of the local area service are shown in Schedule “A” attached to and forming part of this bylaw.
- (3) The cost of this local area service shall be recovered by a parcel tax on the basis of the parcel tax levied on all the taxable properties in the local area service, starting in 2007.

3. Conditions for Connection to Comox Water Applicable in Point Holmes

- (1) The Service Connection Fees payable under Comox Water Rates and Regulations Bylaw are reduced within the Point Holmes Water Local Area Service for one connection per lot, so that a connection of pipe size 19 mm lot is not charged a connection fee, and a connection larger than 19 mm is only charged the incremental additional fee that the Comox Water Rates and Regulations Bylaw specifies over the connection fee that it specifies for connections of pipe size 19 mm.
- (2) The Point Holmes Water Local Area Service is subject to the full fees for Additional Costs specified in the Comox Water Rates and Regulations Bylaw, if applicable, at the time of connection.
- (3) Before a connection to the Town’s water system will be made in the Point Holmes Water Local Area Service, the owner(s) of the property receiving service must first pay the fee required under the Regional District of Comox-Strathcona Water Supply Capital Improvement Charge Bylaw, No. 2350, 2001, unless a Regional District of Comox-Strathcona Water Development Cost Charge for that property has already been paid.
- (4) Until Comox Town Council adopts a Point Holmes Sanitary Sewer Local Area Service Establishment Bylaw, a connection to the Town’s water system will be made in the Point Holmes Water Local Area Service only if the owner(s) of the property receiving service has also paid the Town of Comox a bond of Ten Thousand Dollars (\$10,000), that shall be returned to the owner of that land with interest (at the rate earned by the Town in the Municipal Finance Authority’s Money Market Fund) when Council adopts a Point Holmes Sanitary Sewer Local Area Service Establishment Bylaw.

4. Adoption

- (1) PETITION RECEIVED FROM A MAJORITY OF PROPERTY OWNERS IN THE LOCAL AREA SERVICE this 31st day of August , 2006
- (2) PETITION CERTIFIED AS SUFFICIENT this 31st day of August , 2006
- (3) READ A FIRST AND SECOND time this 6th day of September, 2006
- (4) READ A THIRD time this 6th day of September, 2006
- (5) ADOPTED this 6th day of December , 2006

“Dr. Jim Brass”

MAYOR

“Richard Kanigan”

CORPORATE OFFICER

Schedule “A” - Point Holmes Water Local Area Service Boundaries

