XXXX REGIONAL DISTRICT

BYLAW NO. _____

A BYLAW TO ESTABLISH A WELL CLOSURE SERVICE

WHEREAS:

A.   Under section 796 of the *Local Government Act* a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District;

B.   The Board of the XXXX Regional District wishes to establish a service for the closure of abandoned wells and wells on parcels connected to the Regional District Water System;

C.   The approval of the Inspector of Municipalities has been obtained under section 801 of the *Local Government Act*; and

D.   The approval of the electors in each participating area(s) (*or the entire service area*) has been obtained under (*choose from: section 801.2, 801.3, 801.4, 801.5)* of the *Local Government Act.*

NOW THEREFORE the Board of the XXXX Regional District in open meeting assembled enacts as follows:

1.   **Citation**

     This Bylaw may be cited for all purposes as the "Well Closure Service Bylaw".

2.   **Service**

     The service established by this Bylaw is the Well Closure Service (the "**Service**") for the purpose of disconnecting, deactivating, decommissioning and closing abandoned wells and wells on parcels connected to the Regional District Water System in the Service Area.

3.   **Boundaries**

     The boundaries of the Service Area are (*name municipalities and electoral areas participating in the Service, or refer to map attached as Schedule "A," or both)* (the "**Service Area**").

4. **Participating Areas**

    The "Participating Areas" are (*list municipalities and electoral areas, as applicable*).

5. **Cost Recovery**

    As provided in section 803 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:[1]

    (a)   property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;

    (b)   parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;[2]

    (c)   fees and charges imposed under section 797.2 of the *Local Government Act*;

    (d)   revenues raised by other means authorized by the *Local Government Act* or another Act;

    (e)   revenues received by way of agreement, enterprise, gift, grant or otherwise.[*]

6. **Maximum Requisition[3]**

    In accordance with section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of (*choose one of the following*):

    (a)   _____ ($_____) Dollars; or

    (b)   the amount equal to the amount that could be raised by a property value tax rate of _____ applied to the net taxable value of land and improvements in the Service Area.

OPTIONAL CLAUSES (see s. 800.2 LGA)

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[1] It is wise to keep as many of the options available as possible to avoid future amendments to this Bylaw.

[2] Parcel taxes cannot be used for a regulatory service (e.g. building inspection).

[3] Section 6 does not apply to establishing bylaws for the cases mentioned in s. 800.1(2) of the LGA

7.   **Apportionment of Costs**[4]

Cost of the Service shall be apportioned among the Participating Areas as follows:

8.   **Voting Entitlement**[5]

Each director shall have the following number of votes in relation to bylaws and resolutions respecting the administration and operation of the Service.

9.   **Administrative Commission**

(1) The Board, by bylaw, may establish a commission for the administration and operation of the Service.

(2) The bylaw may provide for

(a) representation on the commission from the Participating Area(s) of the Service,

(b) the manner of appointment and the voting entitlement of the respective members of the commission,

(c) the delegation to the commission, to the extent of the Board's authority to do so, of some or all the Board's powers, duties and functions in respect of the Service, and

(d) such other matters the Board deems necessary.

10.   **Withdrawal from the Service**

(*Set out terms and conditions*)

11.   **Other Provisions**

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[4] Only if the method differs from section 804(2)(a) of the LGA
[5] Only if different from section 791(4)(b) of the LGA

READ A FIRST, SECOND AND THIRD TIME THIS   day of   2002.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS   day of   2002.

RECEIVED THE ASSENT OF THE ELECTORS THIS   day of   2002.

ADOPTED THIS   day of   2002.

_____   _____
Chair   Secretary

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS   day of   2002.