

District of West Vancouver



**Local Area Service
Lane Paving Construction
Bylaw No. 4397, 2004
(2400 Block Mathers and Nelson Avenue)**

Effective Date – November 01, 2004

Local Area Service Lane Paving Construction Bylaw No. 4397, 2004

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District of West Vancouver

Local Area Service Lane Paving Construction Bylaw No. 4397, 2004

A bylaw to authorize lane paving at 2400 block Mathers and Nelson Avenue, a distance of 180 metres more or less, as a local area service under the provisions of Division 5- Section 211 of the *Community Charter*.

WHEREAS, a petition has been presented to the Council to construct, as a local area service, the work hereinafter described; the Municipal Clerk has certified that the petition is sufficient; a report has been prepared pursuant to Section 211 & 212 of the *Community Charter*; and the Council of the Corporation of the District of West Vancouver deems it expedient to grant the prayer of the petition in the manner hereinafter provided;

NOW THEREFORE, the Council of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Local Area Service Lane Paving Construction Bylaw No. 4397, 2004.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Substantive Provisions

- 3.1 The Council hereby directs that the lane fronting 2400 block of Mathers and Nelson Avenue be paved, an estimated distance of 180 metres, a local area service under the provisions of Division 5 Section 211 of the *Community Charter*.

- 3.2 The Director of Engineering is directed to forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the execution of the work.
- 3.3 The work shall be carried on and executed under the supervision and according to the directions and orders of the Director of Engineering.
- 3.4 The Municipal Treasurer is authorized to draw from working capital of the Corporation of the District of West Vancouver, such monies as are requisite to meet the owners' portion of the cost of construction of the work.
- 3.5 In respect to the work, the following recommendations from the report, prepared pursuant to Sections 211 and 212 of the *Community Charter*, are adopted.
- (a) The length of the work is estimated to be 180 metres
 - (b) The lifetime of the work is estimated to be 15 years
 - (c) The cost of the work is estimated to be \$15,750
 - (d) The Share of the portion of the total cost which will be specifically charged against the parcels benefiting from or abutting the work is 70% (less the cost of work specifically charged against the parcels having an excess of 30 metres abutting the improvement, if any, of which the Corporation will assume the cost of taxable footage over the 30 metres) and is estimated to be \$11,025
 - (e) The Corporation's share or portion of the total cost of the work is 30% (plus the cost of work specifically charged against parcels having an excess of 30 metres abutting the improvement, if any, of which the Corporation will assume the cost of taxable footage over the 30 metres) and is estimated to be \$4,725
 - (f) The number of instalments by which the special charges shall be made payable is 5, plus interest at the rate of twelve and a half per centum (12.5%) per annum.
- 3.6 Following the completion of the works herein authorized, the Municipal Treasurer is hereby directed to cause the preparation of a Parcel Tax Assessment Roll and any person whose parcel is subject to being specially charged for the work may commute for a payment of cash the special charges imposed thereon, by paying a portion of the cost of construction charged against such a parcel, excluding interest, within 30 days after the Parcel Tax Assessment Roll has been identified, confirmed and authenticated under Division 4 Section 200 of the *Community Charter*.

- 3.7 For the purpose of establishing the portion chargeable in respect of each parcel of land subject to being specially charged, the following shall apply:
- (a) Where a similar work of service has previously been provided in or along one side of the parcel covered by this work, at the direct expense of the owner of such parcel, that parcel shall be deemed to be exempted from the special charge in respect of this new work.
 - (b) Parcels fronting on the lane as noted in section 3.1 shall be liable for the special charge on the basis of taxable metered frontage as detailed in the petition dated September 27, 2004.
- 3.8 All monies collected in repayment of the owners' portion of the construction of the work shall be returned to the working capital of the District.

READ A FIRST TIME on October 25, 2004

READ A SECOND TIME on October 25, 2004

READ A THIRD TIME on October 25, 2004

ADOPTED by the Council on November 01, 2004

[Original signed by Mayor]

Mayor

[Original signed by Municipal Clerk]

Municipal Clerk

Schedule A – Local Area Service Lane Paving Construction Bylaw 4397, 2004

Map indicating properties to be charged under the bylaw

