



REGIONAL DISTRICT NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG

CITY OF ENDERBY

DISTRICT OF COLDSTREAM

VILLAGE OF LUMBY

CITY OF VERNON

TOWNSHIP OF SPALLUMCHEEN

ELECTORAL AREAS:

"B" – SWAN LAKE

"C" – BX DISTRICT

"D" – LUMBY (RURAL)

"E" – CHERRYVILLE

"F" – ENDERBY (RURAL)

FREQUENTLY ASKED QUESTIONS - ALTERNATIVE APPROVAL PROCESS

Swan Lake Wastewater Treatment Service Establishment Bylaw No. 2984, 2024

Background

The RDNO has previously adopted the *North Okanagan Wastewater Recovery Service Establishment Bylaw No. 2797, 2018*. Bylaw 2797 provided for the development and operation of a wastewater recovery system within portions of Electoral Areas "B" and "C" of the Regional District of North Okanagan. The proposed treatment facility for treatment of the wastewater is proposed to be within the boundaries of the Township of Spallumcheen ("Spallumcheen") and be fed by effluent from individually owned collection systems within both Spallumcheen and portions of Electoral Areas "B" and "C".

Consequently, a treatment service with all the participants authorized to undertake sewage treatment works is required to be established.

To date, the North Okanagan Wastewater Recovery Project ("Project") has been led by the Township of Spallumcheen as it was the recipient of the Investing in Canada Infrastructure Program (ICIP) Grant (\$24.3 million) and have awarded contracts to service providers in advancing the project to this point. It is the participants vision that the common works (treatment assets and possibly some trunks mains and related infrastructure) would be collectively owned through a service at the RDNO, and that the individual collection works would be owned by the respective jurisdictions. Spallumcheen has the corporate powers to own its own collection system and the RDNO has (through Bylaw 2797) the authorization to own its collection system.

At present, a common Service to own the collective works and to operate the entire system is not in place. Consequently, the *Swan Lake Wastewater Treatment Service Establishment Bylaw No. 2984, 2024* is being proposed.

A Loan Authorization Bylaw is not being considered in conjunction with this service, at this time, as the debt will be held within the RDNO collection system service.

Key elements to be completed will include:

1. Establishment of a Service Establishment Bylaw for the common works;
2. Funding transfer agreement for the ICIP grant from Spallumcheen to the RDNO;
3. Confirmation of capital funding adequacy for construction;
4. Issuance of Construction/Project Management contracts;
5. Issuance of Notice of Awards for construction of both Treatment and Collection Systems;

Who will pay? How much will they pay?

If adopted, the properties within the service area (Township of Spallumcheen and portions of Electoral Areas “B” and “C” shown on the map attached to Bylaw No. 2984) that will be connected are the ones to pay through user fees and/or a parcel tax. The estimated cost to operate the treatment plant is initially expected to be \$600,000 or less. The total cost for this Project is yet to be determined and the cost recovery will be through a combination of parcel taxes and user fees.

What is an Alternative Approval Process (AAP) and how does it work?

An Alternative Approval Process (AAP) is one method the Board may undertake to seek the approval of the electors on bylaws or agreements that require assent of the electors. The most common example of local governments using an AAP is to undertake long-term borrowing.

The AAP (formerly known as counter-petition) is structured so that only eligible electors that are **opposed** to the initiative sign and submit an Elector Response Form (ERF) back to the RDNO prior to the deadline. Eligible electors have at least 30 days from the publication of the second notice of the AAP to submit an Elector Response Form (ERF) to the RDNO Corporate Officer during an AAP if they are **opposed** to the adoption of the bylaw.

As the Board resolved to obtain participating area approval separately for each participating area, the RDNO may not proceed with the adoption of *Swan Lake Wastewater Treatment Service Establishment Bylaw No. 2984, 2024* unless participating area approval is received by all of the participating areas (Spallumcheen, Electoral Areas “B” and “C”). Approval for Electoral Areas “B” and “C” is being sought by way of individual AAPs and would not be received if at least 10% (35 for Electoral Area “B” and 3 for Electoral Area “C”) of estimated eligible electors within each of the participating service areas of Electoral Areas “B” and “C” sign and submit a completed Elector Response Form by the deadline.

Forms are provided at the RDNO office or on the website at www.rdno.ca.

The deadline for providing ERF’s back to the RDNO is Monday, July 22, 2024 at 4:00 p.m.

What if I am in favour of the initiative?

If you are in favour of the initiative, you do nothing. By default, if you do not submit a form opposing the initiative, it is assumed that you are in support.

Who can participate in the AAP?

The only persons entitled to sign and submit an Elector Response Form (ERF) are qualified electors (see below for qualifications) within those portions of Electoral Areas “B” and “C” shown on the map attached to Bylaw No. 2984.

There are two (2) types of electors:

1. A **resident elector** is an individual who is qualified to vote in a jurisdiction by virtue of **living (residing)** in the jurisdiction. To sign an elector response form as a resident elector a person must:
 - be 18 years of age or older; and
 - be a Canadian citizen; and
 - have lived in British Columbia for at least six months immediately prior to signing this Elector Response Form; and

- live in the proposed service area (portions of Electoral Areas “B” and “C” shown on the map attached to Bylaw No. 2984); and
 - not be disqualified by any enactment from voting in an election or otherwise disqualified by law.
2. A **non-resident property elector** is an individual who **does not live (does not reside)** in the participating service area but is entitled to vote by virtue of owning real property in that jurisdiction. To sign an elector response form as a non-resident property elector a person must:
- not be entitled to register as a resident elector in the participating service area; and
 - be 18 years of age or older; and
 - be a Canadian citizen; and
 - have lived in British Columbia for at least six months immediately prior to signing this Elector Response Form; and
 - not be disqualified by any enactment from voting in an election or otherwise disqualified by law; and
 - have owned property in the service area (portions of Electoral Areas “B” and “C” shown on the map attached to Bylaw No. 2984) for at least 30 days prior to signing this Elector Response Form.
 - If a property is owned by **more than one** individual, only **one** of them may sign an elector response form;
 - A person may register as a non-resident property elector in relation to **one** parcel of real property in the service area.

I own a business – can I submit a form?

There is no Corporate Vote – no corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.

Where can I get an Elector Response Form?

The ERF is available for download from the RDNO website at: www.rdno.ca or at the RDNO office located at 9848 Aberdeen Road, Coldstream, during regular business hours.

Regional District of North Okanagan 9848 Aberdeen Road, Coldstream, BC

Note that the only ERF's that will be accepted by the RDNO are the ones provided by the RDNO or an accurate copy of the form.

Can I submit the form by fax or email?

Yes, however, the form must be completely filled out, signed and scanned and sent. If the form is submitted to the RDNO by facsimile or email it is the sender's responsibility to ensure that the transmission of the form is completed. Forms **must** be **received** in the offices of the RDNO prior to the deadline of 4:00 p.m. on Monday, July 22, 2024, **no exceptions**.

Where do I submit the Elector Response Form once I have completed it?

Original, signed ERF submissions will be accepted in person, by mail, fax or email by the RDNO. Forms must be received in the offices of the RDNO prior to the deadline of 4:00 p.m. on Monday, July 22, 2024, **no exceptions**.

Mail: Regional District of North Okanagan
9848 Aberdeen Road, Coldstream B.C. V1B 2K9
Email: corp@rdno.ca
Fax: 250.550.3701

Submitted forms will not be available to the public.

More Information?

Further information regarding this Alternative Approval Process, including elector qualifications, is available on our website at www.rdno.ca or by phone 250.550.3700 / 1-855-650-3700 toll-free.