

**DISTRICT OF CHETWYND  
BYLAW NO. 895, 2008**

Being a Bylaw of the District of Chetwynd in the Province of British Columbia to amend the “District of Chetwynd Subdivision Servicing Bylaw No. 448, 1989”.

**WHEREAS** the Council of the District of Chetwynd deems it necessary to amend the District of Chetwynd Subdivision Servicing Bylaw No. 448, 1989.

**NOW THEREFORE** the Council of the District of Chetwynd, in open meeting assembled, enacts as follows:

**THAT** Bylaw No. 448, 1989 be amended to include the definition of “Authorized Person” and “Latecomer Agreement” regulations, as follows:

**1. CITATION**

This bylaw may be cited for all purposes as “District of Chetwynd Subdivision Servicing Amendment Bylaw No. 895, 2008”.

**2. AUTHORIZED PERSONS**

Section 6.0 of Bylaw No. 448, 1989 is hereby amended by adding Section 6.3.1, the definition of “Authorized Person”, as follows:

“Authorized Person” means the person appointed by Council as Director of Engineering and Public Works, or a person designated in writing by the Director of Engineering and Public Works to carry out the act or function under this bylaw;

**3. LATECOMER AGREEMENT**

That Section 16, cited as “Latecomer Agreement”, be added to the Subdivision Servicing Bylaw, as follows:

- 16.1 Council delegates to the Authorized Person its authority to determine under Section 939 (5) of the Local Government Act the proportion of the cost of providing works that constitute an excess of extended service, to identify benefiting lands, to determine the amount of latecomer charges payable upon the development of benefiting lands, and to prepare and to execute a Latecomer Agreement.
- 16.2 If the owner intends to have the Authorized Person prepare a Latecomer Agreement, the Owner must provide all background information and reports necessary to allow the Authorized Person to determine the excess or extended capacity services that are provided, the lands that are benefiting from the excess or extended services, the costs of providing the excess or extended services, and the charge payable for any future connection.

- 16.3 The Municipality must determine the costs for the excess or extended Works and Services being provided, as well as estimates of the costs that are excess to the Owner's requirements, the area of each parcel benefiting from the Works and Services and a recommendation on the term of the Agreement.
- 16.4 For the purposes of a latecomer agreement, interest shall be calculated at the Bank of Canada prime rate.

READ A FIRST TIME THIS	21 <sup>st</sup>	day of October,	2008
READ A SECOND TIME THIS	21 <sup>st</sup>	day of October,	2008
READ A THIRD TIME THIS	21 <sup>st</sup>	day of October,	2008
ADOPTED THIS	4 <sup>th</sup>	day of November,	2008

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Director of Corporate Administration

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Mayor

Certified a true and correct copy of "District of Chetwynd Subdivision Servicing Amendment Bylaw No. 895, 2008" as adopted this 4<sup>th</sup> day of November, 2008.

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Director of Corporate Administration