



CHAPTER 71.

An Act respecting the Municipality of Delta.

[Assented to 20th March, 1929.]

WHEREAS the Corporation of Delta has pursuant to the “Delta Water Works By-law, 1909,” the “Delta Water Works Amendment By-law, 1910,” the “Delta Water Works Extension By-law, 1912,” and the “Delta Water Works Extension By-law, 1915,” respectively, established the Delta Water Works System:

And whereas pursuant to “Delta Water Works Extension By-law, 1921,” the said Delta Water Works System was extended to include all that portion of the Municipality of Delta described as follows, that is to say: Westham Island, except Lots 193, 194, 473, and 479 in Group 2, New Westminster District, British Columbia:

And whereas the total amount of the debenture debt incurred by the said Corporation in respect of its water works system exclusive of that established on Westham Island is two hundred and five thousand dollars:

And whereas the debenture debt incurred by the said Corporation in respect of the said water works system so established on said Westham Island amounts to twenty thousand dollars:

And whereas Delta Water Works System and the said Westham Island Extension thereof are supplied with water from the same source and the supply-pipes through which water is carried to both of said systems have fallen into disrepair and must be replaced by new pipes:

And whereas the said Corporation has by its petition represented that it desires to amalgamate the said water works systems and to consolidate the indebtedness thereof and to be empowered to, from time to time, extend water service from such systems when amalgamated to such other portions of the Municipality of Delta not now served with water from such water systems as the Council of the said Corporation may deem expedient:

And whereas doubts have arisen as to the power of the Council of the said Corporation to assess a proportionate part of the cost of the new main supply water pipes that are as aforesaid required against the lands comprised within the area served by said Westham Island Extension:

And whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the consent and advice of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Amalgamation of
water systems.

1. The said Delta Water Works System and the Westham Island and other extensions thereof as established by the said in part recited by-laws are united and amalgamated and as so united and amalgamated shall be and are constituted one water works system to be designated as the Delta Water Works System.

Consolidation of
debenture debt.

2. The total amount of principal and interest required to be raised annually by the said Corporation for the payment of the principal and interest on account of the debenture debt already incurred or hereafter to be incurred by it in respect of the said water works systems, together with the annual cost of maintaining and managing the same, shall be assessed and levied over and above all other rates upon all the lots and parts of lots respectively served with water from such water works systems as so united and amalgamated, rateably and proportionately in accordance with the assessed value of such lots and parts of lots respectively.

Borrowing-powers.

3. The Council of the said Corporation shall, in addition to and without limiting or restricting the powers conferred upon the Corporation in that behalf by the "Municipal Act" and the "Local Improvement Act" and amendments thereto respectively, have and are given power and authority to borrow upon the credit of the municipality such sums of money as may from time to time be required for the purpose of defraying the cost of managing, maintaining, extending, repairing, restoring, or renewing said water systems as so united and amalgamated or any part thereof, and to assess and levy such cost over and above all other rates rateably and proportionately against the lots and parts of lots served by such amalgamated water works systems in accordance with the assessed value thereof respectively. All rates so assessed and levied may be fixed by any general rate by-law of the said Corporation. The said Council may secure the repayment of all moneys so borrowed by the issue of debentures of such one of the several classes of debentures set forth in subclauses (i), (ii), and (iii) of clause (d) of section 97 of the "Municipal Act" as such Council in and by the by-law authorizing the borrowing of such moneys and the issue of such debentures may determine: Provided, however, that any such by-law authoriz-

ing the borrowing of moneys shall before the final passing thereof receive the assent of the electors of the municipality.

4. The said Corporation is hereby authorized and empowered by by-law to include within the area served by such amalgamated water system, and to extend its water service to, any lots or parts of lots not served with water from such system upon such terms and conditions as the Council of said Corporation may deem proper, and to assess and levy upon any and all lots which may be so included and to which such water service may be extended such sums of money annually in respect of such debenture debt and interest thereon and in respect of the annual cost of maintaining and managing such water system as would have been assessed and levied upon such lots and parts of lots if the same had formed part of the area served by such water system at the time such debenture debt was incurred in respect of the same.

Power to make extensions.

5. As and when additional lots or parts of lots are from time to time included within the area served by said water systems and water service is extended to the same, the Council may from time to time, upon and in accordance with the report of an engineer or surveyor appointed by the Council, change and readjust the assessment of any or all of the lots or parts of lots situate within the area served with water from such systems as so united and amalgamated so that each lot or part of lot so served with water shall as from date of its inclusion within the area so served be assessed for a proportionate amount of the total charges imposed upon the whole area of land served with water from such water works systems. All changes in and readjustments of such assessment shall be subject to the like right of appeal as a person charged would have in the case of an assessment of land made under the provisions of the "Municipal Act" and amending Acts.

Readjustment of assessment.

6. The provisions of sections 221 to 227, inclusive, of the "Municipal Act" shall, in so far as applicable thereto, apply to all assessments made in respect of said water systems as united and amalgamated, and all the provisions of the "Municipal Act" as to the collection and recovery of taxes and special rates and the proceedings which may be taken in default of payment shall apply to all assessments made in respect of said water systems and the special rates imposed for the payment of them.

Assessment and collection of rates.

7. This Act may be cited as the "Delta Water Works Act, 1929." Short title.

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