

ATTACHMENT B

CITY OF NANAIMO

DECLARATION OF OFFICIAL RESULTS – MORNINGSIDE DRIVE SANITARY SEWER PETITION PROCESS

In accordance with Section 212 of the *Community Charter*, I, Sheila Gurrie, Corporate Officer, for the City of Nanaimo, certify that the petition for Morningside Drive Sanitary Sewer is sufficient and valid.

Dated at Nanaimo, BC, this 11th day of February, 2019.



Sheila Gurrie
Corporate Officer

Morningside Drive Petition Results

Folio	Address	2018 Assessed Value	Petition Rec'd	Owners	Owners
<u>RECEIVED</u>					
08262.150	1000 Morningside Drive	\$ 1,817,000	Yes	Peter Lang	Gesine Ursula Lang
08262.132	1024 Morningside Drive	\$ 1,367,000	Yes	Locke Nina M Evans	
08262.100	1030 Morningside Drive	\$ 1,817,000	Yes	Michael Peter Lang	
08262.155	970 Morningside Drive	\$ 1,618,000	Yes	William Harold Carlson	Kelly Anne Kinnear Cox
		<u>\$ 6,619,000</u>	<u>4</u>		
<u>NOT RECEIVED</u>					
08262.160	3995 Morningside Drive	\$ 1,359,000	No	Joan Snitchuk	
		<u>\$ 1,359,000</u>	<u>1</u>		
		<u>\$ 7,978,000</u>	<u>5</u>		
% Received		83%	80%		
% Required		50%	50%		
		Pass	Pass		

Petition for local area service

212 (1) The persons who may petition for a local area service are the owners of parcels that would be subject to the local service tax for the service.

(2) Each page of a petition for a local area service must do the following:

- (a) describe the service in general terms;
- (b) define the boundaries of the local service area;
- (c) provide an estimate of the costs of the service;
- (d) If it is proposed that the municipality borrow for the purposes of the service and all or part of the costs of the borrowing are to be recovered by means of the local service tax, indicate
 - (i) the total amount proposed to be borrowed under the bylaw,
 - (ii) the maximum term for which the debentures may be issued, and
 - (iii) the portion of those costs that are to be recovered by a local service tax;
- (e) indicate the proposed methods of cost recovery for the service, including the form of local service tax and the portion of the costs of the service that are to be recovered by the local service tax;
- (f) if applicable, indicate what portion of the costs are proposed to be recovered by a general municipal tax;
- (g) include any other information that council requires.

(3) In order for a petition for a local area service to be certified as sufficient and valid,

- (a) the petition must be signed by the owners of at least 50% of the parcels that would be subject to the local service tax, and
- (b) the persons signing must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the local service tax.

(4) The corporate officer must determine the sufficiency and validity of a petition to a council and must certify this determination.

(5) A certified determination under subsection (4) is final and conclusive.

(6) The following apply for the purposes of a petition under this section:

- (a) If 2 or more persons are owners of a parcel,
 - (i) they must be considered as one owner only,
 - (ii) they are not entitled to petition unless a majority of them concurs, and
 - (iii) unless a petition is signed by a majority of them, their signatures must be disregarded in determining whether the petition is sufficient;
- (b) a person who would be liable for a local service tax by reason of being the holder or occupier of land held in the manner referred to in Division 8 [Tax Liability of Occupiers] of this Part may sign the petition as if the person were the owner;
- (c) in relation to persons referred to in paragraph (b), in computing the values of the land and improvements, only the assessed value of the person's interest in them is to be used.