



# Cultus Lake Park

## ADMINISTRATIVE FEES BYLAW

### Bylaw No. 1225, 2023

A Bylaw to establish Administration fees for services and information.

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Section 12 of the *Cultus Lake Park Act* (1932 and Amendments) enables the Cultus Lake Park Board to adopt bylaws, and Section 9.2 (1) provides that Section 260 – Enforcement Powers of the *Community Charter* apply to the enforcement of the bylaws of the Board, and Section 261 – Payment of Fines and Other Penalties to Municipality under the *Community Charter* provides that fines and other penalties imposed and collected under or because of a Cultus Lake Park bylaw must be paid to the Park.

The Cultus Lake Park Board in open meeting assembled, enacts as follows:

#### 1 TITLE

This Bylaw may be cited as “Cultus Lake Park Administrative Fees Bylaw No. 1225, 2023.”

#### 2 INTERPRETATION

2.1 Words or phrases defined in the *Cultus Lake Park Act* (British Columbia), the *Interpretation Act* (British Columbia), the *Motor Vehicle Act* (British Columbia), the *Transportation Act* (British Columbia), the *Local Government Act* (British Columbia), the *Community Charter* (British Columbia) or any successor legislation to any of them, will have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw.

#### 2.2 DEFINITIONS OF TERMS

“**Board**” means the elected Board for Cultus Lake Park.

“**Leaseholder**” means (a) a Person having a current and valid lease with the Board; or (b) a Person (i) renting a residence in the Park from a Person having a current and valid lease with the Board, and (ii) the address of that residence is the Person’s permanent address.

“**Person**” has the same meaning as in the *Interpretation Act* (British Columbia) and for the purpose of this Bylaw will include Leaseholders and visitors.

2.3 In this Bylaw, unless the context otherwise requires, the singular will include the plural and the masculine includes the feminine gender.

2.4 The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

### **3 ENACTMENTS**

- 3.1** Cultus Lake Park imposes fees for the provision of information and services as specified in Schedule A of the Bylaw.
- 3.2** The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope or the intent of the provisions of this Bylaw.

### **4 FEES**

- 4.1** All Persons are subject and will pay the types of fees as listed in Schedule A of this Bylaw.
- 4.2** The amounts of all fees listed in Schedule A of this Bylaw are determined and set from time to time as follows:
  - (a) The Board hereby delegates to the Chief Financial Officer all of the powers, duties and functions of the Board under Sections 14(a.1) and 14(f.1) of the Act to determine and publish, on an annual basis, the amount of each fee;
  - (b) by March 31 of each calendar year, the Chief Financial Officer will determine and publish, or cause to be published, a notice (the "Fee Notice") in the Cultus Lake Park Office stating the amount of each fee, and such Fee Notice will remain published in the Cultus Lake Park Office until such fee amounts are no longer in effect;
  - (c) all fee amounts go into effect the later of (i) 14 days after the applicable Fee Notice is published, or (ii) such other date specified in the Fee Notice, and supersede any prior Fee Notices and fee amounts;
  - (d) in determining any fee amounts pursuant to this Section 4.2, the Chief Financial Officer will consider, acting reasonably, all of the following factors:
    - i. all costs to the Board of enforcing this Bylaw;
    - ii. all costs to the Board in managing and maintaining the Administrative Department;
    - iii. the most recently passed budget of the Board;
    - iv. the financial circumstances of the Board;
    - v. the best interests of the Board; and
    - vi. the mandate of the Board;
  - (e) the amount for each type of fee determined pursuant to Section 4.2 will not increase more than 20% year-over-year;
  - (f) the Chief Financial Officer may publish copies of the Fee Notice at locations that are in addition to the Cultus Lake Park Office, but in the event of a conflict or inconsistency between the Fee Notice published in the Cultus Lake Park Office and any other notice, the Fee Notice published in the Cultus Lake Park Office will prevail and govern; and

(g) if no Fee Notice is published by the Chief Financial Officer by the deadline set out in Section 4.2(b), then any Fee Notice from the previous year remains in effect and enforceable.

**4.3** All outstanding fees must be paid in full prior to a request for additional services and/or information.

**4.4** Payments are applied to the oldest balance on each account first, then to current charges.

## **5 SEVERABILITY**

If any part of this Bylaw is for any reason held invalid by a Court or competent jurisdiction, the invalid portion will be severed, and the severance will not affect the validity of the remainder.

## **6 REPEAL**

Cultus Lake Park Administrative Fees Bylaw No. 1141, 2019 is repealed upon adoption.

## **7 EFFECTIVE DATE**

This Bylaw will come into force and effect upon its adoption.

READ A FIRST TIME THIS 15<sup>TH</sup> DAY OF FEBRUARY, 2023

READ A SECOND TIME THIS 15<sup>TH</sup> DAY OF FEBRUARY, 2023

READ A THIRD TIME THIS 15<sup>TH</sup> DAY OF FEBRUARY, 2023

ADOPTED THIS 15<sup>TH</sup> DAY OF MARCH, 2023



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Kirk Dzaman, Chair  
Cultus Lake Park Board



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Joe Lamb  
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true and correct copy of Cultus Lake Park Administrative Fees Bylaw No. 1225, 2023



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Chief Administrative Officer

## Schedule A ADMINISTRATIVE FEES

Fees in this Bylaw do not include Federal or Provincial taxes and are subject to the addition of these taxes as applicable.

<b>TABLE 1 of SCHEDULE A REQUESTS UNDER THE FREEDOM OF INFORMATION AND PRIVACY ACT</b>		
<b>No.</b>	<b>Fee Type</b>	<b>Fee Sub-types</b>
1.	Application Fee	Not Applicable
2.	Fee for locating and retrieving a record	Not Applicable
3.	Fee for producing a record manually	Not Applicable
4.	Fee for producing a record from a machine readable record for cost of use of central mainframe processor and all locally attached devices	Not Applicable
5.	Fee for preparing a record for disclosure and handling a record	Not Applicable
6.	Fee for shipping copies	Not Applicable

<b>TABLE 2 of SCHEDULE A LAND RECORDS FEES</b>		
<b>No.</b>	<b>Fee Type</b>	<b>Fee Sub-types</b>
1.	Fee for Lease Transfers (Including Estate Transfers & Family Transfers)	(a) For residential leases not covered in (b)  (b) As per Section 6(e) of Version 1 and 2 of the Residential Site Lease only a processing fee will apply
2.	Fee for transferring the Lease to the Lending Institution for security purposes	Not Applicable
3.	Fee for transferring the Lease from the Lending Institution back to the Leaseholder	Not Applicable
4.	Fee to Enter into the New Residential Lease Format	Not Applicable
5.	Fee for filing of any encumbrance (Mortgages, Liens, etc.)	Not Applicable
6.	Fee to discharge any encumbrance (Mortgages, Liens, etc.)	Not Applicable
7.	Fee for Title Search	Not Applicable

**TABLE 3 of SCHEDULE A  
MISCELLANEOUS FEES**

No.	Fee Type	Fee Sub-types
1.	Fee for photocopying	Black and White Color (8.5" X 11")
2.	Fee for faxing	Within the Country Out of the Country
3.	Fee for NSF cheques	Not Applicable

**TABLE 4 of SCHEDULE A  
LEISURE SERVICES**

No.	Fee Type	Fee Sub-types
1.	Community Hall Rental Fees	- Monday – Thursday - 9:00 am to 3:00 pm - Monday – Thursday - 5:00 pm to midnight - Friday – Sunday and Stat Holiday's - 9:00 am to midnight - Weekend – Friday at 5:00 pm to Sunday at midnight - Weekday or Weeknight - hourly rental (Monday – Thursday) - Weekday or Weeknight - 4 hr time block (Monday – Thursday)
2.	Community Hall Early Set Up Rate	Not Applicable
3.	Community Hall booking within 72 hours of rental date	Not Applicable
4.	Community Hall Security Deposit	Not Applicable
5.	Community Hall Projector Rental	Not Applicable
6.	Gazebo Rental Rates	- Gazebo A - Gazebo B or C
7.	Cancellation Fees	- If cancelled more than 30 days prior to rental date - If cancelled within 30 days of rental date

**TABLE 5 of SCHEDULE A  
RESIDENTIAL LEASE FEES**

No.	Fee Type	Fee Sub-types
1.	Lease Payment Lease Fees	Not Applicable