

BYLAW NO. 351	
Bylaw name:	Comox Strathcona Waste Management Service (Capital Projects) Loan Authorization Bylaw No. 351, 2014
Participants:	All (Comox Strathcona Waste Management Service)
Purpose:	A bylaw to authorize the borrowing of forty-five million, two hundred ninety-five thousand dollars (\$45,295,000) for capital projects in the Comox Strathcona waste management service
Amends bylaw:	N/A
Repeals bylaw:	N/A
Staff contact:	Marc Rutten, general manager of engineering services

STATUS	
Board approval:	Report to September 18, 2014 board meeting. Works identified in approved 2012 Comox Strathcona solid waste management plan.
1st and 2nd readings:	September 18, 2014
3rd reading:	September 18, 2014
Elector approval:	Approved 2012 Comox Strathcona solid waste management plan identifies capital works. Implementation of a waste management plan does not require a petition, the assent of the electors or the approval of the electors under section 24 of the Environmental Management Act [SBC 2003].
Amendment at 2nd reading:	
3rd reading as amended:	
Inspector approval:	Inspector of Municipalities requires that the bylaw list the capital projects for which the borrowing will be applied.
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 351

A bylaw to authorize the borrowing of forty-five million, two hundred ninety-five thousand dollars (\$45,295,000) for capital projects in the Comox Strathcona waste management service

WHEREAS Bylaw No. 1822 being “Regional Solid Waste Plan Local Service Area Establishment Bylaw 1996” was adopted to establish the local service of collection, removal and disposal of waste, noxious, offensive or unwholesome substances and provide for the regulation, storage and management of municipal solid waste and recyclable material including the regulation of facilities and commercial vehicles in the Comox Strathcona area;

AND WHEREAS the approval of the inspector of municipalities has been obtained under section 801 of the Local Government Act;

AND WHEREAS pursuant to the Environmental Management Act where a waste management plan has been approved under the Environmental Management Act, a bylaw adopted for the purpose of preparing or implementing the waste management plan does not require the assent of the electors, a petition, an initiative plan or consent on behalf of the electors referred to in the Local Government Act;

AND WHEREAS the regional district has prepared a solid waste management plan approved under the Environmental Management Act on May 23, 2013 that describes the regional district’s service to finance, construct, operate and manage the Comox Strathcona waste management service;

AND WHEREAS the board desires to borrow forty-five million, two hundred ninety-five thousand dollars (\$45,295,000) for the purpose of the following three capital projects associated with the implementation of the Comox Strathcona waste management 2012 solid waste management plan

Capital project	Estimated cost
Campbell River closure	\$13,125,000
Comox Valley closure	\$10,620,000
Comox Valley new landfill expansion (8m excavation)	\$21,550,000
Total project estimate	\$45,295,000

AND WHEREAS under section 819 of the *Local Government Act* and section 179 of the *Community Charter*, the board may, by loan authorization bylaw, borrow for capital purposes within its powers;

AND WHEREAS the maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years;

NOW THEREFORE the board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Borrowing amount and purpose

1. The board is hereby empowered and authorized to construct those capital projects identified in the Comox Strathcona waste management 2012 solid waste management plan and to do all things necessary in connection therewith, without limiting the generality of the foregoing:

- a) to borrow upon the credit of the regional district, a sum not exceeding forty-five million, two hundred ninety-five thousand dollars (\$45,295,000);
- b) to acquire all such real and personal property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the capital projects; and
- c) the capital projects considered under this bylaw include the Campbell River closure (\$13,125,000), the Comox Valley closure (\$10,620,000) and the Comox Valley new landfill expansion (8m excavation) (\$21,550,000) for a total of \$45,295,000.

Term of debenture

2. The maximum term for which debentures may be issued to secure the debt intended to be created by this bylaw is 20 years.

Citation

This Bylaw No. 351 may be cited for all purposes as the “Comox Strathcona Waste Management Service (Capital Projects) Loan Authorization Bylaw No. 351, 2014”.

Read a first and second time this 18th day of September 2014.

Read a third time this 18th day of September 2014.

Ministry of Environment approved the Comox Strathcona 2012 solid waste management plan, which authorizes required borrowing this 23rd day of May 2013.

Amended at second reading this day of 2014.

Read a third time as amended this day of 2014.

I hereby certify the foregoing to be a true and correct copy of this Bylaw No. 351 being “Comox Strathcona Waste Management Service (Capital Projects) Loan Authorization Bylaw No. 351, 2014” as read a third time by the board of the Comox Valley Regional District on the day of 2014.

Corporate Legislative Officer

Approved by the Inspector of Municipalities this day of 2014.

Adopted this day of 2014.

Chair Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of this Bylaw No. 351 being “Comox Strathcona Waste Management Service (Capital Projects) Loan Authorization Bylaw No. 351, 2014” as adopted by the board of the Comox Valley Regional District on the day of 2014.

Corporate Legislative Officer