

<b>BYLAW NO. 564</b>	
<b>Bylaw name:</b>	Denman Island Community Facilities Service Establishment Bylaw, 1992, Amendment No. 2
<b>Participants:</b>	A defined portion of Electoral Area A
<b>Purpose:</b>	A bylaw to amend the service establishing bylaw for the Denman Island Community Hall Service to expand the purpose to include providing capital and operating assistance for the Denman Activities Centre and to increase the maximum requisition by 25 percent
<b>Amends bylaw:</b>	Bylaw No. 1415 being “Denman Island Community Hall Local Service Establishment Bylaw, 1992
<b>Repeals bylaw:</b>	n/a
<b>Staff contact:</b>	James Warren, General Manager of Corporate Services Branch

<b>STATUS</b>	
<b>Committee approval:</b>	<p>Electoral Areas Services Committee – September 17, 2018            THAT the board proceed with expanding the purpose of the Denman Island Community Hall service in order to also provide funding for the Denman Activity Centre and increase the maximum requisition by 25 per cent and initiate the following:</p> <ol style="list-style-type: none"> <li>1. A service amendment bylaw be submitted to the electors for approval by way of the Alternative Approval Process to be conducted for the Denman Island Community Hall service area being Denman Island (a defined portion of Electoral Area A);</li> <li>2. The notice to electors (includes synopsis of proposed bylaw) attached to the staff report as Appendix A dated September 7, 2018 be approved;</li> <li>3. The elector response form Appendix C attached to the staff report dated September 7, 2018 be approved;</li> <li>4. The deadline for receiving the elector response forms be set at 4:30 pm on Thursday, January 17, 2019; and,</li> <li>5. The total number of electors within the service area to which the alternative approval process applies is determined to be 926 of which 10 per cent or 93 must submit elector response forms to prevent the Comox Valley Regional District from adopting the Denman Island</li> </ol>

	Community Hall Service Establishment Amendment Bylaw without first obtaining the assent of the electors by way of referendum.
<b>1st &amp; 2<sup>nd</sup> readings:</b>	
<b>3rd reading:</b>	
<b>Ministry approval:</b>	Required
<b>Final adoption:</b>	

## COMOX VALLEY REGIONAL DISTRICT

### BYLAW NO. 564

**A bylaw to amend the service establishing bylaw for the Denman Island Community Hall Service to expand the purpose to include providing capital and operating assistance for the Denman Activities Centre and to increase the maximum requisition by 25 percent**

**WHEREAS** the Denman Island Community Hall Service was created by the adoption of Bylaw No. 1415 being “Denman Island Community Hall Local Service Establishment Bylaw, 1992” on March 30, 1992;

**AND WHEREAS** the board wishes to include providing capital and operating assistance for the Denman Activities Centre and to increase the maximum requisition by 25 percent;

**AND WHEREAS** participating area approval has been obtained by way of alternative approval process pursuant to section 345 of the *Local Government Act* [RSBC 2015 c.1]

**AND WHEREAS** the approval of the inspector of municipalities has been obtained under section 342 of the *Local Government Act* [RSBC 2015] c. 1;

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

#### **Amendment**

1. Bylaw No. 1415 being “Denman Island Community Hall Local Service Establishment Bylaw, 1992” is hereby amended by:
  - (1) Replacing section 1, which reads:

“The Regional District hereby establishes within a portion of Electoral Area "A", a Local Service for the purpose of providing operating funds assistance for the Denman Island Community Hall within the boundaries of the service area shown outlined on the plan attached, as Schedule "A", to this by-law and known as "Denman Island Community Hall Local Service".”

with the following section 1 (Service):
    - “(1) The service established by this bylaw is to provide operating and capital funds assistance for the Denman Island Community Hall and Denman Activities Centre.
    - (2) The service shall be known as the "Denman Island Community Facilities Service".”
  - (2) Inserting a new section 2 (Boundaries) as follows:

“2. The boundaries of the service are portions of Electoral Area ‘A’ (Baynes Sound – Denman/Hornby Islands) as identified in schedule ‘A’ attached to and forming part of this bylaw.”
  - (3) Inserting a new section 3 (Participating areas) as follows:

“3. Electoral Area ‘A’ (Baynes Sound – Denman/Hornby Islands) includes a participating area in the service.”

- (4) Replacing section 2, which reads:  
"The annual costs of providing the Service shall be recovered by one or more of the following:
- (a) property value taxes imposed in accordance with Division 4.3 of the Local Government Act;
  - (b) parcel taxes imposed in accordance with Division 4.3 of the Local Government Act;
  - (c) fees and charges imposed in accordance with section 803 of the Local Government Act;
  - (d) revenues raised by other means authorized by the Local Government Act or another Act;
  - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise."

with the following, inserted as section 4 (Cost recovery):

"As provided in section 378 of the *Local Government Act (RSBC, 2015, C. 1)*, the annual cost for this service shall be recovered by one or more of the following:

- (a) property value taxes;
- (b) parcel taxes;
- (c) fees and charges imposed under section 397 of the *Local Government Act (RSBC, 2015, C. 1)*;
- (d) revenues raised by other means authorized by the *Local Government Act (RSBC, 2015, C. 1)* or another Act; and
- (e) revenues received by way of agreement, enterprises, gift, grant or otherwise."

- (5) Replacing section 3, which reads:  
"In accordance with section 800.1(1)(e) of the Local Government Act, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
- (a) \$14,620.00; or
  - (b) an amount equal to the amount that could be raised by a property value rate of \$0.16 per \$1,000.00 applied to the net taxable value of land and improvements within the Service Area."

with the following, inserted as section 5 (Maximum requisition):

"In accordance with section 339(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the service is the greater of \$75,508 or \$0.20 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes."

