

<b>BYLAW NO. 646</b>	
<b>Bylaw name:</b>	Regional District Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997, Amendment No. 3
<b>Participants:</b>	Electoral Area A (Denman and Hornby Islands only)
<b>Purpose:</b>	To expand the Fireworks Regulation Extended Service to include noise control, and control of unsightly premises, and to amend the service area boundary.
<b>Amends bylaw:</b>	2002
<b>Repeals bylaw:</b>	N/A
<b>Staff contact:</b>	Manager of Bylaw Compliance

<b>STATUS</b>	
<b>Committee approval:</b>	<p>EASC, March 8, 2021 / BRD March 16, 2021 – THAT the Comox Valley Regional District Board direct staff to proceed with the Restructuring of Regulatory Services Project as outlined in the staff report dated March 3, 2021;</p> <p>AND FURTHER THAT the Comox Valley Regional District Board support the use of \$36,000 from the future expenditure reserve for Function No. 295 (Animal Control) and \$36,548 from the future expenditure reserve for Function No. 298 (Unsightly Premises) towards the purchase of a new bylaw enforcement vehicle in 2021 in Function No. 291 (Animal Control), with these transactions to be reflected in the 2021 – 2025 recommended financial plan.</p> <p>AND FINALLY THAT the associated amendments to the service establishment bylaws be introduced and given first and second readings.</p>
<b>1st &amp; 2<sup>nd</sup> readings:</b>	March 30, 2021
<b>3rd reading:</b>	July 13, 2021
<b>Directors' consents:</b>	July 14, 2021
<b>Ministry approval:</b>	July 28, 2021
<b>Final adoption:</b>	

## **COMOX VALLEY REGIONAL DISTRICT**

### **BYLAW NO. 646**

A bylaw to amend the service establishing bylaw for the Regional District Fireworks Regulation Extended Service by expanding the service purpose to include noise control, and control of unsightly premises, and to amend the service area boundary

**WHEREAS** the Regional District Fireworks Regulation Extended Service was created by the adoption of Bylaw No. 2002 being “Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997”;

**AND WHEREAS** the board wishes to amend the bylaw by expanding the service purpose to include:

- noise control as established by the adoption of Bylaw No. 2275 being “Noise Control Extended Service Conversion Bylaw No. 2275, 2000”; and,
- control of nuisances, unsightly premises, unwholesome or noxious materials and odours as established by the adoption of Bylaw No. 2051 being “Unsightly Premises Extended Service Establishment Bylaw 2051, 1998”;

**AND WHEREAS** the following bylaws shall be repealed, by bylaw, upon the full expenditure of any and all reserve funds associated with the service:

- Bylaw No. 2275 being “Noise Control Extended Service Conversion Bylaw No. 2275, 2000”
- Bylaw No. 2051 being “Unsightly Premises Extended Service Establishment Bylaw 2051, 1998”;

**AND WHEREAS** the board wishes to amend the service area boundary to include only Denman and Hornby Islands;

**AND WHEREAS** participating area approval has been obtained in writing from the directors of Electoral Areas A (Baynes Sound – Denman / Hornby Islands), B (Lazo North) and C (Puntledge – Black Creek) under section 349 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); and,

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

#### **Amendment**

1. Bylaw No. 2002 being “Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997” is hereby amended by
  - a) Replace Section 1 “Extended Service Establishment” which reads:

### **Extended Service Established**

1. The service of fireworks regulation operated by the Regional District under Division XIX of its supplementary Letters Patent as amended is hereby established as an extended service.

with the following:

#### **Service**

1. (a) This service shall hereby be known as the Denman and Hornby Islands Bylaw Enforcement Service.
  - (b) The service established by this bylaw is to provide regulation of fireworks, noise control, and control of unsightly premises to the Denman and Hornby Islands Bylaw Enforcement Service Area;
- b) Replacing Section 2 “Boundaries of the Service area” which reads:
  2. The boundaries of the extended service area shall be coterminous with the boundaries of Electoral Areas ‘A’, ‘B’, ‘C’, ‘H’ and ‘K’ of the Regional District of Comox-Strathcona

with the following:

2. The boundaries of the Denman and Hornby Islands Bylaw Enforcement Service shall be that portion of Electoral Areas A as outlined on the map shown in Schedule A.
- c) Replacing Section 3 “Participating Area” which reads:
    3. Electoral Areas ‘A’, ‘B’, ‘C’, ‘H’ and ‘K’ of the Regional District of Comox-Strathcona are participating areas in the extended service.

with the following:

3. Electoral Area A is the participating area in the extended service.

- d) Replacing Section 4 “Cost Recovery” which reads:

4. The annual costs for the extended service, net of grants and other revenue, shall be recovered by one or more of the following:
  - a) the requisition of money under Section 823 to be collected by a property value tax to be levied and collected under Section 825(1) of the Municipal Act;
  - b) the imposition of fees and other charges fixed by separate bylaw.

with the following:

4. 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) fees and charges;
  - (c) revenues raised by other means authorized by the *Local Government Act (RSBC, 2015, C. 1)* or another Act; and
  - (d) revenues received by way of agreement, enterprise, gift, grant or otherwise.
- e) Replacing Section 5 “Service Review” which reads:
  5. All aspects of the fireworks regulation extended service shall be reviewed every five years, with the first review occurring in 2011.

with the following:

5. All aspects of the Denman and Hornby Islands Bylaw Enforcement Service shall be reviewed every five years, with the first review occurring in 2021.
- f) Adding Schedule A as attached.

#### **Citation**

This Bylaw No. 646 may be cited as “Regional District Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997, Amendment No. 3”.

<b>Read a first and second time this</b>	<b>30<sup>th</sup></b>	<b>day of</b>	<b>March</b>	<b>2021.</b>
<b>Read a third time this</b>	<b>13<sup>th</sup></b>	<b>day of</b>	<b>July</b>	<b>2021.</b>
<b>Consented to in writing by the Electoral Area A (Baynes Sound – Denman/Hornby Islands) Director this</b>	<b>14<sup>th</sup></b>	<b>day of</b>	<b>July</b>	<b>2021</b>
<b>Consented to in writing by the Electoral Area B (Lazo North) Director this</b>	<b>14<sup>th</sup></b>	<b>day of</b>	<b>July</b>	<b>2021.</b>
<b>Consented to in writing by the Electoral Area C (Puntledge – Black Creek) Director this</b>	<b>14<sup>th</sup></b>	<b>day of</b>	<b>July</b>	<b>2021.</b>
<b>Approved by the Inspector of Municipalities this</b>	<b>28<sup>th</sup></b>	<b>day of</b>	<b>July</b>	<b>2021.</b>

**Adopted this** \_\_\_\_\_ **day of** \_\_\_\_\_ **2021.**

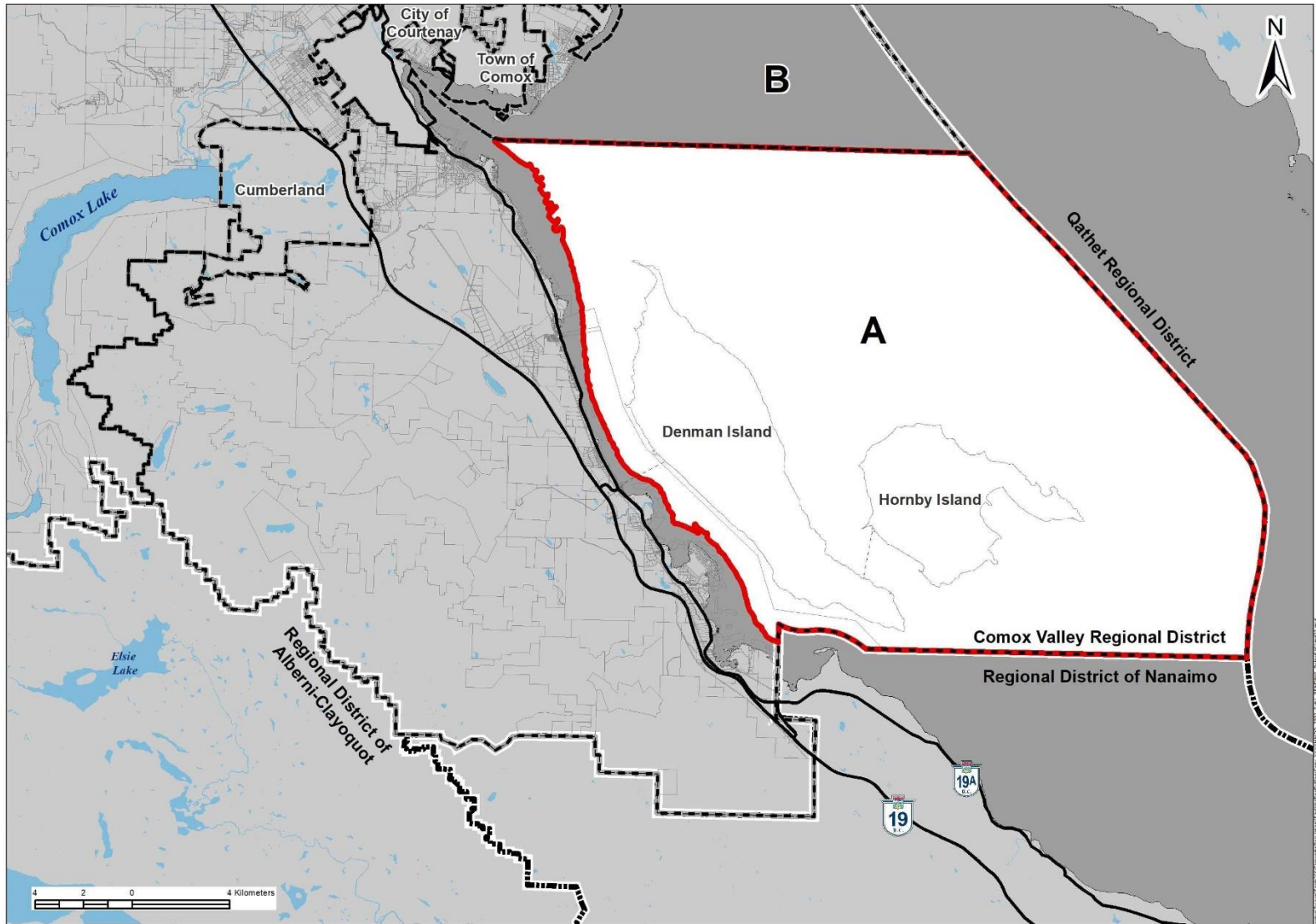
\_\_\_\_\_  
Chair

\_\_\_\_\_  
Deputy Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 646 being "Regional District Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997, Amendment No. 3" as adopted by the board of the Comox Valley Regional District on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Deputy Corporate Legislative Officer

## Schedule A



**Regional District Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997**