

BYLAW NO. 526	
Bylaw name:	Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 20, 2018
Participants:	Electoral Area 'A' (Baynes Sound – Denman / Hornby Islands), Electoral Area 'B' (Lazo North), Electoral Area 'C' (Puntledge – Black Creek)
Purpose:	A bylaw to expand the boundaries of the Comox Valley Water Local Service to include the Sandwick, Greaves, Arden, England and Marsden/Camco services
Amends bylaw:	1886
Repeals bylaw:	N/A
Staff contact:	James Warren, General Manager of Corporate Services

STATUS	
Committee approval:	<p>Electoral area service committee, April 9, 2018:</p> <p>THAT the greater Comox Valley water local service area (function 305) expansion / merger to include the five other local service areas being Sandwick (306), Greaves (309), Arden (311), England (314) and Marsden/Camco (317) be implemented by:</p> <ul style="list-style-type: none"> - Applying all capital and operational activities for the Comox Valley water distribution services under the greater Comox Valley water distribution service effective January 1, 2019; - Adopting a policy to equalize reserve funds in each distribution service by December 31, 2023; - Transferring or utilizing equalized reserve funds for the greater Comox Valley service on a per connection basis (based on the connections for each service on January 1, 2018); - Repealing original service establishment bylaws for Sandwick (306), Greaves (309), Arden (311), England (314) and Marsden/Camco (317) when the associated debt for each service is retired and / or reserve funds are equalized for the greater Comox Valley water service; - Updating or adopting parcel tax bylaws to facilitate the equalized reserve fund contributions and implementing a parcel tax for 'fixed costs' associated with delivering potable water; and - Communicating the change in service configuration and financial impact associated with the reserve fund equalization and revenue generation for operating the service in summer and fall 2018.

	AND FURTHER THAT the bylaws and policies described in Appendix A to the staff report dated April 3, 2018 be forwarded to the Comox Valley Regional District Board for implementation.
1st & 2nd readings:	April 24, 2018
3rd reading:	April 24, 2018
Inspector Approval:	June 15, 2018
Director Consent:	Received April 24, 2018
Final adoption:	

COMOX VALLEY REGIONAL DISTRICT

BYLAW NO. 526

A bylaw to expand the boundaries of the Comox Valley Water Local Service to include the Sandwick, Greaves, Arden, England and Marsden/Camco services

WHEREAS the Comox Valley Regional District Board of Directors wishes to expand the Comox Valley Water Local Service Area, which was established by Bylaw No. 1886 being “Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996” adopted on October 28, 1996, to include:

- Sandwick Water, which was established by Bylaw No. 506 being “Sandwick Water Service Establishment Bylaw No. 506, 2017” adopted on January 23, 2018;
- Greaves Crescent Water, which was established by Bylaw No. 1494 being “Greaves Crescent Water Local Service Area Establishment Bylaw 1992” adopted on November 28, 1994;
- Arden Water, which was established by Bylaw No. 1678 being “Arden Water Local Service Area Conversion and Establishment Bylaw 1994” adopted on August 27, 1994;
- England Road Water, which was established by Bylaw No. 1999 being “England Road Water Local Service Area Establishment Bylaw 1997” adopted on June 29, 1998;
- Marsden/Camco Water, which was established by Bylaw No. 1453 being “Marsden/Camco Water Local Service Area Conversion And Establishment Bylaw, 1992” adopted on February 22, 1993;

AND WHEREAS under section 350 of the *Local Government Act (RSBC, 2015, C. 1)* a regional district may merge two or more service areas by expanding the boundaries of one service to include the boundaries of another service or services;

AND WHEREAS the approval of the inspector of municipalities was obtained under section 342 of the *Local Government Act (RSBC, 2015, C. 1)*; and

AND WHEREAS the approval for the participating areas was obtained by consent on behalf of electoral area directors under section 347 of the *Local Government Act (RSBC, 2015, C. 1)*;

AND WHEREAS the following bylaws shall be repealed, by bylaw, upon the full expenditure of any and all reserve funds associated with the service and upon the repeal of any parcel tax bylaws that may exist for each specific service:

- Bylaw No. 506 being “Sandwick Water Service Establishment Bylaw No. 506, 2017”;
- Bylaw No. 1494 being “Greaves Crescent Water Local Service Area Establishment Bylaw 1992”;
- Bylaw No. 1678 being “Arden Water Local Service Area Conversion and Establishment Bylaw 1994”;
- Bylaw No. 1999 being “England Road Water Local Service Area Establishment Bylaw 1997”;
- Bylaw No. 1453 being “Marsden/Camco Water Local Service Area Conversion And Establishment Bylaw, 1992”;

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

Amendment

1. Bylaw No. 1886 being “Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996” is hereby amended by:

(a) Replacing section 1 (local service established) which reads:

“The “Comox Valley Water Specified Area” established by “Comox Valley Water Specified Area Merger Bylaw, 1981”, is hereby established as a local service for the supply, treatment, conveyance, storage and distribution of water to be known as the “Comox Valley Water Local Service”.”

with the following:

“(1) The service established by this bylaw is for the supply, treatment, conveyance, storage and distribution of water and is formed by expanding the boundaries of the Comox Valley Water Local Service to include the Sandwick, Greaves, Arden, England and Marsden/Camco areas.”

(2) The service shall be known as the Comox Valley Water Local Service (the ‘service’).”

(b) Replacing schedule “A” with the schedule “A” that is attached to this bylaw to show the boundaries of the Comox Valley Water Local Service, being those portions of Electoral Area A (Baynes Sound – Denman/Hornby Islands), Electoral Area B (Lazo North) and Electoral Area C (Puntledge-Black Creek) as shown on schedule “A”.

(c) Replacing section 3 (participating areas) which reads:

“Electoral Areas “B” and “C” include the participating areas for this local service.”

with the following:

“Electoral Areas A, B and C include the participating areas for this local service.”

(d) Replacing section 4 (cost recovery) which reads:

“The annual costs for this service net of grants and other revenue shall be recovered by:

(a) the requisition of money under section 809.1 of the Municipal Act to be collected by a frontage tax or parcel tax to be imposed under section 810.1(2) of the Municipal Act; and

(b) the imposition of fees and other charges that may be fixed by separate bylaw for the purposes of recovering these costs.”

with the following:

“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) parcel taxes;

(b) fees and charges imposed under section 397 of the *Local Government Act* (RSBC, 2015, C. 1).”

- (e) Replacing section 5 (maximum requisition) which reads:
“The maximum amount that may be requisition under Section 804(1) of the Municipal Act is \$80,000.00 per year.”
with the following:
“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 \$167,500 or \$0.1335 per \$1,000 applied to the net taxable value of land and improvements for regional hospital district purposes.”

Citation

This Bylaw No. 526 may be cited as “Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 20, 2018”.

Read a first and second time this	24th	day of	April	2018.
Read a third time this	24th	day of	April	2018.
Approved by the Inspector of Municipalities this	15th	day of	June	2018.
Adopted this		day of		2018.

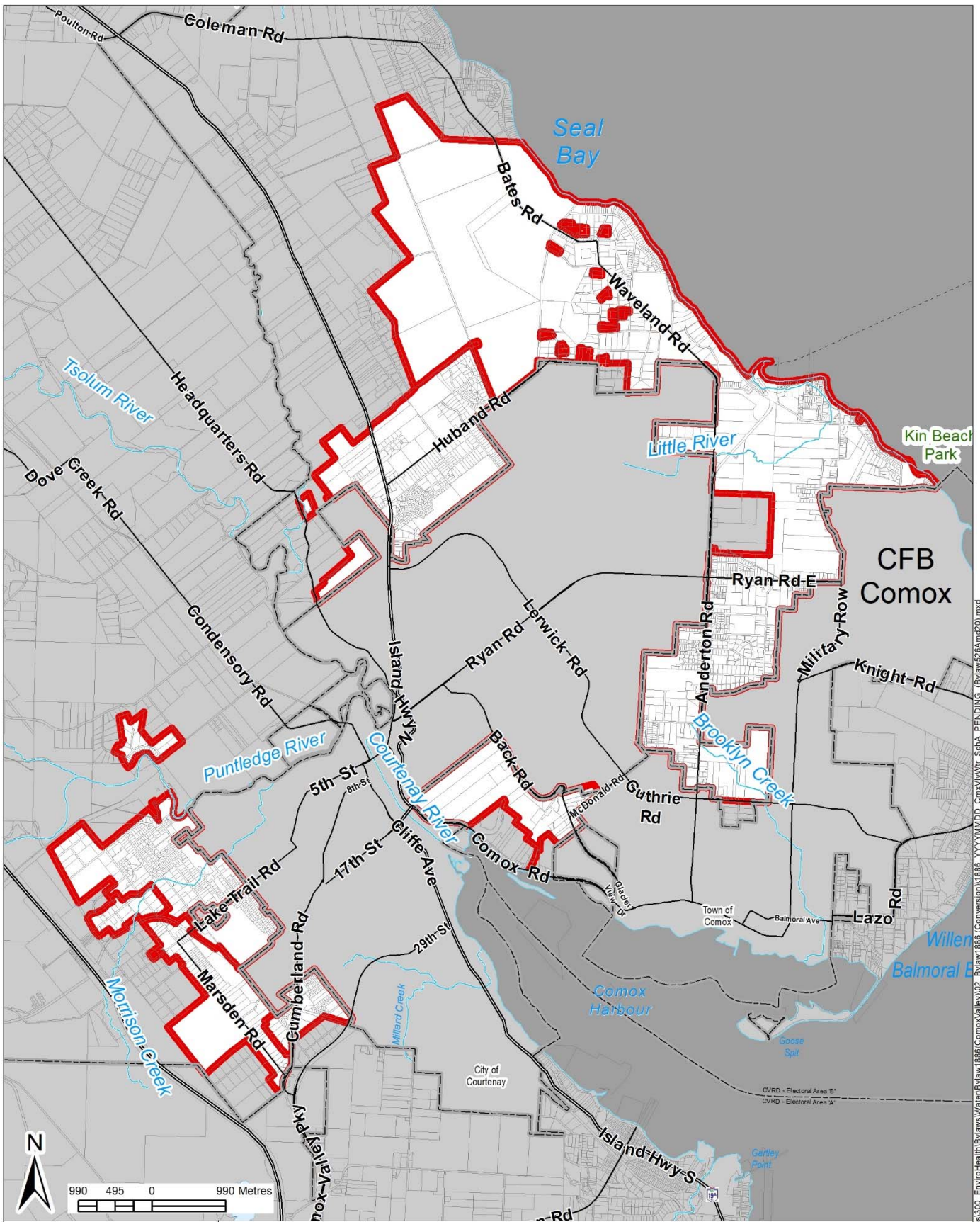
Chair

Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 526 being “Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 20, 2018” as adopted by the board of the Comox Valley Regional District on the _____ day of _____ 2018.

Corporate Legislative Officer

Schedule 'A'



Schedule "A"
Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 20