

The following is a consolidated copy of the Comox Valley recreation service establishment bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
2410	Comox Valley Recreation Complexes Service Establishment Bylaw No. 2410, 2002	April 29, 2002	To establish the Comox Valley recreation complexes service
2622	Comox Valley Recreation Complexes Service Amendment Bylaw No. 1, 2004	January 31, 2005	To delete Electoral Area 'K' as a participant
2823	Comox Valley Recreation Complexes Service Amendment Bylaw No. 2, 2005	February 27, 2005	To apportion costs for the service based on converted assessed values

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT**BYLAW NO. 2410****A Bylaw to Establish the Comox Valley Recreation Complexes Service**

WHEREAS by Letters Patent, Division XX, Dated June 12, 1973, and amended by Order-in-Council No. 571 dated April 6, 1978, and by supplementary Letters Patent dated May 15, 1978, and by supplementary Letters Patent dated April 16, 1979, the Regional District of Comox-Strathcona was granted the power to construct, equip, enlarge, operate and maintain an arena/swimming pool recreational complex for the member municipalities of the Town of Comox, the Corporation of the City of Courtenay, the Corporation of the Village of Cumberland and Electoral Areas ‘A’, ‘B’ and ‘C’;

AND WHEREAS by supplementary Letters Patent, Division XLVI dated May 6, 1988, the Regional District of Comox-Strathcona was granted the power to provide a tax subsidy for the function of Division XX – Arena-Swimming Pool Recreation Complex granted by supplementary Letters Patent dated June 12, 1973 as amended to allow for the Comox Valley Sports Centre to operate on a year round basis in the member municipalities of The Corporation of the City of Courtenay, The Town of Comox, the Corporation of the Village of Cumberland and Electoral Areas ‘B’ and ‘C’ and a defined area of Electoral Area ‘A’;

AND WHEREAS by Order-in-Council No. 1217, dated September 9, 1999, that part of Electoral Area ‘A’ not situated on Vancouver Island was established as Electoral Area ‘K’;

AND WHEREAS the Regional District of Comox-Strathcona by the “Comox Valley Aquatic Centre Ice Arena and Contribution Local Service Area Establishment Bylaw No. 1883, 1996”, established a local service to construct and operate an aquatic facility, ice arena and to contribute towards the costs of existing community use structures located within the Village of Cumberland, Electoral Areas ‘B’ and ‘C’ and that portion of Electoral Area ‘A’ situated on Vancouver Island;

AND WHEREAS the Board of the Regional District of Comox-Strathcona wishes to:

- a) convert the powers in the Letters Patent, Division XX and supplementary Letters Patent Division XLVI, by establishing a bylaw under section 774.2 of the Local Government Act and then amend them pursuant to Section 802 of the Local Government Act; and
- b) continue the service established by the “Comox Valley Aquatic Centre, ice Arena and Contribution Local Service Area Establishment Bylaw No. 1883, 1996” in this Bylaw for debt servicing purposes only;

for the purposes of creating a new service, a new service area with new participants and a new requisition;

AND WHEREAS the Regional District of Comox-Strathcona wishes to establish a service for the purpose of constructing, equipping, enlarging, operating and maintaining ice arena-swimming pool complexes and to contribute towards the costs of existing community use facilities structures and to include Electoral Area ‘K’ in the service;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801 of the Local Government Act;

AND WHEREAS pursuant to section 802 of the Local Government Act, consent to the adoption of this Bylaw has been given by at least two-thirds of the Participating Areas;

NOW THEREFORE the Board of the Regional District of Comox-Strathcona in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited for all purposes as the **“Comox Valley Recreation Complexes Service Establishment Bylaw No. 2410, 2002”**.

2. Service

The service established by this bylaw is the Comox Valley Ice Arena-Swimming Pool Recreation Complexes Service (the “Service”) for the purpose of constructing, equipping, enlarging, operating and maintaining ice arena-swimming pool recreation complexes and to contribute towards the cost of community use facilities and structures in the Service Area.

3. Boundaries

The boundaries of the Service Area are the boundaries of the Town of Comox, the Corporation of the City of Courtenay, the Corporation of the Village of Cumberland and Electoral Areas ‘A’, ‘B’, and ‘C’ (the “Service Area”).

4. Participating Areas

The “Participating Areas” are the Town of Comox, The Corporation of the City of Courtenay, The Corporation of the Village of Cumberland and Electoral Areas ‘A’, ‘B’ and ‘C’.

5. Cost Recovery

As provided in section 803 of the Local Government Act, the annual cost 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 Part 24 of the Local Government Act;
- b) fees and charges imposed under section 797.2 of the Local Government Act;
- c) revenues raised by other means authorized by the Local Government Act or another Act;
- d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

6. Maximum Cost

In accordance with section 800.1(1)(e) of the Local Government Act, the maximum amount that may be requisitioned for the cost of the Service is \$1.05 per \$1,000.00 applied to the net taxable value of land and improvement within the Service Area.

7. Apportionment of Costs

- (1) For the year 2006, the annual cost of the service shall be apportioned to each participant on the basis of a flat percentage as follows:

Town of Comox	15.65%
City of Courtenay	34.43%
Village of Cumberland	3.02%
Electoral Area ‘A’	12.66%
Electoral Area ‘B’	13.87%
Electoral Area ‘C’	20.37%

- (2) For the year 2007, the annual cost of the service shall be apportioned to each participant on the basis of a flat percentage as follows:

Town of Comox	16.31%
City of Courtenay	34.87%
Village of Cumberland	3.04%
Electoral Area ‘A’	12.31%
Electoral Area ‘B’	13.73%
Electoral Area ‘C’	19.74%

- (3) For the year 2008 and every year thereafter the annual costs of the service shall be apportioned to each participant on the basis of the converted value of land and improvements for hospital purposes in those areas.

8. Recreation Commission

The Comox Valley Sports Centre Commission established by the “Comox Valley Sports Centre Commission Bylaw 1997” is continued under this Bylaw for the enlarged scope of the Service.

9. Bylaw No. 1883

The Service established by Comox Valley Aquatic Centre, Ice Arena and Contribution Local Service Area Establishment Bylaw No. 1883, 1996” is continued only for the purpose of repayment of debt for the facilities constructed pursuant to that bylaw.