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BOARD	

MEMORANDUM

TO: Joan Harrison
Director of Corporate Services

FROM: Jacquie Hill
Manager of Administrative Services

SUBJECT: Bylaw No. 1706 – Marine Search and Rescue Funding Service Establishment Bylaw
Electoral Area ‘H’

DATE: June 25, 2014

FILE:

PURPOSE

To consider a bylaw to establish an Electoral Area ‘H’ marine search and rescue contribution service, and to provide for advancing the bylaw to referendum in conjunction with the 2014 local government elections.

BACKGROUND

In January 2013, the Lighthouse Country Marine Rescue Society presented a request for \$5,000 in ongoing annual operational funding from the Regional District which was referred to the 2014 budget discussions. Following the budget discussions for proposed external requests for funding, the Board adopted the following resolution at its regular meeting held January 28, 2014:

That staff be directed to proceed with establishment of a new service and to seek elector approval for marine rescue funding in the Electoral Area ‘H’ participating area.

Based on the preference of the Electoral Area Director, this bylaw would proceed to referendum in conjunction with local government elections on November 15, 2014 to obtain assent of the electors.

For consideration of Board approval, “Northern Community Marine Search and Rescue Contribution Service Establishment Bylaw No. 1706, 2014” is attached for the Board’s review. This bylaw must receive Board approval and subsequent approval of the Inspector of Municipalities prior to proceeding to referendum.

Should the Board approve sending the bylaw to referendum, the question presented to the electors would be as follows:

“Are you in favour of the Regional District of Nanaimo adopting Bylaw No. 1706 to provide for the following:

- establishing the “Northern Community Marine Search and Rescue Contribution Service” within Electoral Area ‘H’ to provide for a contribution to societies providing marine search and rescue in Electoral Area ‘H’; and
- annually requisitioning up to a maximum of the greater of \$5,000 or \$0.006/\$1000 of taxable assessed value to pay for the service?”

Before the Regional District may hold a referendum for Bylaw No. 1706, it must publish notification of the voting opportunities to be provided, as well as the purpose of the bylaw which is the subject of the vote. The *Local Government Act* requires that such notices include the full text of the bylaw unless the local government has approved the use of a synopsis. The Board is being asked to approve the synopsis of Bylaw No. 1706 for the publication of notices associated with the referendum as follows:

"Bylaw No. 1706 - Northern Community Marine Search and Rescue Contribution Service Establishment Bylaw No. 1706, 2014 – This bylaw provides for the following:

- establishing a service to provide for a contribution to societies that provide marine search and rescue in Electoral Area 'H';
- establishing the boundaries of the service area to be Electoral Area 'H'; and
- annually requisitioning up to a maximum of the greater of \$5,000 or \$0.006/\$1000 of taxable assessed value on land and improvements within the participating area to pay for the service."

ALTERNATIVES

1. Introduce and give three readings to "Northern Community Marine Search and Rescue Contribution Service Establishment Bylaw No. 1706, 2014", and proceed to referendum to obtain voter assent on November 15, 2014.
2. Not to proceed with the implementation of a Northern Community Marine Search and Rescue Contribution Service at this time and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

Costs associated with implementing a Northern Community Marine Search and Rescue Service would be requisitioned annually in Electoral Area 'H'. The estimated cost impact with respect to taxes for a residential requisition rate would be \$0.60 per \$100,000 of net taxable value which is equivalent to \$2.10 on a \$350,000 home.

The costs of the referendum (approximately \$2,000) will have to be covered from the first year of requisition for the service which may result in societies receiving less than \$5,000 in the first year of the service.

SUMMARY/CONCLUSIONS

The Lighthouse Country Marine Rescue Society presented a request to the Board in 2013 for \$5,000 in ongoing annual operational funding from the Regional District. The Board adopted the following resolution at its regular meeting held January 28, 2014:

That staff be directed to proceed with establishment of a new service and to seek elector approval for marine rescue funding in the Electoral Area 'H' participating area.

Based on the preference of the Electoral Area Director, this bylaw would proceed to referendum in conjunction with local government elections on November 15, 2014 to obtain assent of the electors. The bylaw requires Board approval and subsequent approval of the Inspector of Municipalities prior to proceeding to referendum. To proceed to referendum, the Board is being requested to approve the bylaw, the referendum question and the bylaw synopsis as provided in this report.

RECOMMENDATIONS

1. That "Northern Community Marine Search and Rescue Contribution Service Establishment Bylaw No. 1706, 2014" be introduced and read three times and be forwarded to the Inspector of Municipalities for approval.
2. That the Regional District proceed to referendum on November 15, 2014 to obtain the assent of the electors of Electoral Area 'H' to establish a Northern Community Marine Search and Rescue Contribution Service and that the referendum question be as follows:

"Are you in favour of the Regional District of Nanaimo adopting Bylaw No. 1706 to provide for the following:

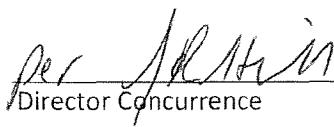
- establishing the "Northern Community Marine Search and Rescue Contribution Service" within Electoral Area 'H' to provide for a contribution to societies providing marine search and rescue in Electoral Area 'H'; and
- annually requisitioning up to a maximum of the greater of \$5,000 or \$0.006/\$1000 of taxable assessed value to pay for the service?"

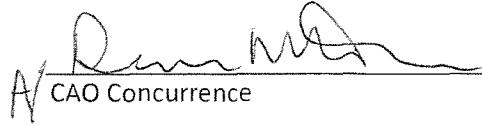
3. That the Board approve the synopsis of Bylaw No. 1706 for the publication of notices associated with the referendum as follows:

"Bylaw No. 1706 - Northern Community Marine Search and Rescue Contribution Service Establishment Bylaw No. 1706, 2014 – This bylaw provides for the following:

- establishing a service to provide for a contribution to societies that provide marine search and rescue in Electoral Area 'H';
- establishing the boundaries of the service area to be Electoral Area 'H'; and
- annually requisitioning up to a maximum of the greater of \$5,000 or \$0.006/\$1000 of taxable assessed value on land and improvements within the participating area to pay for the service."


Report Writer


Director Concurrence


A/ CAO Concurrence

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1706

**A BYLAW TO ESTABLISH A MARINE SEARCH AND
RESCUE CONTRIBUTION SERVICE**

WHEREAS pursuant to section 796 and 800 of the *Local Government Act* a Regional District may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of providing a contribution to marine search and rescue in Electoral Area 'H';

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

AND WHEREAS the assent of the electors in the participating area has been obtained under section 801.2 of the *Local Government Act*;

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

Citation

1. This bylaw may be cited for all purposes as the "Northern Community Marine Search and Rescue Contribution Service Establishment Bylaw No. 1706, 2014".

Service

2. A service to provide a contribution to societies providing marine search and rescue in the service area is hereby established (the "Service").

Boundaries

3. The boundaries of the service area are the boundaries of Electoral Area 'H'.

Participating Area

4. Electoral Area 'H' is the sole participating area for the Service.

Cost Recovery

5. As provided in section 803 of the *Local Government Act*, the annual cost of providing the Service may 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 under section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized under the *Local Government Act* or another Act;
- (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.

Maximum Requisition

6. 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) the sum of five thousand dollars (\$5,000); or
 - (b) the amount equal to the amount that could be raised by a property value tax rate of \$0.006 per \$1,000 applied to the net taxable value of land and improvements in the service area.

Introduced and read three times this day of , 2014.

Received the approval of the Inspector of Municipalities this day of , 2014.

Received the assent of the electors under section 801.2 of the *Local Government Act* this day of , 2014.

Adopted this day of , 2014.

CHAIRPERSON

CORPORATE OFFICER