

TO: Board of Directors

File No: 3900.2794

FROM: Corporate Services

Date: October 24, 2019

SUBJECT: Bylaw 2794 – North Okanagan Local Conservation Fund Service Establishment - Alternative Approval Process

RECOMMENDATION:

That the Corporate Officer be directed to undertake an alternative approval process in the entire service area to determine the opinion of the electors with regard to North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018; and further

That the Board endorse the following with regard to North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018:

1. That the deadline for receiving elector responses be 4:00 p.m. on Monday, December 16, 2019; and
2. That the Elector Response Form attached to the report dated October 24, 2019 entitled Bylaw 2794 – North Okanagan Local Conservation Fund Service Establishment – Alternative Approval Process be approved; and
3. That the estimated number of eligible voters to which the alternative approval process applies be established as 20,010.

SUMMARY:

Bylaw 2794 received three readings on August 15, 2018. The Bylaw was then forwarded to the Inspector of Municipalities for statutory approval (attached). The Regional District of North Okanagan received statutory approval of Bylaw 2794 on October 24, 2019. Accordingly, Bylaw 2794 is before the Board to consider seeking the approval of the electors by way of an Alternative Approval Process (AAP) prior to adoption.

DISCUSSION:

Community Charter s. 86(3) requires that for each AAP the Board of Directors must:

- Establish the deadline for receiving elector responses;
- Establish the elector response form;
- Make a fair determination of the total number of electors to which the approval process applies.

1. Establish the deadline for receiving elector responses

The time period for receiving elector response forms (ERF) must be at least 30 days following the day on which the second required notice is published. Staff propose the deadline date to receive responses be established as 4:00 p.m. on Monday, December 16, 2019. Staff note that the ERF

will be accepted by mail, email, fax or in person to the RDNO prior to the established deadline. Postmarks will not be accepted as the date of submission.

2. Establish the Elector Response Form (ERF)

Attached for consideration by the Board of Directors is the ERF that will be available to eligible electors within the proposed service area. If 10% (2,001) of the estimated number of electors sign and submit an ERF **opposing** adoption of Bylaw 2794 before the established deadline, the Board cannot adopt the Bylaw without receiving the assent of the electors by way of assent voting (referendum).

3. Make a fair determination of the total number of electors to which the approval process applies

Staff estimate the total number of eligible electors to be 20,010 in accordance with 2018 CivicInfo election data.

Estimate of Eligible Electors for Alternative Approval Process

Jurisdiction	Estimated Eligible Voters ¹	10% of eligible voters required to defeat Bylaw 2794 under the alternative approval process
City of Armstrong	3,938	394
Village of Lumby	1,412	141
Electoral Area "B" ²	5,620	562
Electoral Area "C"	2,970	297
Electoral Area "D"	2,070	207
Electoral Area "E"	735	74
Electoral Area "F"	3,265	327
Total	20,010	2,001

Source:

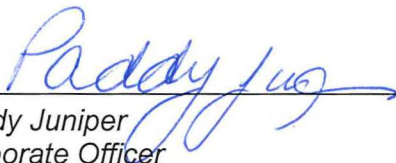
¹ 2018 CivicInfo: <https://elections.civicinfo.bc.ca/2018/candidates/index.asp>

² Includes Okanagan and Priest's Valley Indian Reserves

COMMUNICATIONS CONSIDERATIONS:

Statutory advertising will be placed in local newspapers. Elector response forms (ERF) and the supporting report material will be available at the RDNO office or for download on the RDNO website.

Submitted by:



Paddy Juniper
Corporate Officer

Approved for Inclusion:



David Sewell
Chief Administrative Officer

ATT: Statutory Approval – BL2794
Elector Response Form
Bylaw 2794