



REGIONAL
DISTRICT
NORTH
OKANAGAN

STAFF REPORT

TO: Board of Directors

File No: 3900.2794

FROM: Administration

Date: January 13, 2020

SUBJECT: Bylaw 2794 – North Okanagan Local Conservation Fund Service Establishment

RECOMMENDATION:

That North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018 be Adopted.

SUMMARY:

The Alternative Approval Process (AAP) for the North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018 officially closed on Monday, December 16, 2019 at 4:00 p.m. The Regional District estimated the total number of qualified electors in the service area (City of Armstrong, Village of Lumby and Electoral Areas B, C, D, E and F) to be 20,010 in accordance with 2018 CivicInfo election data and that the receipt of at least 10% (2,001) of the eligible electors would be required to defeat the bylaw without an assent vote being held. The total number of elector response forms received by the deadline opposing the Board of Directors of the Regional District of North Okanagan adopting Bylaw 2794 is 23.

Approval of the electors has been received for the bylaw pursuant to Section 179 of the *Community Charter*. Accordingly, the Board of Directors may proceed with adoption of Bylaw 2794 which would authorize the Regional District to establish a service for the purpose of grant funding in support of conservation efforts.

Participants of the service are: Electoral Areas "B", "C", "D", "E" and "F", City of Armstrong and Village of Lumby.

Submitted by:

David Sewell
Chief Administrative Officer
Corporate Officer

Attachments:

- Declaration of AAP Results
- Bylaw 2794

DECLARATION OF ALTERNATIVE APPROVAL PROCESS RESULTS

North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018

I, David Sewell, Corporate Officer, as the person assigned responsibility for corporate administration under Section 236 of the *Local Government Act*, do hereby certify the results of the Alternative Approval Process that was conducted to obtain the approval of the electors for the *North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018* for the purpose of establishing a service to fund local conservation efforts within Regional District of North Okanagan as follows:

20,010	Estimated number of eligible electors located within the proposed service area of: City of Armstrong, Village of Lumby, and Electoral Areas "B", "C", "D", "E" and "F" of the Regional District of North Okanagan
2,001	Estimated number of eligible elector responses required to oppose adoption of Bylaw 2794 unless an assent vote (referendum) is held
23	Number of elector response forms submitted by the deadline (December 16, 2019, 4:00 p.m.)
2	Number of elector response forms rejected
23	Number of elector response forms accepted
0.11	Percentage of estimated electors who submitted valid elector response forms

In accordance with Section 86 of the *Community Charter*, I hereby determine and certify that the approval of the electors for Bylaw 2794 was **obtained**.

Dated at Coldstream, BC, this 6th day of January, 2020.



David Sewell
Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2794

A bylaw to establish a service for the purpose of funding local conservation efforts

WHEREAS the *Local Government Act (Act)* provides that the Board of the Regional District of North Okanagan 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 Regional District of North Okanagan wishes to provide grant funding in support of local conservation efforts;

AND WHEREAS the Board wishes to establish a service for the purposes of providing such grant funding within the Regional District of North Okanagan;

AND WHEREAS the Board has, by resolution, determined that participating area approval is to be obtained for the entire service area and the approval process shall be by Alternative Approval Process in accordance with subsections 342(2)(b), 342(4) and 345(1)(a) of the *Act*;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled hereby, ENACTS AS FOLLOWS:

CITATION

1. This Bylaw may be cited as the ***“North Okanagan Local Conservation Fund Service Establishment Bylaw No. 2794, 2018”***.

ESTABLISHMENT AND DESCRIPTION OF SERVICE

2. The Regional District is authorized to establish a service for the purpose of grant funding in support of conservation efforts.

SERVICE AREA BOUNDARIES

3. The boundaries of the service area are the boundaries of:
 - Area “B”;
 - Area “C”;
 - Area “D”;
 - Area “E”;
 - Area “F”;
 - City of Armstrong; and
 - Village of Lumby

And the service area is known as the “Local Conservation Fund Service Area”

PARTICIPANTS

4. The participants of the service are:
 - Area “B”;
 - Area “C”;

- Area "D";
- Area "E";
- Area "F";
- City of Armstrong; and
- Village of Lumby

COST RECOVERY

5. The annual cost of providing the service outlined in this Bylaw shall be recovered by one or more of the following:
 - a. requisition of money under sections 385 [*Requisition of funds from municipalities*] and 387 [*Requisition of funds from electoral areas*] of the *Act* to be collected by a property value tax to be levied on land and improvements for regional hospital district purposes and collected under sections 386 and 388 of the *Act* and;
 - b. revenues received by way of agreement, enterprise, gift, grant or otherwise.
6. The maximum amount that may be requisitioned annually for the service shall not exceed \$102,000 or \$0.02 per \$1,000 of net taxable value of land and improvements included in the service area, whichever is greater.

COST APPORTIONMENT

7. The annual cost of this service shall be apportioned amongst the participants on the basis of the value of improvements only for regional hospital district purposes in those areas.

SERVICE WITHDRAWAL

8. In addition to the withdrawal procedure under the *Local Government Act*, a participant may withdraw from the service at the end of the calendar year by giving notice in writing at least six (6) months prior to the end of the calendar year.

Read a First and Second Time	this	15th	day of	August, 2018
Consent provided by the participants in accordance with 340(3)	this	10th	day of	September, 2019
Read a Third Time	this	2nd	day of	October, 2019
Approved by the Inspector of Municipalities	this	24th	day of	October, 2019
Elector approval received by alternative approval process	this	16th	day of	December, 2019
ADOPTED	this		day of	, 2020

Chair
Kevin Acton

Corporate Officer
David Sewell