

**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 1650, 2000**

CONSOLIDATED FOR CONVENIENCE

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TEXT AMENDMENTS

Bylaw No.	Adopted	Amendment
Bylaw No. 1932, 2004	Aug 9, 2004	– To amend Fortune Parks, Recreation and Cultures Service Conversion and Service Establishment Bylaw No. 1650, 2000
Bylaw No. 2840, 2019	Feb 19, 2020	– To amend scope of service, cost apportionment and maximum requisition of Fortune Parks, Recreation and Culture Service

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1650

A bylaw to convert the function of Community Parks and Recreational Programmes and Facilities to a service established by bylaw and to amend the service area to include only Designated Area No. 4 (City of Enderby and Electoral Area "F")

WHEREAS by Supplementary Letters Patent dated March 31, 1976 the Regional District was granted the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) within the entire Regional District;

AND WHEREAS the *Local Government Act* authorizes the Regional District Board (the "Board") to convert a function established by Supplementary Letters Patent to a service exercised under the authority of a bylaw establishing the service;

AND WHEREAS the Board wishes to convert the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) to an established service of Community Parks, Recreation and Culture;

AND WHEREAS the Board wishes to amend the service area established under the Letters Patent in order to establish a separate service area for each "Designated Area" as defined in Supplementary Letters Patent dated March 31, 1976 and the Board is considering five distinct bylaws for that purpose;

AND WHEREAS the Board wishes to amend the service area for the purpose of this Bylaw, to include only the City of Enderby and Electoral Area "F";

~~**AND WHEREAS** the participants of the converted service wish to establish the service in accordance with the terms set out in the "Framework for Conversion to a New Function" document (a copy of which is attached as Appendix A, but which does not form part of this bylaw) concerning the Parks, Recreation and Culture service;~~

AND WHEREAS the Board has obtained the required consent of at least 2/3 of the participants of the original function pursuant to Section 802(1)(b) of the *Local Government Act*;

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

TITLE

1. This Bylaw may be cited as the "***Fortune Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1650, 2000***".

CONVERSION and ESTABLISHMENT

2. The function of Division XXVI Community Parks and Recreational Programmes and Facilities as established by Supplementary Letters Patent dated March 31, 1976, is converted and established as the "*Fortune Parks, Recreation and Culture Service*" with the service area as described in Section 5 of this bylaw.

SCOPE OF SERVICE

3. The service established by the this bylaw is limited to:
 - (1) the operation of recreational programs and facilities ***which are part of a shared service***;
 - (2) the acquisition, improvement and maintenance of land, buildings and other facilities for ***shared*** park and recreation purposes;
 - ~~(3) Cultural services and/or grants as agreed to by the unanimous consent of the participants.~~
 - (3) ***Community grants to the Enderby and District Museum and Archives, Kingfisher Interpretive Centre, and the Shuswap Trail Alliance, subject to budget approval.***
4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.

SERVICE AREA

5. The service area for the service converted and established by Section 2 is the same as the former Designated Area No. 4, consisting of all of the City of Enderby and all of Electoral Area "F".

PARTICIPATING AREAS

6. The participating areas for the service are the City of Enderby and Electoral Area "F".

COST RECOVERY

7. The annual cost of providing the service, including debt charges on existing parks and recreational facilities within the service area, shall be recovered by either or both of the following:
 - (1) the requisition of money under Sections 805 and 806 of the *Local Government Act* to be collected as a property value tax to be levied on improvements only for regional hospital district purposes within the participating areas and collected in accordance with Sections 805.1 and 806.1 of the Act;

(2) the imposition of fees and other charges.

~~8. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of improvements only for hospital purposes in those areas.~~

8. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of improvements only for hospital purposes in those areas and adjusted as follows:

$$\text{Enderby Apportionment} = \frac{\text{Enderby Converted Improvements}}{\text{Total Converted Improvements}} \text{ plus } 5.5\%$$

$$\text{Area "F" Apportionment} = \frac{\text{Area "F" Converted Improvements}}{\text{Total Converted Improvements}} \text{ minus } 5.5\%$$

MAXIMUM REQUISITION

9. The maximum amount that may be requisitioned annually for this service shall not exceed the product of a levy of ~~\$1.10~~ **\$0.83** for each \$1,000 of net taxable value of land and improvements in the service area.

COMMITTEE

~~10. The administration and the operation of the service shall be carried out by a committee to be known as the "Fortune Parks, Recreation and Culture Committee" (the "Committee"). The Committee's powers, duties and limitations shall be established by a separate bylaw.~~

~~11. The Committee shall consist of two representatives appointed by the Council of the City of Enderby and the Director and Alternate Director of Electoral Area "F". In addition, one representative appointed by School District No. 89 shall sit on the Committee (unless the School District declines to participate in the Committee).~~

~~12. Subject to Section 11, each member of the Committee shall have one vote on all matters decided by the Committee.~~

REGIONAL BOARD VOTING

10. In relation to resolutions and bylaws respecting the administration and operation of the service, including bylaws regulating the service, each director who represents a participant shall be entitled to one vote.

Read a First, Second and THIRD Time	this	11th	day of	October, 2000
Approved by the Inspector of Municipalities	this	23rd	day of	January, 2001
ADOPTED	this	14th	day of	February, 2001

“signature on file”

Chair
Stan Field

“signature on file”

Corporate Officer
Barry Gagnon