

**REGIONAL DISTRICT OF NORTH OKANAGAN
BYLAW NO. 1655, 2000**

CONSOLIDATED FOR CONVENIENCE

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TEXT AMENDMENTS

Bylaw No.	Adopted	Amendment
2631, 2014	August 20, 2014	– To amend the ‘Maximum Requisition’ and to add provisions for ‘Withdrawal from Service’ and ‘Regional Board Voting’

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1655

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 Electoral Areas "B" and "C"

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 (Non Regional) Parks;

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 Electoral Areas "B" and "C".

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*;

AND WHEREAS RDNO, District of Coldstream and the City of Vernon have entered into a Memorandum of Understanding effective November 21, 2012 concerning local and sub-regional parks services (the "MOU");

AND WHEREAS, further to the MOU, RDNO, District of Coldstream and the City of Vernon have entered into the Greater Vernon Sub-Regional Parks and Trails Service Agreement effective December 17, 2013, concerning local and sub-regional parks services;

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 "***Electoral Areas "B" and "C" Community Parks Service Conversion and Service Establishment Bylaw No. 1655, 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 "*Electoral Areas "B" and "C" Community Parks Service*" with the service area as described in Section 5 of this bylaw.

SCOPE OF SERVICE

3. The service established by this bylaw is limited to:
 - (1) the acquisition, improvement and maintenance of land, buildings and other facilities for community (non regional) park purposes;
 - (2) ***the regional district may, in the Service Area, acquire, dispose of, administer and operate parks, trails, trail systems, natural areas and open spaces, including but not limited to the parks, trails, trail systems, natural areas and open spaces described in Schedule A, and other similar parks and open spaces in the Service Area.***
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 all of Electoral Areas "B" and "C".

PARTICIPATING AREAS

6. The participating areas for the service are Electoral Areas "B" and "C".

COST RECOVERY

7. The annual cost of providing the service, including debt charges on existing community (non regional) parks 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.

MAXIMUM REQUISITION

- 9. The maximum amount that may be requisitioned annually for this service shall not exceed the product of a levy of ~~\$0.20~~ **\$0.50** for each \$1,000 of net taxable value of land and improvements in the service area.

PROVISION OF SERVICE

- 10. The Regional District may provide the said service through its own resources or by entering into contractual agreements.

REGIONAL BOARD VOTING

- 11. *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.*

WITHDRAWAL FROM SERVICE

- 12. *In addition to the withdrawal procedures under the Local Government Act, a participant may withdraw from the service by giving at least 18 months' notice in writing to the Board prior to July 1st of any given year thereby taking effect December 31st of the following year.*

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
Reconsidered and ADOPTED	this	14th	day of	February, 2001

 "S. Field"
 Chair

 "B. Gagnon"
 Secretary

Schedule A
Community Parks

<u>Electoral Area "B"</u>	<u>Electoral Area "C"</u>
Cools Pond Gibbs Road Park N'Kwala Park Stickle Road Park (Boulevard)	Black Rock Boss Creek Development BX Community Park BX Ranch Park Keddleston Park Mutrie Road Park Silver Star Resort Parkland Agreement