



Making a difference...together

BYLAW NO. 2685

**MCPHERSON PLAYHOUSE LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 1, 1999**

**Consolidated for Public Convenience
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED MARCH 10, 1999
(Consolidated with Proposed Amending Bylaw 4561)

For reference to original bylaws or further details, please contact the Capital Regional District,
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**CAPITAL REGIONAL
DISTRICT BYLAW NO. 2685**

**A BYLAW TO ESTABLISH THE OPERATION OF THE
MCPHERSON PLAYHOUSE AS A LOCAL SERVICE**

WHEREAS:

- A. A Regional District may, by bylaw, establish a local service under Section 798 (1)(f) of the *Municipal Act* to provide services for pleasure, recreation and other community use;
- B. The Regional Board of the Capital Regional District wishes to establish a local service for the purpose of purchasing, maintaining, equipping and operating the McPherson Playhouse in Victoria, British Columbia;
- C. The approval of the Inspector of Municipalities is required under Section 807 (1)(a) of the *Municipal Act*;
- D. The Regional Board has obtained the consent of the Council of the City of Victoria as required under Sections 807(2)(a)(ii) and 810(1) and (2) of the *Municipal Act*;

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

Local Service

- 1. The Capital Regional District hereby establishes a local service for pleasure, recreation and community use, and includes, without limitation, the McPherson Playhouse and all facilities and concessions associated with the McPherson Playhouse.

Boundaries

- 2. The boundaries of the local Service Area shall be coterminous with the boundaries of the City of Victoria.

Participating Area

- 3. Only the City of Victoria is a participating area for this Local Service.

Cost Recovery

- ~~4. The annual costs for the local service, net of grants and other revenues shall be recovered by one or more of the following:~~

- ~~(a) the requisition of money under section 822 of the *Municipal Act* to be collected by a property value tax to be levied and collected under section 824(1) of the *Municipal Act*;~~
- ~~(b) the requisition of money under Section 822 of the *Municipal Act* to collected by the imposition of a parcel tax imposed under section 824(2) of the *Municipal Act*; and~~
- ~~(c) the imposition of fees and other charges that may be fixed by separate bylaw.~~

Maximum Requisition

- ~~5. The maximum amount that may be requisitioned under section 816(1) of the *Municipal Act* for the annual cost of the local service will be:
 - ~~(a) for capital expenditures including but not limited to, the renovation, reconstruction or rebuilding of a performing arts theatre, machinery and equipment, reserve fund transfers and annual debt servicing payments. The maximum amount will be Four Hundred Thousand (400,000) Dollars.~~
 - ~~(b) for annual operating expenditures which may also include expenditures of a nature referred to in a) above, the maximum amount will be Three Hundred Fifty Thousand (350,000) Dollars.~~~~

Apportionment

- ~~6. No apportionment of costs is necessary because there is only one participating area.~~

Committee and Operation

- ~~7. The Board of the Regional District will establish a committee for the purpose of managing the administration and operation of the McPherson Playhouse under Sections 798(9) and 616 of the *Municipal Act*.~~

Cost Recovery

- 4. The annual cost of providing the Local Service shall be recovered pursuant to Section 378 of the *Local Government Act* by one or more of the following:
 - a) property value taxes imposed in accordance with Division 3 [*Requisition and Tax Collection*] of Part 11 of the *Local Government Act*;
 - b) fees and charges imposed under Section 397 of the *Local Government Act*;
 - c) revenues raised by other means authorized under the *Local Government Act* or another Act; or
 - d) revenues received by agreement, enterprise, gift, grant or otherwise.

(Bylaw 4561)

Maximum Requisition

5. In accordance with Section 339(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Local Service is the greater of:
- a) seven hundred and fifty thousand (\$750,000); or
 - b) an amount equal to the amount that could be raised by a property value tax rate of \$0.020 per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Local Service.

(Bylaw 4561)

Apportionment

6. a) If there is more than one participating area, then the annual costs for the Local Service, net of grants and other revenues, shall be apportioned among the participating areas, as follows:
- (i) fifty (50) per cent of the costs on the basis of the population of the participating areas; and
 - (ii) fifty (50) per cent of the costs on the converted value of land and improvements in the participating areas.
- b) Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.

(Bylaw 4561)

Committee and Operation

7. a) The Board of the Regional District may maintain, operate and equip the McPherson Playhouse in accordance with the applicable provisions of the *Local Government Act*.
- b) The Board of the Regional District may by bylaw provide for the establishment of a committee for the purpose of managing the administration and operation of the McPherson Playhouse and may, in relation to the committee, delegate the powers of the Regional Board under section 263 of the *Local Government Act*.

(Bylaw 4561)

Citation

7. This Bylaw may be cited as "McPherson Playhouse Local Service Area

Establishment Bylaw No. 1, 1999".

READ A FIRST TIME THIS	27th	day of	January	1999
READ A SECOND TIME THIS	27th	day of	January	1999
READ A THIRD TIME THIS	27th	day of	January	1999
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	5th	day of	March	1999
ADOPTED THIS	10th	day of	March	1999

CHAIR

CORPORATE OFFICER

Filed with the Inspector of Municipalities this 15th day of March 1999