

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 2560**

**A BYLAW TO CONVERT THE AUTHORITY FOR A FAMILY COURT COMMITTEE TO AN EXTENDED
SERVICE FOR A PORTION OF THE REGIONAL DISTRICT**

WHEREAS by Letters Patent, Division VI dated 16th day of March, 1967, the Capital Regional District was granted the function of constructing, reconstructing, maintaining, furnishing and equipping a Family and Children's Court Building;

AND WHEREAS by an amendment to the said Letters Patent dated the 10th day of September 1987, the Capital Regional District was granted the authority to fund the operation of a Family Court Committee as appointed under the *Provincial Court Act*;

AND WHEREAS the Corporation of the City of Victoria, the Corporation of the District of Saanich, the Corporation of the District of Oak Bay, the Corporation of the Township of Esquimalt, the City of Colwood, the District of Metchosin, and the Electoral Areas of Sooke, Langford and View Royal were participants in the function;

AND WHEREAS since the granting of the Letters Patent the Town of View Royal, the District of Langford and the District of Highlands have been incorporated as municipalities;

AND WHEREAS the Board of the Regional District wishes to exercise the function granted to it by Division VI of its Letters Patent in accordance with Part 24 of the *Municipal Act*, subject to all the terms and conditions contained in the Letters Patent, and including all the powers granted by the Letters Patent;

AND WHEREAS the Board of the Regional District wishes under Section 775 of the *Municipal Act* to convert the portion of the service pertaining to the funding of the operation of the Family Court Committee to an extended service operated under the authority of a bylaw under section 775(4) and 806 of the *Municipal Act*;

AND WHEREAS the Board of the Regional District has obtained the consent of at least two-thirds of the participants under section 813 of the *Municipal Act*;

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

EXTENDED SERVICE

1. The funding of the operation of a Family Court Committee, as appointed under the *Provincial Court Act*, is established as an extended service.

BOUNDARIES

2. The boundaries of the service shall be coterminous with the boundaries of the City of Victoria, the District of Saanich, the District of Oak Bay, the Township of Esquimalt, the City of Colwood, the District of Metchosin, the Town of View Royal, the District of Langford, the District of Highlands, the District of Sooke, the District of North Saanich, the Township of Sidney, and the Juan de Fuca Electoral Area.

~~2. The boundaries of the extended service shall be coterminous with the boundaries of the City of Victoria, the District of Saanich, the District of Oak Bay, the Township of Esquimalt, the City of Colwood, the District of Metchosin, the Town of View Royal, the District of Langford, the District of~~

~~Highlands, Langford Electoral Area and Sooke Electoral Area and the Town of Sidney, the District of Central Saanich and the District of North Saanich.~~

[BL 2590, BL 4493]

PARTICIPATING AREAS

3. ~~The City of Victoria, the District of Saanich, the District of Oak Bay, the Township of Esquimalt, the City of Colwood, the District of Metchosin, the Town of View Royal, the District of Langford, the District of Highlands, the District of Sooke, the District of North Saanich, the Township of Sidney, and the Juan de Fuca Electoral Area are the participating areas for this service. The City of Victoria, the District of Saanich, the District of Oak Bay, the Township of Esquimalt, the City of Colwood, the District of Metchosin, the Town of View Royal, the District of Langford, the District of Highlands, the Town of Sidney, the District of Central Saanich and the District of North Saanich, the Langford Electoral Area and Sooke Electoral Area include the participating areas for this extended service.~~
- [BL 2590, 4493]

COST RECOVERY

4. ~~As provided in Section 378 of the *Local Government Act*, the annual costs of providing the Service may be recovered by one or more of the following:~~
- ~~(a) property value taxes imposed in accordance with Division 3 [Requisition and Tax Collection], Part 11 of the *Local Government Act*; and~~
 - ~~(b) revenues received by agreement, enterprise, gift, grant or otherwise.~~
- [BL 4493]
4. ~~The annual operating cost shall be recovered:~~
- ~~(a) by the requisition of money under section 822 and 823 of the *Municipal Act* to be collected by a property value tax levied and collected under section 824 and 825 of the *Municipal Act*.~~

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 service is the greater of:~~
- ~~(a) Fifteen Thousand Dollars (\$15,000); or~~
 - ~~(b) An amount equal to the amount that could be raised by a property value tax rate of \$0.0001024 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 Service.~~
5. ~~The maximum amount that may be requisitioned under section 803 of the *Local Government Act* shall be \$15,000.00.~~
- [BL 3048, 4493]

COST APPORTIONMENT

6. ~~The annual net cost attributable to this service shall be apportioned among the municipalities and electoral areas participating in this service on the basis of:~~
- ~~(a) 50% of the cost shall be apportioned on the converted basis of land and improvements in the participating areas as set out in section 380(2)(a) of the *Local Government Act*; and~~
 - ~~(b) 50% of the cost shall be apportioned on the basis of the population, where population for the purpose of this section is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.~~
- [BL 4493]
6. ~~The annual net cost attributable to this service shall be apportioned among the municipalities and electoral areas participating in this service on the basis of:~~
- ~~(a) 50% of the cost shall be apportioned on the basis of Section 820(1) of the *Municipal Act* in the immediately preceding year in each participating municipality and electoral area.~~

~~(b) 50% of the cost shall be apportioned on the basis of the population of each participating municipality and electoral area based on the last census established by Census Canada prior to the year of apportionment.~~

POWERS

7. In providing the extended service established by this bylaw, the Regional District shall without limiting the generality of Section 1:
- (a) participate in and share in the cost of a Family Court Committee under this bylaw;
 - (b) ~~on behalf of the Juan de Fuca Electoral Area, appoint a member to serve on the Provincial Court Act Family Court Committee; and on behalf of the electoral areas of Sooke and Langford appoint a member from each of the electoral areas to serve on the Family Court Committee appointed under Section 4 of the Provincial Court Act.~~
 - (c) ~~to provide funding, in the form of grants or sponsorships, to individuals and organizations whose projects or purposes relate to juvenile justice and family court issues. to provide funding for Board approved committees whose purpose is related to juvenile justice issues.~~

[BL 2795, 4493]

REPEAL

8. Upon adoption of this bylaw, sections 4 through 7 of Division VI – Family and Children’s Court granted by Letters Patent issued the 16th day of March 1967 as amended the 10th day of September 1987 will cease to have effect.

CITATION

9. This Bylaw may be cited as the “Family Court Committee Extended Service Establishment Bylaw No. 1, 1997.”

READ A FIRST TIME THIS	29 th	day of	October	1997
READ A SECOND TIME THIS	29 th	day of	October	1997
READ A THIRD TIME THIS	29 th	day of	October	1997
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	6 th	day of	January	1998
ADOPTED THIS	28 th	day of	January	1998

CHAIR

CORPORATE OFFICER

Filed with the Inspector of Municipalities this 3rd day of February 1998.