

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4560**

**A BYLAW TO AMEND BYLAW NO. 2587, ROYAL THEATRE
LOCAL SERVICE AREA ESTABLISHMENT BYLAW NO. 1, 1998**

WHEREAS:

- A. Under Bylaw No. 2587, "Royal Theatre Local Service Area Establishment Bylaw No. 1, 1998", the Regional Board established a service for the purpose of purchasing, maintaining, equipping, operating, and selling the Royal Theatre;
- B. The Board wishes to amend Bylaw No. 2587 to modernize the bylaw and provide greater budgeting flexibility to ensure the Royal Theatre can be maintained, equipped, and operated in a way that promotes the long-term sustainability and usefulness of the facility; and
- C. Pursuant to section 349 of the *Local Government Act (LGA)*, an establishing bylaw may be amended with the consent of at least 2/3 of the participants and, pursuant to section 346 of the *LGA*, a municipal council may give consent on behalf of a municipal participating area.

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

1. Bylaw No. 2587, "Royal Theatre Local Service Area Establishment Bylaw No. 1, 1998", is hereby amended as follows:

(a) By deleting Sections 4, 5 and 6 in their entirety and substituting the following:

Cost Recovery

- 4. The annual cost of providing the 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.

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) five hundred and eighty thousand (\$580,000); or
 - b) an amount equal to the amount that could be raised by a property value tax rate of \$0.00590 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.

Apportionment

6. a) The annual costs for the 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.

(b) By deleting the paragraph under the heading "Grants in Lieu of Taxes" and substituting the following:

7. For the purpose of Section 389 of the *Local Government Act* funds paid to the Regional District in respect of the service will be held to the credit of the participant making the payment.

(c) By deleting Section 8 in its entirety and substituting the following:

Committee and Operation

8. a) The Board of the Regional District may maintain, operate, equip and sell the Royal Theatre 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 Royal Theatre and may, in relation to the committee, delegate the powers of the Regional Board under section 263 of the *Local Government Act*.

