

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4150**

**A BYLAW TO CONVERT THE COMMUNITY PARKS FUNCTION OF DIVISION XIV OF THE
SUPPLEMENTARY LETTERS PATENT OF THE CRD TO SERVICES OPERATED UNDER A
BYLAW**

WHEREAS:

- A. By Supplementary Letters Patent (SLP), Division XIV, OIC 2769, dated the 28th day of August, 1975 as amended by SLP dated the 9th day of June, 1977, the 16th day of April, 1986 and the 17th day of December, 1987, the Capital Regional District was given the authority to acquire, develop, operate and maintain community parks for the Electoral Areas of Colwood, Langford, Metchosin, View Royal, Sooke, Salt Spring Island and Outer Gulf Islands, and must by Bylaw name the areas that participate in the program;
- B. The municipalities of Colwood, Langford, Metchosin, View Royal and Sooke were subsequently incorporated and, as a result, no longer participate in the Community Parks function; and the Outer Gulf Islands Community Parks service was created under a separate bylaw and therefore does not participate in the Community Parks function;
- C. The *Local Government Act* authorizes the Capital Regional District Board (the Board) to convert a function established by SLP to a service exercised under the authority of a bylaw establishing the service;
- D. The Board wishes, by bylaw, adopted in accordance with the *Local Government Act*, to convert the service operated under SLP Division XIV (participating area Bylaw 245) and its SLP to a service exercised under the authority of an establishing bylaw and, by the same bylaw, amend the power to the extent that it could if the power were in fact exercised under the authority of the establishing bylaw;
- E. The written consent of at least two thirds of all the participants has been obtained in accordance with the *Local Government Act*.

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

- 1. The function of acquiring, developing, operating and maintaining community parks in the Juan de Fuca Electoral Area as granted by Division XIV of SLP dated August 28, 1975 is hereby converted and established as the Juan de Fuca Electoral Area Community Parks Service.
- 2. The boundaries of the service area are the whole of the Juan de Fuca Electoral Area.
- 3. The participants of the service are the Juan de Fuca Electoral Area.

4. The annual cost for the service may be recovered, in accordance with Paragraph 378 of the *Local Government Act*, by one or more of the following:
 - a. Property value taxes,
 - b. Parcel taxes,
 - c. Fees and charges,
 - d. Revenues raised by other means, or
 - e. Revenues received by way of agreement, enterprise, gift, grant or otherwise.
5. In accordance with Paragraph 339 (1) of the *Local Government Act*, the maximum amount that may be requisition for the cost of the Juan de Fuca Community Parks Service is the greater of \$227,173 or an amount equal to the amount that could be raised by a property tax rate of \$0.15/\$1,000 when applied to the net taxable value of lands and improvements within the Juan de Fuca Electoral Area.
6. This Bylaw may be cited for all purposes as the “Juan de Fuca Community Parks Services Conversion Bylaw No. 1, 2017”.

READ A FIRST TIME this th day of 2017.

READ A SECOND TIME this th day of 2017.

READ A THIRD TIME this th day of 2017.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2017.

ADOPTED this th day of 2017.

CHAIR

CORPORATE OFFICER