

POWELL RIVER REGIONAL DISTRICT

BYLAW NO. 439

A Bylaw to Convert and Re-establish the Function of Regional Parks as a Service for
Regional Parks and Recreation Services in the Regional District

This document is a consolidated version of the "Regional Parks Conversion-Establishment Bylaw No. 439, 2010" and amendments thereto as set out in Bylaw No. 439.1, 2017, Bylaw No. 439.3, 2017, and Bylaw No. 439.4, 2017 consolidated under the authority of Section 139 of the *Community Charter* S.B.C. 2003, c.26 and Powell River Regional District Bylaw No. 309, 1998.

WHEREAS by Supplementary Letters Patent dated November 23, 1970, as amended by Supplementary Letters Patent dated April 3, 1974, and as amended by B.C. Regulation 149/84 Part 24, and as amended by Supplementary Letters Patent dated March 11, 1988, the Regional District was granted the function of acquiring, developing, operating and maintaining regional parks (Div. VI) within the entire Regional District with all member municipalities and electoral areas participating;

AND WHEREAS the *Local Government Act* authorizes the Regional District 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 acquiring, developing, operating and maintaining regional parks to a service for establishing, developing, operating and maintaining regional parks, recreational properties and facilities of a regional nature, and associated community activities in the Regional District;

AND WHEREAS the Board has authorized approval of the electors in the electoral areas within the service area to be given by the electoral area directors' consent in accordance with Section 801.5 of the *Local Government Act*,

AND WHEREAS the Council of the City of Powell River has notified the board of its consent to the adoption of this bylaw under Section 801.4 of the *Local Government Act* and the directors of the electoral areas within the service area have consented in writing to the adoption of this bylaw under Section 801.5;"

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*;

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

CONVERSION AND ESTABLISHMENT

1. The function of acquiring, developing, operating and maintaining regional parks in the Regional District, as established by Division VI of Supplementary Letters Patent dated November 23, 1970, as amended by Supplementary Letters Patent dated April 3, 1974, and as amended by B.C. Regulation 149/84 Part 24, and as amended by Supplementary Letters Patent dated March 11, 1988, is converted and established as the "Powell River Regional District Regional Parks Service".

SCOPE OF SERVICE

2. The service established by this bylaw includes:
 - (a) the acquisition, development, operation and maintenance of land, buildings and other facilities for regional park and associated recreational purposes;
 - (b) the operation of recreational programs and facilities of a regional nature by the Regional District and others;
 - (c) the operation of community programs, activities and services that are compatible with regional park or recreation purposes by the Regional District and others;
 - (d) commercial activities that are compatible with regional park or recreation purposes; and
 - (e) carrying out any function that is ancillary or incidental to the foregoing activities.

SERVICE AREA

3. The boundaries of the service area for the service established by this bylaw are the boundaries of the Powell River Regional District.

PARTICIPATING AREAS

4. The service area shall include the following participating areas: the City of Powell River, and Electoral Areas "A", "B", "C", "D" and "E".

COST RECOVERY

5. The annual cost of providing the service shall be recovered by either or both of the following:
 - (a) the requisition of money to be collected by property value taxes levied on the net tax values of land and improvements in the service area;
 - (b) other fees and charges as may be fixed by separate bylaw.

MAXIMUM REQUISITION

- 6. The maximum amount that may be requisitioned annually for this service shall be \$0.215 per \$1,000.00 net taxable value of land and improvements in the service area.

TITLE

- 7. This bylaw may be cited as the "Regional Park Conversion and Service Establishment Bylaw No. 439, 2010".

READ A FIRST TIME this **23rd** day of September, 2010.

READ A SECOND TIME this **23rd** day of September, 2010.

READ A THIRD TIME this **23rd** day of September, 2010.

RECEIVED THE APPROVAL OF THE INSPECTOR OF MUNICIPALITIES this **7th** day of July, 2011.

RECONSIDERED and ADOPTED this **28th** day of July, 2011.

Chair

Chief Administrative Officer

I hereby certify that this is a true and correct copy of Bylaw No. 439 of the Powell River Regional District cited as the "Regional Park Conversion and Service Establishment Bylaw No. 439, 2010" as reconsidered and adopted by the Board of Directors of the Powell River Regional District the **28th** day of July, 2011.

Chief Administrative Officer

Dated at Powell River, B.C. this **2nd** day of **August**, 2011.