REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 908

(Consolidated for convenience only up to and including .05)

A BYLAW TO ESTABLISH AND OPERATE CUSTOM TRANSIT AND PARATRANSIT AS A LOCAL SERVICE

WHEREAS pursuant to Section 790 of the Municipal Act the Lieutenant Governor in Council by regulation dated the 7th day of February, 1992 granted additional powers to the Regional District to establish and operate transit as a local service;

AND WHEREAS the Regional District intends to operate custom transit and paratransit services;

AND WHEREAS the service area shall be comprised of the participating areas of Electoral Areas 'E', 'F', 'G' and 'H', the City of Parksville and the Town of Qualicum Beach;

AND WHEREAS pursuant to Section 795 (2) (b), the Regional Board, by resolution passed by at least 2/3 of the votes cast, permitted assent to be given by the electors in the entire proposed service area;

AND WHEREAS pursuant to Section 796 (2), the Regional Board has obtained the assent of the electorate; NOW THEREFORE the Board of Directors of the Regional District of Nanaimo enacts as follows;

1. Local Service Established

The local service established and to be operated is the provision of custom transit and paratransit services.

2. Boundaries of Service Area

The boundaries of the service area are the boundaries of the Electoral Area 'H'.

3. Participating Areas

Electoral Area 'H' including participating area for the service.

4. Cost Recovery

The costs of the local service, net of grants and other revenue, may be recovered by one or more of the following:

(a) the requisition of monies under Section 809 and 809.1 of the Municipal Act to be collected
by a property value tax to be levied and collected under Sections 810 (1) and 810.1 (1) of the Municipal Act.

(b) the requisition of monies under Sections 809 and 809.1 of the Municipal Act to be collected by a frontage tax or parcel tax to be imposed under Sections 810 (2) and 810.1 (2) of the Municipal Act;

(c) the imposition of fees and other charges which may be fixed by Separate bylaw for the purpose of recovering these costs.

5. **Maximum Amount Requisitioned**

The maximum amount that may be requisitioned under Section 804 (1) (a) of the Municipal Act for the annual operating costs of the local service shall be the greater of:

(a) $190,000; or

(b) the property value tax rate of $0.86 per $1,000 that when applied to the net taxable value of land and improvements within the service area will yield the maximum amount that may be requisitioned under Section 804 (1) (a) and (b) for the local service.

6. **Powers**

To operate this service, the Regional District may:

(a) acquire, install, operate and maintain equipment for the purpose of measuring and checking transit operations, customer fare collections, and other data relative to the operation of custom transit and paratransit systems;

(b) acquire, own and operate custom transit and paratransit systems and enter into Transit Service Agreements and Annual Operating Agreements in respect of the provision and maintenance of public passenger transportation systems, and research or demonstration projects relating to the provision of public passenger transportation, as provided in the British Columbia Transit Act and Regulations thereto;

(c) undertake such duties and obligations as are provided in the British Columbia Transit Act and Regulations thereto.
7. **Definitions**

**Custom transit service** is defined as an on demand transit service for qualifying handicapped persons and is provided using either Regional District owned and operated customized transit vehicles or privately operated vehicles approved for this use by the Manager of Transportation Services.

**Paratransit service** is a fixed route service which may include on demand off route service provided using either Regional District owned and operated transit vehicles or privately owned and operated vehicles approved for this use by the Manager of Transportation Services.

8. **Citation**

This bylaw may be cited as "Regional District of Nanaimo District 69 Custom Transit and Paratransit Local Service Area Establishment Bylaw No. 908, 1993".

Introduced and read three times this 14th day of September, 1993.

Reconsidered and passed at third reading as amended this 12th day of October, 1993.

Approval of the Inspector of Municipalities obtained this 21st day of October, 1993. Assent of the electors obtained this 20th day of November, 1993.

Reconsidered and adopted this 14th day of December, 1993.

__________________________  __________________________
CHAIRPERSON                   SECRETARY