

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 899**

**A BYLAW TO ESTABLISH AND OPERATE
A SWIMMING POOL FACILITY AS A
LOCAL SERVICE**

WHEREAS pursuant to Section 788 (1)(e) of the Municipal Act, the Regional District may, by bylaw, establish and operate a recreational facility as a local service;

AND WHEREAS the Regional District intends to construct and operate a swimming pool facility;

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

AND WHEREAS pursuant to Section 794 (3), if a Board proposes to borrow money for the start of a local service, the bylaw establishing the service and the loan authorization bylaw must, for the purpose of obtaining the assent of the electors, be dealt with as if they were one bylaw;

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, in open meeting assembled, enacts as follows:

1. Local Service Established

The local service established is the construction and operation of a swimming pool facility.

2. Powers

To operate this service, the Regional District may:

- (a) acquire all such real property, easements, rights of way, licenses, rights or authorities as may be requisite or desirable for or in connection with the provision of the service;
- (b) enter into such contracts with such persons as may be necessary or appropriate to establish and operate the service; and

- (c) undertake and carry out or cause to be undertaken and carried out all other things necessary in connection with the provision of the service.

3. Boundaries of Service Area

The boundaries of the service area are the boundaries of the City of Parksville, Town of Qualicum Beach, and Electoral Areas 'F', 'G' and 'H'.

4. Participating Areas

The City of Parksville, Town of Qualicum Beach, and Electoral Areas 'F', 'G' and 'H' include participating areas for the service.

5. Cost Recovery

The annual operating and debt servicing costs of the local service, net of grants and other revenue, shall be recovered by:

- a) the requisition of money 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; and
- b) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs.

6. Maximum Requisition

The maximum amount that may be requisitioned under Section 804 (1)(a) of the Municipal Act for annual operating and debt servicing costs of the local service shall be the greater of \$770,000.00 or \$0.434 per \$1,000 of the net taxable value of land and improvements within the service area.

7. Apportionment

The costs of providing the service shall be apportioned among the participating areas on the basis of the converted value of land and improvements in those areas.

8. Citation

This bylaw may be cited as “Regional District of Nanaimo District 69 Swimming Pool Local Service Area Establishment Bylaw No. 899, 1993”.

Introduced and read three times this 13th day of April, 1993.

Reconsidered and amended at third reading this 11th day of May, 1993.

Approval of the Inspector of Municipalities obtained this 21st day of May, 1993.

The assent of the electors obtained this 19th day of June, 1993.

Reconsidered and adopted this 13th day of July, 1993.

George Holme

CHAIRPERSON

Bruce Williams

SECRETARY