

## REGIONAL DISTRICT OF NANAIMO

### BYLAW NO. 1059

*(Consolidated for convenience only to .04)*

#### **A BYLAW TO ESTABLISH A SERVICE FOR PLEASURE, RECREATION AND OTHER COMMUNITY USE**

WHEREAS the Regional District of Nanaimo, by Supplementary Letters Patent dated June 27, 1973 and subsequent amendments thereto, was empowered to acquire a site and construct, operate and maintain a recreational complex at Beban Park, in the City of Nanaimo;

AND WHEREAS the Board of the Regional District of Nanaimo may, under Section 767(4) of the Municipal Act to convert the service to one exercised under the authority of a bylaw, establish the service and may, by the same bylaw, amend the power to the extent it could if the power were exercised under the authority of a bylaw establishing the service;

AND WHEREAS the Board of the Regional District of Nanaimo has obtained the consent of the Directors representing Electoral Areas 'A', 'B', 'C' and 'D';

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled, enacts as follows:

1. A service including the function granted to the Regional District of Nanaimo by Supplementary Letters Patent dated June 27, 1973 and subsequent amendments thereto, is established for pleasure, recreation and other community use.
2. The boundaries of the service area are coterminous with the boundaries of The District of Lantzville, Electoral Areas 'A', 'B', 'C' and 'D'.
3. The District of Lantzville, Electoral Areas 'A', 'B', 'C' and 'D' are the participating areas for the service.
4. The annual cost of the service shall be recovered by the requisition of monies under Section 803(1)(a) of the *Local Government Act*.
5. In accordance with Section 800.1(1)(e) of the *Government Act* the maximum amount that may be requisitioned under Section 803(1)(a) for this service shall be the greater of:
  - (a) six hundred and sixty thousand dollars (\$660,000); or
  - (b) the product obtained by multiplying the net taxable value of land and improvements within the service area by a property value tax rate of \$0.457 per thousand dollars of assessment.

6. The annual cost of the service shall be apportioned among the participating areas on the basis of a three year moving average of percentages established by a survey of usage of sportsfields and recreation facilities.
7. This bylaw may be cited as the “Southern Community Recreation Service Area Bylaw No. 1059, 1996”.

Introduced and read three times this 10th day of September, 1996.

Received the approval of the Inspector of Municipalities this 29th day of October, 1996.

Adopted this 14th day of January, 1997.

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CHAIRPERSON

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SECRETARY