

DASHWOOD FIRE HALL BYLAW AMENDMENTS

RECOMMENDATIONS

1. That “Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
2. That “Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01 2022” be introduced, read three times, and forwarded to the Inspector of Municipalities for approval.
3. That the approval of the electors be obtained by an alternative approval process, and that participating area approval is to be obtained for the entire service area.
4. That the Board approve the Elector Response form as provided in Attachment 3, establish 4:00 p.m on Monday, June 20, 2022 as the deadline for receiving elector responses for the alternative approval process, and determine the total number of electors to which the approval process applies to be 1,542.

BACKGROUND

At the December 7, 2021 Regional District of Nanaimo Board meeting, the Board endorsed the following motions:

1. That the project budget for the Dashwood Fire Hall be increased from \$4,150,000 to \$6,462,662.
2. That an amendment to the “Dashwood Fire Hall Service Area Establishment Bylaw No. 1785, 2019” be drafted to increase the maximum requisition amount and presented to the Board for consideration.
3. That an amendment to the “Dashwood Fire Hall Loan Authorization Bylaw No. 1789, 2019” be drafted to increase the amount of borrowing authorized and presented to the Board for consideration.
4. That the associated electoral approval documents be drafted and presented to the Board for consideration.
5. That the 2022 Dashwood operating budget be increased by \$10,000 for the cost of the elector approval process.

The associated elector approval document (Attachment 3) is provided to obtain approval of the Board to initiate an alternative approval process (AAP) to obtain elector approval to amend the service establishment bylaw and the loan authorization bylaw to increase the maximum requisition amount and borrowing required to replace the Dashwood fire hall. As part of the AAP, the Board must provide three readings to both the service establishment amendment bylaw and the loan authorization amendment bylaw, set the deadline for receiving elector response forms, approve the elector response form, and determine the number of electors of the area to which the AAP applies (parts of Electoral Areas, F, G, and H).

For consideration of Board approval, “Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022” (Attachment 1) and “Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01 2022” (Attachment 2) is attached for the Board’s review. If the Board gives Bylaw No. 1785.01 and Bylaw No. 1789.01 three readings and adopts the recommendations, the bylaws will be forwarded to the Ministry of Municipal Affairs for the approval of the Inspector. Following approval, the notice of the AAP will be published. The deadline for receiving elector response forms must be established by the Board and be at least 30 days after the second publication of the notice. The recommended date is Monday, June 20, 2022.

Pursuant to section 86(1) of the *Community Charter*, approval of the electors has been obtained if, at the end of the time period for receiving elector response forms, the number of response forms received is less than 10% of the number of electors of the area to which the approval process applies. This AAP process applies to a portion of Electoral Areas F, G and H, and the total number of electors of the participating areas is determined to be 1,542. Therefore, if less than 154 elector response forms are received prior to 4:00 p.m. on Monday, June 20, 2022, elector approval is deemed to have been obtained and the Board can proceed to adopt Bylaw No. 1785.01 and Bylaw No. 1789.01.

FINANCIAL IMPLICATIONS

The project budget (\$6,462,662) and cost of the AAP (\$10,000) have been included in the 2022 Dashwood budget in accordance with Board resolution numbers 21-635 and 21-639.

Based on an estimated interest rate of 3.5%, the annual debt payment cost will be \$407,311 per year, including interest and principal. If the project proceeds, borrowing would be amortized over 25 years at an approximate annual cost of \$49.93 per \$100,000 of property assessment based on the 2022 completed roll assessments.

The average residential property value in the Dashwood Fire Hall service area is estimated at \$903,830. The additional tax cost for the new fire hall would total approximately \$451.28 per year for the average residential property.

Borrowing will increase from \$4,000,000 to \$6,243,662 with the remaining \$219,000 being funded from reserves for a total budget of \$6,462,662.

STRATEGIC PLAN ALIGNMENT

Social Wellbeing - Make the Region a safe and vibrant place for all, with a focus on children and families in programs and planning.

REVIEWED BY:

T. Moore, Acting Director of Finance
J. Hill, Manager Legislative Services
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022
2. Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01 2022
3. Elector Response Form

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1785.01

**A BYLAW TO AMEND THE MAXIMUM REQUISITION AMOUNT FOR THE DASHWOOD FIRE HALL
SERVICE AREA**

WHEREAS the Board of the Regional District of Nanaimo established the Dashwood Fire Hall Service pursuant to Bylaw No. 1785 cited as “Dashwood Fire Hall Service Area Establishment Bylaw No. 1785, 2019”;

AND WHEREAS the approval of the electors in the participating areas has been obtained by an alternative approval process in accordance with the *Local Government Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained in accordance with the *Local Government Act*;

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

1. Citation

This bylaw may be cited for all purposes as the “Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022”.

2. Amendment

“Dashwood Fire Hall Service Area Establishment Bylaw No. 1785, 2019” is amended as follows:

(1) By deleting and replacing Section 6 with the following:

6. Maximum Requisition

In accordance with the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:

- (a) Four Hundred and Nine Thousand (\$409,000) Dollars; or
- (b) the amount equal to the amount that could be raised by a property value tax rate of \$0.5013 per \$1,000 applied to the net taxable value of land and improvements in the Service area.

Introduced and read three times this ____ day of _____, _____.

Received the approval of the Inspector of Municipalities this _____, _____.

Received the approval of the electors under section 345 of the *Local Government Act* this ____ day of _____, _____.

Adopted this ____ day of _____, _____.

CHAIR

CORPORATE OFFICER

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1789.01

**A BYLAW TO AMEND THE AUTHORIZATION TO BORROW
FOR THE DASHWOOD FIRE HALL SERVICE AREA**

WHEREAS the Dashwood Fire Hall Loan Authorization Bylaw No. 1789, 2019 authorized the borrowing of funds for the purpose of the design and construction of a new fire hall for the Dashwood Fire Hall Service Area;

AND WHEREAS the Board wishes to increase the authority to borrow to finance the design and construction of the Dashwood Fire Hall;

AND WHEREAS the estimated additional costs of designing and constructing the Dashwood Fire Hall is the sum of \$2,243,662 resulting in a required borrowing authority of \$6,243,662;

AND WHEREAS the approval of the electors in the participating areas has been obtained by an alternative approval process in accordance with the *Local Government Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained in accordance with the *Local Government Act* and the *Community Charter*;

AND WHEREAS the financing is to be undertaken by the Municipal Finance Authority of British Columbia pursuant to proposed agreements between the Authority and the Regional District;

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

1. Citation

This bylaw may be cited for all purposes as the “Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01, 2022”.

2. Amendment

“Dashwood Fire Hall Loan Authorization Bylaw No. 1789, 2019” is amended as follows:

- (1) By deleting and replacing the third WHEREAS clause with the following:

AND WHEREAS the amount of borrowing required to complete the Works, including expenses incidental thereto, is the sum of Six Million Two Hundred and Forty-Three Thousand Six Hundred and Sixty-Two (\$6,243,662) Dollars;

- (2) By deleting and replacing Section 2 (a) with the following:

- (a) to borrow upon the credit of the Regional District a sum not exceeding Six Million Two Hundred and Forty-Three Thousand Six Hundred and Sixty-Two (\$6,243,662) Dollars.

Introduced and read three times this ____ day of _____, _____.

Received the approval of the Inspector of Municipalities this _____, _____.

Received the approval of the electors under section 345 of the *Local Government Act* this ____ day of _____, _____.

Adopted this ____ day of _____, _____.

CHAIR

CORPORATE OFFICER



ALTERNATIVE APPROVAL PROCESS ELECTOR RESPONSE FORM

Electoral Areas F, G, and H of the Regional District of Nanaimo

“Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022”

“Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01, 2022”

To amend the Dashwood Fire Hall service bylaw to facilitate additional borrowing of up to Two Million Two Hundred and Forty Three Thousand Six Hundred and Sixty Two Dollars (\$2,243,662) to be repaid over a period not to exceed twenty-five (25) years in order to finance the costs of constructing a fire hall to serve the Dashwood Fire Hall Service Area within the Regional District of Nanaimo

Pursuant to Section 269(b) of the *Local Government Act*, the Regional District of Nanaimo (RDN) is seeking approval of the electors by alternative approval process in accordance with Section 86 of the *Community Charter*.

By completing this elector response form, I certify that:

- I am **OPPOSED** to the adoption of “Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022” and “Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01, 2022” which would authorize the Board to amend the Dashwood Fire Hall service bylaw to facilitate additional borrowing of up to Two Million Two Hundred and Forty Three Thousand Six Hundred and Sixty Two Dollars (\$2,243,662) to be repaid over a period not to exceed twenty-five (25) years in order to finance the costs of constructing a fire hall to serve the Dashwood Fire Hall Service Area, without first obtaining the assent of the electors in a voting proceeding (referendum);
- I am a person entitled to be registered as an elector (pursuant to the *Local Government Act*) within the participating service area of Electoral Area F, G or H of the Regional District of Nanaimo (outlined in the attached map); and
- I have not previously signed an elector response form with respect to these Bylaws.

The deadline for submitting this elector response form is 4:00 p.m. on Monday, June 20, 2022.

Completed forms may be submitted in person, or by mail to: Regional District of Nanaimo, 6300 Hammond Bay Road, Nanaimo, BC V9T 6N2; by email to vote@rdn.bc.ca or by fax to 250-390-4163.

Postmarks WILL NOT be accepted as the date of submission.

If at least 10% (154) of eligible electors sign and submit a completed elector response form by the deadline, the Regional District Board may not proceed with adopting “Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022” and “Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01, 2022” unless elector approval is obtained by assent voting (referendum).

FULL NAME OF ELECTOR:

(e.g. Donald Smith – not D. Smith)

(Please Print)

ELECTOR’S RESIDENTIAL ADDRESS:

(Full residential (Street) address including Town/City)

SIGNATURE OF ELECTOR:

(Signature)

DATE:

To be completed (in addition to the above) if you are a Non-Resident Property Elector

I am a non-resident property elector who lives in another community and owns property in the participating service area of Electoral Area F, G or H (outlined in the attached map) of the RDN located at: *(insert full residential (Street) address of property below)*

Note: Additional information regarding elector qualifications can be found on the reverse side of this form.

INFORMATION REGARDING QUALIFICATIONS FOR ELECTORS

In order to sign an elector response form in relation to the alternative approval process (AAP), a person must either be a **resident elector** or a **non-resident property elector** (not both) within the participating service area. For the purposes of this AAP, portions of Electoral Areas F, G and H shown outlined in the attached map (the “participating service area”) of the Regional District of Nanaimo apply.

A **resident elector** is an individual who is qualified to vote in a jurisdiction by virtue of **living (residing)** in the participating service area. To sign an elector response form as a resident elector a person must:

- be 18 years of age or older; and
- be a Canadian citizen; and
- have lived in British Columbia for at least 6 months immediately before signing this elector response form; and
- be a resident within the participating service area of Electoral Area F, G or H of the Regional District of Nanaimo (outlined in the attached map) for at least 30 days before signing this elector response form; and
- not be disqualified by any enactment from voting in an election or be otherwise disqualified by law.

A **non-resident property elector** is an individual who **does not live (does not reside)** in the participating service area but is entitled to submit an elector response form by virtue of owning a real property in that jurisdiction. To sign an elector response form as a non-resident property elector a person must:

- not be entitled to register as a resident elector in the participating service area of Electoral Area F, G or H of the Regional District of Nanaimo (outlined in the attached map); and
- be 18 years of age or older; and
- be a Canadian citizen; and
- have lived in British Columbia for at least 6 months immediately before signing this elector response form; and
- not be disqualified by any enactment from voting in an election or be otherwise disqualified by law; and
- be the only persons who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust; and
- be a registered owner of real property within the participating service area of Electoral Area F, G or H of the Regional District of Nanaimo (outlined in the attached map) for at least 30 days before signing this elector response form.
 - If a property is owned by **more than one** individual, only **one** of them may sign an elector response form (with the written consent of the majority of the owners);
 - A person may register as a non-resident property elector in relation to **one** parcel of real property in the participating service area.

Note: There is no Corporate Vote - No corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.

INSTRUCTIONS

OPPOSED - if you are **OPPOSED** to the adoption of “Dashwood Fire Hall Service Amendment Bylaw No. 1785.01, 2022” and “Dashwood Fire Hall Loan Authorization Amendment Bylaw No. 1789.01, 2022” you can sign and submit an elector response form if you qualify as an elector of the participating service area. All elector response forms **must** be received in the office of the RDN no later than the deadline of **4:00 p.m. on Monday, June 20, 2022**. If you are submitting your form by mail, be advised that postmarks will not be accepted as the date of submission.

NOT OPPOSED – if you are **NOT OPPOSED** you need do nothing.

Copies of the Bylaws, a Staff Report summarizing this initiative and elector response forms are available on the RDN website at www.rdn.bc.ca and at the RDN administration office (6300 Hammond Bay Road, Nanaimo, BC) Monday to Friday from 8:30 a.m. to 4:30 p.m., excluding statutory holidays.

For further information contact: Jacquie Hill, Corporate Officer, Regional District of Nanaimo, 6300 Hammond Bay Road, Nanaimo, BC V9T 6N2; 250-390-4111, toll free at 1-877-607-4111; vote@rdn.bc.ca

Note: An accurate copy of this elector response form may be utilized (either single-sided or double-sided), provided that it is made of the form prior to any electors signing such form.

