



CENTRAL COAST REGIONAL DISTRICT

DATE: March 03, 2014

TO: Darla Blake, CAO

FROM: Donna Mikkelson, CFO

SUBJECT: Feasibility Study Fund – Bylaws 181, 1992 & 425, 2014

RECOMMENDATION:

THAT Bylaw No. 425, cited as the “Feasibility Study Fund Repeal Bylaw No. 425, 2014” be now introduced and read a first time.

THAT Bylaw No. 425, cited as the “Feasibility Study Fund Repeal Bylaw No. 425, 2014” having been given due and detailed consideration by the Board be now read a second and third time.

AND THAT Bylaw 425, 2014 be brought forward to the April 10th board meeting for consideration of final adoption.

BACKGROUND

The following is an excerpt from the Financial Plan Report presented to the board of directors at the February 13th board meeting:

Feasibility Study Fund

Bylaw 181 was introduced in 1992 and provides for the levying of taxes to accommodate proposed new services. The maximum that may be requisitioned in any one year is \$0.10 per \$1,000 of assessed value (approximately \$15,000 based on 2013 assessment values), although the maximum that the fund may accumulate is \$10,000 according to the bylaw.



As reported in December, the \$10,000 levied for 2014 will not provide the funds necessary to adequately undertake most feasibility studies without matching funds from another source. The board may expect further information regarding the 1992 bylaw at the March board meeting since the authority to requisition funds has been superseded by legislation (the Municipal Act no longer applies).

You may recall that feasibility funds are to be requisitioned in conjunction with the 2014 budget in relation to the anticipated studies required to advance the Denny Island water system project, which has been identified as a strategic priority by the board of directors.

Options

1. The board of directors could amend the existing Bylaw No. 181, 1992 to increase the amount required as there are currently no limits stated in legislation;
or
2. The board could repeal the existing bylaw and could use the provisions of section 800 of the *Local Government Act* and not have an establishing bylaw in place for this service.

Respectfully submitted,



Donna Mikkelson, CFO

CENTRAL COAST REGIONAL DISTRICT

BYLAW NO. 425

A bylaw to repeal the Feasibility Study Fund Bylaw No. 181

WHEREAS the board of directors for the Central Coast Regional District has adopted the “Feasibility Study Fund Bylaw No. 181” for the purposes of meeting the costs of undertaking feasibility studies of services the Board proposes to provide;

AND WHEREAS Bylaw No. 181 established a maximum amount for the fund, which is no longer adequate;

AND WHEREAS pursuant to Section 800 of the *Local Government Act* the board is no longer required to have a bylaw in place for this purpose.

NOW THEREFORE THE Board of Directors for the Central Coast Regional District, in open meeting assembled enacts as follows:

1. Bylaw 181 cited as the “Feasibility Study Fund Bylaw No. 181” is hereby repealed;
2. This bylaw may be cited as “Feasibility Study Fund Repeal Bylaw No. 425, 2014”.

READ A FIRST TIME THIS _____ day of _____, 2014.
READ A SECOND TIME THIS _____ day of _____, 2014.
READ A THIRD TIME THIS _____ day of _____, 2014.
ADOPTED THIS _____ day of _____, 2014.

Chair

Corporate Officer

I hereby certify that the above is a true and correct copy of Bylaw 425 cited as “Feasibility Study Fund Repeal Bylaw No. 425, 2014”.

Corporate Officer

CENTRAL COAST REGIONAL DISTRICT

BYLAW NO. 181

A bylaw to establish a **FEASIBILITY STUDY FUND** in and for the Central Coast Regional District.

WHEREAS the Board is empowered by the Municipal Act to establish a feasibility study fund as a general service;

AND WHEREAS the Board deems it necessary to establish a feasibility study fund;

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

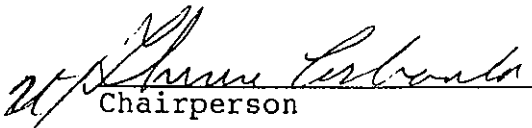
1. There is hereby established a feasibility study fund for the Central Coast Regional District for the purposes of meeting the costs of undertaking feasibility studies of services the Board proposes to provide.
2. The costs of establishing and maintaining the fund shall be as determined by the Municipal Act; such costs shall be borne by all electoral areas of the Central Coast Regional District and requisitioned on the basis of net taxable value of land and improvements in the regional district.
3. The feasibility study fund established by this bylaw shall not exceed an aggregate sum of **TEN THOUSAND DOLLARS (\$10,000)**.
4. Bylaw No. 22 cited as "General Feasibility Studies Reserve Fund Establishment By-law No. 22, 1979" is hereby repealed.
5. This bylaw may be cited as "**Feasibility Study Fund Bylaw No. 181**".

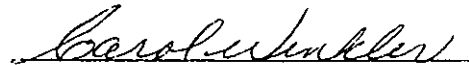
READ a FIRST TIME this 24 day of March, 1992.

READ a SECOND TIME this 24 day of March, 1992.


READ a THIRD TIME this 24 day of March, 1992.

RECONSIDERED and ADOPTED this 24 day of March, 1992.


Chairperson


Secretary

CERTIFIED a true copy of
Bylaw No. 181 as adopted.


Secretary

CENTRAL COAST REGIONAL DISTRICT

FEASIBILITY STUDY FUND

DATA SHEET

AUTHORITY:

Municipal Act section 787:

"The Regional District may establish and operate the following general services:

(a) ...and matters involving the feasibility study fund under section 811.1;

Municipal Act section 811.1:

"(1) A board may, by bylaw, establish a feasibility study fund for the purposes of meeting costs of undertaking feasibility studies of services it proposes to provide.

(2) No requisition shall be made in any year that would result in the amount that is in a feasibility study fund exceeding the amount produced by a levy of \$.10 per \$1000 of the net taxable value of land and improvements in the regional district.

(3) Money in a feasibility study fund may be invested or reinvested in the manner set out in section 364.

(4) If a board resolves to undertake a service, the expenditures for study of its feasibility shall be charged to the account of that service."

PURPOSE:

In the event that the Board does not currently have a function or service to which a cost may be charged, and the Board wishes to pursue the feasibility of providing a service, the fund may be accessed by Board resolution.

If the service is later established, the previous costs incurred are recovered from the service; if the service is not established, the feasibility fund bears the cost.

TAXATION

LIMITATION: As noted in section 811.1, the taxation limit is \$.10/\$1000.
For the CCRD, with a 1992 assessment base of \$48,830,318, this limit equates to \$4,883.
In other words, the CCRD could requisition each year - if the Board wishes - a sum of about \$4800. It is common for a Board to establish a maximum to which the fund could rise, ie. \$10,000 (+/-); this level may be achieved over a number of years.

Because this is a general service, it requires no assent of the taxpayers and the cost is borne by the entire regional district.

DRAFT

BYLAW: Draft Bylaw No. 181 is prepared in anticipation of the Board wishing to pursue the establishment of a feasibility study.
It would be prudent to start the fund, even if the amount requisitioned is relatively small in 1992; understandably the Board has numerous other priorities to consider.

It is recommended that Feasibility Study Fund Bylaw No. 181 be considered by the Board for 1 - 2 - 3 readings, reconsideration and adoption at the March 24th or 31st meeting, with a modest requisition for 1992.

800(2)

800 (1) In order to operate a service, the board must first adopt an establishing bylaw for the service in accordance with this Division.

(2) As an exception, a bylaw under this section is not required to establish the following:

- (a) general administration, other than electoral area administration;
- (b) electoral area administration;
- (c) undertaking feasibility studies in relation to proposed services;**
- (d) a service under section 4 (1) of the *Hospital District Act*;
- (e) undertaking a referendum under section 797.3 [*referendums regarding services*];
- (f) a service for which authority is expressly provided by another Part of this Act, other than a regulatory service;
- (g) a local community commission under section 838;
- (h) the giving of grants to an applicant for a business promotion scheme under section 215 [*business improvement areas*] of the *Community Charter* in relation to a mountain resort;
- (i) if the regional district board is authorized to appoint an approving officer under section 77.1 of the *Land Title Act*, services related to the approving officer.

803.1

(4) If a regional district undertakes a service after conducting a feasibility study in respect of the service, the costs of that study are deemed to be costs of that service.

804(2)

(d) in the case of feasibility studies in relation to proposed services, if no service is established and the board provides that the costs are to be apportioned among the electoral areas, among all the electoral areas, with the service area deemed to be all those electoral areas;