



# REPORT

To: Chair and Directors

Report Number: CS-BRD-073

From: Trish Morgan, General Manager of Community Services

Date: April 29, 2021

**Subject: Charlie Lake Fire Service Area Boundary Expansion**

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## **RECOMMENDATION: [Corporate Unweighted]**

That the Regional Board approve a public engagement process to determine if property owners in the Sawyer Subdivision, Red Creek South, Bear Flats, and South Montney areas are in favor of expanding the Charlie Lake Fire Protection boundaries to include those areas; further, that upon conclusion of the public engagement, the participants (Electoral Area B and C) provide the Regional Board with a summary of the feedback received and indicate whether they are willing to provide written consent for the bylaw amendment authorizing expansion of the fire protection service area boundary.

## **BACKGROUND/RATIONALE:**

Following wildfires in the region in 2016 and throughout the province in 2017 and 2018, staff and the Electoral Area C Director received a number of requests to expand the Charlie Lake fire protection boundaries to provide service to an increased number of properties in both Area C and Area B.

In 2018, Dave Mitchell & Associates were contracted to conduct a review of the areas being considered for expansion. Since that time, staff have conducted additional 'on the ground' information gathering, to ensure that the areas can be served by the Charlie Lake Fire Department with the current apparatus and staffing. 175 properties are proposed for expansion and have been reviewed with the Electoral Area B and C Directors. The areas being considered at this time are north and west of the existing Charlie Lake Fire Protection Area in Area C and Area B (see attached map).

To expand the boundaries of a service area there are four different methods for approval:

- 1) Consent of 2/3 of the participating areas - LGA s. 349 (1)(b)
- 2) Petition (Board initiated or property owner initiated) – LGA s. 347 (1)(a)
- 3) Alternative approval process (AAP) – LGA s.345
- 4) Assent voting (referendum) - LGA s. 342 (2)(a)

The four methods have been reviewed with the Electoral Area B and Electoral Area C Directors, who would like to move forward with utilizing the consent process following extensive public engagement. Discussion on the petition process, AAP and assent voting is under "Other Considerations."

## **Consent of 2/3 of the Participating Areas**

Under s. 349(1)(b) of the *Local Government Act* (LGA) the Board may amend a service establishment bylaw with 2/3 consent of the participating areas. According to the Ministry of Municipal Affairs, most regional districts use the "consent" process to amend service area boundaries. In the case of the Charlie Lake Fire Protection service, the participating areas are Area B and Area C.

Prior to providing consent to amend a service area boundary, most regional districts will conduct public engagement with the property owners in the areas considered for expansion. The results of the public engagement must be summarized and sent to the Inspector of Municipalities when they are considering approval of the bylaw, which must be obtained before the Board can consider adoption of the bylaw.

**Public Engagement to Determine Support for the Service**

In order to determine if there is support from the property owners to expand the service area boundaries the following will be conducted:

- 1) An information package will be sent to all property owners in the proposed expansion areas providing details of the costs and services being offered.
- 2) A "Have Your Say" page will be developed that provides the same information as the information package.
- 3) Advertising will be conducted to encourage property owners to review the information and provide their thoughts on the proposal.
- 4) Virtual town halls will be held; one for Area B and one for Area C, hosted by their electoral area directors and supported by staff.
- 5) Paper based and online surveys will be circulated. The expansion area will be broken down into three sub-areas and respondents will be asked to identify which area they are in, so it can be determined if each sub-area is in favour or not.
- 6) Opportunities for property owners to provide feedback through email and letter will be provided.
- 7) The information and surveys will also be available at voting locations open on July 17, 2021 for residents within the proposed expansion areas.

**Process:**

- 1) Public engagement starting in mid-May 2021 and concluding mid-July 2021
- 2) Public engagement results will be summarized
- 3) If the Electoral Area B and C Directors feel there is support for the expansion, they will recommend that the Board give first, second and third reading to an amendment bylaw to expand the boundaries, and provide their written consent for the amendment bylaw as permitted under LGA s. 349 (1)(b).
- 4) If the Board approves three readings of the bylaw, it will be sent to the Inspector of Municipalities for approval. The results of the public engagement will also be provided to the Ministry as part of the package sent to them for consideration of approval of the amendment bylaw.
- 5) If the Inspector approves the bylaw, it will come back to the Board for adoption.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board provide further direction.

**STRATEGIC PLAN RELEVANCE:**

- ☒ Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

The current tax rate is \$0.65/\$1,000 on land and improvements which generated \$30,001.86 in requisition in 2021. It is estimated that if the boundary is expanded that the tax rate will remain relatively stable and the increased revenue, estimated at \$30,001.86, will be added to the capital reserve to pay for capital replacement of apparatus and equipment and future installation of dry hydrants.

**COMMUNICATIONS CONSIDERATION(S):**

A public engagement plan has been developed that will include:

- 1) PRRD "Have Your Say" page
- 2) Paper and online surveys
- 3) Opportunities to provide comment through email or letter
- 4) Information packages mailed to properties in the proposed areas
- 5) Social media and print media advertising
- 6) Virtual town halls
- 7) Survey distribution in conjunction with assent voting on July 17, 2021

**OTHER CONSIDERATION(S):**

Other methods available to obtain elector approval for a bylaw amendment:

**1) Petition process LGA s. 347 (1)(a)**

Either the Regional Board or the property owners may initiate a petition process. With a Board initiated petition the PRRD would send out information packages and petition letters to the properties in the proposed areas for expansion. At least 50% of the properties representing at least 50% of the assessment must return their petitions.

In the fall of 2020, the PRRD conducted a petition process of the existing service area to determine support for the CLFD to expand their services beyond fire protection and suppression, to include road rescue and/or medical first responder services. Only about 20% of the petitions were received back indicating support for the expanded services, and the petition process was deemed insufficient to authorize service expansion.

**2) Alternative approval process (AAP) LGA s.345**

AAP may be used to obtain consent of the electors if the cost of the service is less than \$0.50/\$1,000. The maximum tax rate for the Charlie Lake Fire Protection Area service is \$1.57/\$1,000, while the 2021 tax rate is well below that threshold at \$0.65/\$1,000. As such AAP is not an option to expand the service area boundaries.

**3) Assent voting of the current and proposed fire protection area LGA s. 342 (2)(a), s.344**

If the Board chooses, an assent vote may be held. This would include not only eligible electors in the proposed for expansion areas but also the existing service area. Due to the cost to conduct an assent vote, most regional districts either conduct or accept a petition or provide consent following public engagement. Due to COVID-19 the Ministry is encouraging local governments to find other ways to establish services that do not require a "vote" where possible in order to reduce the possibility of exposures.

**Mutual Aid:**

The Fort St. John Fire Department and Taylor Fire Department were asked “Do you feel that this expansion has any repercussions for your department, specifically through our mutual aid agreement and are you in favor or against this expansion?” Both departments responded that they did not have any concerns with this expansion and that it would not negatively affect the current mutual aid agreement.

**Attachments:**

- 1) Map of Proposed Charlie Lake Fire Service Area Boundary Expansion