



# REPORT

To: Chair and Directors

Report Number: CS-BRD-076

From: Trish Morgan, General Manager of Community Services

Date: April 29, 2021

**Subject: Dawson Creek–Pouce Coupe Rural Fire Protection Local Service Area Establishment Amendment Bylaw No. 2439, 2021 - Rescind 3rd Reading**

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## **RECOMMENDATION #1: [Corporate Unweighted]**

That the Regional Board rescind third reading of the Dawson Creek-Pouce Coupe Rural Fire Protection Local Service Area Establishment Amendment Bylaw No. 2439, 2021 given March 11, 2021; further, that the resolutions made at the March 11, 2021 Board meeting regarding the DC-Pouce Fire Protection bylaw amendment to select assent voting as the method of obtaining elector approval for Bylaw 2439, to appoint a Chief Election Officer and Deputy Chief Election Officer to conduct the assent voting, and to set July 17, 2021 as the assent voting day, be rescinded.

## **RECOMMENDATION #2: [Corporate Unweighted]**

That the Regional Board approve a public engagement process to determine if residents in Briar Ridge, South Dawson and Riley's Crossing are in favour of expanding the Dawson Creek-Pouce Coupe Fire Protection boundaries to include those areas; further, that upon conclusion of the public engagement, the participant (Electoral Area D) provide the Regional Board with a summary of the feedback received and indicate whether he is willing to provide written consent for the bylaw amendment authorizing expansion of the fire protection service area boundary.

## **BACKGROUND/RATIONALE:**

On March 11, 2021 the Regional Board approved moving forward with an assent vote to determine whether electors are in favor of expanding the Dawson Creek-Pouce Coupe Rural Fire Protection service area boundary to include Briar Ridge, South Dawson and Riley's Crossing. Since that time, conversations and correspondence with staff at the Ministry of Municipal Affairs have indicated that the expansion of the service area boundary can be done with written consent of 2/3 of the participants (Electoral Area D is the only participant) as per s. 349(1)(b) of the *Local Government Act* (LGA). This section of the LGA allows the Board to amend a service establishment bylaw with 2/3 consent of the participating areas.

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 after third reading, prior to the Board's adoption of the bylaw.

Ministry staff have also indicated that if an assent vote is held to authorize expansion of a service area boundary, the qualified electors in both the existing service area and the proposed expansion area must be given the opportunity to vote. This is to give existing recipients of the service the option to weigh in, particularly if the expansion of the service area will result in an increased requisition to cover the costs

of providing the service. Expanding voting to residents and property owners within the existing service area increases the cost of public engagement (mailing info packages, postcards, etc.) and the voting process.

Given that the existing fire protection area will not realize a cost increase if the expansion is successful and a petition for the service was received from Briar Ridge in 2019, the Electoral Area Director would like to proceed with public engagement in Briar Ridge, South Dawson, and Riley's Crossing and then determine whether to provide consent to expand the service area boundary.

The Board approved the third reading of the bylaw on March 11, 2021; in that bylaw, it indicates that elector approval was to be obtained in accordance with the *Local Government Act* as at that time, assent voting was expected to be the method used to obtain elector approval. If elector approval is not going to be sought, and instead, the Board accepts written consent of 2/3 of the participants as participating area approval, third reading of the bylaw will need to be rescinded and the Ministry notified that the Board is no longer seeking Ministerial approval of the bylaw as at third reading given March 11<sup>th</sup>. Following public consultation, should Director Hiebert agree to provide written consent to the service area boundary bylaw amendment, a revised version of Bylaw 2439 would need to be prepared and given third reading as amended which could then be sent to the Ministry for approval, which is still required.

### **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) A virtual town hall meeting will be held, hosted by the Electoral Area D Director and supported by staff and the Fire Chief and Deputy Chief from the Dawson Creek Fire Department.
- 5) Paper based and online surveys will be circulated. The expansion area will be broken down into three sub-areas (Briar Ridge, South Dawson and Riley's Crossing) and respondents will be asked to identify which area they are in, so it can be determined if each sub-area is in favor or not.
- 6) Opportunities for properties 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 D Director feels there is support for the expansion, he will recommend to the Board to give the third reading of the amendment bylaw to expand the boundaries, as amended to indicate written consent rather than assent voting.

- 4) If the Board approves third reading of the updated version of the amendment 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:**

- ☒ Partnerships
- ☒ Collaboration with Local and First Nations governments

### **FINANCIAL CONSIDERATION(S):**

The City of Dawson Creek and PRRD are in their fourth year of a five year fire protection agreement. Under this agreement, the City will receive \$276,000 from the PRRD for providing fire protection in the rural fire protection area in 2021.

Should the electors approve the expansion, the following will apply:

- \$73,971.73 (plus the current contract fee) for the first year of service (2022) funded through requisition from the expanded service area at a tax rate of \$1.0214 per \$1,000 of assessment. This is the same rate that the existing Dawson Creek rural fire protection area is paying for the 2021 service.
- In subsequent years, the yearly requisition contribution will be included into the existing fire protection area, not to be below the first year rate of \$73,971.73.
- For 2023, a 5 year service contract will be renegotiated for an additional 5 year term with this proposed area to be included.
- An additional three year commitment of \$25,000 per year from Area 'D' Peace River Agreement funds for the equipment needs of the Dawson Creek Fire Department for a total of \$75,000.
- The total expenditure for the first year of the expanded service (2022) will be \$98,971.73.

### **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 hall
- 7) Surveys and information packages available in conjunction with assent voting on July 17, 2021

**OTHER CONSIDERATION(S):**

None.

**Attachments:**

1. Dawson Creek–Pouce Coupe Rural Fire Protection Local Service Area Establishment Amendment Bylaw No. 2439, 2021 (as at 3<sup>rd</sup> Reading given March 11, 2021)

**External Links:**

1. [Dawson Creek-Pouce Coupe Rural Fire Protection Local Service Area Establishment Amendment Bylaw No. 2439, 2021 – CS-BRD-069: See Item # 11.4](#)