



REPORT

To: Chair and Directors

Report Number: ADM-BRD-187

From: Tyra Henderson, Corporate Officer

Date: May 13, 2021

Subject: Rolla Creek Watercourse Dyking Local Service Area Establishment Amendment Bylaw No. 2428, 2021

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board adopt Rolla Creek Watercourse Dyking Local Service Area Establishment Amendment Bylaw No. 2428, 2021.

BACKGROUND/RATIONALE:

On March 11, 2021, the Regional Board gave third reading to Rolla Creek Watercourse Dyking Local Service Area Establishment Amendment Bylaw No. 2428, 2021.

The Ministry of Municipal Affairs approved the bylaw on April 15, 2021 and the Board may now adopt the bylaw.

This will allow an increase to the maximum requisition from \$1,500 - \$35,000, to more accurately reflect the annual cost of providing the service and enable the PRRD to tax the benefitting properties sufficiently to recover the costs of the service. In recent years, funding has been injected into the function from Electoral Area D Peace River Agreement funds.

ALTERNATIVE OPTIONS:

1. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

This bylaw amendment proposes the first ever increase to the maximum requisition for the Rolla Dyke function since its establishment in 1989 to enable the PRRD to recover the costs of providing the service.

COMMUNICATIONS CONSIDERATION(S):

Electoral Area 'D' Director Hiebert intends to host a meeting with the owners of the six properties within the service area boundary to explain the need for the significant increase in the maximum requisition, and explore the alternative of decommissioning the service due to the prohibitive cost of maintaining the dyke. If the residents feel that the cost of the service is too great, for the benefit it provides, staff will further explore the necessary steps to withdraw from the service. Under the *Local Government Act*, Section 349, a service establishment bylaw can be repealed, with written consent of 2/3 of the

participants, unless the Minister (who must also approve the repeal of the bylaw) imposes additional requirements such as elector approval. There will also be some environmental regulations that must be met in order for the Inspector of Dykes to consent to the decommissioning of the service.

OTHER CONSIDERATION(S):

The bylaw is subject to a one month 'quashing' period, in accordance with the *Local Government Act*, Section 623 – Court application to set aside bylaw or other instrument. Once the thirty day period is over, staff will apply to the Ministry for a certificate of final approval.

Attachments:

1. Statutory Approval Certificate
2. Rolla Creek Watercourse Dyking Local Service Area Establishment Amendment Bylaw No. 2428, 2021

External Links:

1. [Function 430 - Rolla Creek Dyking Service Amendment Bylaw No. 2428, 2021, ADM-BRD-157](#)