

PEACE RIVER REGIONAL DISTRICT

Bylaw No. 2428, 2021

A bylaw to amend "Rolla Creek Watercourse Dyking
Local Service Area Establishment Bylaw No. 647, 1989"

WHEREAS the Regional Board of the Peace River Regional District has adopted "Rolla Creek Watercourse Dyking Local Service Area Establishment Bylaw No. 647, 1989;"

AND WHEREAS the Peace River Regional District Board wishes to increase the maximum requisition amount allowable for the recovery of costs for the operation of the Rolla Creek Watercourse Dyking Local Area Service; and must also amend the bylaw to bring it into compliance with the *Local Government Act*;

AND WHEREAS pursuant to the *Local Government Act*, consent for the amendment of the establishing bylaw has been obtained in writing from the Director of Electoral Area D on behalf of the participating area;

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

SECTION 1 – ADMINISTRATIVE PROVISIONS

1. This bylaw may be cited as "Rolla Creek Watercourse Dyking Local Service Area Establishment Amendment Bylaw No. 2428, 2021."
2. If any portion of this bylaw is declared invalid by a court, the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

SECTION 2 – AMENDMENTS

Rolla Creek Watercourse Dyking Local Service Area Establishment By-law No. 647, 1989 is hereby amended as follows:

3. Paragraph one of the preamble which states "Whereas a Regional District may, by by-law, establish and operate a local service under the provisions of Part 24 of the Municipal Act" is deleted and replaced with:
Whereas the Peace River Regional District may, under the authority of, and in compliance with the *Local Government Act*, establish a service for the benefit of those residents and properties within the boundaries of the service area;
4. Paragraph four of the preamble is amended by striking the words "pursuant to Section 801 of the Municipal Act RSBC 1979 c.290".
5. Delete Clause 1 in its entirety and insert in its place the following:
Section 1 – Purpose – Service Being Established
 1. The Peace River Regional District hereby establishes the service of watercourse dyking on the Rolla Creek, to alter the flow of water and reduce flooding of properties within the service area boundary and this service shall be known as the Rolla Creek Watercourse Dyking Service.

6. Delete Clause 2 in its entirety and insert new Section 2 – Service Area Boundary as follows:

Section 2 – Service Area Boundary

2. The boundaries of the Rolla Creek Watercourse Dyking Service are a defined portion of Electoral Area 'D' as shown outlined in a heavy red line and crosshatched in red on "Schedule 'A' – Rolla Creek Watercourse Dyking Service Area Boundary", which is attached hereto and forms part of this bylaw.

7. Delete Clause 3 in its entirety and insert new Section 3 – Participating Areas as follows:

Section 3 – Participating Areas

3. The participating area for this service is a defined portion of Electoral Area 'D', as shown outlined in a heavy red line and crosshatched in red on the attached Schedule 'A'.

8. Insert new Section 4 – Cost Recovery as follows:

Section 4 – Cost Recovery

4. The cost of providing the Rolla Creek Watercourse Dyking Service within the defined service area shall be recovered by one of more of the following methods:

- a) A parcel tax levied against all parcels within the Rolla Creek Watercourse Dyking Service area boundary as defined in Schedule A;
- b) The imposition of user fees and other charges that may be specified by a separate bylaw;
- c) Revenues raised by other means authorized by the *Local Government Act* or another Act;
- d) Revenues received by way of agreement, enterprise, gift, grant, or otherwise.

9. Insert new Section 5 – Requisition Limit as follows:

Section 5 – Requisition Limit

5. The maximum requisition for the Rolla Creek Watercourse Dyking Service for the costs of the operation, repair, maintenance, and replacement of the infrastructure required for the service, shall not exceed \$35,000 per year.

10. Delete Clause 4 in its entirety and insert new Section 6 – Title as follows:

Section 6 – Title

6. This bylaw shall be cited as "Rolla Creek Watercourse Dyking Local Service Area Establishment Bylaw No. 647, 1989."

11. Replace Schedule A to Bylaw 647, 1989 with the attached "Schedule A – Rolla Creek Watercourse Dyking Service Area Boundary"

READ A FIRST TIME THIS 14th day of January , 2021.

READ A SECOND TIME THIS 14th day of January , 2021.

READ A THIRD TIME THIS 14th day of January , 2021.

THIRD READING RESCINDED AND
RE-READ AS AMENDED THIS 11th day of March , 2021

I HEREBY CERTIFY THE FOREGOING to be a true and correct copy of Bylaw No. 2428, 2021 cited as "Rolla Creek Watercourse Dyking Local Service Area Amendment Bylaw No. 2428, 2021" as read a third time by the Regional Board of the Peace River Regional District at a meeting held on the 11th day of March, 2021.

Tyra Henderson, Corporate Officer

Received the approval of the
Inspector of Municipalities this 15th day of April , 2021.

ADOPTED THIS _____ day of _____ , 2021.

Brad Sperling, Chair

(Corporate Seal has been affixed to
the original bylaw)

Tyra Henderson,
Corporate Officer

I hereby certify this to be a true and correct copy of
"Rolla Creek Watercourse Dyking Local Service Area
Amendment Bylaw No. 2428, 2021, as adopted
by the Peace River Regional District Board on

_____, 2021.

Corporate Officer

Schedule 'A' – Rolla Creek Watercourse Dyking Service Area Boundary

