

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2424, 2020

A bylaw to amend 'Recreational and Cultural Facilities Grants-in-Aid Conversion Bylaw No. 669, 1990' to expand the scope of the service beyond operation and maintenance grants to include authority to provide grants to community organizations that provide community services on behalf of the Region, and to provide grants for capital projects that enhance recreation and cultural facilities.

WHEREAS, the Peace River Regional District established a service for the provision of grants-in-aid to assist with meeting the costs of operation and maintenance of recreation and cultural facilities serving Electoral Areas B, C, D and E by adopting "Recreation and Cultural Facilities Grants-In-Aid Conversion Bylaw No. 669, 1990";

AND WHEREAS, the Peace River Regional District wishes to expand the scope of this service beyond grants solely for the operation and maintenance of recreational and cultural facilities, to include the authority to provide grants to community organizations that operate or provide recreational and cultural **services** within the Electoral Areas, and the authority to provide **grants** to community organizations **for capital projects** that enhance recreational and cultural facilities, including those not owned by the Peace River Regional District, so long as the grant does not require the Peace River Regional District to borrow funds;

AND WHEREAS the *Local Government Act* allows for the amendment of a service establishment bylaw so long as the requirements of the legislation are met, and the Peace River Regional District has met those requirements, including obtaining approval from the Ministry and written consent from the participating areas;

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

SECTION 1 – GENERAL PROVISIONS

1. This bylaw may be cited as "Recreation and Cultural Facilities and Services Grants-In-Aid Amendment Bylaw No. 2424, 2020".
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 – TEXT AMENDMENTS

Recreation and Cultural Facilities Grants-in-Aid Conversion By-law No. 669, 1990 is hereby amended as follows:

Preamble:

3. That in paragraph one of the preamble "Section 767(4) of the Municipal Act" be replaced with "the *Local Government Act*" and that the word "which" be deleted.
4. That in paragraph one of the preamble, parts a) and b) be deleted.

Section 1

5. That the existing section titled 'Citation' be deleted and replaced with new **SECTION 1 - "GENERAL PROVISIONS"** as follows:

1.1 This bylaw shall be cited for all purposes as 'Recreation and Cultural Facilities **and Services** Grants in Aid Conversion Bylaw No. 669, 1990'.

1.2 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

6. That new **SECTION 2 - "DEFINITIONS"** be added, and the following definitions be included in that section in alphabetical order:

Community Organizations: not-for-profit societies registered and in good standing in the Province of BC, or a local government.

Recreation and Cultural Facilities: standalone buildings or grounds that are used solely and exclusively to host publicly available recreation and cultural activities; including but not limited to riding arenas, ice arenas, swimming pools, community halls, fair grounds, museums, art galleries, and campgrounds.

Section 3

7. That the section titled "Service Being Established" be renamed "**SECTION 3 – THE SERVICE**" and that existing clause 1 of Section 3 be amended by deleting the words 'local service' and replacing them with the word 'function', and by adding the words "and Services" after the word 'Facilities' and before the words 'Grants in Aid', to read as follows:

3.1 *"The function of Recreation and Cultural Facilities Grants in Aid, granted by supplementary Letters Patent dated June 19, 1980, as amended, is hereby established as the function of Recreation and Cultural Facilities and Services Grants-in-Aid."*

8. That the following clauses be added to Section 3:

3.2 The service shall include the authority to provide grants to *community organizations* to assist with the costs of operation and maintenance of *recreation and cultural facilities* serving the Electoral Areas of the Peace River Regional District.

3.3 The service shall include the authority to provide grants to *community organizations* that operate and provide recreational and cultural services in the Electoral Areas.

3.4 The service shall include the authority to provide grants to *community organizations* undertaking capital projects to enhance *recreational and cultural facilities* in the Electoral Areas, whether or not those facilities are owned or held by the Peace River Regional District, so long as no borrowing is required on the part of the Peace River Regional District, to fund any grants.

3.5 For clarity, the service of Recreational and Cultural Facilities and Services does not include the authority to borrow funds for the service.

Section 4

9. That new “**SECTION 4 - SERVICE AREA BOUNDARY**” be added as follows:

- 4.1 The boundaries of the service area established in this bylaw are Electoral Area “B”, Electoral Area “D”, Electoral Area “C” and Electoral Area “E”.

Section 5

10. That the section titled “Participating Areas” be renamed “**SECTION 5 – PARTICIPATING AREAS**” and clause 2 be deleted therefrom and replaced with the following:

- 5.1 The participants in the Recreation and Cultural Facilities and Services Grants in Aid function established herein are Electoral Areas B, C, and E.

Section 6

11. That the section titled “Cost Recovery” be deleted in its entirety and replaced with the following:

“SECTION 6 - COST RECOVERY”

6.1 The annual cost of providing Recreational and Cultural Facilities and Services Grants-in Aid within the service area boundary as defined in Section 4 above, shall be recovered by one of more of the following:

- A property value tax imposed pursuant to the provisions of the *Local Government Act*, levied against the net taxable value of improvements only
- Revenues raised by other means authorized by the *Local Government Act*, or another Act;
- Revenues raised by way of agreement, enterprise, gift, grant, or otherwise.

12. That the section titled “Apportionment Of Costs” be renamed “**SECTION 7 – APPORTIONMENT OF COSTS**” and the existing clause 5 be deleted therefrom and replaced with the following:

- 7.1 The annual net cost attributable to this service shall be borne directly by the participating electoral area(s) within which the Recreation and Cultural Facilities and Services Grant-in-Aid is provided and/or by the electoral area(s) that receive the benefit of the facility or service.

13. That New clause 7.2 be added to Section 7 as follows:

- 7.2 For clarity, Clause 7.1 requires that the cost of grants provided to *community organizations* operating and providing services in any one electoral area, and the cost of grants provided for the operation, maintenance, or capital improvement to recreational facilities in any one electoral area, shall be paid for through the cost recovery methods authorized in Section 6, applicable only in that electoral area; specifically, Electoral Area B facilities and services grants shall be funded by property taxes levied in Electoral Area B, Electoral Area C facilities and services grants shall be funded by property taxes levied in Electoral Area C, Electoral Area D facilities and services grants shall be funded by property taxes levied in Electoral Area D, and finally, that Electoral Area E facilities and services grants shall be paid for via property taxes levied in Electoral Area E; or by other revenues raised as authorized by Section 6 above.

14. That the section titled "Limit on Annual Operating Expenses" be deleted and replaced with new "**SECTION 8 – MAXIMUM REQUISITION**" as follows:

8.1 The maximum requisition limit that may be requisitioned in any one year for the service is the greater of \$480,000 or an amount equal to the amount that could be raised by a property value tax of \$0.075/\$1,000 when applied to the net taxable value of land and improvements in the service area.

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 THIS 25TH day of February, 2021.

I hereby certify the foregoing to be a true and correct copy of "Recreation and Cultural Facilities and Services Grants-in-Aid Amendment Bylaw No. 2424, 2020" as read a third time by the Peace River Regional District Board on the 25th day of February, 2021.

ORIGINAL SIGNED BY

Tyra Henderson, Corporate Officer

THIRD READING RESCINDED AND
RE-READ THIS _____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of "Recreation and Cultural Facilities and Services Grants-in-Aid Amendment Bylaw No. 2424, 2020" as read a third time as amended by the Peace River Regional District Board on the _____ day of _____, 2021.

Tyra Henderson, Corporate Officer

ADOPTED, with the written consent of
the participants, this _____ day of _____, 2021.

Chair Brad Sperling

(Corporate Seal has been affixed
to the original bylaw)

Corporate Officer – Tyra Henderson

I hereby certify this to be a true and correct copy of "Recreation and Cultural Facilities and Services Grants-in-Aid Amendment Bylaw No. 2424, 2020", as adopted by the Peace River Regional District Board on _____, 2021.

Tyra Henderson, Corporate Officer