

DRAFT CONSOLIDATION

PEACE RIVER REGIONAL DISTRICT BY-LAW NO. 669, 1990

A by-law to convert the function of Recreation and Cultural Facilities Grants-in-Aid to a local service

WHEREAS, pursuant to the *Local Government Act*, a regional district exercising a power to provide a service other than a general service, is required to adopt a bylaw respecting that service;

AND WHEREAS the Board of the Peace River Regional District was granted the function of Recreation and Cultural Facilities Grants-in-Aid by Supplementary Letters Patent, dated June 19, 1980 as amended, with Electoral Areas "B", "C", "D", and "E" as participating member municipalities;

AND WHEREAS the Board of the Peace River Regional District wishes to convert its Recreation and Cultural Facilities Grants-in-Aid function to a local service;

AND WHEREAS the participating member municipalities have consented, in writing, to the adoption of this bylaw;

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

SECTION 1 – GENERAL PROVISIONS

- 1.1 This by-law may be cited for all purposes as "Recreation and Cultural Facilities and Services Grants-in-Aid Conversion By-law 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 - DEFINITIONS

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 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, and campgrounds.

SECTION 3 – THE SERVICE

- 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.
- 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 Recreation and Cultural Facilities and Services Grants in Aid does not include the authority to borrow for the service.

SECTION 4 – BOUNDARY

- 4.1 The service area boundary is all of the land within the Peace River Regional District boundary, as established by the Lieutenant Governor in Council of British Columbia in Letters Patent dated October 22, 1987 and effective October 31, 1987, and as subsequently amended from time to time.

SECTION 5 – PARTICIPATING AREAS

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

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.

SECTION 7 - APPORTIONMENT OF COSTS

- 7.1 The annual net cost attributable to this service shall be borne directly by the 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.
- 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.

SECTION 8 – MAXIMUM REQUISITION

- 8.1 The maximum amount that may be requisitioned annually for the service shall not exceed the greater of \$240,715 distributed amongst the participating areas as noted below, or the product of a property value tax as specified for each Electoral Area in this section:
- Electoral Area B
 - i. The greater of \$107,625, or the product of a property value tax of \$0.297 for each \$1,000 levied in Area B on the net taxable value of improvements only.
 - Electoral Area C
 - i. The greater of \$26,790 or the product of a property value tax of \$0.281 for each \$1,000 levied in Area C on the net taxable value of improvements only.
 - Electoral Area D
 - i. The greater of \$20,205 or the product of a property value tax of \$0.207 for each \$1,000 levied in Area D on the net taxable value of improvements only.
 - Electoral Area E

- i. The greater of \$86,095 or the product of a property value tax of \$0.347 for each \$1,000 levied in Area E on the net taxable value of improvements only.

READ A FIRST TIME this	_____	day of _____	1990.
READ A SECOND TIME this	_____	day of _____	1990.
READ A THIRD TIME this	_____	day of _____	1990.
Approved by the Inspector of Municipalities this	_____	Day of _____	1990
ADOPTED this	_____	day of _____	1990.
AMENDED BY BYLAW XXXX, 2020, given three readings this	_____	day of _____	2020.
Approved by the Inspector of Municipalities this	_____	_____	2.21.
Amendment Bylaw No. xxxx, 2020, adopted this	_____	_____	2021.

(Corporate Seal has been affixed
to the original bylaw)

Chair Brad Sperling

Corporate Officer – Tyra Henderson