

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2050

A BYLAW TO CONVERT SOUTH PENDER ISLAND (ELECTORAL AREA G [OUTER GULF ISLANDS]) FIRE PROTECTION SPECIFIED AREA TO SOUTH PENDER ISLAND FIRE PROTECTION EMERGENCY RESPONSE LOCAL SERVICE AREA AND TO AMEND THE POWER AS SET OUT IN SOUTH PENDER ISLAND FIRE PROTECTION SPECIFIED AREA ESTABLISHMENT AND LOAN AUTHORIZATION BYLAW NO. 1, 1987.

WHEREAS the Regional Board of the Capital Regional District may, by bylaw, under Section 767(4) of the *Municipal Act* convert a service provided by the Regional District under a specified area to a Local Service and by the same bylaw amend the power to the extent that it could if the power were in fact exercised under the authority of a bylaw establishing the service provided that the bylaw meets the requirements of Section 794 and is adopted in accordance with Section 802 of the *Municipal Act*.

AND WHEREAS the Regional Board did establish by Bylaw No. 1530 cited as the “South Pender Island Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1987” a service area for the provision of fire protection services for the specified area described in the bylaw within a portion of the Outer Gulf Islands Electoral Area;

AND WHEREAS the Regional Board wishes to convert the said fire protection specified area to a Local Service;

AND WHEREAS the Regional Board wishes to combine the service area created under North Pender Island Fire Protection and Emergency Response Local Service Establishment Bylaw No. 1, 1992, with the Service Area established under this bylaw;

AND WHEREAS the approval of the Inspector of Municipalities is required under Section 795(1)(a) of the *Municipal Act*;

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

1. The fire protection service provided within the specified area created under Bylaw 1530, cited as “South Pender Island Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1987” is hereby converted to and established as a Fire Protection and Emergency Response Service within the service area defined in section 2 and is the service of:
 - (a) fire prevention;
 - (b) fire suppression; and
 - (c) assistance in response to:
 - (i) requests from the Provincial Ambulance Service for extrication of persons from damaged motor vehicles;
 - (ii) requests for assistance in the extrication of persons from damaged buildings, structures or from situations involving natural hazards;
 - (iii) emergencies where police or ambulance personnel are unavailable or are unable to respond adequately and the equipment and personnel of the department is required to respond to the situation;

in situations where the Fire Chief determines that the personnel and equipment resources of the Fire department are capable of responding to the emergency.

2. The boundaries of the service area established in Section 1 are shown on Schedule "A" attached hereto and the service shall be known as the "Pender Islands Fire Protection and Emergency Response Service".
3. Only the Outer Gulf Islands Electoral Area is a participating area for this Local Service.
4. As provided in section 803 of the *Local Government Act*, the annual cost of providing the Service and including the provision of mutual aid services under an agreement signed by the Capital Regional District shall be recovered by one or more of the following:
 - (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
 - (b) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
 - (c) fees and charges imposed under section 363 of the *Local Government Act*;
 - (d) revenues raised by other means authorized by the *Local Government Act* or another Act;
 - (e) revenues received by way of agreement, enterprise, gift, grant or otherwise.
5. In accordance with section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the cost of the Pender Islands Fire Protection and Emergency Response Service is the greater of:
 - (a) Nine Hundred and Eighteen Thousand (\$918,000) Dollars; or
 - (b) an amount equal to the amount that could be raised by a property tax rate of \$0.998 per One Thousand Dollars(\$1,000), when applied to the net taxable value of lands and improvements for hospital purposes within the Service Area.
6. The Board of the Capital Regional District may by bylaw, establish a South Pender Island Fire Protection Local Services Committee consisting of the Director representing the Outer Gulf Islands Electoral Area plus such other persons as may be designated in the bylaw and in such bylaw may delegate to the Committee any or all of the administrative powers of the Regional Board in relation to the operation of the Local Service provided under this bylaw.
7. Notwithstanding Section 2 of this bylaw, the fire department may provide fire suppression and emergency response outside the boundaries of the service area where the Capital Regional District has entered into an agreement for this purpose.
8. Sections 1 (a), 2 and 3 of Bylaw No. 1530 being the "South Pender Island Fire Protection Specified Area Establishment and Loan Authorization Bylaw No. 1, 1987" are hereby repealed.
9. This Bylaw may be cited as "Pender Islands Fire Protection and Emergency Response Service Establishment Bylaw No. 1, 1992".

READ A FIRST TIME THIS 15th day of July 1992

READ A SECOND TIME THIS 15th day of July 1992

READ A THIRD TIME THIS 30th day of September 1992

CONSENTED TO BY THE DIRECTOR FOR THE ELECTORAL AREA OF OUTER GULF ISLANDS

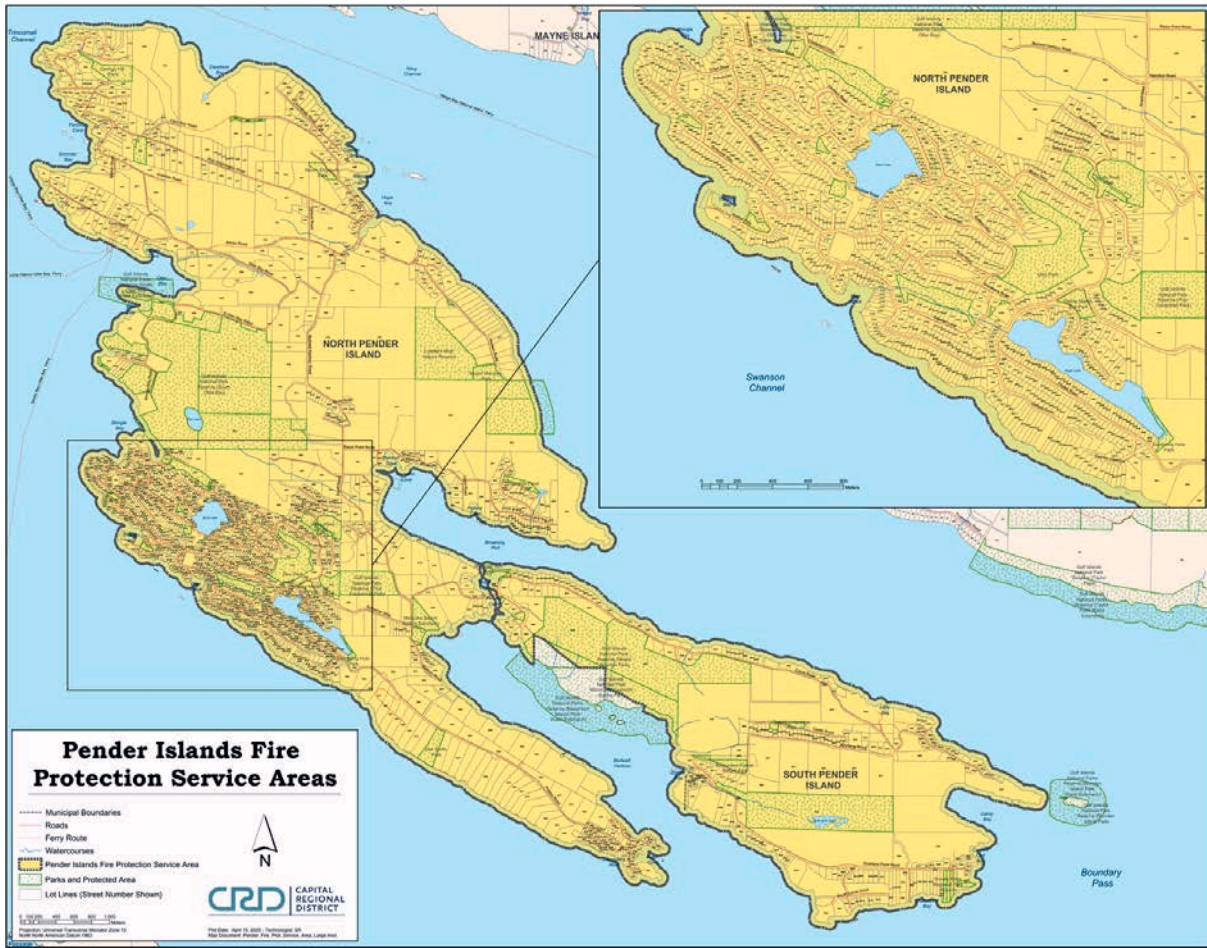
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 14th day of October 1992

RECONSIDERED AND FINALLY ADOPTED THIS 28th day of October 1992

F. Leonard
CHAIRPERSON

W.M. Jordan
SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 6th day of November 1992



Note: For greater clarity the fire protection district extends 200' perpendicular and parallel to property lines into the foreshore waters.