

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2731

A BYLAW TO CONVERT THE MALAHAT FIRE PROTECTION SPECIFIED AREA TO A LOCAL SERVICE AND TO AMEND THE POWER AS SET OUT IN MALAHAT FIRE PROTECTION SPECIFIED AREA BYLAW NO. 1, 1985.

WHEREAS the Regional Board of the Capital Regional District may, by bylaw, under section 775(4) of the *Municipal Act* in accordance with subsection (5) 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 806 and is adopted in accordance with section 813 of the *Municipal Act*;

AND WHEREAS the Regional Board did establish by Bylaw No. 1368 "Malahat Fire Protection Specified Area Bylaw, No. 1, 1985" a specified area for the provision of a volunteer fire department for the specified area described in the bylaw within a portion of the electoral area of Langford;

AND WHEREAS the Regional Board wishes to convert the Malahat Fire Protection Specified Area to a local service;

AND WHEREAS the Regional Board wishes to amend the Malahat Fire Protection Area at the same time as converting it to a local service by altering the description of the service being established;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

AND WHEREAS the assent of the electors has been obtained;

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

1. The volunteer fire department established by Malahat Fire Protection Specified Area Bylaw No. 1, 1985 is hereby converted to and established as a local service within the service area defined in section 2 of this Bylaw for the operation of a fire prevention and suppression service and attendance in conjunction with police or ambulance personnel to provide assistance under their direction at automobile accidents.
2. The boundaries of the local service area established in section 1 are described in Schedule "A" to this Bylaw.
3. Only the electoral area of Langford is a participating area for this local service.
4. The annual cost for the local service, net of grants and other revenue, shall be recovered:
 - (a) by the requisition of money under section 823 of the *Municipal Act* to be collected by a property value tax to be levied and collected under section 825.

- 5. The maximum amount that may be requisitioned under section 816(1) for the local service will be the greater of:
 - (a) Twenty Two Thousand Four Hundred (\$22,400.00) Dollars, or
 - (b) an amount equal to the amount that could be raised by a property value tax of One Dollar and Twenty Eight Cents (\$1.28) per One Thousand (\$1,000.00) Dollars which when applied to the net taxable value of land and improvements within the service area, will yield the maximum amount that may be requisitioned under section 816(1) for the service.
- 6. Bylaw No. 1368, cited as "Malahat Fire Protection Specified Area Bylaw No. 1, 1985", as amended, is repealed upon adoption of this bylaw.
- 7. This bylaw may be cited as "Malahat Fire Protection Local Service Establishment Bylaw No. 1, 1999".

READ A FIRST TIME THIS 22nd day of September , 1999

READ A SECOND TIME THIS 22nd day of September , 1999

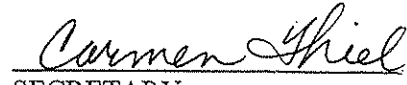
READ A THIRD TIME THIS 22nd day of September , 1999

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 15th day of October , 1999

OBTAINED THE ASSENT OF THE ELECTORS THIS 20th day of November , 1999

ADOPTED THIS 24th day of November , 1999


 CHAIR


 SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 26th day of November, 1999

SCHEDULE "A"

Boundaries of the local service area

Commencing at the northeast corner of Lot 167, Malahat District, being a point on the natural highwater mark of Finlayson Arm, on the westerly shore thereof; thence in a general southerly direction along said highwater mark of Finlayson Arm to the southeast corner of Lot 111; thence westerly along the southerly boundary of said Lot 111 to the southwest corner thereof, and continuing westerly along the westerly prolongation of the southerly boundary of Lot 111 to the point of intersection with the easterly boundary of Lot 137; thence southerly, westerly and northwesterly along the easterly, southerly and southwesterly boundaries of said Lot 137 to the southeast corner of Lot 196; thence westerly along the southerly boundary of said Lot 196 to the southwest corner thereof, being a point on the easterly limit of Esquimalt and Nanaimo Railway Company's Right-of-Way, as constructed on the ground; thence in a northerly, northwesterly and northerly direction along the easterly, northeasterly and easterly limits of said Esquimalt and Nanaimo Railway Company's Right-of-Way to the northwest corner of Lot 51; thence easterly along the northerly boundaries of Lots 51 and 167 to the aforesaid northeast corner of Lot 167, being the point of commencement.