



Making a difference...together

BYLAW NO. 3743

HARBOURS ENVIRONMENTAL ACTION SERVICE ESTABLISHMENT BYLAW NO. 1, 2010

**Consolidated for Public Convenience
(This bylaw is for reference purposes only)**

ORIGINALLY ADOPTED FEBRUARY 16, 2011
(Consolidated with Amending Bylaws 3837)

For reference to original bylaws or further details, please contact the Capital Regional District,
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6
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**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3743**

**A BYLAW TO ESTABLISH A SERVICE FOR THE PURPOSE OF
HARBOURS ENVIRONMENTAL PROTECTION**

WHEREAS:

- A. The Regional Board of the Capital Regional District may establish a service the Board considers necessary or desirable for all or part of the Regional District;
- B. The Capital Regional District Core Area Liquid Waste Management Plan approved by the Minister of Environment contains a commitment by the Capital Regional District to coordinate harbour environmental protection and improvement efforts;
- C. The Board of the Capital Regional District wishes to establish a service to protect and improve the environmental quality of portage Inlet, Gorge Waterway, Victoria Harbour, Esquimalt Harbour and Esquimalt Lagoon;
- D. The consent of the participants is not required under Section 24(7) of the *Environmental Management Act*; and
- E. The approval of the Inspector of Municipalities has been obtained under Section 801(1)(a) of the *Local Government Act*.

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

1. Service

The Service being established and to be operated is a service for the purpose of coordinating and implementing harbours environmental protection and improvement initiatives within Portage Inlet, Gorge Waterway, Victoria Harbour, Esquimalt Harbour and Esquimalt Lagoon, including matters not specifically referred to in the liquid waste management plan approved by the Board of the Capital Regional District on July 12, 2000, and, including: *(Bylaw 3837)*

- a. Monitoring, mapping, reporting and public education on issues relating to the marine and shore area environments;
- b. Coordination and collaboration with public authorities and other persons on issues relating to the marine and shore area environments; and
- c. Implementing programs related to rehabilitation and improvements of the marine and shore area environments.

2. Service Area Boundaries

The boundaries of the service area are conterminous with the boundaries with the combined areas of the City of Colwood, Township of Esquimalt, District of Langford, District of Saanich, City of Victoria, and the Town of View Royal.

3. Participating Areas

The participating areas are the City of Colwood, Township of Esquimalt, District of Langford, District of Saanich, City of Victoria and the Town of View Royal.

4. Cost Recovery

As provided in Section 803 of the *Local Government Act*, the annual cost of providing the Service 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. Fees and charges imposed under Section 363 of the *Local Government Act*;
- c. Revenues raised by other means authorized by the *Local Government Act* or another Act;
- d. Revenues by way of agreement, enterprises, gift, grant or otherwise.

5. Cost Apportionment

- a. The annual costs for the service, net of grants and other revenues, shall be apportioned on the basis of the population of the participating areas; and
- b. Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning Services department of the Capital Regional District.

6. Maximum Requisition

The maximum amount that may be requisitioned under Section 803 for the Service will be the greater of:

- a. Three hundred and fifty thousand dollars (\$350,000); or
- b. An amount equal to the amount that could be raised by a property value tax rate of \$0.0064 per ONE THOUSAND DOLLARS (\$1,000) which when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

(Bylaw 3837)

7. Citation

This Bylaw may be cited as the *Harbours Environmental Action Services Establishment Bylaw No. 1, 2010*.

(Bylaw 3837)

READ A FIRST TIME THIS	8 th	day of	December	2010
READ A SECOND TIME THIS	8 th	day of	December	2010
READ A THIRD TIME THIS	8 th	day of	December	2010
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	7 th	day of	January	2011
ADOPTED THIS	16 th	day of	February	2011

CHAIRPERSON

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 25th day of February 2011