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BYLAW NO. 3438

SALT SPRING ISLAND COMMUNITY TRANSIT AND TRANSPORTATION SERVICE ESTABLISHMENT BYLAW NO. 1, 2007

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

ORIGINALLY ADOPTED JULY 11, 2007
(Consolidated with Amending Bylaws 3740, 3901, 3956)

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3438

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**A BYLAW TO ESTABLISH A SERVICE AREA WITHIN THE
CAPITAL REGIONAL DISTRICT FOR THE PURPOSE OF A COMMUNITY TRANSIT AND
TRANSPORTATION SERVICE ON SALT SPRING ISLAND**

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WHEREAS under section 796 of the *Local Government Act* a regional district may, by bylaw, establish and operate any service the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Capital Regional District wishes to establish a service for the purpose of providing a public passenger transportation system as defined in the *British Columbia Transit Act* as a community transit service on Salt Spring Island; together with a service to address transportation needs within the Electoral Area;

AND WHEREAS the approval of the electors in the Participating Areas has been obtained under section 801.3 of the *Local Government Act*;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801(1)(a) of the *Local Government Act*;

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

1.   **Services**

      The services being established and to be operated are:

      (1)   the Salt Spring Island Community Transit Service (the "**Transit Service**") for the purpose of providing a public passenger transportation system service on Salt Spring Island; and

      (2)   the Salt Spring Island Community Transportation Service (the "**Transportation Service**") for the purpose of providing transportation, including , without limitation:

             (a)   transportation studies;

             (b)   construction, installation, maintenance and regulation of sidewalks and bicycle paths;

             (c)   construction, maintenance and regulation of parking spaces, areas and facilities;

             (d)   implementing and providing transportation demand management programs; and

             (e)   construction and maintenance of pedestrian safety and traffic calming facilities.

2.   **Service Area Boundaries**

      The boundaries of each of :

      (a)   the Transit Service area;

      (b)   the Transportation Service area

are the boundaries of the Salt Spring Island Electoral Area (the "**Service Area**").

3.   **Participating Areas**

The Electoral Area of Salt Spring Island is the participating area for each of

(a)   the Transit Service; and

(b)   the Transportation Service.

4.   **Cost Recovery**

As provided in section 803 of the *Local Government Act*, the annual cost of providing each of the Transit Service and the Transportation 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 received by way of agreement, enterprise, gift, grant or otherwise.

5.   **Maximum Requisition**

(1)   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 Transit Service is the greater of:

(a)   Two Hundred Forty Five Thousand Dollars ($245,000); or

(b)   an amount equal to the amount that could be raised by a property value tax rate of $0.076 per one thousand ($1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area.

(*Bylaw 3901*)

(2)   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 Transportation Service is the greater of:

(a)   One Hundred Forty-Six Thousand Two Hundred Fifty ($146,250) dollars; or

(b)   an amount equal to the amount that could be raised by a property value tax rate of $0.044 per One Thousand ($1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area.

(*Bylaw 3740*)

(3)   In accordance with section 800.1(1)(e) of the *Local Government Act*, and despite the provisions of Section 5(2), for the years 2015 through and including 2018, the maximum amount that may be requisitioned for the cost of the Transportation Service is the great of:

(a)   Three Hundred Ninety-Sis Thousand Two Hundred Fifty Dollars ($396,250); or

(b)   an amount equal to the amount that could be raised by a property value tax rate of $0.1346 per One Thousand ($1,000.00) dollars applied to the net taxable value of land and improvements in the Service Area.

(*Bylaw 3956*)

(4)   For greater certainty, for the year 2019 and following, the maximum amount that may be requisitioned for the cost of the Transportation Service shall again be as provided under Section 5(2).   (*Bylaw 3956*)

6.   Citation

This Bylaw may be cited as the "Salt Spring Island Community Transit and Transportation Service Establishment Bylaw No. 1, 2007".

READ A FIRST TIME THIS	9th	day of	May	2007
READ A SECOND TIME THIS	9th	day of	May	2007
READ A THIRD TIME THIS	9th	day of	May	2007
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	24th	day of	May	2007
RECEIVED THE ASSENT OF THE ELECTORS THIS	10th	day of	July	2007
ADOPTED THIS	11th	day of	July	2007

Original signed by Denise Blackwell
Chair

Original signed by Carmen Thiel
Secretary

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS	16th	day of	July	2007