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**REPORT TO ELECTORAL AREA SERVICES COMMITTEE  
MEETING OF WEDNESDAY, 05 JANUARY, 2011**

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**SUBJECT      BYLAW AMENDMENTS TO INCREASE THE REQUISITION FOR THE SOOKE  
REGION MUSEUM**

**ISSUE**

Increased funding requested for the Sooke Region Historical Society and for the Sooke Region Museum Service.

**BACKGROUND**

In 1983, the Capital Regional District (CRD) established a service known as the "Sooke Region Historical Society Specified Area" to provide annual funding to the Sooke Region Historical Society for the operation, maintenance and development of the Sooke Region Museum. In 1987, this specified area bylaw was amended to set the requisition at a fixed annual amount of \$76,000. In 2008, the CRD established a service for contributing to the Sooke Region Museum endowment and operating fund; the requisition was set at a fixed annual amount of \$75,000.

The maximum requisition included in the bylaws for these two services is being levied each year but it is now proving to be insufficient to cover cost-of-living and other operational cost increases. As a result, the Sooke Region Museum has submitted a request to the District of Sooke for a funding increase. The District of Sooke Council and the Juan de Fuca (JDF) Electoral Area Director support this request.

To accommodate this request, it is proposed that the requisitions in both bylaws be amended to provide for a maximum requisition of the greater of an annual fixed amount or a variable amount that is based on a tax rate applied to the property values in the service area. In addition, the fixed amount in each bylaw will be increased by approximately 5%.

Consequently, two bylaws are required. First, the Sooke Region Historical Society specified area bylaw needs to be converted to a service establishment bylaw in order to increase its requisition. Secondly, the Sooke Region Museum Service bylaw needs to be amended to increase its requisition.

**ALTERNATIVES**

1. a) That bylaw No. 3751 cited as "Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011" be introduced and read a first time, read a second time, and read a third time.  
b) That bylaw No. 3760 cited as "Sooke Region Museum Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2011" be introduced and read a first time, read a second time, and read a third time.
  
2. That bylaws No. 3751 and No. 3760 be deferred to a future meeting pending further information.

## **IMPLICATIONS**

### Intergovernmental

The Mayor and Council of the District of Sooke, and the JDF Electoral Area Director consider that an increase in the requisition is justified. They are in agreement with the proposed bylaw conversion amendments.

### Financial

The requisitions contained in the existing bylaws provide no flexibility to absorb the inflationary pressures of operating the Sooke Region Museum. The proposed bylaws provide for a maximum requisition of the greater of an annual fixed amount of \$78,650 (an approximate 5 % increase) or a variable amount that is based on a tax rate of .026 applied to the property values in the service area.

## **CONCLUSION**

Sooke Region Museum operational costs are subject to inflationary pressures that the requisitions in the current bylaws are unable to absorb. The Sooke District Council and JDF Electoral Area Director consider the proposed requisition increases to be both necessary and reasonable for area residents. Alternative 1 is recommended.

## **RECOMMENDATION**

That the Electoral Area Services Committee recommend to the CRD Board:

1. a) That bylaw No. 3751 cited as “Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011” be introduced and read a first time, read a second time, and read a third time.
- b) That bylaw No. 3760 cited as “Sooke Region Museum Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2011” be introduced and read a first time, read a second time, and read a third time.

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Roseline Ferré  
Grants Coordinator

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Diana E. Lokken  
General Manager, Corporate Services  
Concurrence

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Brian MacDonald  
Manager, Financial Planning and Investments

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Kelly Daniels  
C.A.O.  
Concurrence

Attachments (2)

**CAPITAL REGIONAL DISTRICT**

**BYLAW NO. 3751**

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**A BYLAW TO CONVERT SOOKE REGION HISTORICAL SOCIETY SPECIFIED AREA TO A SERVICE AND TO AMEND THE MAXIMUM REQUISITION ESTABLISHED IN THE SOOKE REGION HISTORICAL SOCIETY SPECIFIED AREA ESTABLISHMENT BYLAW NO. 1, 1983**  
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**WHEREAS:**

- A. The Capital Regional District Board may, by bylaw, under Section 774.2(3) of the *Local Government Act* convert a service provided by the Regional District under a specified area to a Service and by the same bylaw amend the maximum requisition 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 800.1 and is adopted in accordance with Section 802 of the *Local Government Act*;
- B. The Capital Regional District Board did establish by Bylaw No. 1189 cited as “Sooke Region Historical Society Specified Area Establishment Bylaw No. 1, 1983”, as amended, a specified area for the provision of annual financial assistance to the Sooke Region Historical Society to operate, maintain and develop the Sooke Region Museum within the specified area;
- C. The Capital Regional District Board wishes to convert the Sooke Region Historical Society Specified Area to a Service;
- D. The Capital Regional District Board wishes to amend the maximum amount that may be requisitioned and to define the current participants in the Service;
- E. Pursuant to Section 802 of the *Local Government Act*, participating area approval is required and consent on behalf of the electors of the municipal council and the electoral participating area director has been received under Section 801.4 and Section 801.5 of the *Local Government Act*; and
- F. The approval of the Inspector of Municipalities is required under Section 801(1)(a) and 802(3) of the *Local Government Act*.

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

**Service**

- 1. The Sooke Region Historical Society specified area established by the Sooke Region Historical Society Specified Area Establishment Bylaw No. 1, 1983, as amended, is hereby converted and established as a Service for the purpose of providing annual financial assistance for operating, maintaining and developing the Sooke Region Museum.

**Boundaries**

- 2. The boundaries of the service area shall be coterminous with the boundaries of the District of Sooke and a portion of the Electoral Area of Juan de Fuca as shown in heavy outline on

Schedule "A" attached hereto and forming part of this bylaw.

### **Participating Area**

3. The District of Sooke and the Electoral Area of Juan de Fuca are the participating areas for this service.

### **Cost Recovery**

4. As provided in Section 803 of the *Local Government Act*, the annual costs of providing the Service may be recovered by one or more of the following:
  - a) the requisition of money under Section 806 of the *Local Government Act* to be collected by a property value tax, based on land and improvements levied and collected under Section 806.1 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 under this or another Act;
  - e) revenues received by agreement, enterprise, gift, grant or otherwise.

### **Cost Sharing**

5. The net annual cost attributable to this service shall be apportioned among the participating municipality and electoral area on the basis of net taxable value of land and improvements for hospital purposes.

### **Maximum Requisition**

6. In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
  - a) Seventy-Eight Thousand Seven Hundred Fifty Dollars (\$ 78,750); or
  - b) a property value tax rate of \$.026 per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Service.

### **Citation**

7. This Bylaw may be cited as the "Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011".

CONSENTED TO by the District of Sooke.

CONSENTED TO by the Director of the Juan de Fuca Electoral Area.

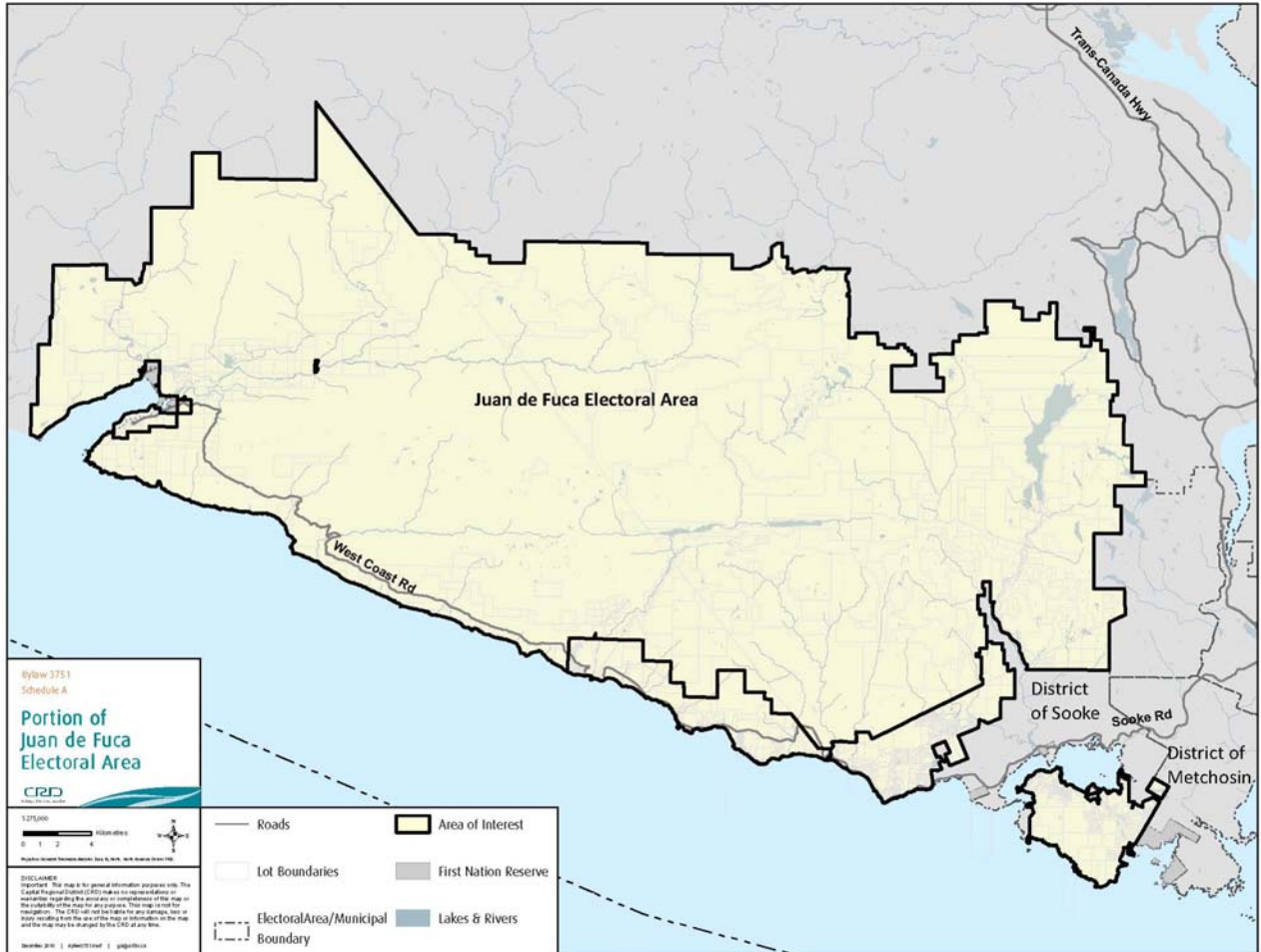
READ A FIRST TIME THIS	th	day of	2011
READ A SECOND TIME THIS	th	day of	2011
READ A THIRD TIME THIS	th	day of	2011
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS	th	day of	2011
ADOPTED THIS		day of	2011

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS      day of      2011

### SCHEDULE A: Portion of the Electoral Area of Juan de Fuca (Bylaw 3751)



**CAPITAL REGIONAL DISTRICT  
BYLAW NO. 3760**

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**A BYLAW TO AMEND BYLAW NO. 3525 BEING “SOOKE REGION MUSEUM SERVICE  
ESTABLISHMENT BYLAW NO. 1, 2008” TO AMEND THE MAXIMUM REQUISITION**

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**WHEREAS:**

- A. Under Bylaw No. 3525, "Sooke Region Museum Service Establishment Bylaw No.1, 2008", the Board of the Capital Regional District established a service for the purpose of contributing to an endowment fund and to an operating fund for the Sooke Region Museum for a portion of the Juan de Fuca Electoral Area and the District of Sooke;
- B. The Capital Regional District Board wishes to amend the maximum amount that may be requisitioned;
- C. The Capital Regional District Board has obtained the consent on behalf of the electors under section 801.4 and 801.5 of the *Local Government Act*; and
- D. The approval of the Inspector of Municipalities is required under Section 802(3) of the *Local Government Act*.

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

- 1. Bylaw No. 3525 “Sooke Region Museum Service Establishment Bylaw No.1, 2008” is amended as follows:

By replacing Section 6 in its entirety with the following:

- “6. In accordance with Section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
  - a) Seventy-Eight Thousand Seven Hundred Fifty Dollars (\$78,750); or
  - b) a property value tax rate of \$0.026 per One Thousand Dollars (\$1,000) that, when applied to the net taxable value of land and improvements in the Service Area, will yield the maximum amount that may be requisitioned for the Service.

The amount requisitioned will be allocated as follows:

- a) One – third (1/3) will be allocated to the endowment fund; and
- b) Two – thirds (2/3) will be allocated to the annual operating fund.”

- This Bylaw may be cited as the "Sooke Region Museum Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2011".

READ A FIRST TIME THIS                   <sup>th</sup>                   day of                   2011  
READ A SECOND TIME THIS               <sup>th</sup>                   day of                   2011  
READ A THIRD TIME THIS                 <sup>th</sup>                   day of                   2011

RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTIONS 801.4 and 801.5 OF THE  
*LOCAL GOVERNMENT ACT* THIS                   <sup>th</sup>                   day of                   2011

APPROVED BY THE INSPECTOR OF MUNICIPALITIES  
THIS                   <sup>th</sup>                   day of                   2011

ADOPTED THIS                   <sup>th</sup>                   day of                   2011

\_\_\_\_\_  
CHAIR

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SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS   <sup>th</sup>   day of                   2011